

Article III Definitions

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

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

Accessory Use: A structure or use that: 1) is clearly incidental to and customarily found in connection with a principal building or use; 2) is subordinate to and serves a principal building or a principal use; 3) is subordinate in area, extent, or purpose to the principal building or principal use served; 4) contribute to the comfort, convenience, or necessity of occupants, business, or industry in the principal building or principal use served; and 5) is located on the same zone lot as the principal building or use served.

Adult Bookstore: A bookstore. 1) which receives a majority of its gross income during any calendar year from the sale of publications (including books, magazines and other periodicals) which are distinguished or characterized by their emphasis on matter depicting, describing or relating to sexual activities or anatomical areas, or 2) having a preponderance of its publications, books, magazines and other periodicals which are distinguished or characterized by their emphasis on matter depicting or relating to sexual activities or anatomical areas.

Adult Establishment: An adult bookstore (as defined above), adult motion picture theater, adult mini motion picture theater, adult live entertainment business, or massage business as defined in G.S. 14-202.10.

Alley: A roadway which affords only a secondary means of access to abutting property.

Assembly: A joining together of completely fabricated parts to create a finished product.

Athletic Field: Outdoor sites, often requiring equipment, designed for formal athletic competition in field sports (e.g. softball, soccer, football).

Auto Wrecking: A person or business that provides open storage, disassembling, or salvaging for more than two (2) junked motor vehicles.

Automobile Repair Services, Major: An establishment primarily engaged in one or more of the following activities: 1) general repair or service, 2) engine repair, 3) installation or repair of transmissions, 4) installation or repair of automotive glass, 5) installation or repair or exhaust systems, 6) repair of tops, bodies and interiors, and 7) automotive painting and refinishing.

Bar: An establishment primarily engaged in the retail sale of beer or wine for consumption on the premises. Such establishment must obtain an ABC license for on-premise beer or wine consumption only. The establishment may also be engaged in the retail sale of prepared food for on-premise consumption.

Base Flood Elevation: The elevation to which structures and uses regulated by this Ordinance are required to be elevated or flood proofed.

Base Flood: The flood having a one percent chance of being equaled or exceeded in any given one hundred year (100-year) flood.

Basement: A story of a building or structure having one-half or more of its clear height below grade. The lowest level or story, which has its floor subgrade on all sides. (This definition applies only with respect to flood damage prevention regulations.)

Bed and Breakfast: A private home offering bed and breakfast accommodations to eight or less persons per night for a period of less than a week.

Berm, Erosion Control: A mound of material and/or ditch the purpose of which is to divert the flow of run-off water.

Berm, Landscaping: A mound or bank of earth the purpose of which is to provide a barrier or to provide insulation.

Block: The land lying within an area bounded on all sides by streets.

Board of Adjustment: A quasi-judicial body, appointed by the Board of Town Commissioners and composed of residents of Ramseur and its extraterritorial area which is empowered to hear appeals from decisions of the Enforcement officer, provide recommendations regarding special use permits, and grant minor variances from the provisions of the Zoning Ordinance. In Ramseur the Board of Adjustment and the Planning Board are comprised of the same individuals, functioning as separate bodies according to the stated function and purpose of the meeting.

Boarding House: A dwelling or part thereof, in which the owner or operator provides lodging to more than three (3) boarders.

Buffer: An area of land set aside along the perimeter of a parcel of land in which landscaping is required to provide an aesthetic transition between different land uses and to eliminate or reduce the adverse environmental impact, and incompatible land use impacts.

Buffer Zone: The strip of land adjacent to a lake or natural watercourse, the width of which is measured from the edge of the water to the nearest edge of the disturbed area, with the twenty five (25%) percent of the strip nearer the land disturbing activity containing natural or artificial means of confining visible siltation.

Buffer Zone, Landscaping: A neutral area or strip of land located along property lines that serves to provide a transition between different land uses, eliminating or reducing incompatible land uses.

Buildable or Zoning Lot: One or more lots of record in one undivided ownership with sufficient total area, sufficient area exclusive of easement, flood hazards, well and septic tank fields, total

dimensions, and street access to permit construction thereon of a principal building together with its required parking and planting yards.

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

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

Building Inspector: An inspector employed by the Randolph County Inspections Department authorized to enforce state building, plumbing, heating and other codes within the Town of Ramseur under Randolph County's central permitting system.

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

Building Separation: The minimum required horizontal distance between buildings.

Caliper: For trees under four (4) inches in diameter, the trunk diameter measured at a height of six (6) inches above natural grade. For trees four (4) inches or greater in diameter, the trunk diameter measured at twelve (12) inches above natural grade.

Certificate of Compliance: A statement issued by an authorized member of the Randolph County Inspections Department setting forth that the building, structure and/or use comply with the all applicable provisions of this zoning ordinance and North Carolina building codes and that the building or structure be used for the purposes stated on the certificate.

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

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

Condominium: Portions of real estate which are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of those portions. Real estate is not a condominium unless the undivided interests in the common elements are vested in the unit owners.

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

County: Refers to Randolph County, North Carolina.

Day: Any reference to days shall mean calendar days unless otherwise specified. A duration of days shall include the first and last days an activity is conducted and all days in between, unless otherwise specified by state law.

Diameter at Breast Height (DBH): Diameter of a tree's trunk measured at a height four and one half feet above natural grade. In the case of multiple trunk trees, the DBH shall mean the sum of each trunk's diameter measured at a height of four and one half feet above natural grade.

Detention Pond: A pond which collects storm water runoff, filters the water, and releases it slowly over a period of hours or days. It does not have a permanent pool and is sometimes referred to as a dry pond or wet weather pond.

Developer: A person engaging in development.

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

Development, Density of: The density of development shall be determined using a gross acreage system. The total area of the tract, including areas to be used for new streets, rights-of-way, drives, parking, structures, recreation areas, dedicated areas, and required setbacks shall be used for density calculations.

Discharge Point: That point at which runoff leaves a tract of land.

Disposal (of Hazardous or Toxic Substances): The destruction, discharge, deposit, injection, dumping, spilling, leaking, or placing of any hazardous waste or toxic substance into or on any air, land, or water.

Disposal Facility: A facility or part of a facility at which hazardous waste or toxic substance is intentionally placed into or on any land or water, and at which hazardous waste or toxic substance remain after closure.

Domiciliary Home: A facility, by whatever name it is called, which provides residential aged or disabled persons whose principal need is a home, which provides the supervision and care appropriate to their age or disability. The three types of domiciliary homes are: (1) homes for the aged and disabled, (2) family care homes and (3) group homes for developmentally disabled adults.

Domiciliary, Private: A multiple unit residential accommodation which is established directly or indirectly in association with a college, business college, trade school or university for the purpose of housing students registered and attending such an institution. A private dormitory may contain I preparation and eating facilities primarily for the use of its occupants.

Drainageway: Any natural or man-made channel that carries surface runoff from precipitation.

Drainageway and Open Space Area, Dedicated: The area designated for flood plain and open space purposes on a recorded subdivision plat and thereby dedicated to the public for such purposes.

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

Duplex Dwelling: A building on one lot arranged & designed to be occupied by two (2) families living independently of each other. See Two-Family Dwelling.

Dwelling Unit: One or more rooms designed, occupied or intended for occupancy as separate living quarters, with cooking, sleeping and sanitary facilities provided therein. Units in dormitories, hotels, motels, and shelters for the homeless or other structures designed for transient residents are not dwelling units.

Easement: A grant of one or more of the property rights, by the property owner to, or for use by the public, a corporation, or other entity.

Elevated Building: A non-basement building built to have the top of the elevated floor above the ground by means of fill, solid foundation with openings sufficient to facilitate the unimpeded flow of floodwaters, perimeter walls, pilings, columns (post and piers), shear walls, or breakaway walls.

Enforcement Officer: Either a building inspector with the Randolph County inspections department or the Town of Ramseur enforcement officer who enforces zoning, subdivision and other development ordinances of the Town.

Facis: The general appearance, aspect, or nature of the face of a structure.

Family: 1) an individual; 2) two (2) or more persons related by blood, marriage or adoption living together as a single housekeeping unit and sharing the same domestic facilities, and (unless the dwelling contains an accessory dwelling unit) may also include not more than two (2) unrelated persons; or 3) a group of not more than four (4) persons who need not be related by blood, marriage, or adoption living together as a single housekeeping unit and sharing the same domestic facilities. The term “family” shall not be construed to include a fraternity or sorority, club, rooming house, institutional group or the like.

Family Care Home: A domiciliary home that provides room and board, support and supervisory personnel and personal care and habilitation services for 2 to 6 resident handicapped persons in family environment. “Handicapped person” means a person with a temporary or permanent physical, emotional, or 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. For zoning purposes a family care home shall be deemed a residential use property and shall be permissible in all residential districts. No political

subdivision of the state may require that a family care home...obtain, because of the use, a conditional use permit or special permit...from any zoning ordinance; provided, however, that a political subdivision may prohibit family care homes from being located within a one-half mile radius of an existing family care home. (GS 131D-2 & 168-21)

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

Fenestration: The arrangement and proportioning of windows and doors, etc and the architectural decorating and composition of their openings and ornaments.

Flood and Flooding: A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland waters or the unusual and rapid accumulation of runoff of surface waters from any source.

Flood Hazard Boundary Map (FHBM): An official map of the community, issued by the Federal Insurance Administration, where the boundaries of the area's special flood hazard have been designated as "Zone A, AE, AO, or A1-99".

Flood Insurance Rate Map (FIRM): An official map of the community, on which the Federal Emergency Management Agency has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

Flood Insurance Study: The official report provided by the Federal Emergency Management Agency (FEMA). The report contains flood profiles, as well as the Flood Boundary/Floodway Map and the water surface elevation of the base flood.

Flood Plain: The relatively flat area or low land adjacent to the channel of a river, stream, or watercourse, lake or other body of standing water, which has been or may be covered by flood water.

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

Floor Area, Gross: The sum of the gross horizontal areas of the several floors of a building measured from the exterior face of exterior walls, or from the centerline of a wall separating two buildings, but not including interior parking spaces, loading space for motor vehicles or any space where the floor-to-ceiling height is less than six (6) feet.

Floor: The top surface of an enclosed area in a building (including basement), i.e., top of slab in concrete slab construction or top of wood flooring in wood frame construction. The term does not include the floor of a garage used solely for parking vehicles.

Grade: A reference plane representing the average of finished ground level adjacent to any structure.

Grading: Any operation or occurrence by which the existing site elevations are changed, or where any ground cover, natural or man-made, is removed, or any buildings or other structures are removed, or any water course or body of water, either natural or man-made, is relocated on any site, thereby creating an unprotected area. The term “grading” is interchangeable with “land-disturbing activity”.

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

Ground Cover: Dense low growing plants other than turf-grass normally reaching an average height of not more than twenty-four (24) inches at maturity.

Group Home: A facility licensed by the State of North Carolina, (by whatever name it is called, other than “Family Care Home” as defined by this Ordinance), with support and supervisory personnel that provides room and board, personal care or habilitation services in a family environment. For purposes of this ordinance, a group home shall not house more than 30 people. See G.S. 131D-2.

Group Development: A development in which, in lieu of division of a tract of land into separate lots of record for separate principal buildings, a tract of land is divided into two (2) or more principal building sites for the purpose of building development for residential, office or manufacturing or industrial uses. In Ramseur, a shopping center is not considered a group development for purposes of granting special use permits. The requirements for special use permits for group developments and shopping centers are different.

Hazardous or Toxic Substance: Any solid waste as defined in NCGS 130A-290(18), or any substance regulated under the Federal Toxic Substance Control Act of 1976, (PL 94-476), as amended from time to time, which because of its quantity, concentration, or physical chemical or infectious characteristic(s) may: 1) cause or significantly contribute to an increase in serious irreversible or incapacitating illness, or; 2) pose a substantial present or potential threat to the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

Hazardous Waste Generator: Any person whose act or process produces hazardous waste or toxic substance identified or listed in Part 261 of the North Carolina Hazardous Waste Management Rules or whose act first causes a hazardous waste or toxic substance to become subject to regulation provided that, “generator” does not include a facility which accepts hazardous waste or toxic substances for the purpose of treatment, storage, or disposal, and in that process creates a different hazardous waste or toxic substance.

Hazardous Waste Long-Term Storage Facility: Any facility or any portion of a facility constructed for storage of the residuals of the treatment of hazardous waste, on or in land.

Hazardous Waste Management: The systematic control of the collection, source separation, storage, transportation, processing, treatment, recovery and disposal of hazardous wastes.

Hazardous Waste Treatment Facility: A facility which is established & operated for the recovery, recycling, treatment, storage during collection & prior to treatment, short-term storage after treatment, collection, processing, volume reduction, source separation, or transportation used exclusively in connection with the facility, of hazardous waste; & which facility includes several of the following equipment & processes: Incinerators, rotary kilns, drum handling, washing & crushing facilities, raw waste tank storage, reduction, neutralization, detoxification, wastewater treatment facilities including settling systems, aerobic digester, anaerobic digester, clarifiers, neutralization facilities, solidifying facilities, evaporators, reactions to facilitate “reuse” or recycling, analytical capabilities, & other similar appropriate technologies, activities & processes as may now exist or be developed in the future.

Hedge: A landscape barrier consisting of a continuous, dense planting of shrubs, not necessarily of the same species.

Historical Structure: Any structure that is: 1) listed individually in the National Register of Historic Places (a listing maintained by the US Department of Interior) or preliminarily determined by the Secretary of Interior as meeting the requirements for individual listing on the National Register; 2) certified or preliminarily determined by the Secretary of Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; 3) individually listed on a state inventory of historic places; 4) individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified (a) by an approved state program as determined by the Secretary of Interior or (b) directly by the Secretary of Interior in states without approved programs.

Home Occupation: Any use conducted entirely within a dwelling and carried on by the occupants of the dwelling, which use is incidental & secondary to the use of the dwelling for residential purposes and doesn't change its character.

Impervious Surface Coverage: That portion of a lot covered by buildings, structures, paving or other impervious surface materials.

Junked Motor Vehicle: A motor vehicle that does not display a current license plate & is one or more of the following: 1) partially dismantled or wrecked; 2) cannot be self-propelled or moved in the manner in which originally intended.

Junk/Salvage Yard: The use of more than 600 sq. ft. for the storage, keeping, or accumulation of material, including scrap metals, waste paper, rags, or other scrap materials, or used building materials, for the dismantling, demolition or abandonment of automobiles or other vehicles or machinery or parts thereof.

Lake or Natural Watercourse: Any stream, river, brook, swamp, sound, bay, creek, run, branch, canal, waterway, estuary, & any reservoir, lake or pond, natural or impounded, in which

sediment may be moved or carried in suspension, & which could be damaged by accumulation of sediment.

Land-Disturbing Activity: Any use of the land by any person or persons 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.

Landfill, Demolition and Construction Debris: A disposal site for stumps, limbs, leaves, concrete, brick, wood and uncontaminated earth. Disposal of any other types of wastes must be approved by the State Division of health Services.

Landfill, Sanitary/Solid Waste: A site for solid waste disposal from residential, industrial or commercial activities.

Landscape Material: Plants such as grass, ground cover, shrubs, vines, hedges, trees and non-living material such as tock, pebbles, sand, mulch, stepping stones, etc.

Landscape Plan: A plan indicating all landscape areas, storm-water retention or detention areas, which qualify to be excluded from maximum permitted lawn area, existing vegetation to be retained, proposed plant material, landscape legend, landscape features, planting specifications and details and all other relevant information in compliance with this article.

Lawn Area: An area planted with lawn grasses

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 “plot”, “parcel,” or “tract.”

Lot, Corner:. A lot abutting two or more streets at their intersection.

Lot Coverage: The portion of a lot covered by buildings(s) and/or structure(s).

Lot Depth: The distance measured along the perpendicular bisector of the smallest possible rectangle enclosing the lot.

Lot, Flag: A lot, created by a subdivision, with less street frontage than is required by Article IX and composed of a narrow “flagpole” strip extending from the street and a much wider “flag” section lying immediately behind a lot or lots having the required street frontage for a conventional lot, in the case of a flag lot, the lot line at the end of the flag pole lying generally parallel to the street to which the flagpole connects shall be considered to be the front lot line for setback purposes.

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

Lot, Reverse Frontage: A through lot, which is not accessible from one of the parallel or non-intersecting streets upon which it fronts.

Lot, Through: A lot abutting two (2) streets that do not intersect at the corner of the lot.

Lot Width: The mean width measured at right angles to its depth at the building line.

Manufactured Dwelling: A dwelling that 1) is composed of one or more components, each of which was substantially assembled in a manufacturing plant and designed to be transported to the home site on its own chassis; 2) exceeds forty feet in length and eight feet in width; 3) is constructed in accordance with the National Manufactured Home Construction and Safety Standards; and 4) is not constructed in accordance with the standards of the North Carolina Uniform Residential Building Code for One - and Two - Family Dwellings.

1. Class A: A manufactured home constructed after July 1, 1976 that meets or exceeds the construction standards promulgated by the U. S. Department of Housing and Urban Development that were in effect at the time of construction and that satisfies the following additional criteria:
 - a. Is occupied only as a single family dwelling;
 - b. Has a length not exceeding four (4) times its width, with length measured along the longest axis and width measured perpendicular to the longest axis at the narrowest part;
 - c. Has a minimum of seven hundred (700) square feet of enclosed and heated living area;
 - d. Has the towing apparatus, wheels, axles, and transporting lights removed and not included in length and width measurements;
 - e. Is set up in accordance with the standards established by the North Carolina Department of Insurance. In addition, a continuous, permanent brick or stone foundation or masonry curtain wall constructed in accordance with the standards of the North Carolina Uniform Residential Building Code for One- and Two-Family Dwellings, unpierced except for required ventilation and access, shall be installed under the perimeter;
 - f. Has exterior siding, comparable in composition, appearance durability to the exterior siding commonly used in standard residential construction, consisting of one or more of the following: 1) vinyl or aluminum lap siding (whose reflectivity does not exceed that of flat white paint); 2) cedar or other wood siding; 3) wood grain, weather resistant press board siding; 4) stucco siding; or 5) brick or stone siding;
 - g. Has a roof pitch minimum vertical rise of five (5) feet for each twelve (12) feet of horizontal run;
 - h. All roof structures shall provide an eave projection no less than six inches, which may include a gutter; and
 - i. Stairs, porches, entrance platforms, ramps and other means of entrance and exit are installed or constructed in accordance with the standards set by the North Carolina State Building Code, attached firmly to the primary structure and anchored securely to the ground. Wood stairs shall only be used in conjunction

with a porch or entrance platform with a minimum of twenty-four (24) square feet. The use of wood stairs only is prohibited at any entrance.

2. Class B: A manufactured home constructed after July 1, 1976 that meets or exceeds the construction standards promulgated by the U. S. Department of Housing and Urban Development that were in effect at the time of construction, and that meet or exceed criteria (e) and (g) for Class A manufactured dwellings above.
3. Class C: Any manufactured home that does not meet the definitional criteria of a Class A or Class B manufactured dwellings above.

A structure, transportable in one or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The term does not include recreational vehicles. (This definition applies only with respect to flood damage prevention regulations.)

Manufactured Dwelling Park: A group development site with required improvements and utilities for the long-term location of three or more manufactured dwellings for rental purposes, which development may include services and facilities for the residents.

Manufactured Dwelling Space: A designated area of land within a manufactured dwelling park designed for the accommodation of a single manufactured dwelling in accordance with the requirements of this Ordinance.

Modular Dwelling, Conventional (Off-Frame): A dwelling constructed in accordance with the standards set forth in the N.C. State Residential Building Code and composed of components substantially assembled in a manufacturing plant and transported to the building site for final assembly on a brick or other permanent foundation. (September 2000 & 2001)

Modular Dwelling (On-Frame): A dwelling constructed on a metal frame in accordance with the standards set forth in the N.C. State Residential Building Code and composed of components substantially assembled in a manufacturing plant and transported on its meta frame and set up on block piers with brick or other permanent foundations, permitted in RA-16 zoning districts within the Town of Ramseur's corporate limits. (September 2000 & 2001)

Mulch: Non-living organic materials customarily used in landscape design to retard erosion, weed infestation and retain moisture for use in planting areas.

Multi-Family Dwelling: A building or portion thereof used or designed as a residence for two (2) or more families living independently of each other with separate housekeeping and cooking facilities for each, and includes apartment, townhouses and condominiums.

New Construction: Structures for which the "start of construction" commenced on or after the effective date of this Ordinance, including any subsequent improvements to such structures.

Nonconforming: A lot, structure, sign, or use of land which is now prohibited under the terms of this Ordinance but was lawful at the date of this Ordinance's enactment or any amendment or revision thereto.

Nonconforming Lot(s): 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(s): A structure that does not conform to the requirements of this ordinance. The nonconformity may result from adoption of this ordinance or any subsequent amendment.

Nonconforming Use: A use which was a permitted use on a parcel of land or within a structure but which is not now a permitted use. The nonconformity may result from the adoption of this Ordinance or any subsequent amendment.

North Carolina Department of Environment and Natural Resources (DENR): A state agency having jurisdiction over environmental permits and activities, as well as permits for drinking water, stormwater and wastewater systems.

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

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

Pedestrian Way: A right-of-way or easement dedicated to public use to facilitate pedestrian access to adjacent streets and properties.

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

Planned Unit Development: An area of land under unified ownership or control to be developed and improved as a single entity under a Unified Development Plan in accordance with an subject to the requirements of this Ordinance.

Planning Board: The Town planning board appointed by the Board of Town Commissioners carry out the duties set forth in G.S.160A-361. In Ramseur the Planning Board and the Board of Adjustment are comprised of the same individuals, who function as separate bodies according to the stated function and purpose for which a meeting is called.

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

Principal Building: A building in which is conducted the principal use of the zoning lot on which it is located or, in a group development, of the building site on which it is located. Any dwelling is considered a principal building unless it is an accessory dwelling.

Principal Dwelling: Any principal building or structure, or portion thereof which is used a designed for human habitation including living, sleeping, cooking and eating activities excluding dormitories, hotels, motels, shelters for the homeless or other structures designed for transient residents.

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

Public Sewer: A system which provides for the collection and treatment of sanitary sewage for more than one property and is owned and operated by a government organization or sanitary district.

Public Water: A system which provides distribution of potable water from more than one property and is owned and operated by a government organization or sanitary district

Recreational Vehicle: A vehicle built on a single chassis, designed to be self-propelled or permanently towable by a light duty vehicle, and designed primarily for use not as a permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonal use.

Recreational Vehicle Park: Any site or tract of land, of contiguous ownership, upon which fifteen (15) or more recreational vehicles or tent spaces are provided for occupancy according to the requirements set forth in this ordinance.

Recreational Vehicle Space: A plot of land within a recreational vehicle park designed the accommodation of one recreational vehicle in accordance with the requirements set forth in this ordinance.

Recycling Collection Point: An incidental use that serves as a neighborhood drop-off for temporary storage of recoverable resources.

Reservation: An obligation shown on a plat or site plan to keep property free from development and available for public acquisition for a stated period of time. It is not a dedication or conveyance.

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

Roof Pitch or Slope: The slope or angle of the sides of a roof expressed by the ratio of its height to its span (rise over run).

Rooming House: A dwelling or part thereof, in which individual rooms are rented to more than three (3) persons.

Salvage Yard, Scrap Processing: Any land or area used, in whole or part, for the storage, keeping, accumulation of scrap or waste materials, including scrap metals, waste paper, rags, building materials, machinery, or other scrap materials.

Seating Capacity: The actual seating capacity of an area based upon the number of seats or one seat per eighteen (18) inches of bench or pew length. For other areas where seats are not fixed, the seating capacity shall be determined as indicated by the NC Building Code.

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

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

Service Station, Major Repair: A service station that in addition to pumping gas, is engaged in one or more of the following activities: 1) general repair or service, 2) engine repair, 3) installation or repair of transmissions, 4) installation or repair of automotive glass, 5) installation or repair of exhaust systems, 6) repair of tops, bodies and interiors, and 7) automotive painting and refinishing.

Service Station, Minor Repair: A service station that in addition to pumping gas, is engaged in one or more of the following activities: 1) diagnostic service and tune-ups, 2) installation or repair of air-conditioners, brakes, carburetors, electrical systems, fuel systems, generators and starters, and radiators, 3) lubricating service, and 4) front end and wheel alignment.

Setback: The minimum required horizontal distance between a structure or activity and the property line, street right-of-way line, or street centerline.

Setback, Interior: A setback from any property line not alongside a street.

Setback, Rear: A setback from an interior property line lying on opposite side of the lot from the front street setback.

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

Setback, Street: Any setback from a street, road or lane.

Setback, Zero Side: An alternate form of dimensional requirements that allows a dwelling unit to have one side setback of zero (0) from a side property line. This definition does not include townhouses.

Shelter, Emergency: A facility providing, without charge, temporary sleeping accommodations, with or without meals, for individuals and/or families displaced from their residences as a result of sudden natural or man-made catastrophes including, but not limited to, earthquake, fire, flood, tornado, hurricane, or the release of hazardous or toxic substance(s) into the environment. Such a natural or man-made catastrophe must be designated by the responsible local, State, or federal official or an emergency agency such as the American Red Cross or the Emergency Management Assistance Agency.

Shelter for the Homeless: A facility operating year-round which provides lodging and supportive services including, but not limited to, a community kitchen; assistance in obtaining permanent housing, medical counseling, treatment, and/or supervision; psychological counseling, treatment, and/or supervision; assistance in recuperating from the effects of or refraining from the use of drugs and/or alcohol; nutritional counseling; employment counseling; job training and placement; and child care for indigent individuals and/or families with no regular home or residential address; and which complies with the following requirements: 1) the facility shall be contained within the building of and operated by a government agency or nonprofit organization; 2) a minimum floor space of fifty (50) square feet shall be provided for each individual sheltered; and 3) the facility operator(s) shall provide continuous on-site supervision by an employee(s) and/or volunteers(s) during the hours of operation.

Shelter Temporary: A facility which provides temporary lodging during times of life-threatening weather conditions for indigent individuals and/or families with no regular home or residential address; and which complies with the following requirements 1) the facility shall be contained within the building of and operated by a government agency or nonprofit organization; 2) a minimum floor space of fifty (50) square feet shall be provided for each individual sheltered; and 3) the facility operator(s) shall provide continuous on-site supervision by an employee(s) and/or volunteer(s) during the hours of operation.

Shrub: A self-supporting woody perennial plant normally growing to a height of twenty-four (24) inches or greater, characterized by multiple stems and branches continuous from the base.

Sign: A sign is any words, lettering, parts of letters, pictures, figures, numerals, phrases, sentences, emblems, devices, design, trade names, or trade marks by which anything is made known, such as the designation of an individual, a firm, an association, a profession, a business, a commodity, or product, which are visible from any public way and used to attract attention.

Sign, Ground: A sign resting directly on the ground and supported by means of wheels, upright pillars, braces or posts placed upon or in the ground and not attached to any part of a building. This definition includes temporary rental signs usually attached to wheels.

Sign, Marquee: A sign affixed to the top of any hood or canopy over the entrance to a store, building or place of public assembly.

Sign, Outdoor Advertising: An off-premises outdoor structure or display, either freestanding or attached to a wall which advertises or attracts attention to a business, commodity service or other activity conducted, sold or offered elsewhere than on the premises on which the structure or display is located.

Sign, Projecting: A sign attached to and supported by a building and extending beyond the building to which it is attached at an angle of 30 degrees or more.

Sign, Roof: A sign erected, constructed or maintained on the roof of a building.

Sign, Suspended: A sign, which is suspended from the underside of a horizontal plane surface, such as a canopy or marquee, and is supported by such surface.

Sign, Wall: A sign attached to or painted on a wall of a building, with the exposed display surface of the sign in a plane parallel to the plane of the wall to which it is attached or painted, and including signs affixed to or otherwise displayed on or through a facade window.

Single-Family Detached Dwelling: A separate, detached building designed for and occupied exclusively by one (1) family.

Site or Tract: All contiguous land and bodies of water in one ownership, or contiguous property in diverse ownership graded or proposed for grading or development as a unit.

Site Specific Development Plan: A plan of land development submitted to the appropriate approval authority for the purpose of obtaining one of the following zoning or land use permits or approvals pursuant to NCGS 154A-334.1:

1. a Special Use Permit
2. a conditional zoning sketch or site plan
3. a Planned Development
4. a preliminary plat for a major subdivision
5. a preliminary plat for a minor subdivision

Solid Waste: Garbage, refuse and other discarded solid materials.

Special Use Permit: A special use permit may be granted by the Board of Adjustment for a specified land use which is permitted in a given zoning district under ordinance provisions which authorize the use when the Board makes specified findings. Special use features introduce flexibility into the zoning ordinance so that uses that might otherwise be unsuitable in a district can be made satisfactory to the neighbors.

Start of Construction: Includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, or improvement was within one hundred and eighty (180) days of the permit date. The actual start means the first placement of permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footing, installation of piles, construction of columns, or any work beyond the stage of excavation or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include excavation for a basement, footings, piers or foundations, or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of the building, whether or not that alteration affects the external dimensions of the building. (This definition applies only with respect to flood hazard regulations.)

Storm Water Runoff: The direct runoff of water resulting from precipitation in any form.

Stream: A water course that collects surface runoff.

Street, Public: A dedicated public right-of-way for vehicular traffic, which 1) has been accepted by NCDOT for maintenance, or 2) is not yet accepted, but in which the roadway design and construction have been approved under public standards for vehicular traffic. Alleys are specifically excluded.

Structure: A walled and roofed building, a manufactured home including a gas or liquid storage tank, or other man-made facilities or infrastructures that are principally above ground. (This definition applies only with respect to flood hazard regulations.) Anything constructed, erected, or placed.

Swimming Pool, Nonpermanent: A swimming pool that is so constructed that it may be readily disassembled for storage and reassembled to its original integrity.

Swimming Pool: A water-filled enclosure, permanently, constructed or portable, having a depth of more than eighteen (18) inches below the level the surrounding land, or an above-surface pool, having a depth of more than thirty (30) inches designed, used and maintained for swimming and bathing.

Temporary Building: Any building of an impermanent nature or which is designed for use for a limited time, including any tent or canopy.

Temporary Structure: Any structure for an impermanent nature or which is designed for use for a limited time, including any tent or canopy.

Tenant Dwelling: A dwelling located on a bona fide farm and which is occupied by a farm worker employed for agricultural purposes by the owner or as operator of the farm.

Tenant: Any person who alone or jointly or severally with other occupies a building under a lease or holds a legal tenancy.

Theater, Adult: An enclosed building or premises used for presenting motion pictures, a preponderance of which are distinguished or characterized by an emphasis on matter depicting, describing or relating to sexual activities or anatomical areas.

Thoroughfare Plan: A plan adopted by the governing body 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.

Townhouse Dwelling: 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 areas owned in common.

Townhouse Lot: A parcel of land intended as a unit for transfer of ownership and lying underneath, or underneath and around, a townhouse, patio home, or unit in nonresidential group development.

Tract: All contiguous land and bodies of water in one ownership, or contiguous land and bodies of water in diverse ownership being developed as a unit, although not necessarily all at one time.

Two-Family Dwelling: A building on one lot arranged and designed to be occupied by two (2) families living independently of each other. See Duplex Dwelling.

Undeveloped Site: A premises that does not contain a structure or building for which a building permit is required.

Use: The purpose or activity, for which land or structures are designed, arranged or intended, or for which land or structures are occupied, or maintained.

Use, Accessory(s): A structure or use that: 1) is clearly incidental to and customarily found in connection with a principal building or use; 2) is subordinate to and serves a principal building or a principal use; 3) is subordinate in area, extent, or purpose to the principal building use served; 4) contributes to the comfort, convenience, or necessity of occupants, business, or industry in the principal building or principal use served; and 5) is located on the same zone lot as the principal building or use served.

Use, Dissimilar: Proximate or directly associated land uses, which are contradictory, such as higher intensity, residential, commercial or industrial uses, located adjacent to lower intensity uses.

Use, Mixed: Occupancy of building or land by more than one use.

Use(s), Principal: The primary function that a lot or structure serves or is proposed to serve.

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

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

Vehicular Use Area (VUA): A hard surface area designed or used for off street parking and or an area used for loading, circulation, access, storage, including fire trucks, garbage trucks or display of motor vehicles.

Waste: Surplus materials resulting from on-site construction and disposed of at other locations.

Watershed Critical Area: That portion of a watershed within one-half mile of the normal pool elevation of a water supply reservoir.

Watershed, Water Supply: All other parts of a watershed in Randolph County draining directly into a water supply reservoir. A watershed is defined as an area in which all water drains to a particular body of water.

Zoning Districts: An area defined by this Ordinance and delineated on the Official Zoning Maps in which the requirements for the use of land and building and development standards are prescribed.

Zoning Enforcement Officer: An employee of the Town of Ramseur authorized to enforce the provisions of this ordinance within the Town and its area of zoning jurisdiction.

Zoning Permit: A permit issued by the zoning enforcement officer or other duly authorized official of the Town of Ramseur certifying that the proposed use of land complies with the provisions of this ordinance.

Zoning Vested Right: A right pursuant to NCGS 160A-385.1 to undertake and complete the development and use of property under the terms and conditions of an approved site development plan.