

Chapter 19. DEFINITIONS

19.1 Intent

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

19.2 Interpretation

- A. Words used in the present tense include the future tense.
- B. Words used in the singular number include the plural, and words used in the plural number include the singular.
- C. Any word denoting gender includes the female and the male.
- D. The word "person" includes a firm, association, organization, partnership, corporation, trust and company as well as an individual.
- E. The word "lot" includes the word "plot" or "parcel" or "tract".
- F. The word "shall" is always mandatory and not merely directory.
- G. The word "structure" shall include the word "building."
- H. The word "District Map," "Knightdale Zoning Map," or "Official Zoning Map" shall mean the Official Zoning Map of Knightdale, North Carolina.
- I. The term "Planning Director" shall mean the "Planning Director of the Town of Knightdale, North Carolina" or "Designee."
- J. The term "Administrator" shall mean "Planning Director of the Town of Knightdale, North Carolina or Designee."
- K. The term "Zoning Administrator" shall mean the "Zoning Administrator of the Town of Knightdale, North Carolina."
- L. The term "Town Council" shall mean the "Town Council of the Town of Knightdale, North Carolina."
- M. The term "Land Use Review Board" shall mean the "Land Use Review Board of the Town of Knightdale, North Carolina."
- N. The term "Planning Department" shall mean the "Planning Department of the Town of Knightdale, North Carolina."
- O. The terms "Ordinance", "Code", "UDO" and "Unified Development Ordinance" shall be synonymous and refer to the "Town of Knightdale Unified Development Ordinance."
- P. **Fractional Requirements:** When calculations for any requirement of this Ordinance, including the determination of the number of dwelling units permitted on a lot, result in a fraction of a unit, a fraction of one-half or more shall be considered a whole unit and a fraction of less than one-half shall be disregarded.

19.3 Definitions of Terms

Adult Establishment 2.3C(5)a: Any establishment having a substantial portion of materials or entertainment characterized by an emphasis on sexual activities, anatomical genital areas, or the female breast as defined in NC General Statute, Section 14.210.10 (or any successor thereto).

Agribusiness 2.3C(6)a: These establishments grow crops, raise animals, harvest timber, and harvest fish and other animals from a farm, ranch, or their natural habitats. They may be described as farms, bona fide farms, ranches, dairies, greenhouses, nurseries, orchards; or hatcheries. A farm, as an establishment, may be one or more tracts of land, which may be owned, leased; or rented by the farm operator. Farms may hire employees for a variety of tasks in the production process. Subcategories in this dimension differentiate establishments involved in production versus those that support agricultural production. Therefore, agribusiness does not include agricultural research establishments administering programs for regulating and conserving land, mineral, wildlife, and forest use. Said establishments are classified under the relevant institutional or research and development categories. Agribusiness also does not include swine farms as defined in N.C.G.S. §106-802. See Section 1.5B and Section 8.2D for agribusiness related exemptions (*LBCS F9000 and S8000*).

Airport 2.3C(8)a: Establishments that provide air transportation for passengers or cargo using aircraft, such as airplanes and helicopters. This subcategory includes scenic and sightseeing air transportation establishments, which may involve local departure and same-day return. (*LBCS F4110, S3920 and S5600*)

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

Animal Services 2.3C(3)a: Establishments that include services by licensed practitioners of veterinary medicine, dentistry or surgery for animals; indoor boarding services for pets; and grooming. (*LBCS F2418 and F2720*)

Amusements, Indoor 2.3C(5)b-d: Establishments that provide commercial recreation activities completely within an enclosed structure such as pool halls, arcades, movie theaters, skating rinks, roller rinks, and bowling alleys. (*LBCS F5320, F5380, F5390 and S3200*)

Amusements, Outdoor 2.3C(5)e: Establishments that provide commercial recreation activities primarily outdoors such as miniature golf establishments; go-cart facility; theme parks, carnivals, fairgrounds, and midways; paintball parks; and water rides. (*LBCS F5310 and S4440*)

Arterial: Thoroughfares are those streets which generally serve through-traffic and are designated on the current edition of the officially adopted Knightdale Area Thoroughfare Plan. Thoroughfares may be further defined as major thoroughfares or minor thoroughfares.

Arterial Plan: A plan, adopted by the Town Council, for the development of existing and proposed major streets that will adequately serve the future travel needs of an area in an efficient and cost-effective manner.

Automated Teller Machines (ATM) 2.3C(3)b: Computerized, self-service machines used by banking customers for financial institutions, including deposits, withdrawals and fund transfers, without face-to-face contact with financial institution personnel. These machines may be located at or within banks, or in other locations.

Auto Parts Sales 2.3C(4)a: Establishments selling new, used, or rebuilt automotive parts and accessories. Examples include parts and supply stores, automotive stereo stores, speed shops, truck cap stores, and tires and tube shops. (*LBCS F2115*)

Banks, Credit Unions, Financial Services

2.3C(3)c: Establishments that engage in financial transactions that create, liquidate, or change ownership of financial services.

Banks, credit unions, and savings institutions may perform central banking functions, accept deposits, and lend funds from these deposits. In addition to banks and credit unions, financial services institutions may include: credit agencies, trust companies, holding companies, lending and thrift institutions, securities/commodity contract brokers and dealers, security and commodity exchanges, vehicle finance (equity) leasing agencies, and investment companies. (*LBCS F2200 and F2210*)

Bar/Tavern/Nightclub 2.3C(4)b:

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

Base Flood Elevation (BFE):

A determination of the water surface elevations of the base flood based on current conditions hydrology as published in the FIS. When the BFE has not been provided in a Special Flood Hazard Area, it may be obtained from engineering studies available from a Federal or State source using FEMA approved engineering methodologies. This elevation, when combined with the freeboard, established the Regulatory Flood Protection Elevation in Special Flood Hazard Areas.

Bay Window: A window assembly whose maximum horizontal projection is not more than two feet from the plane of an exterior wall and is elevated above the floor level of the home.

Bed and Breakfast Inn 2.3C(2)a:

Establishments primarily engaged in providing short-term lodging in facilities known as bed-and-breakfast inns. These establishments provide short-term lodging in private homes or small buildings converted for this purpose. Bed-and-breakfast inns are characterized by a highly personalized service and inclusion of a full breakfast in a room rate. (*LBCS F1310*)

Berm: A mound of material, the purpose of which is to divert the flow of runoff water and/or to act as a visual and sound buffer to nearby properties.

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

Bicycle Facilities: A general term denoting improvements and provisions made to accommodate or encourage bicycling, including parking, bicycle lanes and shared roadways.

Block Face: One side of a street between two consecutive intersections, having at least one principal building on a lot facing the street. For a corner lot having frontage along more than one street, the block face shall consist of that side of the block that has the more numerous parcels or lots fronting the street. An "opposite block face" is the block face across the street from a given block face.

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

Buffer yard: A landscaped area intended to give spatial separation between incompatible land uses.

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

Building coverage: The amount of land covered or permitted to be covered by a building(s), usually measured in percentage of a lot. For example, if permitted building coverage is 25 percent, an 8,000 sq. ft. lot coverage regulations are one way (in addition to or instead of yards and setbacks) to assure maintenance of open space on lots and to limit intensity. Sometimes building coverage requirements may refer only to main buildings; sometimes, they may include accessory buildings as well.

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

Building, accessory: A building subordinate to the main building on a lot and used for purposes customarily incidental to the main or principal building and located on the same lot therewith.

Building, principal: A building in which is conducted the main or principal use of the lot on which said building is situated.

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

Business Support Services 2.3C(3)d: These establishments provide any of the following: document preparation, telephone answering, telemarketing, mailing (except direct mail advertising), court reporting, and steno typing. They may operate copy centers, which provide photocopying, duplicating, blueprinting, or other copying services besides printing. They may provide a range of support activities, including mailing services, document copying, facsimiles, word processing, on-site PC rental, and office product sales. (*LBCS 2424*)

Caliper: A standard trunk diameter measurement for nursery grown trees taken six inches above the ground for up to and including four-inch Caliper size, and twelve inches above the ground for larger sizes.

Campground 2.3C(7)a: Establishments accommodating campers and/or artists and their equipment, including tents, tent trailers, travel trailers, and recreational vehicles. Facilities and services such as cabins, washrooms, food services, recreational facilities and equipment, and organized recreational activities.

Cemetery 2.3C(7)b: A parcel of land used for interment of the dead in the ground or in mausoleums. (*LBCS S4700*)

Certificate of Occupancy: A certificate issued by the Administrator or his designated representative certifying that all structures, their land uses, and land restrictions conform with all the requirements of the Knightdale Unified Development Ordinance. This certificate is issued prior to occupying any structure or use for which a zoning permit is issued.

Change of Use: 1) A new, different, or additional use of a structure or land which required or requires a certificate of occupancy. 2) Change of Use includes without limitation any new, different, or additional use within the list of permitted uses for the underlying property, any purported use outside the list of permitted uses. 3) When any prior use of a structure or land has ceased for a period greater than 180 days.

The Land Use Administrator may grant a 180-day extension to part (3) if the property and/or building owner provides sufficient evidence of actively recruiting a use that would not constitute a change of use under either part (1) or (2) above. Thereafter, if any prior use of the structure or land has ceased for a period greater than 360 days, any subsequent use shall be considered a change of use.

Multi-tenant structures shall not be considered a change of use when individual uses change unless the essential character (more than 50% of structure's square footage) of the activity conducted in the entire structure (e.g. shopping center, professional service office building) has changed as defined in part (1), (2) or (3) above.

Child/Adult Day Care Home 2.3C(3)e: Supervision or care provided on a regular basis as an accessory use within a principal residential dwelling unit, by a resident of the dwelling, for less than 6 children who are not related by blood or marriage to, and who are not the legal wards or foster children of, the supervising adult.

Child/Adult Day Care Center 2.3C(3)f: An individual, agency, or organization providing supervision or care on a regular basis for children who are not related by blood or marriage to, and who are not the legal wards or foster children of, the supervising adults; designed and approved to accommodate 6 or more children at a time; not an accessory to residential use.

Collector Plan: A Plan of Collector roads. Collectors are designed to provide a greater balance between mobility and land access within residential, commercial, and industrial areas. The makeup of a collector facility is largely dependent upon the density, size, and type of abutting developments. Emphasizing balance between mobility and access, a collector facility is designed to better accommodate bicycle and pedestrian activity while still serving the needs of the motoring public.

Colleges/Universities 2.3C(7)c: Comprise junior colleges, colleges, universities, and professional schools. These establishments furnish academic or technical courses and grant degrees, certificates, or diplomas at the associate, baccalaureate, or graduate levels. (*LBCS F6130*)

Community Service Organization 2.3C(3)g: A public or quasi-public establishment providing social and/or rehabilitation services, serving persons with social or personal problems requiring special services, the handicapped, and the otherwise disadvantaged such as counseling centers, welfare offices, job counseling and training centers, vocational rehabilitation agencies, and community improvement and neighborhood redevelopment, but does not include any services providing on-site residential or accommodation services. (*LBCS F6560*)

Comprehensive Plan: A document or series of documents setting forth policies for the future of a community. It is normally the result of considerable study and analysis of existing physical, economic, and social conditions, and a projection of future conditions. When adopted by a public body, it serves as a guide for many public decisions, especially land use changes.

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

Conservation Easement: See *Easement, Conservation*.

Copy: Any words, letters, numbers, figures, characters, symbols, logos, or insignia that are used on a sign display surface area.

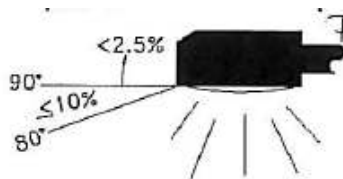
Cremation Facilities 2.3C(3)h: These establishments operate sites or structures reserved for the interment of human or animal remains (except for cemeteries), or for cremating the dead. (*LBCS F6720*)

Critical root zone (CRZ): A circular region measured outward from a tree trunk representing the essential area of the roots that must be maintained in order for the tree's survival. The critical root zone is one foot of radial distance for every inch of tree DBH, with a minimum of eight feet.

Cul-de-sac: See *Street, cul-de-sac*

Cultural or Community Facility 2.3C(5)f: Facilities designed to promote cultural advancement and serve the community such as live theater, dance, or music establishments; art galleries, studios and museums; non-profit civic or fraternal organizations; museums, exhibition, or similar facility; libraries; and community centers, such as the YMCA and YWCA. (*LBCS S3800, S4400, F5110, F5210, and FS6830*)

Cutoff Fixture: A luminaire light distribution where the candela per 1000 lamp lumens does not exceed 25 (2.5 percent) at or above an angle of 90 degrees above nadir, and does not exceed 100 (10 percent) at or above a vertical angle of 80 degrees above nadir. This applies to all lateral angles around the luminaire.



DBH: Diameter-at-breast-height is the tree trunk diameter measured in inches at a height of 4.5 feet above the ground.

Deciduous: Those plants that annually lose their leaves.

Density: The number of dwelling units on the entire area of a tract or parcel of land.

Development: Any land disturbing activity which adds to or changes the amount of impervious or partially impervious cover on a land area or which otherwise decreases the infiltration of precipitation into the soil. Also, any action such as subdividing that is undertaken for the purpose of making land more useful, or any area of a site where clearing, grading, parking, structures, walks or related work takes place for the construction, operation and maintenance of a site.

Direct Light: Light emitted directly from the lamp, off of the reflector or reflector diffuser, or through the refractor or diffuser lens, of a luminaire.

Directional Fixture: An assembly that holds the lamp along with any globe, shade, or other covering surrounding the lamp that may be adjusted to concentrate or throw light in a specific direction.

Drainage, sheet flow (dispersed): Drainage spread out, as opposed to collected in channels.

Drainageway: Any natural or manmade channel or drainage structure that carries surface runoff from precipitation.

Drip Line: A vertical line extending from the outermost edge of the tree canopy or shrub branch to the ground.

Drive-Thru Retail/Restaurants 2.3C(4)c: A facility where food and other products may be purchased by motorists without leaving their vehicles. Examples include: fast-food restaurants, drive-through coffee, dairy product, photo stores, pharmacies, etc.

Drive Thru Service 2.3C(3)i: A facility where services may be obtained by motorists without leaving their vehicles. These facilities include drive-through bank teller windows, dry cleaners, etc. Does not include: Automated Teller Machines (ATMs), gas stations or other vehicle services, which are separately defined.

Drive-through window: A window or other fenestration or other device for the delivery of goods or products from a principal or accessory structure to a vehicle or pedestrian and through which compensation for such may be exchanged, including the making of change, and the order for such goods is made from a remote on-site station rather than at a window or other fenestration of other device. (This definition includes the term "drive-in window.")

Dwelling/Dwelling Unit: A building designed, arranged, or used for permanent living quarters for one (1) or more persons.

Dwelling-Duplex 2.3C(1)b: Generally a two-unit building that is divided horizontally, and each unit has a separate entrance from the outside or through a common vestibule. Buildings are typically under one ownership. (*LBCS F 1100 and S1121*)

Dwelling-Multifamily (less than 4 units/bldg) 2.3C(1)c: A dwelling unit that is part of a structure containing more than one (1) but less than four (4) units. Each unit has a separate entrance from the outside or through a common vestibule. Multi-family dwellings may include duplexes and triplexes (buildings under one ownership with two or three dwelling units in the same structure), as well as a condominium complex containing only three or four units. (*LBCS S1121 and S1140*)

Dwelling-Multifamily (more than 4 units/building) 2.3C(1)d: A dwelling unit that is part of a structure containing more than four units. Each unit has a separate entrance from the outside or through a common vestibule. These structures may include quadplexes (buildings under one ownership with four dwelling units in the same structure); apartments (five or more units under one ownership in a single building); and, a condominium complex containing five or more units. (*LBCS S1121 and S1140*)

Dwelling-Single Family 2.3C(1)a: A free standing building designed for and/or occupied by one family. These residences may be individually owned as residences or residences owned by rental or management companies. Also includes factory-built, modular housing units that comply with the National Manufactured Housing Construction and Safety Standards Act of 1974. (*LBCS F1100 and S1100*)

Dwelling-Secondary 2.3C(1)e: A dwelling unit either detached or non-detached, such as a garage apartment or cottage, designed for occupancy by one or two persons, not exceeding 800 square feet and located on a lot with an existing single-family dwelling.

Easement: A grant by the property owner for use by the public, a corporation, or person(s) of a strip of land for specified purpose.

Easement, access: An easement which grants the right to cross property.

Easement, conservation: A restriction placed on a piece of property to protect the resources (natural or man-made) associated with the parcel. The easement is either voluntarily sold or donated by the landowner, and constitutes a legally binding agreement that prohibits certain types of development (residential or commercial) from taking place on the land.

Easement, drainage: An easement which recognizes and documents the presence of a drainageway, guarantees the passage of stormwater runoff, and may grant the right to maintain, relocate, or in such other manner utilize the easement for the improvement of drainage and stormwater flow.

Easement, utility: An easement which grants to the Town Council or other utility providers the right to install and thereafter maintain any and all utilities including, but not limited to, water lines, sewer lines, storm sewer lines, electrical power lines, telephone lines, natural gas lines, and community antenna television systems.

Eaves: That part of a roof that projects beyond the exterior wall; usually the lower edge of a sloped roof.

Equipment Rental 2.3C(3)j: Establishments renting or leasing: a) office machinery and equipment, such as computers, office furniture, copiers, or fax machines; b) heavy equipment without operators used for construction, mining, or forestry, such as bulldozers, earthmoving equipment, etc.; c) other non-consumer machinery and equipment, such as manufacturing equipment; metalworking; telecommunications, motion picture, or theatrical equipment; institutional (i.e. public building) furniture; or, agricultural equipment without operators. (*LBCS F2334*)

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

Evergreen: Those plants that retain foliage throughout the year.

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

- (a) Substantial expenditures of resources (time, labor, money) based on a good faith reliance upon having received a valid local government approval to proceed with the project, or
- (b) Having an outstanding valid building permit as authorized by the General Statutes (G.S. 160A-385.1), or
- (c) Having expended substantial resources (time, labor, money) and having an approved site specific or phased development plan as authorized by the General Statutes (G.S. 160A-385.1).

Extraterritorial Jurisdiction: That land lying beyond the municipal limits of the Town of Knightdale and within the extraterritorial jurisdiction boundary as delineated on the official zoning map of the Town of Knightdale in accordance with G.S. 160A-360. The authority is granted to a locality to exercise zoning powers for a specified distance outside its boundaries. It is intended to protect activities on the edge of communities from being encroached on by incompatible adjacent activities.

Family: An individual, or two (2) or more persons related by blood, marriage, ~~or~~ adoption, foster care or guardianship, together with incidental domestic servants and temporary, non-compensating guests; or a group of not more than four (4) unrelated persons-living together as a single housekeeping unit.

Family Care Home 2.3C(1)f: A home with support and supervisory personnel that provides room and board, personal care and habilitation services in a family environment for not more than six (6) resident persons with disabilities. (*NCGS 168-21*)

Fixture: The assembly that houses the lamp or lamps and can include all or some of the following parts: a housing, a mounting bracket or pole socket, a lamp holder, a ballast, a reflector or mirror, and/or a refractor or lens.

Flood, base: The flood having a one percent (1%) chance of being equaled or exceeded in any given year.

Flood fringe: The land area located between the floodway and maximum elevation subject to inundation by the base flood.

Flood Insurance Rate Map (FIRM): An official map of a community, issued by the FEMA, on which the Special Flood Hazard Areas, the Future Conditions Flood Hazard Areas, and the risk premium zones applicable to the community are delineated.

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

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

Flood or Spot Light: Any light fixture or lamp that incorporates a reflector or a refractor to concentrate the light output into a directed beam in a particular direction.

Floodplain: The relatively flat area or low land adjacent to the channel of a federally designated watercourse which has been or may be covered by floodwater during a base flood event.

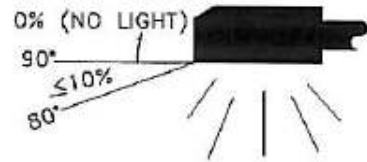
Floodway: The channel of a federally designated watercourse and the adjacent land area that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot.

Footcandle (FC): A unit of illuminance amounting to one lumen per square foot.

Freeboard: The height added to the BFE or Future Conditions Flood Elevation to account for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings and the hydrological effect of urbanization on the watershed. The BFE plus the freeboard establishes the Regulatory Flood Protection Elevation.

Frontage: All the property abutting on one (1) side of a street between two (2) intersecting streets measured along the street line. "Frontage along a public street" requires means of direct access by the public.

Full Cutoff Fixture: A luminaire light distribution where zero candela intensity occurs at or above an angle of 90



degrees above nadir. Additionally, the candela per 1000 lamp lumens does not numerically exceed 100 (10 percent) at or above a vertical angle of 80 degrees above nadir. This applied to all lateral angles around the luminaire.

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

Funeral Homes and Services 2.3C(3)k: Establishments for preparing the dead for burial or internment and conducting funerals (i.e. providing facilities for wakes, arranging transportation for the dead, and selling caskets and related merchandise). (*LBCS F6700-6702*)

Future Conditions Flood: The flood having a one percent (1%) chance of being equaled or exceeded in any given year based on future conditions hydrology.

Future Conditions Flood Elevation: A determination of the water surface elevations of the one percent (1%) annual chance flood based on future conditions hydrology as published in the FIS. This elevation, when combined with the freeboard, established the Regulatory Flood Protection Elevation ”in Future Conditions Flood Hazard Areas.

Future Conditions Flood Hazard Area: The land area that would be inundated by the one percent (1%) annual chance flood based on future conditions hydrology as determined in Section 6.5(C)(1) of this ordinance.

Future Conditions Hydrology: The flood discharges associated with projected land-use conditions based on Wake County’s June 2003 Equivalent Zoning Classification and without consideration of projected future construction of flood detention structures or projected future hydraulic modifications within a stream or other waterway such as bridge and culvert construction, fill, and excavation. Future conditions flood discharges are published in the FIS.

Gas Station 2.3C(4)d: Establishment that primarily retails automotive fuels. These establishments may further provide services such as automotive repair, automotive oils, and/or replacement parts and accessories. Gas stations include structures that are specialized for selling gasoline with storage tanks, often underground or hidden. Bays for car washes may also be included. (*LBCS F2116 and S2270*)

General Retail-10,000 sf or less 2.3C(4)f: A use category allowing premises to be available for the commercial sale of merchandise and prepared foods, but excluding manufacturing. Ranging in size of 10,000 square feet or less. (*LBCS F2100*)

General Retail-10,001 sf – 50,000 sf 2.3C(4)g: A use category allowing premises to be available for the commercial sale of merchandise and prepared foods, but excluding manufacturing. Ranging in size between 10,001 square feet and 50,000 square feet. (*LBCS F2100*)

General Retail-Greater than 50,000 sf 2.3C(4)h: A use category allowing premises to be available for the commercial sale of merchandise and prepared foods, but excluding manufacturing. Greater than 50,000 square feet.

Glare: Light emitting from a luminaire with intensity great enough to reduce a viewer's ability to see, and in extreme cases causing momentary blindness.

Government Services 2.3C(3)l: Includes federal, state, and local government agencies that administer, oversee, and manage public programs and have executive, legislative, and judicial authority. (*LBCS F6200*)

Greenway: Public open space owned and maintained by the Town which has been designated on an officially adopted greenway or open space plan.

Greenway and Bike Route Plan: A Master Plan illustrating greenways and bike routes.

Ground cover: A prostrate plant growing less than two feet in height at maturity that is grown for ornamental purposes. Ground Covers are used as an alternative to grasses. On slopes, Ground Covers control erosion while eliminating the maintenance of mowing on hillsides. Many Ground Covers survive in poor soils, shade and other adverse conditions.

Group Care Facilities 2.3C(3)m: A facility with support and supervisory personnel that provides room and board, personal care and habilitation services in a group environment to more than six (6) resident persons with disabilities of whom one or more are unrelated. This category includes facilities licensed (in whole or in part) by the North Carolina Department of Health and Human Services. Examples include but are not limited to group dwellings (all ages), halfway houses, nursing homes, resident schools, resident facilities, skilled nursing, adult care homes, and foster or boarding homes. Such facility may also include the care of 6 or fewer persons who are not covered by the NCGS 168-21 definition of a person with disabilities, but excludes housing services for the elderly as defined within this ordinance.

Handicapped person: As used in family care definition, a person with a temporary or permanent physical, emotional, or mental disability including but not limited to mental retardation, cerebral palsy, epilepsy, autism, hearing and sight impairments, emotional disturbances and orthopedic impairments but not including mentally ill persons who are dangerous to others as defined in G.S. 122C-3(11)(b).

Hazardous material: Any substance listed as such in: SARA section 302, Extremely Hazardous Substances, CERCLA Hazardous Substances, or Section 311 of CWA (oil and hazardous substances).

Home Occupation 2.3C(1)g: An occupation or profession conducted within a dwelling unit by a residing family member that is incidental to the primary use of the dwelling as a residence. Home Occupations are small and quiet non-retail businesses generally invisible from the frontage, are seldom visited by clients, require little parking, have little or no signage, and have only one (1) or two (2) employees. They include, but are not limited to, professional services, workshops, sewing, music instruction, and hair styling. Home Occupations include day care centers where daytime care is provided to less than 6 children who are not the legal wards or foster children of the attendant adult within an owner-occupied residence. Home occupations do not include those occupations such as vehicle repair, service or sales; animal services; theaters; massage; storage; manufacturing or fabrication.

Hospital 2.3C(7)d: A health care facility the purpose of which is to provide for care, treatment, testing for physical, emotional, or mental injury, illness, or disability, and overnight boarding of patients, either on a for-profit or not-for-profit basis; but not including group homes. (*LBCS F6530 and S4110*)

Hotels/Motels/Inns 2.3C(2)b: Establishments providing lodging and short-term accommodations for travelers. They may offer a wide range of services including, overnight sleeping space, food services, convention hosting services, and/or laundry services. Entertainment and recreation activities may also be included. Extended-stay hotels are included in this category. (*LBCS F1300 and F1330*)

Housing Services for the Elderly 2.3C(1)h: Establishments that offer housing services for the aged, not requiring a license from the North Carolina Department of Health and Human Services, such as independent retirement housing, multi-unit assisted housing with services (MAHS) and continuing care retirement centers.

Impervious surface: Improvements including street pavement, driveways, gravel areas, buildings, and other structures which cover the soil surface and prevent infiltration of water into the soil.

Indirect Light: Direct light that has been reflected or has scattered off of other surfaces.

Isolux Lighting Plan – a demonstration or topographic of light distribution over a given area.

Laboratory-Medical, Analytical, Research, & Development 2.3C(6)b: A facility for testing, analysis, and/or research. Examples of this include medical labs, soils and materials testing labs, and forensic labs.

Lamp: The component of a luminaire that produces the actual light (bulb).

Land disturbing activity: Any use of the land by any person(s) in residential, industrial, educational, institutional, or commercial development, highway or road construction or maintenance, that results in a change in natural cover or topography that may cause or contribute to sedimentation.

Land Use Review Board: The Town of Knightdale Land Use Review Board.

Landfill: A facility for the disposal of solid waste on land in a sanitary manner in accordance with Chapter 130A Article 9 of the N.C. General Statutes. For the purpose of this ordinance, this term does not include composting facilities.

Landscaping: Changing, rearranging, or adding to the original vegetation or scenery of a piece of land to produce an aesthetic effect appropriate for the use to which the land is put. It may include reshaping the land by moving the earth, as well as preserving the original vegetation or adding vegetation. Landscaping requirements are included in ordinances for a number of reasons. They preserve natural features of a site for ecological and environmental reasons. They make land more attractive for residential and other uses. They can screen from view unattractive uses such as junk yards, parking lots, or gravel pits. And they can act as buffers, visually separating different types of uses.

Laundry, Dry Cleaning Plant 2.3C(6)c: A service establishment engaged primarily in high volume laundry and garment services, including: carpet and upholstery cleaners; diaper services; dry-cleaning and garment pressing; commercial laundries; and linen supply. These facilities may include customer pick-up but do not include coin-operated laundries or dry cleaning pick-up stores without dry cleaning equipment.

Light Spillage: The shining of light produced by a luminaire beyond the boundaries of the property on which it is located and desired as measured at the border.

Live-Work Unit 2.3C(1)i: An attached residential building type with small commercial enterprises on the ground floor and a residential unit above or behind with a common tenant in both spaces (no dual occupancy is permitted).

Loading Area: An area, separate and distinct from any parking area, that is delineated on a plan and used for the regular and intermittent loading and unloading of supplies, equipment or materials.

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

(a) *Double-frontage lot:* A lot of the same depth as the width of a block containing two (2) tiers of lots and which is accessible from both of the streets upon which it fronts.

(b) *Single-tier lot:* A lot which backs upon limited access highway, a railroad, a physical barrier, or a nonresidential use and to which access from the rear is usually prohibited.

(c) *Corner lot:* A lot which has continuous frontage at two (2) intersecting streets.

(d) *Flag lot* (also known as a pipestem lot or panhandle lot): A lot which contains a relatively narrow strip that provides street access.

Lot of record: A lot which is a part of a subdivision, a plat of which has been recorded in the office of the register of deeds of Rowan County or a lot described by metes and bounds, the description of which has been so recorded.

Lot, Infill: A parcel of land located within an existing built-up area. In reference to the Old Town Knightdale Plan (Appendix B of the 2027 Comprehensive Plan), the term "infill lot" shall include, but not be limited to, any lot zoned GR3, GR8, UR12, RMX or NMX, and having frontage along any of the following streets: Second, Third, or Fourth avenues between Smithfield Road and Pine Street; First Avenue between Smithfield Road and Sixth Street; Maple, Main, Oakwood and Pine streets; the segments of Park Avenue, Harper Street, or Ridge Street east of Smithfield Road; Sallinger, Hester, Jutson, House and Keith streets; and Robertson Street between First Avenue and Keith Street.

Lot width: The distance between side lot lines measured at the building line.

Lumen: A unit of luminous flux. The total quantity of light emitted from a light source. One foot-candle is one lumen per square foot. For the purposes of this Ordinance, the lumen-output values shall be the Initial lumen output ratings of a lamp.

Luminaire: A complete lighting unit consisting of a lamp or lamps together with the parts designed to distribute the light, to position and protect the lamps and to connect the lamps to the power supply.

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

Manufactured Housing 2.3C(1)j: A dwelling unit, other than a modular home, fabricated in an off-site manufacturing facility for installation or assembly on the building site, which is at least eight feet in width and at least 32 feet in length, which bears a seal certifying that it was built to the standard adopted pursuant to the "National Manufactured Housing Construction and Safety Standards Act of 1974", 42 U.S.C. Sec 5401 et seq., which is placed upon a permanent foundation which meets the installation and foundation requirements adopted by the N.C. Commissioner of Insurance, but which is not constructed or equipped with a permanent hitch or other device allowing it to be moved other than for the purpose of moving to a permanent site, and which does not have permanently attached to its body or frame any wheels or axles. (*LBCS S1150*)

Manufacturing, Light 2.3C(6)d: A non-residential use that requires a NPDES permit for an industrial or stormwater discharge or involves the use or storage of any hazardous materials or substances or that is used for the purpose of manufacturing, assembling, finishing, cleaning or developing any product or commodity. Facilities are typically designed to look and generate impacts like a typical office building, but rely on special power, water, or waste disposal systems for operation. Noise, odor, dust, and glare of each operation are completely confined within an enclosed building, insofar as practical. (*LBCS S2613*)

Manufacturing, Neighborhood 2.3C(6)e: The assembly, fabrication, production or processing of goods and materials using processes that ordinarily do not create noise, smoke, fumes, odors, glare, or health or safety hazards outside of the building and are visually undifferentiated from an office building. This includes, but is not limited to, medical and testing laboratories, small woodworking shops, craftsman shops and artisan shops. This use shall not include uses those that require frequent deliveries by truck with more than two (2) axles. (*LBCS S2610*)

Manufacturing, Heavy 2.3C(6)f: A non-residential use that requires a NPDES permit for an industrial or stormwater discharge or involves the use or storage of any hazardous materials or substances or that is used for the purpose of manufacturing, assembling, finishing, cleaning or developing any product or commodity. Typically the largest facilities in a community which have complex operations, some of which may be continuous (24 hours a day/7 days per week). (*LBCS S2620*)

Map for recordation: A plat that depicts existing property where the act of subdivision is not involved.

Media Production 2.3C(6)g: Facilities for motion picture, television, video, sound, computer, and other communications media production. These facilities include the following types:

1. Back lots/outdoor facilities;
2. Indoor support facilities
3. Soundstages: Warehouse-type facilities providing space for the construction and use of indoor sets, including supporting workshops and craft shops.

Medical Services – Doctor Office 2.3C(3)n: These establishments include physician offices, dentists, chiropractors, optometrists, etc. (*LBCS F6511*)

Medical Services – Outpatient/Urgent Care Center 2.3C(3)o: Ambulatory or outpatient care establishments offer health care services directly to patients without providing inpatient services. Such facilities also include outpatient family planning services; laboratories that provide analytic or diagnostic services, and other services, such as medical imaging, and forensics; and blood and organ banks. (*LBCS F6510, F6512, F6513 and F6514*)

Meeting Facilities 2.3C(5)g: Meeting/conference facilities that include room(s) or space(s) used for assembly purposes by 50 or more persons including fraternal halls (VFW lodges, etc) and banquet facilities. (*LBCS S3800*)

Metal Products Fabrication, Machine or Welding Shop 2.3C(6)h: An establishment engaged in the production and/or assembly of metal parts, including the production of metal cabinets and enclosures, cans and shipping containers, doors and gates, duct work forgings and stampings, hardware and tools, plumbing fixtures and products, tanks, towers, and similar products. Examples of these include:

1. Blacksmith and welding shops
2. Plating, stripping, and coating shops
3. Sheet metal shops
4. Machine shops and boiler shops

Mini-Warehouses 2.3C(6)i: A building containing separate enclosed storage spaces of varying sizes leased or rented on an individual basis.

Multi-use Path: A pathway usually intended for the use of bicycles, pedestrians and other non-motorized means of conveyance. Usually 10-12 feet (for two-way travel) of a paved surface or a surface graded with a material suitable for the types of users.

Neighborhood Retail/Restaurant

2.3C(4)e: A use category allowing premises to be available for the commercial sale of merchandise and prepared foods, but excluding manufacturing. Ranging in size of 2,000 square feet or less.

Nonconforming: A lot, structure, sign, or use of land or structure, which is now prohibited under the terms of this ordinance but was lawful at the date on which it was established or became lawful at some later date.

Nonconforming lot: A lot of record that does not conform to the dimensional requirements of the zoning district in which it is located. The nonconformity may result from adoption of this ordinance or any subsequent amendment.

Nonconforming structure: A structure that does not conform to dimensional, elevation, location, or other requirements of this ordinance. The nonconformity may result from adoption of this ordinance or any subsequent amendment.

Nonconforming use: A use which was once a permitted use on a parcel of land or within a structure but which is now not a permitted use of that parcel or structure according to Chapter 2 of this ordinance. The nonconformity may result from the adoption of this ordinance or any subsequent amendment.

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

Non-encroachment Area: The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot as designated in the FIS report.

Non-Residential: All uses which are neither single-family, two-family nor multi-family. For the purposes of watershed or flood protection: All development other than residential development, agriculture and silviculture.

Official maps or plans: Any maps or plans officially adopted by the Town Council as a guide for the development of the Town and surrounding area.

Outdoor Advertising Signs – A free-standing sign located outdoors that directs attention to a business, commodity, service or entertainment conducted, sold, manufactured or offered either on the same premises as the sign or at a different location.

Outdoor Display Area: Commercial establishments that rely on outdoor sales and display areas including but not limited to heavy equipment sales, recreational vehicle sales, automobile sales, manufactured home displays, and sales of building materials.

Outdoor Animal Boarding/Equestrian Facilities 2.3C(3)o: A use or outdoor structure such as a kennel or run intended and used for the breeding or accommodation of small domestic animals for sale or for the training or overnight boarding of animals for persons other than the owner of the lot, but not including a veterinary clinic in which the overnight boarding of animals is necessary for or accessory to the testing and medical treatment of the physical disorders of animals. This use also includes equestrian-related leisure activities including riding, mounting, horsemanship, and equestrian games, such as polo, hurdles, dressage training and show jumping; as well as the facilities for maintaining stables, feeding, caring, and housing horses. (*LBCS F2700 and LBCS A7120*)

Outdoor Lighting: the nighttime illumination of an outdoor area or object by any man-made device located outdoors that produces light by any means.

Outparcel: A parcel of land designated on an approved commercial group development site plan or determined as such by the zoning administrator. An outparcel shall be secondary in nature to the primary commercial development. It shall contain a single building and be independent of the total development in that its parking requirement for the use meets the standard set forth in section 10.3 and its driveways, walkways, landscaping, and lighting are also unique to the building on the site.

Overlay district: A set of zoning requirements that is described in the ordinance text, is mapped, and is imposed in addition to those of the underlying district. Developments within the overlay district must conform to the requirements of both zones or the more restrictive of the two. It usually is employed to deal with special physical characteristics such as flood plains or steeply sloping areas, but it has other applications as well.

Parcel: A lot, or contiguous group of lots in single ownership or under single control, and usually considered a unit for purposes of development.

Park and Ride Spaces: A parking lot/spaces designated for drivers to leave their cars and use mass transit facilities beginning, terminating, or stopping within immediate walking distance the park and ride facility.

Parkway: Parkways are bounded on one side by structures and the other by a greenway park, or open space. On-street parallel parking is on one side.

Pedestrian Walkway: A separate, delineated, and protected path for the safe movement of pedestrians between sites or within a given site, including but not limited to sidewalks, crosswalks, multi-use paths, arcades and pedestrian bridges.

Permeable Surface: Although considered by this ordinance as an *impervious surface*, permeable surfaces possess a characteristic that allows the movement of some water and/or air around the surface material to infiltrate sub-surface areas such as a series of concrete pavers.

Person with Disabilities: A person with a temporary or permanent physical, emotional, or mental disability including but not limited to mental retardation, cerebral palsy, epilepsy, autism, hearing and sight impairments, emotional disturbances and orthopedic impairments but not including mentally ill persons who are dangerous to others as defined in NCGS 122C-3(11)b. (*NCGS 168-21*)

Personal Services 2.3C(3)p: These establishments offer a wide range of personal services. Uses include but are not limited to tailor/seamstress shops, nail salons, hair salons, barbershops and tanning salons; which may include permanent makeup tattooing (color enhancement of eyebrows, eyeliner and lips) as an ancillary use. This definition does not allow tattooing of the body except as identified herein for permanent makeup. (*LBCS F2600*)

Pilaster: Decorative feature that imitates engaged piers but are not supporting structures. May be a rectangular or semi-circular projection of at least 12 inches in width and a minimum 1:4 projection to width ratio, and typically contains a base, shaft and capital.

Planting Area: The area prepared for the purpose of accommodating the planting of trees, shrubs, and groundcovers.

Point-by-Point Footcandle Grid: A graphical representation of points placed onto a grid or layout where each point identifies the amount of luminance (light) in footcandles or lux (one-tenth of a footcandle). The spacing between points can vary depending on the size of the area to be lighted. For many typical outdoor layouts, a 10' x 10' spacing grid layout is used. Larger areas may utilize a 15' or 20' grid spacing. This type layout can also indicate luminance or reflected light instead of luminance.

Porous Surface: Although considered by this ordinance as an *impervious surface*, porous surfaces possess a characteristic that allows the movement of some water and/or air through the surface material to infiltrate sub-surface areas such as porous asphalt or concrete.

Post Office 2.3C(3)q: Establishments conducting operations of the National Postal Service. (*LBCS F4170*).

Preliminary plat: A draft plat of a proposed subdivision, used to determine if the proposed development is in general conformance with Town standards and ordinances.

Primary Façade: The building façade that shares a frontage line with a street or square. In cases where a building fronts on more than one street or square, the primary façade will be determined by the Administrator.

Professional Services 2.3C(3)r: Services provided that make available the knowledge and skills of their employees to sell expertise and perform professional, scientific, and technical services to others such as legal services; accounting, tax, bookkeeping, and payroll services; architectural, engineering, and related services; graphic, industrial, and interior design services; consulting services; research and development services; advertising, media, and photography services; real estate services; investment banking, securities, brokerages; and insurance-related services (*LBCS F2230, F2240, F2300, and F2410-2417*).

Projection: Any component, member or part which juts out a minimum of two (2) feet from a building, or any job in a wall that results in the wall being set forward a minimum of two (2) feet.

Protected area: The area adjoining and upstream of the critical area in a WS-IV water supply in which protection measures are required. The boundaries of the protected areas are defined as extending five (5) miles upstream and draining to water supply reservoirs (measured from the normal pool elevation) to the ridge line of the watershed (whichever comes first); or ten (10) miles upstream and draining to the intake located directly in the stream or river (run-of-the-river), or to the ridge line of the watershed (whichever comes first).

Public Safety Facility 2.3C(7)e: A facility operated by a public agency including fire stations, other fire prevention and fire fighting facilities, police and sheriff substations and headquarters, including incarceration facilities.

Quarrying and Stone Cutting 2.3C(6)j:

This category comprises establishments that dredge, quarry, mine, or develop the mine site for crushed and broken stones, sand, gravel, mining clay (e.g., china clay, paper clay and slip clay), or other stones and nonmetallic minerals. Broken and crushed stones include granite and related rocks, such as gneiss, syenite, and diorite; and other stones (except dimension stone and limestone.)

Establishments that mine or quarry bituminous limestone and bituminous sandstone are included in this category. Also included are preparation plants that beneficiate stones (e.g., by grinding and pulverizing); and that beneficiate gravel, clay, and ceramic and refractory minerals (e.g., by washing, screening, and grinding.) (*LBCS F8500*)

Recessed Wall: Any depression or jog in a wall that results in the wall being set back a minimum of two (2) feet.

Recreation Facilities, Indoor 2.3C(5)h:

Uses or structures for active recreation including gymnasiums, natatoriums, athletic equipment, indoor running tracks, climbing facilities, court facilities and their customary accessory uses. This definition is inclusive of both non-profit and for-profit operations.

Recreation Facilities, Outdoor 2.3C(5)i:

Parks and other open space used for active or passive recreation such as ball fields, playgrounds, greenway trails, tennis courts, riding stables, campgrounds, and golf courses and their customary accessory uses including, but not limited to, maintenance sheds, clubhouses, pools, restrooms, and picnic shelters. This definition is inclusive of both non-profit and for-profit operations.

Religious Institution 2.3C(7)f: Any facility such as a church, temple, monastery, synagogues, or mosque used for worship by a non-profit organization and their customary related uses for education (pre-schools, religious education, etc.), recreation (gymnasiums, activity rooms, ball fields, etc.), housing (rectory, parsonage, elderly or disabled housing, etc.) and accessory uses such as cemeteries, mausoleums, soup kitchens, and bookstores. (*LBCS F6600 and S3500*)

Required yard area: That space between the required yard setback lines and the lot lines from which the required yard setbacks are measured.

Research and Development (R&D) 2.3C(6)k:

A facility for scientific research, and the design, development, and testing of electrical, electronic, magnetic, optical and computer and telecommunications components in advance of product manufacturing, and the assembly of related products from parts produced off-site, where the manufacturing activity is secondary to the research and development activities. Includes pharmaceutical, chemical, and biotechnology research and development.

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

Restaurant 2.3C(4)i: A retail business selling ready-to-eat food and/or beverages for on or off-premise consumption. Customers may be served from an ordering counter (i.e. cafeteria or limited service restaurant); at their tables (full-service restaurant); and, at exclusively pedestrian-oriented facilities that serve from a walk-up ordering counter (snack and/or nonalcoholic bars). (*LBCS F2510, F2520, and F2530*)

Rezoning: An amendment to or a change in the zoning ordinance. Rezoning can take three forms: (1) a comprehensive revision or modification of the zoning text and map; (2) a text change in zone requirements; and (3) a change in the map, i.e., the zoning designation of a particular parcel or parcels. Rezoning, like enactment of the original ordinance, are legislative acts that cannot be delegated to administrative officials. According to state law, planning boards make recommendations and town councils approve or deny rezonings.

Right-of-way: A strip of land whose legal title has been offered for public access and is occupied or intended to be occupied by a travelway and is also available, with the consent of the appropriate governmental agency, for installation and maintenance of traffic control devices, regulatory and information signs, water lines, sanitary sewer lines, storm sewer lines, gas lines, power lines, and communication lines.

Rooming or Boarding House 2.3C(2)c: Short or long-term accommodations that serve a specific groups or membership such as a dormitory, fraternity or sorority house, youth or adult hostel or similar tourist accommodations, or single room occupancy units that provide a number of related services including, but not limited to housekeeping, meals, and laundry services. (*LBCS F1320, S 1320, and S1340*)

SA Waters: The highest classification of estuarine and marine waters. This classification is applied to waters that are outstanding natural resources and that should be preserved because of their ecological, social, scenic, economic or recreational importance. No domestic discharges are permitted in these waters.

School, Elementary & Secondary 2.3C(7)g: A public or private institution for education or learning including athletic or recreational facilities, which does not include lodging. This institution includes any school licensed by the state and that meets the state requirements for elementary and secondary education. (*LBCS F6100*)

School, Vocational/Technical 2.3C(7)h: A public or private institution for education or learning including athletic or recreational facilities, which does not include lodging. These schools offer vocational and technical training in a variety of technical subjects and trades. Training may lead to job-specific certification. (*LBCS F6100 and F6140*)

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

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

Setback: A line parallel to the property line in front of which no structure shall be erected.

Sharrow: A shared lane marking that assists bicycles with lateral positioning within a travel lane as identified by the most recent Manual on Uniform Traffic Control Devices.

Shopping Center-Community Center 2.3C(4)j: Usually configured as a strip center. Sizes vary from 100,000 to 350,000 square feet on sites ranging in size from 10 to 40 acres and have a 3- to 6-mile primary trade area radius. Serves a wider market than neighborhood and also offers wider range of goods, especially apparel goods. Anchors include supermarkets, super drug stores, and discount department stores. Some centers may also contain off-price retail stores selling toys, electronics, sporting goods, and home improvement and furnishings. (*LBCS S2520*)

Shopping-Neighborhood Center 2.3C(4)k: Sizes vary from 30,000 to 150,000 square feet on sites ranging from 3 to 15 acres, and have a 3-mile primary trade area radius. Typically serves immediate neighborhood with convenience shopping. Often anchored by a supermarket or drugstore. (*LBCS S2510*)

Shrub: An upright plant growing 1' to 20' in height at maturity that is planted for ornamental or screening purposes.

Sight Triangle: A triangular area formed by the intersection of the projected street lines (right-of-way lines) and a straight line connecting points on said street lines each of which is 25 feet distant from the point of intersection.

Sign: Any form of publicity or advertising which is visible from any public way, directing attention to an individual, business, commodity, service, activity, or product, by means of words, lettering, parts of letters, figures, numerals, phrases, sentences, emblems, devices, trade names or trademarks, or other pictorial matter designed to convey such information and displayed by means of paint, bills, posters, panels, or other devices erected on an open framework, or attached or otherwise applied to stakes, posts, poles, trees, buildings, or other structures or supports.

Sign, Advertising: Any off-premises, off-site, poster panel, billboard, or non-point-of-sale sign.

Sign, Arm: A mounting device which projects from a wall and attaches to a sign.

Sign, Canopy: A sign which is suspended from, attached to, supported from, applied to, or forms part of a canopy. Also known as a canopy-suspended sign.

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

Sign, Construction Site Identification: A single sign giving the name or names of building owners, architects, engineers, and/or lending institutions and principal contractors responsible for construction on the site where the sign is placed, together with other appropriate information included thereon.

Sign, Directional: A sign containing only the name and address of a facility and information pertaining to the direction of the facility.

Sign, Identification: A sign on the premises bearing the name of a subdivision, group housing project, or a school, college, building, park, church, or other public or quasi-public facility, but bearing information pertaining only to the premises on which such sign is located and carrying no advertising message.

Sign, Incidental: A sign which carries no advertising message, and is clearly incidental to other major signs on site, and which is used to do one or more of the following:

- (a) Direct certain activities to certain areas; e.g., handicapped parking.
- (b) Prohibit the parking of unauthorized vehicles.
- (c) Provide other incidental information.

Sign, Monument: Any monolithic sign in which the bottom of the sign is flush with the ground.

Sign, Nonconforming: A sign erected before the effective date of this ordinance which is not in compliance with one or more of the provisions contained herein.

Sign, Off-premise: Any sign or structure, pictorial or otherwise, regardless of size or shape, which directs attention to a business, commodity, attraction, profession, service, or entertainment conducted, offered, sold, manufactured, existing, or provided at a location other than on the premises where the sign is located or to which it is affixed.

Sign, On-premise: Any sign or structure, pictorial or otherwise, regardless of size or shape, which directs attention to a business, commodity, attraction, profession, service, or entertainment conducted, offered, sold, manufactured, existing, or provided at a location on the premises where the sign is located or to which it is affixed.

Sign, Painted wall: A sign, as defined in this section, which is painted on a wall.

Sign, Parapet sign: A sign erected, constructed, placed, or maintained on a building's parapet wall.

Sign, Portable sign: A sign designed or intended to be relocated from time to time, whether or not it is permanently attached to a building or structure, or is located on the ground. The term includes signs on wheels or on portable structures, such as tent signs, A-frame, or T-shaped signs and similar devices, and airborne signs.

Sign, Projection sign: A sign, other than a wall sign, which extends outward for more than twelve (12) inches from the facade of any building and is rigidly affixed to the building.

Sign, Pylon sign: An interstate, high-rise business sign used to identify an on-premise business for the interstate traveler. Such sign, which is taller and sometimes larger than the average sign, may identify a business by name or identifiable logo.

Sign, Real estate sign: A sign located on the premises and offering the premises for sale, rent, lease or development.

Sign, Roof sign: A sign erected, constructed, placed, or maintained upon the roof of any building.

Sign, Sandwich Board: A portable a-frame sign constructed with two faces which rest on the ground at an angle less than 45 degrees to each other.

Sign, Special event: A sign of a business or organization which is not part of its normal activities. Such a sign shall be limited to a business "grand opening" or "going-out-of-business sale," as well as fund-raising membership drives or events of civic, philanthropic, educational, or religious organizations.

Sign, Temporary: A sign not permanently mounted or otherwise requiring the issuance of a permit in accordance with this Ordinance displayed for a short period of time in connection with a circumstance, situation, or event that is designed or intended to occur or to be completed within a defined time period.

Sign, Wall sign: A sign erected parallel to and extending not more than twelve (12) inches from the facade of any building to which it is attached, and supported throughout its entire length by the building face. It may not extend above the roof line. This type is also known as a flat sign or flat wall sign.

Sign face: The part of the sign that is or can be used to identify, advertise, or communicate information, or is used for visual representation which attracts the attention of the public for any purpose. Sign face includes any background material, panel, trim, color, and direct or self-illumination used that differentiates that sign from the building, structure, backdrop, surface, or object upon which or against which it is placed. The sign structure shall not be included as a portion of the sign face provided that no identifying/advertising message, symbol, or any of the aforementioned sign face criteria are displayed on or designed as part of the sign structure, whether structurally necessary or not.

Site Plan: A diagram to scale showing the development plans for a project.

Small Tree: A deciduous or evergreen tree or shrub planted primarily for its ornamental value or for screening purposes. Also known as an ornamental tree.

Special Flood Hazard Area: The land in the floodplain subject to a one percent (1%) or greater chance of being flooded in any given year based on current conditions hydrology, as determined in Section 6.5(C)(1) of this ordinance.

Specimen Tree: Any healthy, existing tree over 18 inches in caliper measured at DBH, excluding Sweet Gum, Catalpa, Wild Cherry, Wild Elm, Princess, Hackberry, and Tree-of-Heaven trees found in a field or open grown condition, or along the edge of a forest stand or tree stand and displaying the root zone, canopy, and structure characteristic of the particular species.

Standard Brick: A brick that is 8 inches in length, 2¼ inches in height and 3¾ inches in depth.

Storage- Outdoor Storage Yard 2.3C(6): The open storage of various materials outside of a structure other than fencing, as a principal use.

Storage-Warehouse, Indoor Storage 2.3C(6)m: Facilities for the storage of furniture, household goods, or other commercial goods of any nature. Includes cold storage. Does not include warehouse, storage, or mini-storage facilities offered for rent or lease to the general public; warehouse facilities primarily used for wholesaling and distribution; or terminal facilities for handling freight.

Stormwater runoff: The direct runoff of water resulting from precipitation in any form.

Stream: A watercourse that collects surface runoff.

Street: A dedicated and accepted public right-of-way for vehicular traffic which affords the principal means of access to abutting properties.

Street, cul-de-sac: A short local street having one end open to traffic and the other end permanently terminated by a vehicular turnaround.

Street, internal: In the MI District, any road or road segment that is not an arterial or collector as identified in Appendix A or B of the UDO, is not a through street with connectivity to a neighboring site, and is completely inside (not on the perimeter of) a proposed manufacturing and industrial development.

Street, local: A street whose primary function is to provide access to abutting properties.

Street, private: A vehicular travelway not dedicated or offered for dedication as a public street but resembling a cul-de-sac or a local street and providing the principal means of access to abutting properties or buildings.

Street, public: A dedicated and accepted public right-of-way for vehicular traffic. In the town limits, a public street shall be maintained by the Town of Knightdale or the state Department of Transportation. In the Town's extraterritorial jurisdiction, a public street shall be designed and constructed to the state Department of Transportation's standards, and may, or may not, have been accepted for state maintenance. Alleys may be public.

Street frontage: The length of property of a single lot abutting a public right-of-way or private street.

Street Tree: A tree planted along the street, usually in a planting strip or tree well.

Structure: Anything constructed or erected, the use of which requires more or less permanent location on the ground or which is attached to something having more or less permanent location on the ground.

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

Structure, principal: A structure in which is conducted the principal use(s) of the lot on which it is located.

Stucco: Today, an exterior finishing system composed of portland cement, lime and sand that is sprayed or hand applied in three (3) layers, the first layer being applied to a wire/metal lath, and the third layer sometimes containing an acrylic base.

Studio-Art, Dance, Martial Arts, Music, etc. 2.3C(3)s: Small facilities, typically accommodating one group of students at a time, in no more than one instructional space. These establishments may include: individual and group instruction and training in the arts; production rehearsal photography, and the processing of photographs produced only by users of the studio facilities; martial arts training studios; gymnastics, yoga, and similar instruction; and aerobics and gymnastics studios with no other fitness facilities or equipment.

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

Subdivision: A "subdivision" shall include all divisions of a tract or parcel of land into two (2) or more lots, building sites, or other divisions when any one or more of those divisions is created for the purposes of sale or building development (whether immediate or future) and shall include all division of land involving the dedication of a new street or a change in existing streets.

Sweepstakes Center 2.3C(4)l: A business enterprise, whether principal or accessory, where persons may play games on on-site machines/terminals/computers that reveal the results of sweepstakes or similar contests associated with the on-site purchase of internet time, phone time, office supply or other retail good; and where redeemable cash sweepstakes awards (government issued coins and bills in hand) in amounts of \$10.00 or more may be received. This definition does not apply to any game or process prohibited by N.C.G.S. §§ 14-304 through 14-309 or to any game regulated by the North Carolina Education Lottery Commission.

Theater, Live Performance 2.3C(5)j: Includes concert halls and other structures with fixed seats arranged on a sloped or stepped floor; may seat 300 to 3,000 people. (*LBCS S3110*)

Theater, Movie 2.3C(5)k: A specialized theater for showing movies or motion pictures on a projection screen. This category also includes cineplexes and megaplexes, complex structures with multiple movie theaters, each theater capable of an independent performance. (*LBCS S3120*)

Thoroughfare plan: A plan, adopted by the Town Council, for the development of existing and proposed major streets that will adequately serve the future travel needs of an area in an efficient and cost-effective manner.

Thoroughfare: Thoroughfares are those streets which generally serve through-traffic and are designated on the current edition of the officially adopted Knightdale Area Thoroughfare Plan. Thoroughfares may be further defined as major thoroughfares or minor thoroughfares.

Town: The Town of Knightdale, North Carolina.

Town Council: Town Council of the Town of Knightdale, North Carolina.

Townhouse dwelling: A building consisting of single family residences attached to one another in which each unit is located on an individually owned parcel, generally within a development containing drives, walks, and open space in common area.

Transit, Road and Ground Passenger Services 2.3C(8)b: Services including but not limited to taxi cabs, limousines, charter buses, interurban buses, towing companies and mass transit. Also includes but is not limited to dispatch centers, stations and maintenance facilities. (*LBCS F4120 and S3900*)

Uninterrupted Wall: A façade section that does not contain any features such as transparent windows, doors, stairs or similar exterior features such as spandrel glass that may be approved by the TRC, or any articulations such as pilasters, projections, recesses or other vertical architectural elements as may be approved by the TRC.

Use, permitted: A use permitted in a given district as a permitted use and so authorized by being listed, or referenced as a permitted use, by district, in Chapter 2, District Provisions.

Use, Residential: Any type dwelling unit including single-family dwelling, two-family dwelling, multifamily dwelling, rooming or boarding house, accessory buildings and structures thereof and customary home occupations.

Use, Special: A use permitted only upon approval of the Knightdale Town Council. Such a use shall be permitted only in the district in which it is listed and shall not be accumulative to any other district. If property exists such that an existing use which was previously allowed by right would be allowed only as a special use, that use shall become nonconforming unless and until a special use permit is issued.

Utilities: Publicly or privately owned facilities or systems for the distribution of gas, electricity, steam, or water, the collection and disposal of sewage or refuse; the transmission of communications; of similar functions necessary for the provision of public services. Radio transmission facilities for use by ham radio operators or two-way radio facilities for business or governmental communications shall be deemed accessory uses and not utilities, provided no transmitter or antenna tower exceed 180 ft in height. Utilities are divided into 3 classes:

Class 1 2.3C(8)e: Transmission lines (above and below ground) including electrical, natural, gas, and water distribution lines; pumping stations, lift stations, and telephone switching facilities (up to 200 sq. ft).

Class 2 2.3C(8)e: Elevated water storage tanks; package treatment plants, telephone switching facilities (over 200 sq. ft), substations, or other similar facilities in connection with telephone, electric, steam, and water facilities.

Class 3 2.3C(8)f: Generation, production, or treatment facilities such as power plants, water and sewage plants, and landfills.

Variance: When practical difficulties or unnecessary hardships would result from carrying out the strict letter of a zoning ordinance, the Land Use Review Board shall have the power to vary or modify any of the regulations or provisions of the ordinance so that the spirit of the ordinance shall be observed, public safety and welfare secured, and substantial justice done. No change in permitted uses may be authorized by variance. Appropriate conditions, which must be reasonably related to the condition or circumstance that gives rise to the need for a variance, may be imposed on any approval issued by the board. These regulations may provide that a Land Use Review Board may determine and vary their application in harmony with their general purpose and intent and in accordance with general or specific rules therein contained, provided no change in permitted uses may be authorized by variance.

Vehicle Accommodation Area: Any portion of a lot that is used by vehicles for access, circulation, parking, storage, stacking while awaiting services, loading and unloading.

Vehicle/Heavy Equipment Sales 2.3C(4)m: Establishments which may have showrooms or open lots for selling vehicles or heavy equipment. May include car dealers for compact automobiles and light trucks, bus, truck, mobile homes, bicycle, motorcycle, ATV, or boat and marine craft dealers. (*LBCS F2110, F2111, F2112, F2113 and F2114*)

Vehicle Services – Maintenance/Body Work/Repair 2.3C(3)t: The repair, servicing, alteration, restoration, towing painting, cleaning, or finishing of automobiles, trucks, recreational vehicles, boats and other vehicles as a primary use, including the incidental wholesale and retail sale of vehicle parts as an accessory use. This includes Major Repair and Body work which encompasses towing, collision repair, other body work and painting services, and tire recapping.

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

Vested rights: The right to undertake and complete the development and use of property under the terms and conditions of an approved site specific development plan or an approved phased development plan.

Water Surface Elevation: The height, in relation to mean sea level, of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

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

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

Wetlands: Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, under normal conditions, a prevalence of vegetation typically adapted for life in saturated soil conditions.

Wholesaling and Distribution 2.3C(6)n: Establishments engaged in selling merchandise to retailers; to contractors, industrial, commercial, institutional, farm or professional business users; to other wholesalers; or acting as agents or brokers in buying merchandise for or selling merchandise to such persons or companies. Examples of these establishments include:

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

Wireless Telecommunication Facility:

Equipment constructed in accordance with Section 332(c)(7) of the Communications Act at a single location by a private business user, governmental user, or commercial wireless service provider to transmit, receive, or relay electromagnetic signals (including microwave). Such facilities includes antennas or antenna arrays, wireless telecommunication towers, support structures, transmitters, receivers, base stations, combiners, amplifiers, repeaters, filters, or other electronic equipment; together with all associated cabling, wiring, guy anchors, equipment enclosures, and other improvements.

Stealth/Camouflage 2.3C(8)c:

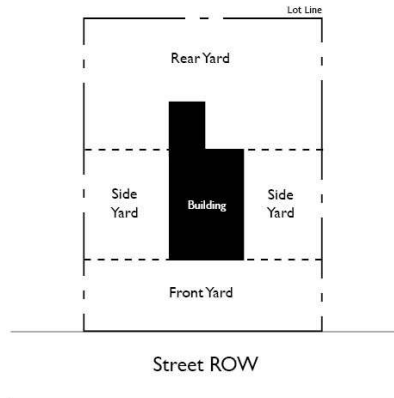
Antenna and related telecommunication equipment designed as an integral part of a permitted existing structure and unobtrusive in its appearance. Such existing structures may include, but are not limited to: flagpoles, buildings, silos, water tanks, signs, lighting standards, steeples, and electric transmission towers. This use also includes co-located facilities on a permitted existing tower.

Tower 2.3C(8)d: Any free-standing structure up to 200 feet in height designed and constructed to primarily support one (1) or more telecommunication antennas, or an attachment to a building or structure designed and constructed for previous said purpose where the attachment extends more than 20 feet above the normal height of the building or structure on which it is placed. The following shall not be included in this definition as a tower:

- Amateur radio facilities with antennas mounted on supporting structures less than 90 feet in height;
- Residential antennas for receiving television or AM/FM radio broadcasts;
- Residential satellite dishes; or
- Commercial or industrial satellite dishes that are less than 20 feet in height.

Xeriscape: A landscaping method that employs drought-resistant plants in an effort to conserve resources, especially water.

Yard: A space on the same lot with a principal building open, unoccupied and unobstructed by buildings or structures from ground to sky except where encroachments and accessory buildings are expressly permitted.



Yard, front: An open, unoccupied space on the same lot with a principal building, extended the full width of the lot, and situated between the street and that front line of the building, projected to the side lines of the lot.

Yard, rear: An open, unoccupied space on the same lot with a principal building, extending the full width of the lot and situated between the rear line of the lot and the rear line of the building projected to the side lines of the lot.

Yard, side: An open, unoccupied space on the same lot with a principal building, situated between the building and the side lot line and extending from the rear line of the front yard to the front line of the rear yard.

Zero lot line. A development approach in which a building is sited on one or more lot lines with no yard. Conceivably, three of the four sides of the building could be on the lot lines. The intent is to allow more flexibility in site design and to increase the amount of usable open space on the lot. Virtually all zoning ordinances retain yard requirements; where zero lot line developments have been permitted, they have been handled through group development procedures, or other devised which allow for site plan review. The few ordinances which specifically authorize the zero lot line approach do so as an exception to prevailing regulations and under clearly defined circumstances. In Knightdale, GR, UR, RMX, NMX TC and HB districts allow for zero lot line development.

Zoning: A police power measure, enacted primarily by general purpose units of local government, in which the community is divided into districts or zones within which permitted and special uses are established as are regulations governing lot size, building bulk, placement, and other development standards. Requirements vary from district to district. The zoning ordinance consists of two parts: a text and a map. For the most part, this conventional definition of zoning still applies, but recent innovations in special (or conditional) use districts and overlay districts have begun to blur some of the ordinance's neatness and clarity.

Zoning districts: A section of a town designated in the zoning ordinance text and (usually) delineated on the zoning map, in which requirements for the use of land and building and development standards are prescribed.

Zoning map: The map delineating the boundaries of districts which, along with the zoning text, comprises the zoning ordinance.

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