

# GLOSSARY

## **Academic space**

That *gross floor area* of an educational use designed and utilized for educational and administrative activities including: classroom, laboratory, office, study, research, administrative, and computer facilities, but not including theaters, health care facilities, residential facilities, vehicle service or storage facilities, laundry facilities, food preparation and dining facilities, or non class room physical education or athletic facilities. (Ord. No. 75-TC-301, §1, TC-18-87, 11-4-87)

## **Access point**

A point of ingress or egress, or both, which *may* be a private driveway or public or private *street*.

## **Accessory structure**

Any structure subordinate in both purpose and size which is incidental to and customarily associated with any *principal structure* or *principal use* that is located on the same *lot* and which serves the *principal structure* or *principal use*, including, but not limited to, storage buildings, garages, fountains, and fences.

## **Accessory use**

An "*accessory use*" is a structure or use which meets all the following: (1) It is clearly incidental to and customarily found in connection with a *principal building* or *use*. (2) It is subordinate to and serves a *principal building* or a *principal use*. (3) It is subordinate in area, extent or purpose to the *principal building* or *principal use* served. (4) It contributes to the comfort, convenience or needs of occupants, business or industry in the *principal building* or *principal use* served. (5) It is located on the same *lot* as the *principal building* or *use* served. **Annotation** *Accessory use*. A separate pinball machine and pool table room is not an *accessory use* to a service station. A-65-81 Dunn, Board of Adjustment (May 11, 1981). An unmanned automatic cash-dispensing bank teller machine located in a separate structure from the *principal building* is not an *accessory building* to a gasoline service station. A-231-83 Crown Central Petroleum Corp., Board of Adjustment (Dec. 12, 1983). (Ord. No. 1994-365-TC-71, §4, TC-22-93, 4-5-94)

## **Active tree preservation**

Arboricultural practices designed to ensure survival of *existing trees* by the protection of *critical root zones* from *tree disturbing activities* and the application of one or more arboricultural maintenance procedures, including but not limited to: watering, fertilizing, pruning of *trees*, pruning of roots, and aeration beginning at the issuance of the grading permit and continuing for a minimum period of one (1) *year following* construction, with frequency based on a plan approved by the *City Forestry Specialist*. (Ord. No. 2002-203-TC-218, §1, TC-5-02, 5-7-02; Ord. No. 2005-762-TC-264, §2, TC-7-04, 1-4-05)

## **Administrative Holds**

Holds that are placed by individuals of the Development Service Departments to monitor and control the issuance of permits or Certificates of Occupancy regarding addresses, construction projects, outstanding fees or outstanding legal documents.

## **Adult cabaret**

Any place which features topless dancers, go-go dancers, strippers, male or female impersonators, or similar entertainers.

## **Adult establishment**

*Adult cabarets*, *adult media centers*, *sadomasochism centers*, and any place contained in G.S. 14-202-10(b), excluding masseurs. (Ord. No. 1995-793-TC-125, §1, TC-28-95, 12-5-95; Ord. No. 1997-220-TC-158, §1, 10-21-97)

**Adult media center**

Any place: (1) Which receives a majority of its gross income during any calendar *month* from the sale, rental, or both of books, periodicals, magazines, videotapes, CD-ROM, computer software, movies, and other products offered in photographic, print, electronic, magnetic, or digital or other imaging medium which are distinguished or characterized by their emphasis on matter depicting, describing, or relating to "specified anatomical areas" as defined in G.S. 14-202.10(10), or "specified sexual activities" as defined in G.S. 14-202.10(11); or "sexually oriented devices" as defined in G.S. 14-202.10(9), or any combination thereof; or (2) Having as a preponderance of its books, periodicals, magazines, videotapes, CD-ROM, computer software, movies, and other products offered in photographic, print, electronic, magnetic, or digital or other imaging medium which are distinguished or characterized by their emphasis on matter depicting, describing, or relating to "specified anatomical areas" as defined in G.S. 14-202.10 (10), or "specified sexual activities" as defined in G.S. 14-202.10(11); or "sexually oriented devices" as defined in G.S. 14-202.10(9), or any combination thereof. (Ord. No. 1995-793-TC-125, §2, TC-28-95, 12-5-95)

**Affected area**

An area which will potentially suffer special damages, distinct from the rest of the community, by the determination of a quasi-judicial body. The boundaries of an *affected area* will vary depending on the particular subject matter to be decided by the quasi-judicial body.

**Agriculture – general**

The raising and harvesting of *trees* (excluding *forestry*), vines, seeds, plants and crops, as well as the keeping, grazing or feeding of animals (including fish) for animal products, animal propagation, or value increase. **Cross reference:** Part 12, chapter 5, Restrictions on Animals inside *City Limits*.

**Agriculture – restricted**

The raising and harvesting of *tree* crops (excluding *forestry*), vine crops and horticultural specialties not requiring intense cultivation, but gardens as an accessory use are permitted. The keeping and/or grazing of animals for animal products, animal propagation or value increase are not agricultural restricted activities. (Ord. No. 1997-137-TC-153, §1, TC-18-96, 6-17-97) **Cross reference:** Part 12, chapter 5, Restrictions on Animals inside *City Limits*.

**Air-Gap Separation**

An unobstructed vertical distance through the atmosphere between the lowest opening from any pipe or faucet supplying water to a tank, plumbing fixture, or other device and the flood level rim of the receptacle. An approved air-gap vertical separation shall be at least double the diameter of the supply pipe. In no case shall the air-gap be less than one (1) inch.

**Annexation**

Is the expansion of additional properties into a municipality's corporate limit. The various methods and procedures by which annexation may be accomplished, as well as the qualification criteria an area must meet in order to be considered for annexation, are set forth in the State annexation statutes. The laws recognize cities as the basic provider of essential governmental services needed to support urbanized areas. In return for the ability to annex, municipalities must extend local urban services such as police and fire protection, water and sewer lines, recreational services, solid waste collection and support for the local public street system.

**Apartment house**

Any *dwelling* containing three (3) or more *dwelling units*. (Ord. No. 520-TC-58, §7, TC-82, 5-18-77)

**Apartment project**

A systematically built group of *apartment houses*. (Ord. No. 319-TC-335, TC-29-88, 7-26-89; Ord. No. 946-TC-164, TC-213, 7-22-82; Ord. No. 901-TC-162, §1, TC-212, 5-4-82)

**Approach**

The portion of an intersection leg which is used by traffic approaching the intersection.

**Approved (Public Utilities)**

Certified in writing by the Director of Public Utilities as an acceptable device or methodology used within the City of Raleigh Public Utilities System.

**Area of copy**

The square or rectangular area, which fully encloses the extreme limits of the message, *copy*, announcement or decoration on a *sign*.

**ASHTO**

American Association of State Highway and Transportation Officials.

**Attached cluster housing**

Two (2) attached *single-family dwellings*, which are approved as part of a *cluster unit development*.

**Automotive service and repair facilities**

Any establishment where fuel, lubricants, parts, or service, self or by others, is rendered directly to a motor vehicle. Such a facility includes, without limitation: an automobile service station; an establishment for tuning, and lubricating automobile engines; an automotive washing and cleaning facility; a garage for repair of tires, mufflers, engines, transmissions, batteries; a shop for body work and painting; and any establishment with any gasoline pump opened to the public. (Ord. No. 499-TC-349, §1, TC-15-89, 3-7-90)

**Auxiliary Intake**

Any piping connection or other device whereby water may be secured from a source other than public water supply.

**Average Daily Traffic (ADT)**

The total bi-directional volume of traffic passing through a given point during a given time period (in whole days), divided by the number of days in that time period.

**Awning sign**

Any *sign* constructed of fabric-like non-rigid material which is a part of a fabric or flexible plastic awning and which is framed and attached to a *building*. A "back-lit" awning is a type of *awning sign*. (Ord. No. 946-TC-286, §1, TC-29-85, 4-7-87)

**Backflow**

Any flow of water into the public water supply from any other source due to a cross-connection, auxiliary intake, interconnection, backpressure, backsiphonage, any combination thereof, or other cause.

**Backpressure**

Any pressure on any source of water other than the public water supply, which may be greater than the pressure on the public water supply and may result in a backflow.

**Backflow prevention device**

An approved effective device or method used to prevent backflow from occurring in the potable water supply. The type of device required shall be based on degree of hazard, existing or potential. Effective 8/2/05

**Backsiphonage**

Any circumstance in which the pressure on the public water supply may be reduced to the point that the elevation and atmospheric pressure on a source of water other than the public water supply may result in a pressure to be greater than the pressure on the public water supply and may result in a backflow.

**Banner**

Any *sign*, except an *awning sign*, made of flexible, fabric-like material.

**Basal area**

The total cross sectional area, stated in square feet per acre, of *trees* in a wooded area measured at four and one-half (4 1/2) feet above ground level. (Ord. No. 2005-762-TC-264, §1, TC-7-04, 1-4-05)

**Bed and breakfast inn**

An existing *building* where a room or rooms without cooking facilities are rented and which conforms to §10-2144(b). (Ord. No. 320-TC-213, §1, TC-262, 4-3-84; Ord No. 1992-30-TC-396, §1, TC-13-92, 8-4-92; Ord. No. 1992-111-TC-42, §1, TC-19-92, 12-8-92)

**Billboard**

Any *off-premises sign* on a permanent structure on which the *copy* is periodically changed and which is not located on the *premises* to which such advertising *copy* pertains.

**Billboard copy**

Any temporary message, which is changed periodically, applied to a permanent *sign* structure.

**Block face**

The physical characteristics of *property* and structures adjoining both sides of a *street* in-between intersections. If the *street* distance between intersections is less than four hundred (400) feet, then the *block face shall* extend to one-half (1/2) the distance of the adjoining *block faces* on either side. (Ord. No. 438-TC-226, §1, TC-275, 11-12-84)

**Board of Adjustment**

A quasi-judicial body which acts on appeals for variances, special exceptions and interpretations in the zoning regulations. The Board's decisions are final but may be subject to court action. Eight members: four regular members and two alternate members are appointed to two-year terms by the City Council; one regular member and one alternate are appointed by Wake County Commissioners and must reside within the City's extraterritorial jurisdiction.

**Building**

An edifice, structure or construction of any kind located or proposed to be located on a *lot*.

**Building Code Summary Sheet (Appendix B)**

A Building Code Summary Sheet (BCSS) included as top sheet on commercial plans that provides information about the building and the project (code being used, occupancy, construction type, scope of work, address, and specification); not required for fire alarm, fire protection, grading, or landscaping projects. Form can be found on the City of Raleigh web site.

**Building Framing Inspection**

Framing inspections shall be made after the roof, excluding permanent roof covering, wall ceiling and floor framing is complete with appropriate blocking, bracing and fire stopping in place. The following items must be in place and is visible for inspection:

1. pipes;
2. chimneys and vents;
3. flashing for roofs, chimneys and wall openings;
4. insulation baffles;
5. all lintels required to be bolted to the framing for support shall not be covered by any exterior or interior wall or ceiling finish material before approval. Work may continue without approval for lintels supported on masonry or concrete.

**Building lot coverage**

The amount of *net lot area* or land surface area, expressed in terms of a percentage, that is covered by all *principal buildings*, including: (1) overhangs or cantilevered portions of the *building* (other than roof overhangs), such as bay windows; (2) roofs or canopies covering areas where a *principal use* is conducted, such as a gasoline pump island canopy or *display area* (3) enclosed breezeways or walkways; and, (4) decks, balconies more than three and one-half (3 1/2) feet high. *Building lot coverage shall* exclude roof overhangs; unenclosed walkways or stairs; unenclosed stoops, decks, patios, balconies less than three and one-half (3 1/2) feet high; *vehicular surface areas* and parking structures; loading, *utility services* areas; uncovered paved areas; and *accessory uses and structures*, such as *signs*, decorative items and lighting. (Ord. No. 1994-365-TC-71, §4, TC-22-93, 4-5-94)

**Built environmental characteristics**

*Built environmental characteristics shall* include: *lot frontage* and *size*, *building entrances*, *building height*, *building placement* on the *lot*, including *building setbacks* from the *streets* and *property lines*, and distances between *buildings* and *vehicular surface area* placement on the *lot*. (Ord. No. 292-TC-328, §1, TC-22-88, 1-5-89; Ord. No. 1998-303-TC-166, §1, TC-6-98, 4-7-98)

**Business License (Privilege License)**

A license required by the City of Raleigh, North Carolina, for all contractors performing work within the city. Exceptions are contractors on Fire Protection permits, and permits with MH - Mobile Home Work Type. Work within the Extra Territorial Jurisdiction (ETJ) does not require a Business License.

**Bulk products**

Uses primarily devoted to the storage, sorting, or breaking of *bulk products*, or distributing or delivery of parcels, post, or other goods. (Ord. No. 197-TC-315, TC-26-87, 6-26-88)

**Canopy**

A protective roof-like structure, with pillar or post supports, covering a walkway and/or *building* entrance. (Ord. No. 2004-669-TC-250, §1, TC-9-04, 7-6-04)

**Capacity**

The maximum hourly rate at which persons or vehicles can reasonably be expected to traverse a point or uniform segment of a lane or roadway during a given time period under prevailing traffic, roadway and control conditions.

**Capital Area Thoroughfare Plan**

A roadway plan adopted by the Capital Area Metropolitan Planning Organization which illustrates the location and classification of all thoroughfare system roadways in the greater Raleigh urban area.

**Casualty**

Damage or destruction which is caused by the exercise of the power of eminent domain; man-made acts, such as riot, fire, accident, explosion; or flood, lightning, wind, or other calamity or act of nature.

**Certificate of Appropriateness (COA)**

An approval issued following an application review, to show that a proposed project at a designated historic landmark or within a historic overlay district has been reviewed according to the design guidelines and found to be congruous with the special character.

**Certificate of Compliance - Building Occupancy**

A new building shall not be occupied or a change made in the occupancy, nature or use of a building or part of a building until after the Inspections Department has issued a Certificate of Compliance. The Certificate of Compliance shall not be issued until all required service systems have been inspected for compliance with the technical codes and other applicable laws and ordinances and released by the Inspections Department. Upon satisfactory completion of a building, plumbing, mechanical, electrical, fire protection or gas system, or portion thereof, a Certificate of Compliance shall be issued. The Certificate of Compliance represents that a structure or system is complete and for certain types of permits is permission granted for connection to a utility system. The Certificate of Compliance shall not be construed to grant authority to occupy a building (General Statutes 1 53A-363 and 160A-423).

**Certificate of Eligibility**

Capability of contractor to perform required services based on the contractor's qualifications and the type of permits requested. Contractors are validated on the Building, Electrical, Fire Protection, Grading, Mechanical, Plumbing, Right of Way, Street Cut, and Stub Permits. The contractor's capabilities are validated when permit data is entered or permits are approved. Permits will not be issued with invalid contractors.

**Certificate of Occupancy (CO)**

Document authorizing occupancy of structure; issued when all permitted work has been completed and approved. Upon satisfactory completion of a building and after the final inspection, the Inspections Department may issue a Certificate of Occupancy. The Certificate of Occupancy shall state the occupancy which may be safely occupied. May be obtained by applying to the Inspections Department and supplying the information and data necessary to determine compliance with the technical codes for the occupancy intended. Detailed drawings and inspections may be required. When, upon examination and inspection, it is found that the building conforms to the provisions of the technical codes and other applicable laws and ordinances for such occupancy, a Certificate of Occupancy shall be issued. The Certificate of Occupancy shall state the occupancy which may be safely occupied.

**Certified Tester (Public Utilities)**

A person who has proven his/her competency to test, repair, overhaul and make reports on backflow prevention devices as evidenced by certification of successful completion of a training program approved by the Director of Public Utilities.

**Champion tree**

Any *tree* listed as the champion or co-champion of its species, either on the "National Big Tree" list as compiled by the American Forestry Association or on the "Champion Big Trees of North Carolina" list as compiled by the North Carolina Division of Forest Resources, or on the "Capital Trees Program" list as compiled by Wake County Keep America Beautiful. (Ord. No. 2005-762-TC-264, §1, TC-7-04, 1-4-05)

**Change of Occupancy**

If the occupancy classification as designated in the Building Code of any existing building is changed, the service systems shall be made to conform to the Existing Buildings Code or the technical codes for the new occupancy as determined by the

Code Enforcement Official. **NOTE:** Change of ownership does not constitute change of occupancy (General Statutes 153A-363 for counties and 16QA-423 for cities).

**Changeable copy sign (manual)**

Any *sign* on which *copy* is changed manually and *copy* is shown on the same *sign* face such as reader boards with changeable letters or changeable pictorial panels but not limited to the above. Poster panels and painted boards are not *changeable copy signs*.

**Charitable institution**

Establishments which otherwise are not listed in the **Schedule of Permitted Land Uses in Zoning Districts** and that are primarily engaged in administration of programs of financial assistance, training, counseling, and other services to individuals or organizations, but not providing housing or shelter.

**Citizens Advisory Council (CAC)**

A citizen structured board that gives the opportunity for input into the City's decision-making process. There are 18 geographically located CACs, which are responsible for reviewing issues of interest to their own community or neighborhood and expressing concerns to the City Council. The CACs are the only advisory bodies of the City Council whose membership is strictly voluntary. The Chairpersons and other officers are elected from among the members of each CAC neighborhood and items such as rezoning or development plans are discussed at the meetings. The opinions of CAC members and results of any votes taken at CAC meetings are presented to the City Council. The RCAC, the Raleigh Citizens Advisory Council is the overall body made up of the officers of each of the 18 community CACs.

**City**

The City of Raleigh, North Carolina.

**City Code**

The Charter and Code of Ordinances of the City of Raleigh, North Carolina.

**City Council**

The City Council is Raleigh's governing body, consisting of eight members who are elected for two-year terms. Three of the members, including the mayor, are elected at large, while the other members are elected from five districts. The City Council sets City policy, enacts laws and adopts the City budget each year.

**City Standards and Specifications**

Those standards prescribed for the construction of streets, sidewalks, driveway access points, curb and gutter set out in this manual and the City Code.

**Civic club**

A not for profit club for civic, social or fraternal purposes operated by a civic, social or fraternal organization, including offices for local, state and regional officials, not including a political party club. **Annotation:** Club for civic purposes. YMCA is a club for civic purposes operated by a civic organization: A-34-79 Day, Board of Adjustment (April 9, 1979.) (Ord. No. 415-TC-343, TC-1-89, §3, 8-1-89)

**Civic or convention center**

Any place of assembly which charges for meeting or exhibition areas, and such areas either contain **North Carolina Building Code** occupancy limits of more than eight hundred (800) people or have meeting and exhibition areas which total more than twelve thousand (12,000) square feet. (Ord. No. 31-TC-296, §66, TC-16-87, 12-1-87)

**Closed fence or wall**

A solid fence or wall which has no openings and contains shiplap, or tongue and groove or similar overlapping design if made of wood. (Ord. No. 799-TC-267, §4, TC-21-85, 1-1-87)

**Cluster unit development**

A planned residential development which *may* include *townhouses*, residential *unit ownership (condominium)*, *group housing* and *multi-family developments*, *congregate care and congregate living structures*, *life care communities*, *detached single-family dwellings* , *attached cluster housing* , and *manufactured homes*. It permits *recreational uses related to residential developments* and *residential related services*. It allows for transfer of allowable *dwelling unit* densities, placement of *dwelling units*, creation of residential *lots*, and installation of private *streets* that are not otherwise permitted by this Code. (Ord. No. 596-TC-241, §1, TC-8-85, 6-24-85; Ord. No. 1995-760-TC-122, §1, TC-20B-95, 11-21-95; Ord. No. 2000-734-TC-189, TC-2-00, §2, 2-15-00; Ord. No. 2003-504-TC-240, TC-8-03, §1, 9-16-03)

**Code of Ordinances**

The City of Raleigh Municipal Code is a complete compilation of laws adopted by the Raleigh City Council.

**Commercial Driveway Access**

Any driveway access point that does not meet the definition of residential driveway access.

**Comprehensive Plan**

Compiled policies adopted by the City Council, related to various aspects of the city, including: land use, housing, economic development, transportation, water, wastewater, stormwater management, parks, recreation, greenways, police and fire protection, etc.. Comprehensive Plan policies are used by the Council and commissions, developers and land owners, as an indication generally of what the City of Raleigh wants itself to be. The Comprehensive Plan contains citywide policies, but also policies regarding smaller areas of land. Within the Comprehensive Plan are the District Plans, Systems Plans and Small Area Plans, which address issues on a progressively more detailed level.

**Conditional Use Zoning Districts**

A conditional use zoning district is where limited uses are permitted and other regulations are imposed. Conditional use zoning districts allow the property owner to prohibit land uses which would otherwise be permitted within the zoning district requested and offer zoning conditions to address design issues such as building height, setbacks, landscape buffers, privacy fence construction, etc. During the deliberation of a conditional use rezoning request, additional zoning conditions may be voluntarily offered by the property owner to address issues from an affected neighbor, the local citizen advisory council (CAC), staff, Planning Commission, City Council, etc. If the conditional use rezoning request is approved, the zoning conditions are legally binding and may not be altered unless a subsequent zoning case is filed and approved.

**Confinement Assembly or Device**

A backflow prevention device, as approved and required, installed within a private plumbing or distribution system to isolate a localized hazard from the remainder of said system.

**Congregate care structure or congregate living structure**

A structure(s) meeting the standards of §10-2102 which provides housing, part-time medical care, shared food preparation and dining areas, and recreational facilities, as

well as significant social facilities to meet the needs for the elderly, their spouses and their surviving spouses that reside in the structure(s).  
(Ord. No. 1992-111-TC-42, §2, TC-19-92, 12-8-92)

**Connective Street**

A street within a development, other than a cul-de-sac street or loop street, which will allow vehicular and pedestrian circulation to adjoining developments; thereby providing for community-wide circulation.

**Construction sign**

Any *temporary sign* erected during construction which *may* indicate the project name and the names of architects, contractors, subcontractors, developers, rental agencies, financial institutions, or other principals involved in the sponsorship, design, and construction of a structure or project.

**Containment Device**

A backflow prevention device, as approved and required, installed at the point of separation between the public water supply and a private service or private distribution system or at the point of metering.

**Contractor Database (Inspections)**

A database consisting of State licensed and unlicensed contractors doing work in the City of Raleigh. This database is maintained on a daily basis with updates of workers compensation insurance, general liability, bonds, City of Raleigh Privilege licenses and holds for various reasons regarding the contractor.

**Contractor ID Number (Inspections – Online Development Center)**

A unique identifying number assigned by the City of Raleigh to be used by clients as a temporary user name to gain access to the Online Development Center when creating a new account. This number can be obtained by contacting the City of Raleigh Inspections Department Permit Division at (919) 516-2150.

**Contractor License Required**

When the General Statutes require that general construction, plumbing, mechanical, electrical, fire protection, or gas work be performed by an appropriately licensed individual, no permit for such type work shall be issued to an unlicensed person or firm. Additional requirements may be found in General Statutes 87- 14, 87-21(e), 87-43.1, 87-58, 153A-134, 153A-357, 160A- 194 and 160A-4 17.

**Copy (permanent and temporary)**

The wording or pictorial graphics on a *sign* surface either in permanent or removal form.

**Copy center**

A facility that produces copies by xerographic or mimeographic means, *may* sort and bind copies made, and *may* produce *signs* and nameplates for interior display where such *signs* are produced by xerographic, mimeographic or similar means.  
(Ord. No 765-TC-367, TC-5-91, 4-21-91)

**Corner clearance**

At an intersecting street, the distance measured from the edge of pavement curb line or the intersection of right-of-way lines to the beginning of outside driveway radius.

**Corner lot**

A *lot* of which at least two (2) intersecting sides abut for their full length upon a public or private *street*.

**Covered pedestrian walkway**

A permanent structure attached to a *building* consisting of a roof supported by columns in the ground away from the *building*, which provides cover for pedestrians immediately adjacent to the *building*, and extending the entire length of the side of a *building* containing a primary entrance. (Ord. No 955-TC-166, §1, TC-214, 8-23-82)

**Critical root zone**

The area uniformly encompassed by a circle with a radius equal to one and one-quarter (1.25) foot per inch of *DBH tree* trunk of the preserved *tree* measured at four and one-half (4.5) feet above the ground (measured to the nearest inch), with the trunk of the *tree* at the center of the circle. (Ord. No. 2005-762-TC-264, §1, TC-7-04, 1-4-05)

**Cross-Connection**

Any physical connection whereby the public water supply is connected with any other water supply system, whether public or private, either inside or outside of any building or buildings, in such a manner that a flow of water into the public water supply is possible either through the manipulation of valves or because of ineffective check or back-pressure valves, or because of any other arrangement.

**Cross-Connection Control Coordinator**

The official position established and authorized by the City and designated by the Director of Public Utilities to administer and interpret the cross connection section specifications and who shall also be a certified tester.

**Cut-outs**

Part of the *copy* of an *outdoor advertisement sign* which extends beyond the edge or border of the *sign*. Sometimes called a "top out" or "extension."

**Day care facility**

A center, home, day nursery, nursery school, kindergarten or other place however styled and whether operated under public auspices or as a private business in which participants are received for temporary custodial care apart from parents or guardians. A day care center for children will serve at any one (1) time six (6) or more children under the age of eighteen (18) not of common parentage. A day care center for adults *shall* serve at any one (1) time six (6) or more adults eighteen (18) *years* of age or over, a majority or more of whom are in need of care because of decreasing capability brought on by age. (Ord. No. 2003-474, §1, TC-5-03, 7-1-03)

**DBH**

Diameter at Breast Height (DBH) of a *tree* in the field is the diameter of the stem of a single-stem *tree* measured at four and one-half (4.5) feet (breast height) above grade level, or the total diameter of all stems of a multi-stemmed *tree* measured at four and one-half (4.5) feet above grade level. (Ord. No. 2005-762-TC-264, §1, TC-7-04, 1-4-05)

**Decorative fence**

A designed *open fence* or *solid fence* or wall which meets all of the *following*: (1) It contributes to the identification and beauty of the *principal use*. (2) It is not erected to satisfy any other provision of this Code. (3) It does not act as a retaining structure. (4) It is made of material that typically is not found in security structures, such as chain link. (5) It is not available for purchase in stores. (Ord. No. 499-TC-349, §49, TC-15-89, 3-7-90; Ord. No. 1994-365-TC-71, §4, TC-22-93, 4-5-94)

**Dead-end street**

A local access system street opened at one end only with special provisions for a vehicle to turn around.

**Depth of lot**

The dimension measured from the *front* boundary of the *lot* to the extreme rear boundary of the *lot*. In case of irregularly shaped *lots*, the mean depth *shall* be taken.

**Design Guidelines for Raleigh Historic Districts**

It serves different roles for different stakeholders in the historic districts. For property owners, residents, and contractors, it provides primary guidance in planning projects sympathetic to the special character of each of Raleigh's historic districts. For commission members and staff, it offers a basis for evaluating proposed changes. In the process, it serves as a valuable tool in the commission's efforts to preserve, protect and promote Raleigh's historic resources.

**Design Speed**

Usually up to five miles per hour above the expected operating speed of the facility under design.

**Developer**

A site planner or subdivider.

**Development or Development Plan**

Any site plan or subdivision.

**Directional sign**

A *sign* that orients pedestrian and vehicular traffic to different areas within a development of over two hundred (200) acres. (Ord. No. 1996-901-TC-131, §1, TC-3-96, 5-21-96)

**Directory sign**

Any *sign* which lists the name of activities, businesses, firms, or tenants located on the *premise*.

**Discharge or Indirect Discharge**

The discharge or the introduction from any non-domestic source regulated under §307(b), (c), or (d) of the Act (33 U.S.C. 1317), into the POTW (including holding tank waste discharged into the system). Effective 8/2/05

**Dish antenna**

An antenna whose purpose is to receive signals from orbiting satellites and other extraterrestrial sources. (Ord. No. 349-TC-217, §1, TC-264, 5-20-84)

**Display area**

An outdoor open air area where merchandise is stored throughout the day and the night and this same stored merchandise is sold or leased, not including the *display area* for any motor vehicle, trailer or semi-trailer (see *Vehicular display area*). (Ord. No. 799-TC-267, §4, TC-21-85, 1-1-87; Ord. No. 2006-952-TC-278, §1, TC-18-05, 1-3-06)

**Double Check Valve Backflow Prevention Device**

An approved assembly composed of two (2) single, spring-loaded independently operating check valves, including tightly closing shut-off valves located at each end of the assembly and having suitable connections for testing the water tightness of each check valve.

**Double-faced outdoor advertising sign**

*Outdoor advertising sign* structures placed back-to-back with a distance between the backs of the *signs* of not greater than three (3) feet.

**Driveway access point**

A point of ingress and egress, or both, which is considered a private driveway. It can be either a residential access point or a commercial driveway access point.

**Driveway width**

The narrowest width of driveway measured parallel with the edge of street.

**Dual Check Valve**

An approved device containing two (2) independently acting check valves in series.

**Duplex**

A *multi-family dwelling* containing two (2) *dwelling units* on one (1) *lot*, each separate, independent unit with its own independent entrance. A *dwelling* with two (2) units, each unit on its own *lot*, is not a *duplex*; *attached cluster housing* and two (2) *attached townhouses* are not a *duplex*.

**Dwelling**

Any *building used for residence purposes* which contains one (1) or more *dwelling units*, but not a *hotel* or *motel*. (Ord. No. 520-TC-58, TC-82, 5-18-77)

**Dwelling unit**

One (1) or more rooms physically arranged as to create an independent housekeeping establishment with separate facilities for cooking, sleeping, and toilet. A *dwelling unit* can be *occupied* by only one (1) *family*, but can contain either a *utility apartment* or rental rooms in accordance with §10-2072(b). (Ord. No. 520-TC-58, TC-82, 5-18-77)

**Earthen berm**

A berm utilized to meet landscape standards in this Code, §10-2082 et seq.

**Eating establishment**

A place where food is cooked, put together, portioned, set out or handed out in unpackaged portions for human consumption, which can include restaurants, cafeterias, cafes, lunch stands, grills, snack bars, fast-food businesses, delicatessens, ice cream parlors, soda fountains, coffee shops, donut shops, pizzerias, carry-out restaurants, dairy bars and oyster bars.

**Eave**

The edge or edges of a roof usually projecting beyond the side wall of a *building*.

**Efficiency or studio apartment**

A *dwelling unit* which contains only one (1) large living/sleeping room and kitchen and bathroom. It does not have a separate bedroom.

**Emergency shelter type A**

A transitional housing facility designed to shelter individuals which is required to meet the standards of §10-2072. (Ord. No. 579-TC-239, §1, TC-12-85, 6-9-85)

**Emergency shelter type B**

A transitional housing facility designed to temporarily feed and shelter individuals according to the standards in §10-2072. (Ord. No. 810-TC-268, §3, TC-6-86, 6-22-86; Ord. No. 152-TC-189, §1, TC-238, 7-19-83; Ord. No. 895-TC-383, §2, TC-21-91, 12-8-91)

**Encroachment**

Any disturbance to the following: natural grade, construction of impervious surfaces, trenching or excavation, storage of equipment, materials or earth and the temporary or permanent parking or circulation of vehicles or equipment.

**Equivalent dwelling unit**

Any room or rooms not provided with cooking facilities or bathroom facilities, or both, *occupied* by four (4) *persons* within a *rooming house*, fraternity, sorority, bed and breakfast inn, orphanage, convent, monastery, *rest home* or any *residence* however styled is equivalent to one (1) *dwelling unit*. The *following* are not *equivalent dwelling units*: *supportive housing residence, multi-unit supportive housing residence, hotels without dwelling units, hospitals*, recreational campgrounds for park visitors, dormitories as an *accessory use* to a school, emergency shelters, penal institutions, and military barracks. (Ord. No. 320-TC-213, §2, TC-262, 4-3-84; Ord. No. 520-TC-58, TC-82, 5-18-77; Ord. No. 1994-365-TC-71, §1, TC-22-93, 4-5-94)

#### **Erect**

To assemble, build, construct, attach, hang, install, place, raise, suspend, affix, paint, or in any way bring into being or establish.

#### **Excessively trimmed**

The pruning, cutting, or otherwise damaging the natural form of a *tree* when it meets one (1) or more of the *following*:

(1) Removes more than twenty-five (25) per cent of the crown system of a *tree* within a continuous five- *year* period.

(2) Removes, cuts, or covers more than twenty-five (25) per cent of the root system of a *tree* within a continuous five- *year* period.

(3) Fails to conform to the pruning cuts methods set forth in the current edition of "**Tree, Shrub, and Other Woody Plant Maintenance--Standard Practices**" of the American National Standards Institute.

(4) Is made for a purpose other than "hazard pruning," or "utility pruning," or "maintenance pruning" as set forth in the current edition of "**Tree, Shrub, and Other Woody Plant Maintenance--Standard Practices**" of the American National Standards Institute.

(5) Is crown reduction, heading, vista pruning, or pollarding as set forth in the current edition of "**Tree, Shrub, and Other Woody Plant Maintenance--Standard Practices**" of the American National Standards Institute. (Ord. No. 2002-149-TC-212, §1, TC-12-01, 1-15-02)

#### **Expansion of a zoning nonconformity**

Any improvement that alters or expands or enlarges the land area, extent or intensity of a *zoning nonconformity*. *Expansions of a zoning nonconformity* include: the addition to, construction of, or enlargement of bay windows, attic or basement spaces, attached carports or storage *buildings*, canopies, *marquees*, exterior chimneys, decks, patios, porches, and exterior facilities or structures not otherwise allowed as renovations; the enclosing of decks, porches, and patios; or the installing of additional vehicular surfaces to serve a *zoning nonconforming use*, including nonconforming *principal use* parking facilities or illuminating a *nonconforming sign*.

#### **Exterior features**

*Exterior features shall* include important landscape and natural features of the area, significant archaeological features, the architectural style, general design, and general arrangement of the exterior of a *building* or other structure, including the kind and texture of the *building* material, the size, color and scale of the *building*, and the type, color, style of all windows, doors, light fixtures, *sign*, and other appurtenant fixtures. In the case of outdoor *signs*, *exterior features shall* be construed to mean style, material, size, color and location of all such *signs*. (Ord. No. 600-TC-242, §1, TC-13-85, 7-2-85; Ord. No. 1992-66-TC-399, §6, TC-15-92, 10-6-92)

#### **Extraterritorial Jurisdiction (ETJ)**

The ETJ is the City's Planning and Zoning jurisdiction that can extend up to three (3) miles from the contiguous city limits to cover portions of the unincorporated County. Subdivision approvals, building permits and rezoning cases in these areas are all processed through the City's staff, Planning Commission and City Council, as needed.

The purpose of this is to anticipate portions of the unincorporated county that are urbanizing, and bring them under a set of urban standards for development. The ETJ process tries to anticipate that these areas will become part of the City Limits in the future. By causing development in these areas to be constructed to City standards, the extension of City zoning and subdivision standards into these urbanizing areas of the County ensures that they can be adequately and efficiently served by municipal services when that time comes. County residents of ETJ areas are represented on both the Board of Adjustment and the Planning Commission.

**Face of sign (sign face)**

The entire surface area of a *sign* upon, against, or through which *copy* is placed.

**Facia sign**

See *wall sign*.

**Facility Fee**

A charge based on the impact of the development as determined by the parcel land use. These fee revenues provide proportionate funds needed to improve thoroughfares and acquire open space to serve the affected area.

**Family**

An individual or two (2) or more *persons* related by blood to the third degree lineally or the fourth degree collaterally, marriage, or adoption living together in a *dwelling unit*; or a group of not more than four (4) *persons*, one (1) or more of whom is not related by blood as described above, marriage, or adoption to the other.

A *family* may include five (5) or fewer foster children placed in a *family* foster home licensed by *the State* of North Carolina. (Ord. No. 693-TC-362, TC-14-90, 12-11-90; Ord. No. 1997-88-TC-148, §1, TC-5-97, 4-1-97)

**Field Revisions**

The City of Raleigh Building Inspector may require plans to be resubmitted for review if major structural changes were made to the original plans in the field during the building phase.

**Final Inspection**

Final inspections shall be made for each trade after completion of the work authorized under the technical codes.

**Fire Alarm Construction Documents (aka: Shop Drawings)**

907.1.1 Written, graphic and pictorial documents prepared or assembled for describing the design, location and physical characteristics of the elements of a project necessary for obtaining a building permit. Construction documents for fire alarm systems shall be submitted for review and approval prior to system installation. Construction documents shall include, but not be limited to, all of the following: A floor plan, Locations of alarm-initiating and notification appliances, Alarm control and trouble signaling equipment, Annunciation, Power connection, Battery calculations, Conductor type and sizes, Voltage drop calculations, Manufacturers, model numbers and listing information for equipment, devices and materials, Details of ceiling height and construction and The interface of fire safety control functions.

**Fire line**

A system of pipes and equipment used to supply water in an emergency for extinguishing fire.

**Fire Protection Inspection**

Fire protection inspections shall be made in all buildings where any material is used for fire protection purposes. The permit holder or his agent shall notify the Inspection Department after all fire protection materials are in place. Fire protection materials shall not be concealed until inspected and approved by the Code Enforcement Official.

**Flashing sign**

Any sign which contains an intermittent, blinking, scintillating or flashing light source, or which includes the illusion of intermittent or flashing light, or an externally mounted intermittent light source. (Ord. No. 518-TC-131, §2, TC-F-80, 11-4-80)

**Floodplain**

The land adjacent to a stream, river or lake which is subject to flooding by storms whose severity and flooding effects can be measured. That is, a 100 year storm will occur on the average of once every 100 years and will be associated with a certain amount of rainfall and flooding and produce a 100 year floodplain. This constitutes both the floodway and floodway fringe. Properties constructed in flood zones are subject to specific requirements.

**Floodway**

The land that is immediately adjacent to a stream, river or lake which is subject to flooding by the 100 year flood. Development is severely restricted here.

**Floodway Fringe**

Land adjacent to the floodway, also subject to flooding on a less frequent basis. Some building is permitted, if flood proofed and uses such as parking are permitted.

**Floor/Area Gross**

Floor area gross, as used to determine floor/area ratio, is the sum in square feet of the gross horizontal areas of all floors of the building measured from the exterior walls or from the center line of walls separating two buildings. The floor area gross of a building shall include basement floor area when more than one-half of the basement height is above the established curb level or above the finished lot grade level where the curb level has not been established. Elevator shafts, stairwells, floor space used for mechanical equipment, attics, balconies and mezzanines, enclosed porches and floor area devoted to accessory uses shall be included in the calculation of floor area gross. However, any space devoted exclusively to off street parking or loading equipment, open or enclosed, located on the roof or attic space having head room of less than seven feet ten inches (7'10") shall not be included in floor area gross. The sum in square feet of the gross horizontal areas of all floors of the *building* measured from the exterior walls or from the center line of separating two (2) *buildings*. The *floor area gross* of a *building* shall include basement floor area when more than one-half ( 1/2) of the basement height is above the established curb level or above the finished *lot* grade level where the curb level has not been established. Elevator shafts, stairwells, floor space *used* for mechanical equipment, attics, balconies and mezzanines, enclosed porches, and floor area devoted to *accessory uses* shall be included in the calculation of *floor area gross*. However, the *following* shall not be included in the *floor area gross*: any space devoted exclusively to off-street parking; or outdoor loading, display, *utility service areas*; or mechanical equipment and uninhabited enclosed space on tops of roofs; or attic space having head room of less than seven (7) feet ten (10) inches. (Ord. No. 942-TC-283, §1, TC-1-87, 3-17-87)

**Floor/Area Ratio (FAR)**

The floor/area ratio or FAR is the numerical value obtained by dividing the floor area gross of the building or buildings located upon a lot or tract of land by the total area of such lot or tract, less any public street right-of-way sixty feet or less in width. The numerical value obtained by dividing the *floor area gross* of the *building(s)* by the *net lot area* or the area covered by the applicable zoning district on which the *building* is located, and calculated in accordance with §10-2072(b): office, agency or studio of a professional or business agent, or political, labor or service association. (Ord. No. 1997-137-TC-153, §2, TC-18-96, 6-17-97)

**Food preparation facility or establishment**

Any commercial or industrial facility that prepares or serves food, including a restaurant, cafe, cafeteria, snack bar, grill, deli, catering service, bakery, grocery store, butcher shop or similar establishment.

**Food store – retail**

Bakeries, candy, dairy product stores, fruit stores and vegetable markets, grocery stores, meat and seafood markets and other miscellaneous food stores engaged in the retail sale of specialized foods. The sale of alcoholic beverages for off-premise consumption is permitted as an *accessory use* in those zoning districts where such activities are allowed.

**Footing Inspection**

Footing inspections shall be made after the trenches are excavated, all grade stakes are installed, all reinforcing steel and supports are in place and appropriately tied, all necessary forms are in place and braced and before any concrete is placed.

**Forestry, general**

A woodland area where all of the *following* occur:

- (1) The growing of *trees*; and
- (2) The harvesting of timber, leaves or seeds; and
- (3) The regeneration of *trees* by the replanting of *trees* at the rate of one (1) inch caliper *tree* measured six (6) inches above the ground per every two hundred (200) square feet of *tree disturbing activity* area within two hundred twenty (220) days of harvesting; and
- (4) The application of "best management practices", including the N.C. Department of Environment, Health and Natural Resources, "**Forest Practice Guidelines Related to Water Quality**" --Title 15A North Carolina Administrative Code, subchapter 11, sections 1.101--.0209, and all successor documents.
- (5) A forest management plan is prepared or approved either by a professional forester registered in *the State of North Carolina* or by the Division of North Carolina Forest Resources. Copies of the forest management plan *shall* be provided to the *City* upon request. (Ord. No. 1994-365-TC-71, §4, TC-22-93, 4-5-94; Ord. No. 2001-991-TC-206, §2, TC-8-00, 5-1-01; Ord. No. 2005-762-TC-264, §3, TC-7-04, 1-4-05)

**Foundation Inspection, Crawl Space**

Foundation and crawl space inspections shall be made after all foundation supports are installed. This inspection is to check foundation supports, crawl space leveling, ground clearances, and positive drainage, when required.

**Front or frontage**

That side of a *lot* which abuts and can gain direct access, upon approval by the *City*, from a public *street* or a private *street* or open space common areas approved as part of a *cluster unit development* or *townhouse development*. (Ord. No. 1995-760-TC-122, §2, TC-20B-95, 11-21-95)

**Front yard area**

The *yard area* located between the front line of a *principal building*, structure, or use in the absence of a *principal building* or structure, and the front boundary of a *lot*, or an existing or proposed public or private *street* right-of-way, and extending along the entire width of the *lot*.

**General Use Zoning Districts**

Those zoning districts in which a variety of uses are permitted.

**Greenway**

This can be a natural area or a pedestrian and bicycle path within a natural corridor, often associated with a stream. Raleigh has a Greenway Plan which, when fully implemented, will provide a pedestrian network which will connect neighborhoods and parks in all parts of the city. The greenway system is also designed to limit inappropriate development in natural areas, protect floodplains, limit damage

associated with flooding and to protect the wildlife and plant life associated with these natural areas.

**Greenway Flags**

Greenway flags are system-generated holds that must be reviewed by the Parks and Recreation Department to ensure that adequate easements have been recorded for the greenways.

**Ground sign**

Any rigid or fixed *sign* erected on a supporting structure, mast, post or pole and not attached, supported or suspended to or from any *building* or structure. Sometimes called a "detached," "freestanding" or "pole" *sign*. (Ord. No. 1993-132-TC-45, §1, TC-16-92, 2-2-93)

**Ground high profile sign**

Any *sign* with an area of more than seventy (70) square feet erected on a supporting structure, mast, post, or pole greater than ten (10) feet tall and not attached, supported or suspended to or from a *building* or structure.

**Ground low profile sign**

Any *sign*, with an area of seventy (70) square feet or less, erected on a supporting structure, post, mast, or pole three and one-half (3 1/2) feet or less high and not attached, supported or suspended to or from any *building* or structure.

**Ground medium profile sign**

Any *sign*: (1) with an area of one hundred (100) square feet or less erected on a supporting structure, mast, post, or pole ten (10) feet or less in height and not attached, supported or suspended to or from any *building* or structure; or (2) with an area of seventy (70) square feet or less erected on a supporting structure, mast, post, or pole greater than ten (10) feet high and not attached, supported or suspended to or from any *building* or structure. (Ord. No. 946-TC-286, §2, TC-29-85, 4-7-87; Ord. No. 994-365-TC-71, §4, TC-22-93, 4-5-94)

**Group Housing Development**

Two (2) or more dwellings, each containing three (3) or more dwelling units whether a condominium, cooperative, or containing dwellings for rent or lease. A group housing development is a type of planned residential development, approved in accordance with §10-2103.

**Gross floor area**

See *floor area gross*.

**Guest house**

An *apartment house* containing *dwelling units* for lodging of visitors and which *may* provide the *following* services: central telephone, linen service, maid service and registration area. (Ord. No. 913-TC-163, §1, TC-210, 6-1-82)

**Hazardous**

High Hazard Group H occupancy includes, among others, the use of a building or structure or a portion thereof, that involves the manufacturing, processing, generation or storage of materials that constitute a physical threat or contribute to bad health.

**Height of sign**

The vertical distance measured from the mean curb level to the level of the highest point of the *sign*. In the case of a *sign* not adjoining a *street* or highway, the "height of a *sign*" is the vertical distance of the average elevation of the ground immediately adjoining the *sign* to the level of the highest point of the *sign*.

**Historic landmark**

A *building*, site or object that has been designated by the *City Council* as either a historic site, *property* or landmark. (Ord. No. 2001-26-TC-208, §1, TC-5-01, 6-19-01)

**Historic Overlay District**

A distinctive area, a place of singular historical flavor characterized by its streets and squares, buildings and trees, architectural design and landscape features. It may be monumental or simple, residential or commercial. A historic district is also a legacy, linking present and future generations with their heritage and providing diversity vital to the city's future quality of life. This is designated by the City Council per §10-2052 and §10-2165.

**Home occupation**

An *accessory use* of a *dwelling unit* for gainful employment required to meet the standards of §10-2072. (Ord. No. 127-TC-185, §1, TC-240, 6-7-83; Ord. No. 528-TC-353, §1, TC-3-90, 4-22-90)

**Hospital**

One (1) or more *buildings* or structures located on the same *lot* primarily devoted to the rendering of health, medical and nursing care to *persons* on an in-patient basis, and which provide facilities and services of a scope and type customarily provided by *hospitals*, which *may* include facilities for intensive care and self-care; clinics and out-patient facilities; clinical, pathological and other laboratories; health care research facilities; laundries; training facilities for nurses, interns, physicians and other staff members; food preparation and food service facilities; administration *buildings*, central service and other administrative facilities; medical office facilities owned and other general *hospital* facilities. (Ord. No. 656-TC-74, TC-102, 12-5-77)

**Hotel or motel**

A *building* or *buildings* containing rooming units as defined in §10-6121(c)(21). A *hotel* or *motel* may contain *dwelling units* or rooming units, as defined in §10-6121(c)(21), or *lodging units*, or any combination thereof, provided the standards contained in §10-2072(b) *Hotel/motel* are met. (Ord. No. 60-TC-297, §2, TC-20-87, 10-11-87; Ord. No. 216-TC-199, §1, TC-248, 11-8-83; Ord. No. 913- TC-163, §3, TC-210, 6-1-82; Ord. No. 520-TC-58, TC-82, 5-18-77; Ord. No. 1996-931-TC-138, §2, TC-27-95, 7-2-96)

**Impactment or impaction**

The point at which the number of *group care facilities* or residents therein or other regulated facilities might be so large as to alter the character of the area.

**Impervious surface area**

Any material that significantly reduces and prevents natural infiltration of water into the soil. *Impervious surfaces* include but are not limited to roofs, patios, balconies, decks, *streets*, parking areas, driveways, sidewalks, and any concrete, stone, brick, asphalt, or compacted gravel surfaces. For the purposes of this Code, the effective impervious coverage for certain surfaces listed below are as follows:

(1) Asphalt, concrete, crusher-run gravel, masonry, marl, wood, and other impermeable surfaces which prevent land area from infiltrating storm water are one hundred (100) per cent impervious.

(2) Porous surfaces which permit direct infiltration of unconcentrated storm water into ground areas which are prepared in accordance with plans approved by the Inspections Department of the *City* so that the first one-half ( 1/2) inch of storm water infiltrates into the ground are seventy (70) per cent through ten (10) per cent impervious, depending on:

- a. Compaction;
- b. Condition of subgrade;

- c. Extent of land disturbance;
- d. Extent of porous openings;
- e. Protection from siltation and clogging;
- f. Slope of the ground area;
- g. Volume of storm water stored.

(3) Slatted wood decks that allow the drainage of water through the slats to an unpaved surface below are fifty (50) per cent impervious. If the area covered by the deck is washed gravel, the deck is thirty (30) per cent impervious.

(4) Ungraveled natural footpaths, water surfaces of swimming pools, and drainfields are zero (0) per cent impervious.

All other necessary determinations about *impervious surfaces* will be based on hydrological tests based on existing subgrade soils, slope, rainfall intensity and rainfall duration. (Ord. No. 133-TC-305, §1, TC-27-8; Ord. No. 511-TC-232, §1, TC-270, 3-26-85; Ord. No. 1993-218-TC-60, §27, TC-10-93, 6-15-93; Ord. No. 1994-365-TC-71, §4, TC-22-93, 4-5-94; Ord. No. 1995-760-TC-122, §3, TC-20B-95, 11-21-95)

### **Indirect Discharge or Discharge**

The discharge or the introduction from any non-domestic source regulated under §307(b), (c), or (d) of the Act (33 U.S.C. 1317), into the POTW (including holding tank waste discharged into the system). Effective 8/2/05

### **Infill Subdivision**

Infill subdivisions are less than five (5) acres in area, in existing developed areas where more than 66% of the perimeter of the subdivision abuts existing single-family dwellings, and where any proposed lot is less than 80% of the median size or public street frontage of the abutting single-family lots. They require approval by the Planning Commission after a public hearing is held. Adjoining property owners within 100' must be notified of the time and date of the hearing.

### **Information sign**

Any *on-premise sign* containing no other commercial message, *copy*, announcement, or decoration other than instruction or direction to the public. Such *signs* include but are not limited to the *following*: identifying restrooms, public telephones, automated teller machines, for lease, for sale, walkways, entrance and exit drives, freight entrances, and traffic direction. (Ord. No. 946-TC-286, §3, TC-29-85, 4-7-87)

### **Infrastructure**

Infrastructure includes streets, utilities, and storm water management.

### **Inspection Card**

A list of permits and Inspection levels printed on a card to be posted at the project with spaces for the Inspectors to sign indicating approval or rejection of specific inspections.

### **Insulation Inspection**

Insulation inspections shall be made after an approved building framing and rough-in inspection and after the permanent roof covering is installed, with all insulation and vapor retarders in place, but before any wall or ceiling covering is applied.

### **Intensity**

Regarding land use, intensity is an indication of the amount and degree of development on a site and is a reflection of the effects generated by that development. These effects include traffic, stormwater runoff, noise and light, etc.

### **Interconnection**

Any system of piping or other arrangement whereby the public water supply is connected directly with a sewer, drain, conduit, pool, heat exchanger, storage reservoir, or other device which does or may contain sewage or other waste or

substance which would be capable of imparting contamination to the public water supply.

**Interference**

The inhibition or disruption of the POTW treatment processes, operations, or its sludge process, use, or disposal, which causes or contributes to a violation of any requirement of the POTW's NPDES or Non-discharge Permit or prevents sewage sludge use or disposal in compliance with specified applicable state and Federal statutes, regulations or permits. The term includes prevention of sewage sludge use or disposal by the POTW in accordance with §405 of the Act (33 U.S.C. 1345) or any criteria, guidelines, or regulations developed pursuant to the Solid Waste Disposal Act (SWDA) (42 U.S.C. 6901, et seq.), the Clean Air Act, the Toxic Substances Control Act, the Marine Protection Research and Sanctuary Act (MPRSA) or more stringent state criteria (including those contained in any state sludge management plan prepared pursuant to Title IV of SWDA) applicable to the method of disposal or use employed by the POTW.

**Interior lot**

A *lot* other than a *corner lot*.

**Internal illumination**

A light source concealed or contained within the *sign* itself, such as a neon tube, which becomes visible in darkness by shining through a translucent surface.

**Jurisdiction**

A municipal inspection department shall have jurisdiction over all areas within the city limits, all extraterritorial areas which the city has jurisdiction pursuant to state laws, and over any areas in which the municipal limits have contracted with another unit of government to perform code enforcement. (General Statutes 153A-352 and 153A-353 for counties, and 160A-4 1 1 and 160A-4 13 for cities.)

**Key Plan**

A small plan of entire building with areas of proposed alteration/renovation work highlighted in some way; it gives an idea of adjacent occupancies, etc.

**Landfill (all other lawfully approved)**

Any *lot* on which is deposited solid waste material, including trash, construction debris, stumps, limbs, leaves, garbage or other solid waste as approved by the Division of Health Services of the North Carolina Department of Environment, Health and Natural Resources or successor agency as a sanitary landfill. (Ord. No. 1997-137-TC-153, §2, TC-18-96, 6-17-97)

**Landfill (debris from on-site)**

A demolition landfill that is limited to receiving from the site stumps, limbs, leaves, concrete, brick, wood, uncontaminated earth or other uncontaminated solid waste from construction activities on the same site.

**Life care community**

One (1) or more *buildings* or structures located on one (1) or more *lots* providing housing in conjunction with full-time health and nursing care, shared food preparation and dining areas, related service facilities, recreational opportunities as well as significant social facilities to meet the needs of the elderly and their surviving spouses that reside in the *life care community*. A *life care community* is a type of planned residential development, approved in accordance with §10-2104.

**Limited home business**

An *accessory use* of a *dwelling unit* for gainful employment which is required to be approved in accordance with §10-2144. (Ord. No. 528-TC-353, §2, TC-3-90, 4-22-90)

**Loading areas**

An area which contains trash collection areas or dumpmaster type refuse containers, outdoor loading and unloading spaces, docks, outdoor shipping and receiving areas, outdoor bulk storage of materials or parts thereof, and outdoor repair areas of any service stations, safety equipment inspection stations, or dealers. (Ord. No. 799-TC-267, §4, TC-21-85, 1-1-87)

**Lodging unit**

A room or group of rooms located in a *hotel/motel* forming a single habitable unit *used for* living and sleeping, and which *may* include regulated appliances for cooking and eating where such facilities are accessory to such a unit. *Hotels/motels* containing one (1) or more *lodging units* are subject to the conditional use provisions of §10-2072(b). (Ord. No. 1996-931-TC-138, §1, TC-27-95, 7-2-96)

**Loop Street**

A street which is designed to discourage through traffic from other areas and both ends of the loop street connect with the same intersecting street.

**Lot**

A parcel of land either vacant or *occupied* by one (1) *principal building*, structure, or use and its *accessory buildings*, uses, or structures, or a group of *principal buildings* as allowed by §10-2088 including such open spaces, yards, and landscape areas as are required by this chapter. A *lot shall front* on a public *street*, unless allowed to *front* on a private *street* or common area as part of a *cluster unit development*, §10-2101, or *townhouse development*, §10-2109.

**Annotation:** *Lot.* More than one (1) use can be located in one (1) *building* under the same roof provided the uses are allowable in the zoning district. A-100-79 Carolina Courts Development and Management Corp. Board of Adjustment (Sept. 10, 1979).

**Annotation:** *Lot.* Unless an *accessory use*, a motorized vehicle *may* not occupy a *lot* with another *building* or motorized unit on it, in that a motorized unit affixed to a *lot* is a *building* for purposes of the zoning chapter. A-36-81 D&G Seafood, Board of Adjustment (Mar. 9, 1981).

**Major access corridor**

A *street* or highway usually designed to move large volumes of through traffic from one part of an urban area to another, and usually aided with federal assistance. These corridors usually have separated grades and a minimum of traffic signals. For the purpose of this chapter, the *following* are *major access corridors*: I-40, I-440, 64 Bypass, U.S. 1, U.S. 70, U.S. 64, and U.S. 401, Wade Avenue between I-440 and I-40, and Northern Wake Expressway. (Ord. No. 847-TC-273, §1, TC-16-86, 9-2-87; Ord. No. 592-TC-240, §1, TC-9-85, 6-18-85; Ord. No. 1993-133-TC-46, §1, TC-11-92, 2-2-93)

**Major access corridor yard**

*Protective yard area* from the edge of an existing or proposed *major access corridor*, as required in the Special Highway Overlay-1, 2, 3, and 4 Districts. (Ord. No. 1993-133-TC-46, §2, TC-11-92, 2-2-93)

**Major Utility Mains**

Those water, reuse water, and/or sewer lines which are twelve (12) inches in diameter or greater.

**Mansard-type roof**

A roof having the appearance of being flat with at least two (2) sloping sides not in excess of forty-five (45) degrees from the vertical.

**Annotation: Mansard roof.** A *mansard roof* contains two (2) sloping sides, the lower one being steeper than the upper, and having the appearance of being a flat roof. A-265.80 Graphic Systems International, Inc. Board of Adjustment (July 14, 1980).

**Manufacturing – custom**

Store or shop for custom work or for the making of finished articles, which is required in the Shopping Center, Neighborhood Business, and Business Zone Districts to meet the provisions of §10-2072.

**Manufacturing – general**

Industrial uses that are not required to meet the standards for manufacturing uses in §10-2072 or §10-2144 which involve the packing and processing of agricultural products, forest products and materials; fabricating, mixing, milling, preserving, tanning, printing, assembling, cutting, testing or repairing of articles and products; handling, storing and distribution of materials, articles, or products.

The manufacture of the *following* is prohibited: acetylene gas, acid, ammonia, bleaching powder, chlorine, detergent and cleaning preparations made from animal fats, explosives and fireworks, fish meal, nitrogenous tankage, phosphates, petroleum refining and distillation (excluding oil recycling facilities and bituminous concrete facilities); paints, varnish or shellac which requires the distillation or heating of ingredients; turpentine; vinegar. (Ord. No. 1992-111-TC-42, §3, TC-19-92, 12-8-92)

The storage, crushing, or salvaging of dismantled, wrecked or partially dismantled vehicles for the purpose of wholesale or retail trade is prohibited.

**Manufacturing – restricted**

Manufacturing within the Downtown District established by this Code which in the Business Zone District is required to meet the provisions of §10-2072. (See §10-2076; map of **Height Limits Within the Business Zone and Within the Downtown District**). (Ord. No. 1996-910-TC-134, §2, TC-9-96, 6-4-96)

**Manufacturing – specialized**

Facilities engaged in the assembly, design, repair, or testing of: analyzing or scientific measuring instruments; semiconductor and related solid state devices, including but not limited to: clocks, integrated microcircuits, jewelry, medical, musical instruments, photographic or optical instruments, and timing instruments.

**Marquee**

Any hood or awning of permanent construction without pillars or posts which is supported from a building wall and extends beyond the *building*, building line, or *property* line.

**Marquee sign**

Any *sign* erected, stenciled, engraved on, attached to, or suspended from a *marquee* or canopy.

**Master Plan**

A plan required by the *City* for the development of either a *mixed use development* in a Thoroughfare, Industrial-1, or Industrial-2 District or any development in a Planned Development Conditional Use Overlay District; the elements required for all *Master Plans* are set forth in §10-2057(f)(2). (Ord. No. 1987-70-TC-300, §2, TC-21-87, 1-1-88; Ord. No. 1991-868-TC-378, §2, TC-9-91, 3-1-92; Ord. No. 1994-452-TC-84, §1, TC-17-94, 8-2-94)

**Mechanical equipment**

Outdoor machines and devices, including HVAC units, fans, vents, generators, and elevator motors, integral to the regular operation of climate control, electrical, and similar building systems. (Ord. No. 2002-203-TC-218, §1, TC-5-02, 5-7-02)

**Mechanical movement**

Refers to animation, revolution, rotation or any other movement of any or all parts of a *sign*. (Ord. No. 31-TC-296, §66, TC-16-87, 12-1-87; Ord. No. 518-TC-131, §2, TC-F-80, 11-4-80)

**Median**

That portion of a divided roadway separating the traveled ways for traffic in opposite directions.

### **Minor tree removal activity**

The lawful removal of a *tree*, other than a *champion tree*, and *trees* protected in either **Resource Management Districts, Conditional Use Zoning Districts** or *natural protective yards*, which is unrelated to *forestry general* or to the installation of any driveway, use, structure, facility improvement, *site plan* or subdivision, is a *minor tree removal activity* when it meets one or more of the *following*:

(1) Unsafe *trees* are removed within one (1) *year following* a natural disaster declared by *the State of North Carolina* or *City of Raleigh* such an ice storm or hurricane.

(2) Fewer than sixteen (16) *trees* with a *DBH* of three (3) inches (nine and three-eighths (9 3/8) inches circumference) measured four and one-half (4 1/2) feet above grade) or more are lawfully removed from the *property* within any continuous twelve (12) *month* period; provided that, the subsequent subdivision of the property, *shall* not increase the number of *trees* which can be removed from the *property* and that no *tree* ten (10) inches or greater in *DBH* is removed if such *tree* is located:

- a. Within fifty (50) feet of a right-of-way of any *thoroughfare*; or
- b. Within thirty-two (32) feet of any vacant adjoining *property* boundary line; or
- c. Within sixty-five (65) feet of any other *property* line.

Or *Urban forestry*.

The term "vacant" as used herein means that at the time of application for development there is no *building* or structure or vehicular surface area within two hundred (200) feet from the common *property* line of the *property* being developed and the adjoining or adjacent property.

(3) A certified arborist, certified by the International Society of Arboriculture, or a forester registered by *the State of North Carolina*, or a landscape architect licensed by *the State of North Carolina* first certifies *in writing* to the *City* that the *tree* is either unsafe or is *unhealthy* as set forth in §10-2002(1) through (4) and applicable soil erosion and sedimentation laws are obeyed.

(4) The *tree* is less than three (3) inches *DBH* (nine and three-eighths (9 3/8) inches circumference) measured four and one-half (4 1/2) feet above grade.

(5) The *tree* is damaging an existing improvement on the *lot*.

(6) Lawful removal of *trees* located on lots of record existing prior to the application of this regulation\* that are less than two acres in size. (Ord. No. 2005-762-TC-264, §4, TC-7-04, 1-4-05) **Editor's Note:** This regulation first became applicable on May 1, 2005 [Ordinance No. 2005-762-TC-264, TC-7-04].

### **Mixed use development**

A planned, unified development of at least twenty (20) contiguous acres in size, approved as a *Master Plan* by *City Council* in accordance with the requirements of §10-2121. (Ord. No. 70-TC-300, §2, TC-21-87, 1-1-88; Ord. No. 1992-111-TC-42, TC-19-92, §5, 12-8-92)

### **Manufactured home**

A structure transportable in one (1) or more sections which is built on a permanent chassis and designed to be used as a dwelling, with or without permanent foundation. (Ord. No. 920-TC-389, §1, TC-1-92, 2-4-92; Ord. No. 1992-111-TC-42, §6, TC-19-92, 12-8-92; Ord. No. 2000-734-TC-189, TC-2-00, §1, 2-15-00)

### **Manufactured home park**

A *lot* which contains or is intended to contain *manufactured home spaces* for lease, or *unit ownership (condominium)* pursuant to Chapter 47C of the North Carolina General Statutes. A *manufactured home park* is a type of planned residential development, approved in accordance with §10-2105. (Ord. No. 2000-734-TC-189, TC-2-00, §1, 2-15-00)

**Manufactured home space**

A plot of land within a *manufactured home park* designed for the accommodation of a single *manufactured home*. (Ord. No. 2000-734-TC-189, TC-2-00, §1, 2-15-00)

**Manufactured home stands or pads**

That portion of the *manufactured home space* designed for occupancy by a *manufactured home*. (Ord. No. 2000-734-TC-189, TC-2-00, §1, 2-15-00)

**Manufactured home subdivision**

Any subdivision of land in the Manufactured Home District, which contains or is intended to contain *manufactured homes*. A *manufactured home subdivision* is a type of planned residential development, approved in accordance with §10-2106. (Ord. No. 2000-734-TC-189, TC-2-00, §§1, 2, 2-15-00)

**Modular Construction**

A structure whereby components are manufactured off the site and labeled by a third party agency accredited and listed by the Building Code Council.

**Motorpool**

A place where a fleet of eight (8) or more vehicles, under one (1) *ownership*, are temporarily stored during hours of in operation, but not a rent-a-vehicle establishment nor the outdoor storage of construction equipment. A *motor pool* includes facilities for the fueling and maintenance or repair of these vehicles.

**Multi-establishment campus**

A coordinated development which contains Institutional/Civic/Services or Office uses listed in §10-2088, and which *may* contain Residential uses that are on the **Schedule of Permitted Land Uses in Zoning Districts**, §10-2071, on more than a ten (10) acre site, containing two (2) or more establishments or *principal buildings*, and approved as a single *site plan*. (Ord. No. 1993-185-TC-54A, §1, TC-9-93, 5-4-93)

**Multi-family dwelling**

Any *dwelling* located on its own separate *lot* which contains two (2) or more *dwelling Units* whether an *apartment house*, condominium, *duplex*, cooperative, or any other *multi-family dwelling*. A *multi-family dwelling* is a type of planned residential development, approved in accordance with §10-2107. (Ord. No. 946-TC-164, § TC-213, 7-22-82)

**Multi-sided sign**

Any *sign* having more than two (2) geometric surfaces upon which *copy* is placed.

**Multi-unit supportive housing residence**

A facility comprised of more than one (1) attached *dwelling unit* in which *persons* who are disabled emotionally, mentally or physically or otherwise possess a disability that is protected by the provisions of either the **Americans with Disabilities Act of 1990**, 42 USC 12101 or *G.S.* Article 3, Chapter 168, as they *may* be amended, along with support or supervisory personnel or family members who *may* reside, but are not required to reside at the facility. (Ord. No. 1994-365-TC-71, §3, TC-22-93, 4-5-94)

**Natural protective yard**

A landscaped yard area which contains no *buildings*, *vehicular surface areas*, loading, storage, display, or *service areas*, and regulates certain other uses according to the **Schedule of Permitted Land Uses Within Types of Yard Areas**, §10-2075(e). No *tree* removal or grading *shall* take place unless in accordance with the requirements for a *tree* removal permit for *street protective yards* in Resource Management Zoning Districts, §10-2082.12(c)(1), and §10-2082.12(d) and (e). No *tree* removal permit *shall* be issued if the cumulative grading and *tree* removal exceeds thirty (30) per cent of any *natural protective yard*. (Ord. No. 1999-616-TC-

181, §1, TC-3-99, 8-3-99; Ord. No. 2003-373-TC-231, §1, TC-23-02, 2-4-03)  
**Editor's note:** The last two sentences are quoted from Footnote Z in the Schedule of Permitted Land Uses Within Types of Yard Areas, §10-2075(e). (Ord. No. 2003-373-TC-231, §1, TC-23-02, 2-4-03)

**Natural resource buffer yard**

Buffer areas which limit land disturbing activities adjacent to fragile environmental areas, which include, but are not limited to, watercourse buffers, §10-9040. (Ord. No. 1992-111-TC-42, §7, TC-19-92, 12-8-92; Ord. No. 2001-991-TC-206, §3, TC-8-00, 5-1-01)

**NCDOT**

The North Carolina Department of Transportation.

**Neon tube illumination**

A light source supplied to a *sign* by a luminescent gas which is bent to form letters, symbols, or other shapes or contained within an illuminated *sign*.

**Net lot area**

The *lot* area calculated from the adjoining *street* right-of-way, provided that when either a new proposed public *street* right-of-way has been established by the *City Council* or an adjoining public *street* stub is to be extended, the number of *dwelling units* permitted, the *floor area ratio*, *building lot coverage*, or yard setback shall be calculated from outside the proposed right-of-way line which has been established and the proposed right-of-way of the extended stubbed *street*. (Ord. No. 1997-137-TC-153, §3, TC-18-96, 6-17-97)

**Nonconforming sign**

Any *sign*, including *signs* approved by the Board of Adjustment, which was lawfully erected and maintained before the action making them nonconforming takes effect and which currently fails to conform to one (1) or more applicable regulations, standards or restrictions of this chapter.

**Nonconforming structure**

A *zoning nonconformity* not otherwise defined as a *nonconforming use* is a *zoning nonconforming structure*. A structure not in compliance with setbacks, height, or other design standards is an example of a *nonconforming structure*. A *nonconforming structure* can also be a *nonconforming use*.

**Nonconforming use**

A *zoning nonconformity* whereby a prior lawful use, residential density, *building lot coverage*, *impervious surface coverage*, or *floor area ratio* is not currently permitted by this chapter. A lawful use for which a special use permit is now required but has not been obtained is a *zoning nonconforming use*, unless the provision establishing the special use permit requirement states otherwise. In addition, whenever the minimum area or dimension of the *lot*, or the number of *principal buildings or uses* placed on the *lot*, or *lot frontage* fails to conform to the requirements of this chapter, any activity or *building* located on that *lot* is a *zoning nonconforming use* unless the nonconformity is solely created by *lot* regulations of a Neighborhood Conservation Overlay Zoning District. A *nonconforming use* can also be a *nonconforming structure*.

**Nonresidential district or nonresidential zoning district**

The *following* general use or conditional use zoning districts: Conservation Management, Agricultural Productive, Residential Business, *office and institution districts*, Buffer Commercial, Shopping Center, Neighborhood Business, Business Zone, Thoroughfare, Industrial-1, Industrial-2.

**North Carolina State Building Code**

The provisions of the Building Code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy,

location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such building or structures, other than one or two family dwellings and townhomes.

**North Carolina State Building Code, Accessibility Code**

The provisions of the Accessibility Code shall apply to the construction, alteration, repair, replacement, equipment, appliances, fixtures, fittings and appurtenances of all buildings or structures, other than one and two family dwellings and townhomes.

**North Carolina State Building Code, Plumbing Code**

The provisions of the Plumbing Code shall apply to every plumbing installation, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances.

**North Carolina State Building Code, Mechanical Code**

The provisions of the Mechanical Code shall apply to the installation of mechanical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances, including ventilating, heating, cooling, air conditioning and refrigeration systems, incinerators, and other energy-related systems.

**North Carolina State Building Code, Electrical Code**

The provisions of the Electrical Code shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances. in height with a separate means of egress and their accessory structures.

**North Carolina State Building Code, Fire Prevention Code**

The provisions of the Fire Prevention Code shall apply to the repair, equipment, use, occupancy, and maintenance of every existing building or structure, other than one or two family dwellings and townhomes. The provisions of the Fire Prevention Code shall apply to the installation of fire protection systems.

**North Carolina State Building Code, Fuel Gas Code**

The provisions of the Fuel Gas Code shall apply to the installation of gas piping systems extending from the point of delivery to the inlet connections of equipment served, and the installation and operation of residential and commercial gas appliances and related accessories.

**North Carolina State Building Code, Energy Code**

The provisions of the Energy Code shall apply to the thermal envelope of the building and installation of energy systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances, ventilating, heating, cooling, air conditioning and refrigeration systems, incinerators, and other energy-related systems.

**North Carolina State Building Code, Rehabilitation Code**

The owner or registered design professional may elect to use the provisions of either the Rehabilitation Building Code or the technical codes for the proposed work. All work on any building which undergoes alterations, repairs, replacement, rehabilitation or change of occupancy shall comply with the Rehabilitation Building Code or the technical codes for the proposed work.

**North Carolina State Building Code, Residential Code**

The provisions of the Residential Code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal and demolition of detached one and two family dwellings and multiple single family dwellings (townhomes) not more than three stories with a separate means of egress and their accessory structures.

**Occupied or used**

The word *occupied* includes the words "arranged, or intended or designed to be *occupied*". The word *used* includes the words "arranged, intended or designed to be put to use."

**Office and institution district or office and institution zoning district**

One (1) or more of the *following* general use or conditional use zoning districts: Office and Institution-1, Office and Institution-2, Office and Institution-3.

**Office center**

A type of planned nonresidential unified development containing office uses with more than one (1) *principal building* on a *lot*, and approved in accordance with §10-2123.

**Off-premises sign**

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, sold, offered, manufactured, existing, or provided at a location other than the *premises* where the *sign* is located or to which it is affixed. Sometimes called non-point-of-sale *sign*. **Annotation:** *Off-premises sign*. When only a portion of one (1) *lot* is leased, locating a *sign* by the tenant on the remaining unrented portion of the same *lot* is an *on-premises sign*. A-78-82 Thompson, Board of Adjustment (May 10, 1982). (Ord. No. 210-TC-198, §19, TC-251, 10-23-83)

**Online Development Center**

A City of Raleigh online application used by contractors and clients to do the following: manage inspections, process and pay for permits, manage contact information, view all permits and plans review results/comments, receive instant inspection results via email or text messaging, search and view development/preliminary plan information and search and view public improvement/construction plan information.

**On-premises sign**

Any *sign* or structure, pictorial or otherwise, regardless of size or shape which directs attention to a business, profession, commodity, attraction, 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. **Annotation:** *On-premises sign*. A *sign* which identifies both an on-premises subsidiary and an off-premises parent company is an *off-premises sign*. A-21-83 James H. Jackson (Feb. 14, 1983). (Ord. No. 210-TC-198, §19, TC-251, 10-23-83).

**Open fence**

A wall or fence through which clear vision is possible from one (1) side to the other for seventy-five (75) per cent or more of the structure, as viewed on a horizontal plane.

**Open Space**

Land reserved from development as a relief from the effects of urbanization. It is often intended to be used for passive recreation purposes, but may also include pedestrian plazas or active recreation areas.

**Operator representative**

An individual who represents the operator or residents of a *supportive housing residence* or a *multi-unit supportive housing residence* who is responsible for addressing problems with the operation of such a facility, if any, whenever they arise. The *operator representative* may live on-site at the facility or off-site, but must be available to the public. (Ord. No. 1994-365-TC-71, §3, TC-22-93, 4-5-94)

**Outdoor advertising sign**

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

**Overlay Zoning Districts**

These are districts that overlap one or more general and/or conditional use districts. Overlay districts involve additional regulations on some or all property within underlying general and/or conditional use districts.

**Parapet wall**

That portion of any building wall that rises above the level of the *roof line*, and it is made of the same material and thickness as the building wall. (Ord. No. 946-TC-286, §4, TC-29-85, 4-7-87) **Annotation:** *Parapet wall.* A *parapet wall* is an extension of the *building* support wall and is constructed of the same material as the wall. A-24-82 University, Inc. Board of Adjustment (Mar. 8, 1982).

**Parking Space Encumbrance Application**

A courtesy 30-day parking permit to allow for meter-free parking in downtown Raleigh while working at a construction site.

**Passenger transit station or stop**

The location of a passenger transit station or stop and its associated parking, all under the control of a public entity. (Ord. No. 2004-596-TC-245, §1, TC-14-03, 4-6-04)

**Pavement markings**

All lines, words or symbols, except signs officially placed within the roadway or parking area to regulate, warn or guide traffic.

**Peak-hour volume**

Hourly traffic volume used for roadway design and capacity analysis, usually occurring during one or more peak travel hours during a 24 hour period.

**Permit Fee Calculations**

Fees due for a specific permit; e.g., Building, Electrical, Plumbing, etc. The 'work Type, Occupancy and square footage are the primary factors in determining the fee to be charged.

**Permit Group**

A group of permits that pertain to the same address; for example: building, electrical, plumbing and mechanical permits for the same residence.

**Permit Intent**

A permit issued shall be construed as permission to proceed with the work and not as authority to violate, cancel, alter, or set aside any of the provisions of the technical codes. Issuance of a permit shall not prevent the Inspection Department from requiring correction of errors in plans, construction or violations of this code (General Statutes 153A-357 and 160A 417).

**Permit Package**

Consists of the client's copy of the Payment Receipt, the Field Inspection Card, Group Summary Report, all issued permits and any plans submitted for review that are to be returned to the client.

**Permit Type Codes**

Codes used to identify the type of permit to be issued. Sample codes are: BL-Building; EL-Electrical; FF-Facility Fee; FL-Flood, etc.

**Permitted Uses**

This is a list of principal uses and activities for buildings, structures and land allowed by the Zoning Code.

**P.I.N.**

Wake County's Parcel Identification Number

**PIN (Inspections – Redi Review Plan Identification Number)**

Plan Identification Number assigned to Redi Review plans reviewed and approved by the Building Plans Examiner to be used for future identification. The number consists of three fields identifying the contractor, plan name or number, and the year the plan was approved.

**PIN Number (Inspections – Online Development Center)**

A unique identifying number used by clients as a temporary password to gain access to the Online Development Center when creating a new account. This number can be obtained by contacting the City of Raleigh Inspections Department Permit Division at (919) 516-2150.

**Planning Commission**

Composed of eleven members, eight (8) appointed by the Raleigh City Council and three (3) appointed by the Wake County Board of Commissioners. All members serve terms of two years and cannot serve more than three consecutive terms or six consecutive years. The commission advises the City Council on future growth and development issues that affect the City. They review and make recommendations to the Council on Comprehensive Plan items, redevelopment plans, changes in development regulations, requests to rezone property, and reviews preliminary site plans, group housing plans and subdivisions.

**Play courts**

Recreation facilities which operate and use a court such as tennis, basketball, handball, squash, croquet, shuffleboard, volleyball and racquetball courts and clubs. (Ord. No. 31-TC-29, §66, TC-16-87, 12-1-87; Ord. No. 1994-462-TC-88, §1, TC-21-94, 8-2-94)

**Play fields**

Areas in which field games are played and which contain less than two hundred and fifty (250) seats. *Play fields* include: baseball, field hockey, football, lacrosse, soccer, softball and open play areas. (Ord. No. 31-TC-296, §66, TC-16-87, 12-1-87; Ord. No. 1994-462-TC-88, §1, TC-21-94, 8-2-94)

**Portable sign**

Any *sign* which rests upon the ground, a structure, frame, *building*, or other surface. *Portable signs* are not affixed to a supporting structure, *building*, or frame. Such *signs* include but are not limited to the *following*: trailer *signs*, sandwich board *signs*, sidewalk or curb *signs*. **Annotation:** *Portable sign*. Any device constructed and independently attached to or resting on vehicles is a *portable sign*. A-78-83 Chief Zoning Inspector, Board of Adjustment (June 13, 1983).

**Poster**

Any *sign* made of a rigid, semi-rigid, or nondurable material, such as paper or cardboard, other than *billboard copy*.

**Poster panel(s)**

Printed sheets usually thirty (30) square feet each affixed to a permanent *sign* structure which forms a portion of the *copy*.

**Premises**

For the purpose of definition the term "*premises*" shall be interchangeable with the term "*lot*."

**Plot plan**

Improvements to *property* or changes in use which do not represent a significant enough increase in the intensity or expansion of use to warrant compliance with

standards of Part 10, chapter 3 of this Code, as determined by §10-2132.1. **Sec.10-2132. PLOT PLANS AND SITE PLANS REQUIRED.** Before any permit for the construction, moving, reconstruction, extension, repair, or alteration of any *building*, structure, *sign*, parking facility, or use of land, or change in occupancy type, as set forth in the **North Carolina Building Code**, is issued, whether for any *property* located within the *City* or within the *City's* extraterritorial jurisdiction, either a *plot plan* or a *site plan* in accordance with the provisions herein, *shall* be submitted to and approved by the *City*.

**Pressure Vacuum Breaker**

An approved assembly containing an independently operating spring loaded check valve and an independently operating loaded air inlet valve located on the discharge side of the check valve. The assembly must be equipped with suitable connections for testing the proper operation of the device and tightly closing shut-off valves located at each end of the assembly.

**Pretreatment or Treatment**

The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in waste water prior to or in lieu of discharging or otherwise introducing such pollution into a POTW. The reduction or alteration can be obtained by physical, chemical or biological processes, or process changes or other means, except by diluting the concentration of the pollutants unless allowed by an applicable pretreatment standard. Effective 8/2/05

**Primary reservoir watershed protection area**

The area in a Reservoir Watershed Protection Overlay District between the reservoir and the *secondary reservoir watershed protection area*. To protect the reservoir, special standards for *impervious surface coverage*, uses, *natural resource buffer yards* and *lot sizes* are applied. *Primary reservoir watershed protection areas* are delineated on the **Official Zoning Maps** and reflected in the Comprehensive Plan.

**Principal arterial**

*Principal arterial(s)* are the most important major *thoroughfares*, comprised of limited-access freeways, expressway, and gateway arterials. For purposes of this chapter, the *principal arterials* are the same roads as *major access corridors*. (Ord. No. 1993-133-TC-46, §3, TC-11-92, 2-2-93) *Principal building or use*. The *building*, structure or land that contains the primary function or activity on a *lot*. **Cross reference:** Number of *principal buildings or use* on a *lot*. §10-2088

**Private water distribution system and or private sewer collection system**

A private water distribution and private sewer collections system serves more than one building on a single parcel or a firewall meant to create separate buildings per the NC State Building Code. This system must be built to public system standards and requires a water supply system permit and or a waste water discharge permit issued by the Public Utilities Department as a delegated authority by the NC Department of Environment and Natural Resources.

**Product sign**

Any *sign* attached to outdoor vending machines, stands, gasoline pumps, and display racks which direct attention to products dispensed there from.

**Projecting sign**

Any *sign* which is erected to (on) a building wall or structure and extends beyond the building wall more than twelve (12) inches.

**Projection**

The distance by which a *sign* extends beyond the building wall or structure wall.

**Protective yard**

A landscaped *yard area* which contains no *buildings*, *vehicular surface areas*, loading, storage, display or service areas, and regulates certain other uses according to

the **Schedule of Permitted Land Uses Within Types of Yard Areas**, §10-2075. (Ord. No. 153-TC-190, §2, TC-233, 7-29-83; Ord. No. 210-TC-198, §12, TC-251, 10-23-83; ; Ord. No. 799-TC-267, §6, TC-21-85, 1-1-87; Ord. No. 946-TC-286, §5, TC-29-85, 4-7-87; Ord. No. 499-TC-349, §52, TC-15-89, 3-7-90; Ord. No. 499-TC-349, §48, TC-16-89, 3-7-90)

**Public Improvements**

Central Engineering initially allows 75% of a recorded phase to be permitted. Streets, curbs, water, sewer, etc., must be installed and accepted before the last 25% of the lots may be permitted. IRIS verifies this data, and if the Public Improvements limit has been reached, the Final Review staff contacts the appropriate staff member and the client via e-mail. Permits are not issued until all improvements are accepted or a Letter of Credit is approved by Central Engineering.

**Public Right of Way**

Application submitted to the Inspections Department by client for projects involving work on the public right of way (i.e. sidewalk/curb and gutter repairs and street cut repairs). Number of driveways are used to determine right of way fee calculations.

**Public Water Supply or System**

The water and waterworks system of the City of Raleigh, and its customers outside the corporate limits, for general use and which supply is recognized as the public water supply by the North Carolina Department of Environment and Natural Resources.

**Raleigh Historic Districts Commission (RHDC)**

The commission consists of twelve members appointed by the City Council for overlapping two-year terms. Also, all members of the commission must reside within the city's corporate limits or within its extraterritorial jurisdiction, and at least one-fourth of the commission's membership must either reside or own property in a Raleigh Historic Overlay District or designated Historic Landmark. The commission has several powers and responsibilities, including recommending to the City Council the designation, or the removal, of historic district overlay zoning and individual landmarks; granting requests for proposed changes within the historic district or landmark that in its determination are congruous with the special character; conducting educational programs on historic resources; cooperating with state, federal, and local governments in pursuance of its responsibilities; and conducting meetings or hearings necessary to carry out these purposes.

**Rear yard area**

The *yard area* located between the rear line of the *principal building* , structure, or use in the absence of a *principal building* or structure, and the rear boundary of the *lot*, or an existing or proposed public or private *street* right-of-way, and extending along the entire width of the *lot*.

**Recreational indoor use – commercial**

Indoor recreation uses (excluding rifle ranges) including arcades, indoor arenas/coliseums/theaters, billiard parlors, bowling alleys, dance halls, miniature golf courses, *play courts*, roller or ice skating, video parlors, or similar indoor uses, which *may* be operated for profit.

**Recreational outdoor use – commercial**

Outdoor recreation uses (excluding rifle ranges), including batting cages, swimming pools, *play courts*, *play fields*, campgrounds, driving ranges, giant slides, go-cart or dirt bike courses, golf courses, miniature golf or putt courses, roller or ice skating rinks, skateboard areas, skeet shooting areas, ski mobile courses, trampolines, water slides, pedestrian and equestrian trails or similar uses, which *may* be operated for profit.

**Recreational use – governmental**

Easements, open space, and recreation areas owned by the public and open to general participation. Such facilities include athletic league fields, botanical and zoological gardens, campgrounds, docks, equestrian facilities, golf courses, greenways, marinas, parks, *play courts*, *play fields*, rental concessions, swimming pools, and related public *buildings* and uses. (Ord. No. 1992-111-TC-42, §8, TC-19-92, 12-8-92)

**Recreational use related to residential developments**

Recreation facilities related to a *congregate care structure* or *congregate living structure*, *life care community*, *cluster unit development*, *group housing development*, *manufactured home park*, *multi-family dwelling development*, *townhouse development* or *unit ownership (condominium) development*. Such facilities are clubhouses, docks, exercise rooms, game and craft rooms, gymnasiums, party and reception rooms, pedestrian and equestrian trails, picnic areas, *play courts*, such as basketball, racquetball, and tennis courts, golf courses, driving ranges, *play fields*, playgrounds, sauna baths, swimming pools, tanning facilities, which are for the exclusive use of the residents and their guests. The facilities are owned either by a not for profit organization, a *home owner's* association, or by the *owner* of the apartment project. (Ord. No. 1996-877-TC-130, §1, TC-2-96, 5-7-96; Ord. No. 2000-734-TC-189, TC-2-00, §1, 2-15-00)

**Recreational use restricted to membership – commercial**

Athletic league fields, campgrounds, country clubs, docks, gymnasiums, health clubs and health spas, including clubhouse facilities, pedestrian and equestrian trails, *play courts* such as basketball, racquetball, and tennis courts, golf courses, driving ranges, *play fields*, playgrounds, swimming pools, tanning facilities, weight and exercise rooms all of which are restricted to members and their guests only and are operated for profit.  
(Ord. No. 1996-877-TC-130, §1, TC-2-96, 5-7-96)

**Recreational use restricted to membership - not for profit**

Athletic league fields, campgrounds, country clubs, docks, gymnasiums, health clubs and health spas, including clubhouse facilities, pedestrian and equestrian trails, *play courts* such as basketball, racquetball, and tennis courts, golf courses, driving ranges, *play fields*, playgrounds, swimming pools, tanning facilities, weight and exercise rooms, all of which are restricted to members, guests or employees and operated for recreation and social benefits of the members, guests or employees and not as a business for profit, such as an organization approved under Title 26 United States Code §501(c)(7), or successor provision. (Ord. No. 1996-877-TC-130, §1, TC-2-96, 5-7-96)

**Recyclable material**

Reusable material, including, but not limited to, metals (including vehicles which have been crushed off-site), glass, rubber (including tires), plastic, paper and scrap, which is intended for reuse or reconstitution for the purpose of using the altered form. *Recyclable material shall* not include hazardous materials and wastes (as defined in 40 CFR 261.3 to 261.33, or as the same *may* be amended by law), garbage, biodegradable refuse such as food, medical wastes, or other similar materials, and wrecked, dismantled, or partially dismantled automobiles. (Ord. No. 1992-87-TC-400, §1, TC-6-92, 11-4-92)

**Redevelopment**

Replacement of a previous land use with a new or more viable use. A substandard housing area may be demolished and redeveloped as new housing at the same density. A strip shopping area may be redeveloped as an office complex or a new retail concentration within a transition area. Redevelopment achieved through public (City) action is carefully regulated by State and local law. Private redevelopment is subject to the regulations governing other private development projects.

**Redi-Review**

Redi-Review is designed for builders who anticipate building a single-family residential plan design more than one time within the City of Raleigh jurisdiction. The city retains one set of plans and returns one set (referred to as the "master" set) to the applicant. The first time the plans are reviewed is called "1st Redi-Review"; all subsequent reviews of the same plans are called "2nd Redi-Review."

**Reduced Pressure Zone (RPZ)**

An approved principle backflow prevention device containing within its structure two (2) spring loaded independently operating check valves, together with an automatically operating pressure differential relief valve located between the two (2) check valves. The first check valve reduces the supply pressure a predetermined amount so that during normal flow and at cessation of normal flow the pressure between the checks shall be less than the supply pressure. In case of leakage of either check valve, the differential relief valve, by discharging to the atmosphere, shall operate to maintain the pressure between the check valves less than the supply pressure. This device shall have suitable connections for testing the proper operation of the device, including tightly closing shut-off valves located at each end of the device.

**Registered Design Professional**

Architects, Engineers and Registered Landscape Architects seal plans before submitting them for review. Vol. 1-A of the North Carolina State Building Code defines a Registered Design Professional as follows: The registered design professional shall be a registered architect or licensed professional engineer legally registered or licensed under the laws of this State.

**Regulatory Flood Protection Elevation (RFPE)**

Regulatory Flood Protection Elevation (RFPE) is one foot above the base flood elevation.

**Religious shelter unit**

A transitional housing area within an existing church or synagogue complex which is employed for temporary housing, counseling, education and referral services for the temporary *residents*. (Ord. No. 952-TC-288, §1, TC-8-87, 4-21-87; Ord. No. 895-TC-383, §5, TC-21-91, 12-8-91)

**Renovations of zoning nonconformities**

Any lawful improvement that does not replace, re-establish, expand or enlarge the land area, extent, or intensity of a *zoning nonconformity*. Renovations include: painting; building material replacement or repair; landscaping; adding facilities to improve handicapped accessibility; lighting (except adding illumination to a *nonconforming sign*); removing interior walls; fencing; adding movable awnings; adding new *access points, dish antennas, signs, fountains, ornamentation*; or adding residential detached *accessory structures*, such as swimming pools, garages, gazebos, and *buildings* to store household items; or expansions of a *vehicular surface area* beyond that necessary to meet the minimum standards to serve a *nonconforming structure*.

**Research farm**

Agricultural experimental farms, and horticultural and botanical operations, primarily or research purposes, and also including educational functions, but not including veterinary schools.

**Resident**

A *person* who customarily sleeps or eats (or both) one (1) or more meals per day on the *premises*.

**Residential building**

A structure intended to be, or that is in fact, used as a residence by one or more individuals.

**Residential Certified Plan Review**

Residential Certified Plan Review is designed for individuals and builders who are submitting a set of fully sealed structural plans whereby the design professional affirms that all structural sheets and details have been prepared in conformance with the applicable provisions of the current edition of the North Carolina Residential Code for One and Two Family Dwellings, including architectural, structural, truss layout, schematics, BCI, etc., designs. The general building plans review is by-passed leaving only the zoning plot plan review and administrative issues to be processed.

**Residential character**

Displaying an appearance typical of *dwelling units*, with respect to *building* height, *building* mass, *building* materials, roof form and pitch, and fenestration pattern, and *may* include landscaping, parking, and related site features. Design elements should relate to the respective characteristics of the closest *residential district* containing *dwelling units*. This definition *shall* apply to other similar terms and expressions including, but not limited to, residential appearance, residential style, traditional residential construction, residential design and residential nature. (Ord. No. 2002-203-TC-218, §1, TC-5-02, 5-7-02)

**Residential district or residential zoning districts**

The *following* general use and conditional use zoning districts: Rural Residential, Residential-2, Residential-4, Special Residential-6, Residential-6, Manufactured Home, Residential-10, Residential-15, Residential-20, Residential-30, and Special Residential-30. (Ord. No. 946-TC-286, §6, TC-29-85, 4-7-87; Ord. No. 291-TC-327, §1, TC-23-88, 12-18-88; Ord. No. 2000-734-TC-189, TC-2-00, §1, 2-15-00)

**Residential driveway access**

A driveway access point serving a single family dwelling, mobile home, detached townhouse, two attached townhouses, duplex, multi-unit supportive housing residence, supportive housing residence which is required to provide no more than two (2) off-street parking spaces, or a driveway serving a nonresidential use if the daily volume of two-way driveway traffic is expected to be less than fifty (50) vehicles.

**Residential institutions**

The *following* uses: public art galleries, libraries, museums; civic, social and fraternal clubs; fire stations, police precinct stations and training facilities (not including outdoor fire range) and other publicly-owned emergency service facilities; churches, religious education *buildings*, *religious shelter units*, synagogues; *day care facilities* (child or adult) with greater than fifty (50) enrollees, *special care facilities* with greater than fifty (50) enrollees, private/parochial schools (elementary, middle, and high) and public schools (elementary, middle, and high). *Residential institutions shall* be permitted to raise funds on a periodic basis as an *accessory use* provided that outdoor activities are discontinued by 11:00 P.M. and flood and display lighting is shaded, shielded or directed so that the light intensity or brightness *shall* not disturb surrounding *premise(s)* and *shall* not exceed four-tenths (0.4) maintained footcandle illumination at *property* lines adjacent to a *residential zoning district*, a *dwelling*, or a *congregate care* or *congregate living structure*. (Ord. No. 952-TC-288, §3, TC-8-87, 4-21-87; Ord. No. 415-TC-343, §1, TC-1-89, 8-1-89; Ord. No. 865-TC-376, TC-17-91, 11-10-91; Ord. No. 1993-178-TC-54, §1, TC-6-93, 4-20-93; Ord. No. 2004-647-TC-248, §1, TC-4-04, 6-1-04)

**Residential related services**

Service and retail facilities accessory to a multi-family development, *congregate care structure*, *congregate living structure*, *life care community*, and *group housing development*. *Residential related services* are barber shops, beauty shops, drug stores, *eating establishments* with no on-premise alcohol consumption, flower and gift

shops, food stores, laundry facilities, newsstands, vending machine sales, and shared food preparation and common dining halls for *congregate care* and *congregate living structures*. *Residential related services* is a conditional use, approved in accordance with §10-2072.

#### **Residential Review (Single Family Review)**

Processing procedures that pertain to single family properties only.

#### **Resource Management District or Resource Management Zoning Districts**

Any of the *following* general use, conditional use zoning, and overlay zoning districts are *Resource Management Districts*: Conservation Management District, Metro-Park Protection Overlay District, Thoroughfare District, Special Highway Overlay District-1, Special Highway Overlay District-2, Special Highway Overlay District-3, and Special Highway Overlay District-4. (Ord. No. 1996-851-TC-128, §1, TC-23-95, 4-2-96)

#### **Responsible person**

An individual located on-site at a *supportive housing residence* who is empowered by the facility operator and is capable of handling issues relating to maintenance, excessive noise levels, and safety as they *may* arise. This individual *may* be either the same or a different individual as the *operator representative*. (Ord. No. 1994-365-TC-71, §3, TC-22-93, 4-5-94)

#### **Rest home**

A health facility, however named, governmental or nongovernmental, which provides in-patient care to six (6) or more non related *persons* for whom planned and continued medical or nursing attention, or both, are indicated in contrast to occasional or incidental care. A *rest home* *may* be designed and marketed specifically for the elderly, the physically handicapped, or both, but not specifically for the mentally ill *persons* who are dangerous to others as defined in G.S. 122C-3(11)(b). The number of occupants in a *rest home* is regulated in accordance with *equivalent dwelling units*. (Ord. No. 520-TC-58, §6, TC-82, 5-18-77; Ord. No. 415-TC-343; TC-1-89, §3, 8-1-89)

#### **Retail sales – convenience**

The sale (other than wholesale) rental or repair of goods and merchandise of *family*, household, and personal use. Uses include establishments providing the *following* products or services: antiques, apparel, appliances (home use), art supplies and framing, books (but not adult book stores), cameras, card shops, china and pottery, draperies and interior decorating supplies, drugs, film developing and printing, florist, furniture, gifts and stationery, hardware, hat shops, house wares and home furnishing, jewelry, laundries and dry-cleaning, letter shop, motor vehicle licensing and registration service, music store, news stand, nongovernmental art gallery, museum or library, novelties, paint, piece goods (dry goods), printing shops, shoes, sporting goods, toys, variety shops, and vending machines. Other *retail sales - convenience* not listed herein *may* be permitted in the Buffer Commercial and Residential Business Districts subject to a special use permit being issued by the Board of Adjustment in accordance with §10-2144.

#### **Retail sales – general**

The sale, (other than wholesale), rental or repair of goods, merchandise and services to the general public. Typical uses include department stores, discount stores, home building supplies stores, pet shops and pet grooming.

#### **Retail sales – highway**

The sale (other than wholesale), rental, maintenance, repair or service of equipment and vehicles to the general public. Typical uses include automotive services and repair facilities; vehicle sales, rental services, and maintenance of: *manufactured homes* , cars, boats, aircraft, taxies, trucks, buses, recreational and utility trailers, and motorcycles, but not retail or wholesale sales of parts from junk, abandoned or

dismantled vehicles located on the *premises*. (Ord. No. 2000-734-TC-189, TC-2-00, §2, 2-15-00)

**Retail sales - personal services**

Establishments engaged in the provision of needed services of a personal nature. Uses include garment pressing, laundries and dry-cleaning with walk-up or pick-up services (without laundry and dry-cleaning plants on the *premises*), photography studios, shoe repair shops, shoe shine parlors, and tailor shops. Other personal services not listed herein *may* be permitted in the Residential Business and Buffer Commercial Districts subject to a special use permit being issued by the Board of Adjustment in accordance with §10-2144. (Ord. No. 1994-408-TC-75, §1, TC-9-94, 6-7-94)

**Reuse Water**

Wastewater that has been treated to water quality standards as defined by the applicable section of the North Carolina Administrative Code and is intended to be distributed for non potable uses such as irrigation and/or industrial processes.

**Reuse Water Service Stubs**

Those portions of the reuse water service pipes that connect to the City's reuse water mains and extend to the boundaries of public easements and rights-of-way.

**RFPE (Regulatory Flood Protection Elevation)**

Regulatory Flood Protection Elevation (RFPE) is one foot above the base flood elevation.

**Right-Of-Way**

An easement that permits one to travel across the real property of another, or the strip of land subject to such an easement. A right-of-way may confer rights to an individual (such as a neighbor), entity (such as a railroad) or the public as a whole. An interest in land to the City which provides for the perpetual right and privilege of the City and its agents, franchise holders, successors, and assigns to construct, install, improve, repair, maintain, and use a public street, including related and customary uses of street rights-of-way such as sidewalk, bike path, landscaping, traffic control devices and signage, sanitary sewer, stormwater drainage devices, water supply, cable television, electric power, gas, and telephone transmission and related purposes in, upon, over, below, and across the rights-of-way. The City is authorized to remove, and keep removed from the rights-of-way all trees, vegetation, and other obstructions as is determined to be necessary by the City to maintain, repair, and protect facilities located in the right-of-way.

**Right-Of-Way Center Line**

- (1) The right-of-way centerline of a two-way street shall be a point equidistant between the inside edges of the innermost through travel lane in each direction of travel.
- (2) The right-of-way centerline of a one-way street shall be a point equidistant between the outside edges of the outermost through travel lanes in the direction of travel.
- (3) Where the alignment of an existing street is to be altered or changed, the right-of-way centerline shall be determined in accordance with the new realignment plan, provided the City and/or NCDOT have approved the plan.
- (4) In special cases where non-symmetrical street widening has occurred or other unique situations not covered by the above exist, the right-of-way centerline shall be defined by the Transportation Director.

**Riparian Buffers**

A 50' strip of land along waterways (rivers, lakes, streams, etc.) that must be protected per the Department of Water Quality regulations.

**Roadway**

See definition of street.

**Roof line**

The juncture of the roof and the perimeter wall of the structure.

**Roof sign**

Any *sign*, including outdoor advertising, attached to and extending from a roof of a structure or *building*, not including emblems of religious orders.

**Rooming house, boarding house, lodging house or tourist home**

A type of *equivalent dwelling unit* located in a *dwelling* which contains room or room(s) without cooking facilities that are rented to the general public as a whole to more than four (4) *persons*. (Code 1959, §24-9(c); Ord. No. 520-TC-58, TC-82, 5-18-77; Ord. No. 867-TC-377, TC-14-91, 12-1-91)

**Rooming unit**

Any room or group of rooms forming a single habitable unit *used for living and sleeping*, but not for cooking or eating purposes. (Ord. No. 1992-111-TC-42, §9, TC-19-92, 12-8-92)

**Rough-In Inspection**

Rough-in inspections shall be made when all building framing and parts of the electrical, plumbing, fire protection, or heating ventilation or cooling system that will be hidden from view in the finished building have been placed but before any wall, ceiling finish or building insulation is installed.

**Sadomasochism center**

Any for profit establishment wherein the practice of flagellation, torture or fettering is used or administered to an individual either by an employee of the establishment or a patron of the establishment. (Ord. No. 1997-220-TC-158, §2, 10-21-97)

**Secondary reservoir watershed protection area**

The area in a Reservoir Watershed Protection Overlay District between the *primary reservoir watershed protection area* and surrounding *properties*. To provide a protective transition between the *primary reservoir watershed protection area* and the surrounding *properties*, special standards for *impervious surface* coverage, uses and *natural resource buffer yards* are applied. *Secondary reservoir watershed protection areas* are delineated on the **Official Zoning Maps**, and reflected in the Comprehensive Plan.

**Service area**

An area which serves an establishment or *building* including without limitation mechanical systems areas, utility meters, pay windows, drive-in windows, and outdoor self-service areas. Ord. No. 699-TC-259, §2, TC-20-85, 12-22-85; Ord. No. 99-TC-267, §5, TC-21-85, 1-1-87)

**Sewer Interceptor/Outfall**

Gravity sewer mains equal to or larger than 12" in size.

**Shade tree**

An evergreen or deciduous *tree* whose mature height can be expected to exceed thirty-five (35) feet and which has an expected crown spread of thirty (30) feet or more or is considered a *shade tree* in accordance with **"American Standards of Nursery Stock"**, set forth by the American Association of Nurserymen.

**Shop Drawings (see: Fire Alarm Construction Documents)**

**Shopping area**

A planned unified development of one (1) or more retail establishments, with more than one (1) *principal building or use* on a *lot* and approved in accordance with §10-2124.

(Ord. No. 784-TC-154, §2, TC-203, 11-3-81; Ord. No. 128-TC-186, §1, TC-235, 6-7-83; Ord. No. 946-TC-286, §7, TC-29-85, 4-7-87; Ord. No. 2001-934-TC-202, §1, TC-2-01, 2-6-01)

**Shopping center**

A planned unified development, including *shopping areas*, which contains at least three (3) retail or recreational establishments within a minimum of twenty-five thousand (25,000) square feet of floor area gross on a land area of at least two and one-half (2.5) acres in size. (Ord. No. 869-TC-369, §6, TC-16-91, 12-1-91; Ord. No. 2001-934-TC-202, §1, TC-2-01, 2-6-01)

**Sidewalk**

Any public or private pedestrian or bicycle walkway or path.

**Sidewalk Linear Feet**

The length of the sidewalk; used for Right-of Way fee calculation.

**Side yard area**

The *yard area* located between the *principal building*, structure, or use in the absence of a *principal building* or structure and the side boundary of a *lot*, or an existing or proposed public or private *street*, extending the full length of the *building*, structure or use, and not including any *front* or *rear yard area*.

**Sign**

Any temporary or permanent identification, description, animation, illustration, or device, illuminated or non-illuminated, which is visible from any right-of-way and which directs attention to any realty, product, service, place, activity, *person*, institution, performance, commodity, firm, business or solicitation, including any permanently installed or situated merchandise or any emblem, painting, banner, *poster*, bulletin board, pennant, placard or *temporary sign* designed to identify or convey information. (Ord. No. 1993-132-TC-45, §2, TC-16-92, 2-2-93)

**Signable area**

The area of the facade of a *building* free of windows or doors to which a *sign* may be erected.

**Sign face**

See Face of sign.

**Signs**

Unless otherwise indicated herein, the term *sign* shall include an identification or advertising device, including *billboards* which are permanent in nature.

**Signs requiring permits**

All permanent signs, Ground & tract identification signs, Signs erected on Parapet walls, Awning signs, Signs in Shopping Centers or Multi-tenant buildings, Internally Illuminated signs and Special Events.

**Single-family dwelling**

A *dwelling* containing one (1) *dwelling unit* on its own *lot*.

**Single Family Review (Residential Review)**

Processing procedures that pertain to single family properties only.

**Site Plan**

A drawing of the development of a particular tract of land. Usually included are the size of structures and their orientation on the lot, lot size and configuration, topography and grading, paving areas, parking and landscaping. The City's zoning regulations require public approval of many nonresidential site plans. Improvements to *property* or changes in use which are not classified by §10-2132.1 as *plot plans*, and which require compliance with standards of Part 10, chapter 3 of this Code.

### **Slope Easement**

An easement, which is reasonably necessary and incidental to the construction within the adjoining right-of-way of public street or sidewalk, or both, by the City, state, or their contractors. The purposes to which the easement area may be used include cutting, sloping, filling, installation of stormwater drain pipes or other drainage facilities, grading or otherwise changing the natural contour of the easement area in order to support and to accommodate the development of the adjacent street right-of-way, in accord with generally accepted engineering practices. Following the construction of the adjacent street or sidewalk, or both, the area subject to this easement will be graded, stabilized, and restored using conventional engineering and landscaping methods. Thereafter, the landowners with the underlying fee interest may make and enjoy all lawful uses of the property subject to this easement, provided there be no damage to the lateral and adjacent support of the public street, sidewalk, or both or to any stormwater drainage facility.

### **Solid fence**

A wall or fence that is not an open wall or *open fence*.

### **Special care facility**

A psychosocial rehabilitation facility which provides skill development activities, educational services, and pre-vocational training and transitional and supported employment services to individuals with severe and persistent mental illness. Services are designed primarily to serve individuals who have impaired role functioning that adversely affects at least two (2) of the following: employment, management of financial affairs, ability to procure needed public support services, appropriateness of social behavior, or activities of daily living. Assistance *may* also be provided to clients in organizing and developing their strengths and in establishing peer groups and community relationships. (Ord. No. 2004-647-TC-248, §2, TC-4-04, 6-1-04)

### **Special event**

Any activity or circumstance of a business or organization which is not part of its ordinary activities. Such activities *may* include, without limitation, grand openings, closeout sales (pursuant to Article 17 of Chapter 66 of the General Statutes), and fund membership drives or events of civic, philanthropic, educational, or religious organizations. (Ord. No. 946-TC-286, §8, TC-29-85, 4-7-87; Ord. No. 1993-132-TC-45, §3, TC-16-92, 2-2-93) **Annotation:** Goodman Toyota v. City of Raleigh, 63 N.C. App. 660, 306 S.E. 2d 192, review den, 310 N.C. 477, 312 S.E. 2d 884 (1983). A provision of a *City sign* control ordinance allowing temporary permits to be issued for *windblown signs* for "*special events*" was not so vague as to violate due process.

### **Specialty school**

A place of regular sessions of teaching for a vocational activities including, but not limited to, baton twirling, charm and finishing, gymnastics, language and martial arts. Dance and music studios are not considered *specialty schools*.

### **Special yards**

*Special yards* include *natural resource buffer yards*, Special Highway Overlay District *major access corridor yards*, *street protective yards*, transitional *protective yards*, special arterial *yard areas*; and *thoroughfare protective yards*. (Ord. No. 309-TC-330, §1, TC-27-88, 2-7-89; Ord. No. 1993-263-TC-65, §1, TC-19-93, 9-21-93)

### **Sprawl**

Low density, automobile-dependent development, particularly on the fringes of the city. The desire for inexpensive land often prompts the development of land on the urban fringe that is surrounded by undeveloped land, rather than the development of vacant land that is adjacent to an urbanized area. Sprawl causes expensive road and utility extensions and excessive reliance on automobiles, leading to traffic congestion, long commuting trips, increased air pollution and road wear. Sprawl often makes the development of successful public transit systems difficult.

**Stand Alone (Walk-Through) Processing**

Immediate (while you wait) permit processing that allows the client to accompany the permit requests through the process and leave with the issued permits. Provided for the following services: utility connection, stubs, residence alteration and supplemental permits.

**Standpipe**

A hose connection within a facility to fight fire.

There are Three Classes of standpipes:

- Class I: A system providing 2.5 inch hose connections to supply water for use by the fire departments and those trained in handling heavy fire streams.
- Class II: A system providing 1.5 inch hose connections to supply water for use primarily by the building occupants or by the fire department during the initial response.
- Class III: A system providing 1.5 inch hose stations to supply water for use by the building occupants and a 2.5 inch hose connections to supply a larger volume of water for use by fire departments and those trained in handling heavy fire streams.

These three classes of standpipes can come in different types:

- Automatic Wet, Automatic Dry, Manual Dry, Manual Wet, Semiautomatic Dry

**Station area core**

Those *properties* generally located within one-quarter (1/4) mile of a *passenger transit station or stop* as defined by a *City Council* adopted transit station area plan. (Ord. No. 2004-596-TC-245, §1, TC-14-03, 4-6-04)

**Station area edge**

Those *properties* or portions of *properties* adjacent to the outer edge of a *City Council* adopted transit station area plan. (Ord. No. 2004-596-TC-245, §1, TC-14-03, 4-6-04)

**Station area transition**

Those *properties* generally located between one-quarter (1/4) mile and one-half (1/2) mile of a *passenger transit station or stop* as defined by a *City Council* adopted transit station area plan. (Ord. No. 2004-596-TC-245, §1, TC-14-03, 4-6-04)

**Storage space for vehicle**

The standing space for vehicles being serviced or waiting to use a drive-thru window, automatic teller machine, automobile washing facility, or other use requiring temporary storage. The dimensions *shall* be no less than twenty (20) feet by eight and one-half (8 1/2) feet for each required storage space. (Ord. No. 1993-158-TC-51, §1, TC-5-93, 4-6-93; Ord. No. 1994-433- TC-80, §1, TC-10-94, 6-21-94)

**Storm Water**

Any flow occurring during or following any form of natural precipitation and resulting there from.

**Street**

A public or private roadway, but is not considered a driveway access point.

Unless indicated in this chapter as a private *street*, a *street* is any public right-of-way not less than eighteen (18) feet in width.

**Street block face**

The physical characteristics of property and structures adjoining any one side of a street in-between intersections.

**Street protective yard**

A landscaped *protective yard* adjacent to a proposed or recorded public *street* right-of-way. (Ord. No. 799-TC-267, §4, TC-21-85, 1-1-87)

**Stubs**

Water service stubs and (building sewer) sewer service stubs. Those portions of the water service and building sewer pipes which connect to the City's waste and sewer mains and extend to the boundaries of public easements and rights of way.

**Subdivision**

The splitting of tracts of land into smaller parcels. The most common usage of this word applies to the splitting of large land parcels into numerous housing lots or lots for commercial uses.

**Subdivision wall or fence**

A wall or fence forming a perimeter boundary of a residential or commercial development which *shall* extend for the entire *street frontage* of the development except for breaks for driveway access. (Ord. No. 246-TC-323, §1, TC-16-88, 9-25-88)

**Cross reference:** Tract identification *signs* §10-2083.2(m).

**Supportive housing residence**

A *dwelling unit* in which more than four (4) unrelated *persons may* reside who are battered individuals, abused children, pregnant women and their children, runaway children, temporarily or permanently disabled mentally, emotionally or physically, individuals recovering from drug or alcohol abuse, and all other *persons* who possess a disability which is protected by the provisions of either the **Americans with Disabilities Act of 1990**, 42 USC 12101 or *G.S.* Article 3, Chapter 168, as they *may* be amended, along with family members and support and supervisory personnel. (Ord. No. 1994-365-TC-71, §3, TC-22-93, 4-5-94; Ord. No. 1998-302-TC-165, §1, TC-5-98, 4-7-98)

**Tap Size**

The nominal diameter of the connection of a water or reuse line installed between a meter assembly and main connected to the water or reuse utility system of Raleigh, without regard to the configuration of that water or reuse assembly, or ownership of the water or reuse meter assembly, service, or water or reuse main.

**Taxicab dispatch stand**

A location where taxicabs are temporarily stored during hours of operation and from which they are dispatched.

**Taxicab stand**

A location where on-duty taxicabs wait to pick up patrons.

**Temporary/Partial Occupancy**

Temporary/partial Certificate of Compliance may be issued permitting occupancy for a stated period for specific portions of a building or service system that the inspector finds may safely be occupied prior to final completion of the entire building or system (General Statutes 153A-363 and 160A-423).

**Temporary sign**

A *sign* which requires a permit and is permitted for a limited period of time.

**Text Changes**

An amendment to the Code of Ordinances authorized by the City Council.

**Third Party Certification Agencies**

Third party certification agencies shall be accredited and listed by the Building Code Council. Inspection and certification of buildings or components manufactured off the site and labeled by a third party agency shall be accepted by the Inspection Department without further inspection.

**Thoroughfare**

A *street* delineated as a major *thoroughfare* or a minor *thoroughfare* on the Comprehensive Plan, or a *major access corridor*. Major *thoroughfares* include: (1) *principal arterials*, which are either gateways, freeways, or expressways; (2) secondary arterials; or (3) other major *thoroughfares*. (Ord. No. 1993-263-TC-65, §2, TC-19-93, 9-21-93)

**Through street**

A street, other than a dead-end street or loop street, that connects two perimeter property lines of a development.

**Townhouse development**

A project consisting of one (1) or more *single-family dwelling units*, where land underneath each *dwelling unit* is sold with that *dwelling unit*, approved in accordance with §10-2109 and Part 10, chapter 3 of this Code.

**Traffic sign**

A device mounted on a fixed or movable support, conveying a message or symbol to regulate, warn or guide traffic.

**Transaction Number**

A system-generated tracking ID number identifying a specific interaction with the client (e.g., a request for permits) assigned by the Inspections Department for plans review projects.

**Transitional yard**

A landscaped *protective yard* adjacent to *lot* lines, but not right-of-way lines, which screens the adjacent *lot* from different land uses. (Ord. No. 799-TC-267, §4, TC-21-85, 1-1-87)

**Travel trailer**

A device without motive power, which is designed to be drawn by a motor vehicle. A *manufactured home* is not a *travel trailer*. (Ord. No. 2000-734-TC-189, TC-2-00, §1, 2-15-00)

**Treatment or Pretreatment**

The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in waste water prior to or in lieu of discharging or otherwise introducing such pollution into a POTW. The reduction or alteration can be obtained by physical, chemical or biological processes, or process changes or other means, except by diluting the concentration of the pollutants unless allowed by an applicable pretreatment standard. Effective 8/2/05

**Tree disturbing activity**

Any activity that results in one or more of the *following*:

(1) The movement of earth, compaction of earth, chemical or physical alteration of earth, or a change in the existing soil cover (both vegetative and non vegetative) and/or the existing soil topography in the *critical root zone* of a *tree*, including but not limited to: chemical application; clearing, grading, filling, and excavation; stabilization of structures; and road or walkway construction

(2) Chemical or physical alteration of a *tree* in any way that diminishes its health and vigor, including but not limited to removal, cutting, root pruning, branch pruning, topping, bark scraping, and application of chemical or biological agents.

(3) The placement within the *critical root zone* of any permanent or temporary encroachment, including but not limited to: application of *impervious surfaces*; storage of equipment, materials, or earth; parking or circulation of vehicles or equipment. (Ord. No. 2005-762-TC-264, §1, TC-7-04, 1-4-05)

### **Tree Protection**

Guidelines that most grading projects have to meet to preserve tree protection before grading will be authorized.

### **Typical Townhouse Project**

Some townhouse projects are designated as Typical, which means that the submittal is exactly like a previously approved submittal. Only the site plans and plot plans are submitted for a typical project. A typical number is assigned by the city for the client to use on future applications and plans.

### **Under Slab Inspection, as appropriate**

Under slab inspections, as appropriate, shall be made after all materials and equipment to be concealed by the concrete slab are completed.

### **Understory tree**

An evergreen or deciduous *tree* whose mature height can be expected to range between fifteen (15) feet to thirty-five (35) feet and which has an expected crown spread range between fifteen (15) feet to twenty-five (25) feet as determined by the latest edition of "American Standards of Nursery Stock" as set forth by the American Association of Nurserymen. (Ord. No. 2005-762-TC-264, §1, TC-7-04, 1-4-05)

### **Undisturbed area**

An area free of any *tree disturbing activity* except the planting of landscaping required by §10-2082 *et seq.* and plantings required by conditional use zoning requirements. (Ord. No. 2005-762-TC-264, §1, TC-7-04, 1-4-05)

### **Unhealthy**

A plant or *tree* is *unhealthy* when it meets any one (1) or more of the *following*:

(1) Its foliage and bark have a form and color that is not characteristic of the species similarly located within Raleigh.

(2) Its twig elongation is dissimilar to that of others of the same species and size similarly located within Raleigh.

(3) It is not free from infestation of insects and detrimental diseases.

(4) More than ten (10) per cent of its trunk circumference dies in any one (1) calendar *year*.

(5) More than thirty (30) per cent of its crown dies or is lost in any one (1) calendar *year*.

(6) It no longer screens, filters, or shades the area for which it was installed. (Ord. No. 799-TC-267, §4, TC-21-85, 1-1-87; Ord. No. 1994-365-TC-71, §4, TC-22-93, 4-5-94; Ord. No. 1996-851-TC-128, §2, TC-23-95, 4-2-96)

### **Unit ownership (condominium) development**

A project consisting of two (2) or more units, which *may* include one (1) or more *buildings*, structures or uses which are permitted in the applicable zoning district, created in accordance with the North Carolina Unit Ownership Act. Unit ownership is a type of planned development, approved in accordance with §10-2108 (residential) or §10-2122 (nonresidential).

### **Unity of development**

The visual and functional integration of *buildings* within a development or area. *Unity of development* in a *shopping center*, a *shopping area*, and *office center*, or any retail

area with more than one (1) *principal building shall* be established through the use of at least two (2) of the *following* primary unifying elements: materials, color(s), and architectural features. (Ord. No. 843-TC-374, §1, TC-10-91, 10-1-91)

### **Urban**

Pertaining to the city and usually to built-up parts of the city, as opposed to rural or suburban areas. Urban implies medium to high intensity land uses and medium to high density residential development, buildings that cover most of the lot on which they sit. Pedestrian orientation is a distinct feature of most urban places, as is a mixed pattern of land uses containing residences, job sites, retail and service areas in close proximity to each other.

### **Urban Design Guidelines**

A portion of the Guidelines section (Chapter 4) of the Raleigh Comprehensive Plan that describes the elements of Mixed-Use Neighborhood and Village Centers.

### **Urban forestry**

*Urban forestry* is the management, including planting of *trees* and other plants for their contribution to the physiological, sociological, aesthetic, environmental and economic well-being of urban society. *Urban forestry* is distinguished from *forestry general* in which *tree* are grown primarily for wood and fiber. *Urban forestry* encompasses all of the *following* elements:

1. The maintenance of a permanent forest with continuous stocking of at least a basal area of sixty (60) square feet per acre comprised of *trees* three (3) inches or greater *DBH*.
2. Use of low soil impact equipment for care and maintenance of the urban forest. Low soil impact equipment does not include log skidders, mechanical harvesters, forwarders, mechanical *tree* planters, excavators, soil mounds, dozers, and similar tracked or wheeled vehicles.
3. Protection of the urban forest from the movement of earth, compaction of earth and the detrimental chemical or physical alteration of earth.
4. *Urban forestry* does not include sale of *trees* for forest products, nor the establishment of permanent or temporary roads, skids, trails, or logging decks. (Ord. No. 2005-762-TC-264, §1, TC-7-04, 1-4-05)

### **Utility apartment**

One (1) or more rooms physically arranged to create an independent housekeeping establishment with separate facilities for cooking, sleeping and toilet for the occupancy by no more than two (2) *persons*. A *utility apartment* is a type of conditional use approved in accordance with §10-2072. (Ord. No. 1992-111-TC-42, §10, TC-19-92, 12-8-92)

### **Utility services**

The *following* uses: roads, sidewalks, railroad tracks, transmission lines, transformers, distribution lines, pumping stations, meters, pipes, hydrants, water storage tanks, wells, septic tanks, traffic control, emergency communication, telephones or cablevision and their appurtenances. (Ord. No. 278-TC-326, §1, TC-18-88, 11-20-88; Ord. No. 318-TC-334, §1, TC-24-88, 2-26-89)

### **Utility service areas**

An area which contains any utility box, booster box, switching station, transformer, pedestal, or backflow preventor or similar above-grade device used to serve underground utilities. (Ord. No. 799-TC-267, §4, TC-21-85, 1-1-87; Ord. No. 1993-149-TC-48, §1, TC-19-92, 3-16-93)

### **Utility System (Utility Lines)**

Water pipelines, reuse water pipelines, and sewer pipelines (any or all as determined by the context), and shall include all pipes, valves, valve boxes, hydrants, and other

fixtures, equipment, and apparatus connected to and forming a part of the main water, main reuse water, or sewer pipelines and systems or all, and all appliances necessary and convenient thereto. The utility lines dedicated to the City shall include only main distribution lines, valves, hydrants and other apparatus, fixtures and equipment forming a part of the lines laid in public streets, roads, highways and alleys or across City utility or sanitary sewer easements on private property, and shall not include lines leading from mains to building connections on private property and shall not include the water, reuse water, or sewer lines within any residences or other privately-owned building. Effective 8/2/05. Utility lines built in accordance with City/County contract dated January, 1985, are part of the City's utility system.

**V-type sign**

An *outdoor advertising sign* structure constructed in the form of a "V" with an angle no greater than forty-five (45) degrees and at no point separated by a distance greater than five (5) feet.

**Variance**

An administrative exception to land use regulations, generally in order to compensate for a deficiency in a real property which would prevent the property from complying with the zoning regulation.

**Vehicle Maintenance Facility**

Any commercial or industrial facility where automobiles, trucks, or equipment are serviced or maintained, including garages, service stations, repair shops, oil and lubrication shops, or similar establishments.

**Vehicular display area**

A *display area* for any motor vehicle, trailer, semi-trailer required to be registered with the North Carolina Department of Motor Vehicles under the laws of *this state* as defined in N.C.G.S. §20-286(10). (Ord. No. 799-TC-267, §4, TC-21-85, 1-1-87)

**Vehicular surface area**

An area where motor vehicles are either stored or driven, including private driveways and private *streets* built in accordance with §10-3074 of this code, parking lots, vehicular display lots, rental lots, and depots, but it does not include parking *buildings* or areas which are *used* exclusively as *loading areas* and *service areas*. (Ord. No. 440-TC-345, §34, TC-3-89, 10-3-89; Ord. No. 799-TC-267, §4, TC-21-85, 1-1-87)

**Veterinary hospital**

A facility for the primary purpose of diagnosing, treating and preventing diseases in animals, especially domestic animals, and including boarding and keeping animals in the course of treating them for a long-term convalescence. This definition only includes those facilities which are wholly enclosed within a *building*. (Ord. No. 646-TC-70, TC- 103, 12-1-77)

**Volume**

The number of vehicles passing a given point during a specified period of time.

**Walk-Through (Stand Alone) Processing**

Immediate (while you wait) permit processing that allows the client to accompany the permit requests through the process and leave with the issued permits. Provided for the following services: Utility connection, stubs, residence alteration, and supplemental permits.

**Wall**

See *closed fence*, *solid fence*, and *open fence*.

**Wall sign**

Any *sign*, other than a *projecting sign*, which is erected upon, against, or through any wall or fascia of a *building* or a covered walkway not projecting more than twelve (12) inches from a wall or walkway; or a *window sign* when its wording exceeds six (6) inches in height. The *following* are not *wall signs* : Wall identification *signs* and commemorative plaques not more than four (4) square feet in area, memorial cornerstones or tablets providing information on *building* erection or commemorating a *person* or event, or unit identification *signs* required by §10-2083.1(c)(2) less than ten (10) inches in height. (Ord. No. 955-TC-166, §2, TC-214, 8-3-82; Ord. No. 946-TC-286, §37, TC-29-85, 4-7-87)

**Wastewater**

The liquid and water-carried industrial or domestic wastes from dwellings, commercial buildings, industrial facilities, mobile sources, treatment facilities and institutions, together with any groundwater, surface water, and storm water that may be present, whether treated or untreated, which are contributed into or permitted to enter the POTW.

**Water/Sewer Stub Permit Application**

Application submitted by client for water and sewer Commercial Walk-thru/Stand-Alone projects to the Inspections Department.

**Water Service Stubs and (Building Sewer) Sewer Service Stubs**

Those portions of the water service and building sewer pipes which connect to the City's water and sewer mains and extend to the boundaries of public easements and rights-of-way.

**Watershed**

The area that drains into a particular river, stream or lake. In Raleigh, the Swift Creek and Falls Lake Watersheds are significant because the water collected in these watersheds is used for drinking water. These are called water supply watersheds. For standards related to watersheds, see the "Guidelines" section of this Plan. Watershed Plans, a type of small area plan, provide policies and guidelines for protecting our drinking water supply.

**Wetland**

Low-lying area often subject to periodic flooding. This land commonly has standing water on it or is water-saturated for much of the year. Certain wetlands are regulated by Federal statutes.

**Width of the street**

The mean of the distance between the sides of a *street* between two (2) intersecting *streets*.

**Wildlife sanctuary**

A place of refuge or protection for the management, regulation and conservation, but not sale, of fish or wildlife populations, and where hunting is not permitted.

**Windblown sign**

Any banner, flag, pennant, spinner, or streamer. (Ord. No. 448-TC-128, §1, TC-A-80, 9-2-80; Ord. No. 1997-137-TC-153, §4, TC-18-96, 6-17-97)

**Window sign**

Any *sign* painted, stenciled or affixed on a window, which is visible from a right-of-way.

**Yard area**

The *yard area* between the *principal building*, structure or use in the absence of a *principal building* or structure, and the boundary of a *lot*, including the boundary

formed by an existing or proposed public *street*, which is required to meet the provisions of §10-2075. (Ord. No. 1992-111-TC-42, §11, TC-19-92, 12-8-92)

### **Zoning**

A legal device used by the City of Raleigh and other cities for controlling land use and other aspects of land development. Building size, setbacks and parking are all regulated by zoning. Zoning should reflect and be consistent with the Comprehensive Plan. The Comprehensive Plan, however, is a statement of development policy and contains guidelines for the development and redevelopment of the city. Zoning is a device for implementing that Plan.

### **Zoning nonconformity**

Any use, facility, *building, lot, sign*, structure, outdoor lighting, fence, landscaping, *access point, impervious surface*, off-street parking lot, or *vehicular surface area* which lawfully existed at the time the action making them nonconforming takes effect and which currently fails to comply with one (1) or more applicable regulations, restrictions, or standards of this chapter. Zoning nonconformities are created by one (1) or more of the *following*: extensions of the zoning jurisdiction of the *City*; amendment to chapter 2 Part 10 of the Code; amendment to the **Official Zoning Map**; or acquisitions initiated by entities with the power of eminent domain.

(Revised 07/20/11 – rjh)