

## ARTICLE II

### INTERPRETATIONS AND DEFINITIONS

#### 2-1 INTERPRETATION OF ORDINANCE

##### 2-1.1 Minimum Requirements

In the interpretation and application of this Ordinance, all provisions shall be considered to be minimum requirements and deemed neither to limit nor repeal any other powers granted under state statutes.

##### 2-1.2 Greater Restrictions Govern

These regulations shall be the minimum requirements for administration, enforcement, procedures, restrictions, standards, uses, variances, and all other areas addressed by this Ordinance. If any federal or state law or any other existing ordinance or regulation allows lesser regulation, this Ordinance shall govern so that, in all cases, the more restrictive limitation or requirement shall govern. Whenever regulations imposed by this Ordinance are less restrictive than regulations imposed by any governmental authority through regulation, rule or restriction, the regulations imposed by that authority shall govern. Regardless of any other provision of this Ordinance, no land shall be developed or used, and no structure shall be erected or maintained in violation of any state or federal regulation.

##### 2-1.3 Rounding of Numbers

All calculations that result in a part or fraction of a whole number shall be rounded to the nearest whole number, except that in calculating density, all calculations shall be made in accordance with Sections 12-2(B) and (C).

##### 2-1.4 Figures and Tables

The figures and tables provided in this Ordinance are designed to provide a visual explanation to selected Sections of the Ordinance. If any illustration appears to be in conflict with the text of the Ordinance, the text shall govern.

#### 2-2 RULES OF CONSTRUCTION

##### 2-2.1 Word Interpretation

Words not defined in this Ordinance shall be given their ordinary and common meaning.

##### 2-2.2 Rules of Construction

For purposes of this Ordinance, the following rules of construction shall apply:

(A) **Tense:** Words used in the present tense include the future tense;

- (B) **Singular and Plural:** Words used in the singular number include the plural number, and the plural number includes the singular number, unless the context of the particular usage clearly indicates otherwise;
- (C) **Mandatory Meaning:** The words 'shall', 'will', and 'must' are mandatory in nature implying an obligation or duty to comply with the particular provision;
- (D) **Gender:** Words used in the male gender include the female gender; and
- (E) **References:** Any reference to an Article or Section shall mean an Article or Section of this Ordinance, unless otherwise specified.

## 2-3 DEFINITIONS

- 2-3.1 **Access Easement.** An easement which grants the right to cross property.
- 2-3.2 **Accessory Building.** A detached subordinate building, the use of which is incidental to that of the principal building and located on the same lot therewith. See Section 12-7.
- 2-3.3 **Accessory Structure.** A detached subordinate structure(s), the use of which is incidental to that of the principal structure and located on the same lot therewith.
- 2-3.4 **Address.** The official street number assigned by Bladen County 911 Addressing for a specific lot, building or portion thereof (*amended 4-11-06*).
- 2-3.5 **Adult Bookstore.** A bookstore: 1) which receives a majority of its gross income during any calendar year from the sale of publications (including books, magazines and other periodicals) which are distinguished or characterized by their emphasis on matter depicting, describing or relating to sexual activities or anatomical areas, or 2) having as a preponderance of its publications books, magazines and other periodicals which are distinguished or characterized by their emphasis on matter depicting or relating to sexual activities or anatomical areas.
- 2-3.6 **Agricultural Production Crops.** The production of (and activities relating or incidental to the production of) crops, fruits, vegetables, ornamental and flowering plants, and nursery products such as bulbs, trees, vines, shrubbery, flower and vegetable seeds and plants, and sod.
- 2-3.7 **Agricultural Production, Livestock.** The production of (and activities relating or incidental to the production of) dairy, livestock and poultry products. Livestock as used here includes cattle, sheep, goats, hogs, and poultry as well as animal specialties such as horses, rabbits, bees, fur-bearing animals in captivity, and fish in captivity. This definition does not include animal feeder/breeder operations nor the keeping of domesticated animals for pets.
- 2-3.8 **Adult Theater.** An enclosed building or premises used for presenting motion pictures, a preponderance of which are distinguished or characterized by an emphasis on matter depicting, describing or relating to sexual activities or anatomical areas.
- 2-3.9 **Alley.** A roadway which affords only a secondary means of access to abutting property.

- 2-3.10 Animal Feeder/Breeder Operation.** Establishments primarily engaged in the production, feeding, or fattening of cattle, hogs, chickens, or turkeys in a confined area for a period of at least 45 days on a contract or fee basis. This definition does not include the keeping of domesticated animals for pets.
- 2-3.11 Assembly.** A joining together of completely fabricated parts to create a finished product.
- 2-3.12 Athletic Field.** Outdoor sites, often requiring equipment, designed for formal athletic competition in field sports (e.g. softball, soccer, football).
- 2-3.13 Auto Wrecking.** A person or establishment that provides open storage, disassembling, or salvaging for junked motor vehicles.
- 2-3.14 Automobile Repair Services.** An establishment primarily engaged in one or more of the following activities: 1 ) general automotive repair or service, 2) automotive engine repair, 3) installation or repair of automotive transmissions, 4) installation or repair of automotive glass, 5) installation or repair of automotive exhaust systems, 6) repair of automotive tops, bodies and interiors, and 7) automotive painting and refinishing.
- 2-3.15 Basement.** A story of a building or structure having one-half or more of its clear height below grade.
- 2-3.16 Block.** The land lying within an area bounded on all sides by streets.
- 2-3.17 Board of Adjustment.** A quasi-judicial body, appointed by the Board of Commissioners of the Town of White Lake, that is given certain powers under this Ordinance.
- 2-3.18 Board of Commissioners.** The Board of Commissioners of the Town of White Lake, North Carolina.
- 2-3.19 Boarding House.** A dwelling or part thereof, in which lodging is provided by the owner or operator to more than three boarders.
- 2-3.20 Buffer.** An area of natural or planted vegetation through which stormwater runoff flows in a diffuse manner so that the runoff does not become channelized and which provides for infiltration of the runoff and filtering of pollutants. The buffer is measured landward from the normal pool elevation of impounded structures and from the bank of each side of streams and rivers. The widths of buffer areas are established pursuant to the requirements of Article XV.
- 2-3.21 Buffer Yard.** A strip of land which is established to separate one type of land use from another type of land use and which contains natural or planted vegetation, berms, walks, or fences in accordance with the provisions of Article XV.
- 2-3.22 Buildable Lot.** One or more lots of record in one undivided ownership with sufficient total area, exclusive of easements, flood hazards, well and septic tank fields; sufficient total dimensions; and sufficient access to permit construction thereon of a principal building together with its required parking and buffer yards.

- 2-3.23 Building.** Any structure that encloses a space used for sheltering any occupancy. Each portion of a building separated from other portions by a fire wall shall be considered a separate building.
- 2-3.24 Building Height.** The vertical distance from grade to the highest finished roof surface in the case of flat roofs or to a point at the average height of the highest roof having a pitch. Height of a building in stories does not include basements, except as specifically provided for in this Ordinance.
- 2-3.25 Building Line.** The line, established by this Ordinance, beyond which the building shall not extend, except as specifically provided by this Ordinance.
- 2-3.26 Building Separation.** The minimum required horizontal distance between buildings.
- 2-3.27 Caliper Inches.** Quantity in inches of the diameter of trees measured at six inches above the ground for trees four inches or less in trunk diameter and twelve inches above the ground for trees over four inches in trunk diameter.
- 2-3.28 Canopy Tree.** A species of tree which normally grows to a mature height of forty feet or more with a minimum mature crown width of thirty feet.
- 2-3.29 Certificate Of Zoning Compliance.** A statement, signed by the Zoning Inspector, setting forth either that a building or structure complies with the provisions of this Ordinance, or that building, structure, or parcel of land may lawfully be employed for specified uses, or both.
- 2-3.30 Collector Street.** A street whose principal function is to carry traffic between cul-de-sac, local, and subcollector streets, and streets of higher classification, but which may also provide direct access to abutting properties.
- 2-3.31 Combination Use.** A use consisting of a combination on one lot of two or more principal uses separately listed in the Table of Permitted Uses. (Under some circumstances, a second principal use may be regarded as accessory to the first, and thus a combination use is not established. See Section 10-1.4. In addition, when two or more separately owned or separately operated enterprises occupy the same lot, and all such enterprises fall within the same principal use classification, this shall not constitute a combination use.)
- 2-3.32 Common Area(s).** All areas, including private streets, conveyed to an owners' association within a development, or owned on a proportional undivided basis in a condominium development.
- 2-3.33 Condominium.** Portions of real estate which are designated for separate ownership, and the remainder of which is designated for common ownership solely by the owners of those portions. Real estate is not a condominium unless the undivided interests in the common elements are vested in the unit owners.
- 2-3.34 Convenience Store.** A retail store that is designed and stocked to sell primarily food, beverages, and other household supplies to customers who purchase only a relatively few items (in contrast to a 'supermarket'). It is designed to attract and depends upon a

large volume of 'stop and go', traffic. Illustrative examples of convenience stores are those operated by the 'Fast Fare', '7-11', and 'Pantry' chains.

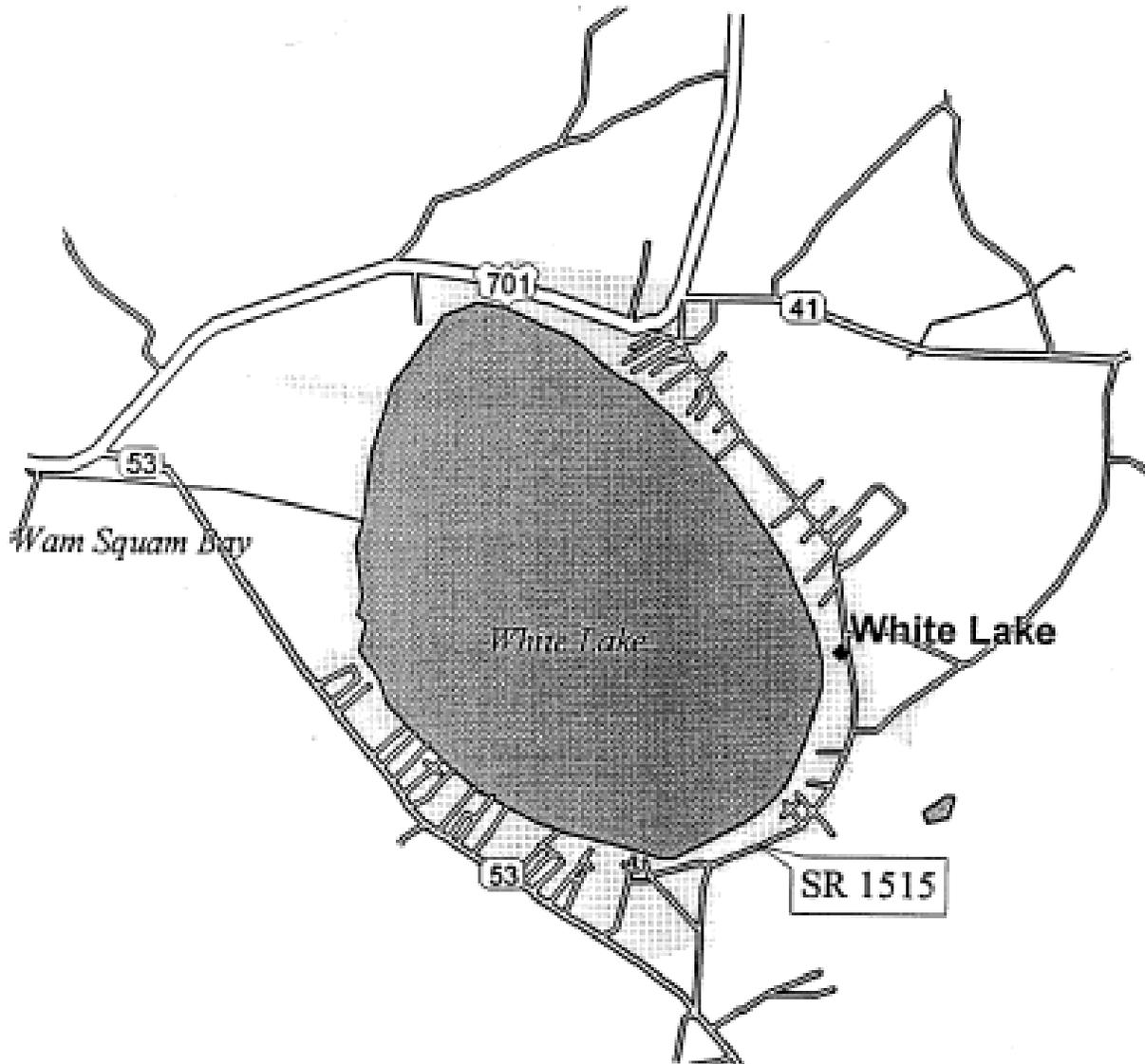
- 2-3.35 Corner Lot.** A lot abutting two or more streets at their intersection.
- 2-3.36 County.** Refers to Bladen County, North Carolina.
- 2-3.37 County Board.** Refers to the Bladen County Board of County Commissioners.
- 2-3.38 Critical Root Zone.** The rooting area of a tree established to limit root disturbance, generally defined as a circle with a radius extending from a tree's trunk to the furthest point of the crown dripline.
- 2-3.39 Cul-de-Sac Street.** A short local street having one end open to traffic and the other end permanently terminated by a vehicular turnaround.
- 2-3.40 Day.** Any reference to days shall mean calendar days unless otherwise specified. A duration of days shall include the first and last days on which an activity is conducted, and all days in between, unless otherwise specified by state law.
- 2-3.41 Day Care Center.** A child day care facility as defined in NCGS 110-86(3) as well as a center providing day care on a regular basis for more than two hours per day for more than five adults. See Section 11-1.16 for specific provisions related to day care centers.
- 2-3.42 Developer.** A person engaging in development.
- 2-3.43 Development.** Any man-made change to improved or unimproved real estate, including, but not limited, to buildings or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations or storage of equipment or materials.
- 2-3.44 Development, Density Of.** The density of development shall be determined using a gross acreage system. The total area of the tract, including areas to be used for new streets, rights-of-way, drives, parking, structures, recreation areas, dedicated areas, and required setbacks, shall be used for density calculations.
- 2-3.45 Drainage Easement.** An easement which grants the right of water drainage to pass in open channels or enclosed structures.
- 2-3.46 Drainageway.** Any natural or man-made channel that carries surface runoff from precipitation.
- 2-3.47 Dripline.** A vertical line extending the outermost portion of a tree's canopy to the ground.
- 2-3.48 Duplex.** (See Two-Family Dwelling).
- 2-3.49 Dwelling Unit.** One or more rooms designed, occupied or intended for occupancy as separate living quarters, with cooking, sleeping and sanitary facilities provided therein. Units in dormitories, hotels, motels, shelters for the homeless, or other structures designed for transient residents are not dwelling units.

- 2-3.50 Easement.** A grant of one or more of the property rights, by the property owner, to, or for use by, the public, a corporation, or other entities.
- 2-3.51 Existing Lot (Lot of Record).** A lot which is part of a subdivision, a plat of which has been recorded in the Office of the Bladen County Register of Deeds prior to the original adoption of this Ordinance, or a lot described by metes and bounds, the description of which has been so recorded prior to the original adoption of this Ordinance.
- 2-3.52 Existing Development.** Those projects that are built or those projects that at a minimum have established a vested right under North Carolina zoning law as of the effective date of this Ordinance based on at least one of the following criteria:
- (A) substantial expenditures of resources (time, labor, money) based on a good faith reliance upon having received a valid local government approval to proceed with the project, or
  - (B) having an outstanding valid building permit as authorized by NCGS 160A-385.1 or
  - (C) having expended substantial resources (time, labor, money) and having an approved site specific or phased development plan as authorized by NCGS 160A-385.1.
- 2-3.53 Extraterritorial Planning Area.** That portion of the White Lake planning jurisdiction that lies outside of the corporate limits of the Town of White Lake.
- 2-3.54 Family.** One or more persons occupying a dwelling unit and living as a single household.
- 2-3.55 Family Care Home.** A home meeting the North Carolina Residential Building Code with support and supervisory personnel that provides room and board, personal care and habilitation services in a family environment for six or less resident handicapped persons, pursuant to NCGS 168-21.
- 2-3.56 Fence.** A physical barrier or enclosure consisting of wood, stone, brick, block, wire, metal or similar material, used as a boundary or means of protection or confinement, but not including a hedge or other vegetation.
- 2-3.57 Flag Lot.** A lot that is composed of a narrow 'flagpole' strip extending from the street and much wider 'flag' section lying immediately behind a lot or lots having the required street frontage for a conventional lot. In the case of a flag lot, the lot line at the end of the flag pole lying generally parallel to the street to which the flagpole connects shall be considered to be the front lot line for setback purposes.
- 2-3.58 Forestry Operations.** Establishments primarily engaged in the operation of timber tracts, tree farms, forest nurseries, and related activities. Not included in this definition are logging establishments, sawmills, and planing mills.
- 2-3.59 Grade, Finished.** The final elevation of the ground surface after development.
- 2-3.60 Grade, Natural.** The elevation of the ground surface in its natural state before man-made alterations.

- 2-3.61 Gross Floor Area.** The sum of the gross horizontal areas of one or several floors of a building measured from the exterior face of exterior walls, or from the centerline of a wall separating two buildings, but not including interior parking spaces, loading space for motor vehicles, or any space where the floor-to-ceiling height is less than six feet.
- 2-3.62 Group Care Facility.** A facility licensed by the State of North Carolina (by whatever name it is called, other than 'Family Care Home' as defined by this Ordinance), with support and supervisory personnel that provides room and board, personal care or habilitation services in a family environment for not more than thirty people.
- 2-3.63 Habitable Floor.** Any floor useable for living purposes which includes working, sleeping, eating, cooking or recreation or a combination thereof.
- 2-3.64 Hazardous Material.** Any substance listed as such in: SARA section 302, Extremely Hazardous Substances, CERCLA Hazardous Substances, or Section 311 of CWA (oil and hazardous substances).
- 2-3.65 Home Occupation.** Any use conducted entirely within a dwelling and carried on by the occupants thereof, which use is incidental and secondary to the use of the dwelling for residential purposes and does not change the character thereof. Specific regulations concerning home occupations are delineated in Section 11-1.24.
- 2-3.66 Interior Setback.** A setback from any property line not alongside a street.
- 2-3.67 Junk/Salvage Yard.** Any land or area used, in whole or in part, for the storage, keeping, or accumulation of material, including scrap metals, waste paper, rags, or other scrap materials, or used building materials, for the dismantling, demolition or abandonment of automobiles or other vehicles or machinery or parts thereof.
- 2-3.68 Junked Motor Vehicle.** A motor vehicle that does not display a current license plate and is one or more of the following: 1) is partially dismantled or wrecked; or 2) cannot be self-propelled or moved in the manner in which it originally was intended to move; or 3) more than five years old and appears to be worth less than one hundred dollars; provided that any motor vehicle used on a regular basis for business or personal use shall not be caused to be removed or disposed.
- 2-3.69 Local Street.** A street whose primary function is to provide access to abutting properties.
- 2-3.70 Lot.** A portion of a subdivision or any other parcel of land intended as a unit for transfer of ownership, or for development or both. The word 'lot' includes 'plot', 'parcel', or 'tract'.
- 2-3.71 Lot Area.** The total area circumscribed by boundaries of a lot except that when the legal instrument creating a lot shows the boundary of the lot extending into a public street or private right-of-way, then the lot boundary for purposes of computing the lot area shall be the street right-of-way line, or if the right-of-way line cannot be determined, a line running parallel to and 30 feet from the center of the traveled portion of the street.
- 2-3.72 Lot Coverage.** The portion of a lot covered by building(s) and/or structure(s).
- 2-3.73 Lot Depth.** The distance measured along the perpendicular bisector of the smallest possible rectangle enclosing the lot.

- 2-3.74 Lot Line, Front.** The boundary line of a lot running along a street right-of-way. If a lot has two property lines which are also street right-of-way lines abutting different streets, then the shorter of those two lines shall constitute the front lot line; if both lines are equal, the front lot line shall be determined by the property owner if the front property line has not been designated on a final plat (minimum building lines are construed to designate the front lot line).
- 2-3.75 Lot of Record.** A lot, plot, parcel, or tract recorded in the Office of the Bladen County Register of Deeds in conformance with the ordinance(s) in effect at the time of recordation.
- 2-3.76 Lot Width.** The horizontal distance between the side lines of a lot measured at right angles to its depth along a straight line parallel to the front lot line at the minimum required building setback line.
- 2-3.77 Major Thoroughfare Street.** Major thoroughfares consist of interstate, other freeway, expressway, or parkway links, and major streets that provide for the expeditious movement of high volumes of traffic within and through urban areas.
- 2-3.78 Manufactured Home.** A dwelling unit that is composed of one or more components, each of which was substantially assembled in a manufacturing plant and designed for installation or assembly and installation on the building site.
- 2-3.79 Manufactured Home, Class A.** A dwelling unit constructed with one or more components which are prefabricated and which meets the construction requirements of the North Carolina Uniform Residential Building Code as amended.
- 2-3.80 Manufactured Home, Class B.** A dwelling unit that: (i) is not constructed in accordance with the requirements of the North Carolina Uniform Residential Building Code as amended, and (ii) is composed of two or more components, each of which was substantially assembled in a manufacturing plant and designed to be transported to the home site, and (iii) meets or exceeds the construction standards of the U.S. Department of Housing and Urban Development, and (iv) conforms to the following appearance criteria:
- (A) the manufactured home has a minimum width, as assembled on the site, of twenty feet;
  - (B) the pitch of the manufactured home's roof has a minimum vertical rise of three inches for each 12 inches of horizontal run and the roof is finished with asphalt or fiberglass shingles;
  - (C) a continuous, permanent curtain wall, unpierced except for required ventilation and access, is installed under the manufactured home; and
  - (D) the tongue, axles, transporting lights, and removable towing apparatus are removed after placement on the lot and before occupancy.

**Figure 1**  
**Street Classifications for Purposes of Administering the**  
**Zoning Ordinance**



**Major Thoroughfare Streets:**

US 701

**Minor Thoroughfare Streets:**

NC 41

NC 53

**Collector Streets:**

SR 1515

**Local Streets:**

All Streets Not Listed Elsewhere

- 2-3.81 Manufactured Home, Class C.** Any manufactured home that does not meet the definitional criteria of a Class A or Class B manufactured home but which, at a minimum, exceeds 32 feet in length and 8 feet in width. Manufactured homes that do not meet the definitional criteria of Class A, B, or C manufactured homes are classified as recreational vehicles.
- 2-3.82 Manufactured Home Park.** A residential use in which four or more Class B or Class C manufactured homes are located on a single lot or tract. See Section 11-1.27 for specific provisions related to manufactured home parks.
- 2-3.83 Manufactured Home Space.** A designated area of land within a manufactured home park designed for the accommodation of a single manufactured dwelling home in accordance with the requirements of this Ordinance.
- 2-3.84 Marquee.** Any permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building, generally designed and constructed to provide protection from the weather.
- 2-3.85 Minor Thoroughfare Street.** Minor thoroughfares collect traffic from collector, subcollector, and local streets and carry it to the major thoroughfare system. Minor thoroughfares may be used to supplement the major thoroughfare system by facilitating movement of moderate volumes of traffic within and through urban areas and may also serve abutting property.
- 2-3.86 Modular Home.** (See Manufactured Home, Class A.)
- 2-3.87 Multi-Family Dwelling.** A building or portion thereof used or designed as a residence for three or more families living independently of each other with separate housekeeping and cooking facilities for each.
- 2-3.88 Multi-Tenant Building.** A building that is used for two or more occupancies, provided each occupancy is separated by construction having fire-resistive ratings in compliance with the NC Building Code.
- 2-3.89 Nonconforming.** A lot, structure, sign, or use of land, which is now prohibited under the terms of this Ordinance, but was lawful at the date of this Ordinance's enactment, or any amendment or revision thereto.
- 2-3.90 Nonconforming Lot(s).** A lot of record that does not conform to the dimensional requirements of the zoning district in which it is located. The nonconformity may result from adoption of this Ordinance or any subsequent amendment.
- 2-3.91 Nonconforming Project.** Any structure, development, or undertaking that is incomplete at the effective date of this Ordinance and would be inconsistent with any regulation applicable to the district in which it is located if completed as proposed or planned.
- 2-3.92 Nonconforming Situation.** A situation that occurs when, on the effective date of this Ordinance, any existing lot or structure or use of an existing lot or structure does not conform to one or more of the regulations applicable to the district in which the lot or structure is located. Among other possibilities, a nonconforming situation may arise

because a lot does not meet minimum acreage requirements, because structures exceed maximum height limitations, because the relationship between existing buildings and the land (in such matters as density and set-back requirements) is not in conformity with this Ordinance, because signs do not meet the requirements of this Ordinance, or because land or buildings are used for purposes made unlawful by this Ordinance.

- 2-3.93 Nonconforming Structure(s).** A structure that does not conform to the requirements of this Ordinance. The nonconformity may result from adoption of this Ordinance or any subsequent amendment.
- 2-3.94 Nonconforming Use.** A use which once was a permitted use on a parcel of land or within a structure, but which is not now a permitted use. The nonconformity may result from the adoption of this Ordinance or any subsequent amendment.
- 2-3.95 Nonconformity, Dimensional.** A nonconforming situation that occurs when the height, size, or minimum floor space of a structure or the relationship between an existing building or buildings and other buildings or lot lines does not conform to the regulations applicable to the district in which the property is located.
- 2-3.96 Nursing Home.** An establishment which provides full-time convalescent or chronic care, or both, to persons who are not related by blood or marriage to the operator, or who, by reason of advanced age, chronic illness or infirmity, are unable to care for themselves.
- 2-3.97 Owner.** A holder of any legal or equitable estate in the premises, whether alone or jointly with others, and whether in possession or not.
- 2-3.98 Pedestrian Way.** A right-of-way or easement dedicated to public use to facilitate pedestrian access to adjacent streets and properties.
- 2-3.99 Permit-issuing Authority/Board.** The person or board authorized by this Ordinance to issue a permit in accordance with the requirements of this Ordinance. The term applies to the Zoning Inspector when issuing a zoning permit and the Board of Commissioners when issuing a special use permit.
- 2-3.100 Person.** Any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, or public or private institution, utility, cooperative, interstate body or other legal entity.
- 2-3.101 Plat.** A surveyed map or plan of a parcel of land which is to be, or has been subdivided.
- 2-3.102 Principal Building.** A building in which is conducted the principal use of the buildable lot on which it is located or, in a group housing development, of the building site on which it is located.
- 2-3.103 Principal Dwelling.** Any principal building or structure which is used and designed for human habitation including living, sleeping, cooking and eating activities excluding dormitories, hotels, motels, shelters for the homeless or other structures designed for transient residents.
- 2-3.104 Principal Structure.** A structure(s) in which is conducted the principal use(s) of the lot on which it is located.

- 2-3.105 Private Drive.** A vehicular travelway not dedicated or offered for dedication as a public street, providing access to parking lot(s) for two or more principal buildings in a group housing development.
- 2-3.106 Private Sewer.** A system which provides for collection and/or treatment of wastewater from a development, or property, and which is not maintained with public funds.
- 2-3.107 Private Street.** A vehicular travelway not dedicated or offered for dedication as a public street, but resembling a cul-de-sac or a local street by carrying traffic from a series of driveways to the public street system.
- 2-3.108 Private Water.** A system which provides for the supply and/or distribution of potable water for use by a development, project, or owner, and which is not operated or maintained by a government organization or utility district.
- 2-3.109 Public Sewer.** A system which provides for the collection and treatment of sanitary sewage from more than one property, and is owned and operated by a government organization or sanitary district.
- 2-3.110 Public Street.** A dedicated public right-of-way for vehicular traffic which 1) has been accepted by the Town of White Lake or the NCDOT for maintenance; or 2) is not yet accepted but in which the roadway design and construction have been approved under public standards for vehicular traffic.
- 2-3.111 Public Water.** A system which provides distribution of potable water for more than one property and is owned and operated by a government organization or utility district.
- 2-3.112 Rear Setback.** A setback from an interior property line lying on the opposite side of the lot from the front street setback.
- 2-3.113 Recreational Vehicle.** A vehicle which is built on a single chassis, designed to be self-propelled or permanently towable by a light duty vehicle, and designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel or seasonal use.
- 2-3.114 Recreational Vehicle Park.** Any site or tract of land, of contiguous ownership, upon which ten or more recreational vehicles or tent spaces are provided for occupancy according to the requirements set forth in this Ordinance.
- 2-3.115 Recreational Vehicle Space.** A plot of land within a recreational vehicle park designed for the accommodation of one recreational vehicle in accordance with the requirements set forth in this Ordinance.
- 2-3.116 Reservation.** An obligation shown on a plat or site plan to keep property free from development and available for public acquisition for a stated period of time. It is not a dedication nor a conveyance.
- 2-3.117 Retaining Wall.** A structure, either masonry, metal, or treated wood, designed to prevent the lateral displacement of soil, rock, fill or other similar material.

- 2-3.118 Reverse Frontage Lot.** A through lot which is not accessible from one of the parallel or non-intersecting streets upon which it fronts.
- 2-3.119 Roof Line.** The top edge of the roof or the top of the parapet, whichever forms the top line of the building silhouette.
- 2-3.120 Rooming Unit.** A room designed, occupied, or intended for occupancy as separate living quarters with sleeping, but not necessarily cooking and sanitary facilities provided therein.
- 2-3.121 Seating Capacity.** The actual seating capacity of an area based upon the number of seats, or one seat per eighteen inches of bench or pew length. For other areas where seats are not fixed, the seating capacity shall be determined as indicated by the NC Building Code.
- 2-3.122 Setback.** The minimum required horizontal distance between a structure or activity and the property line or the street right-of-way line.
- 2-3.123 Shopping Center.** A group of commercial establishments planned, developed, and managed as a unit with a unified design of buildings and with coordinated parking and service areas.
- 2-3.124 Side Setback.** Any interior property line setback other than a rear setback.
- 2-3.125 Sight Distance Area, Horizontal.** The area formed by extending lines from the point of intersection of intersecting streets along the centerline of such streets for a distance of forty feet and connecting the ends of such lines by a straight line to form the base for a triangle. Each of the two sides of the triangle will be forty feet in length.
- 2-3.126 Sight Distance Area, Vertical.** The area between three feet and ten feet above the horizontal area measured from the level of the point of intersection of the centerlines of the intersecting streets.
- 2-3.127 Sight Distance Easement.** An easement which grants to the Town of White Lake the right to maintain unobstructed view across property located at a street intersection.
- 2-3.128 Sign.** See sign definitions Article XIII.
- 2-3.129 Sign Permit.** A zoning permit issued by the Zoning Inspector that authorizes the location of a sign.
- 2-3.130 Single-Family Detached Dwelling.** A separate, detached building designed for and occupied exclusively by one family.
- 2-3.130.1 Special Exception.** A specific authorization granted in accordance with the provisions of Section 6-3.3(C) by the Board of Adjustment for the extension, enlargement, or replacement of a nonconforming use (*Amendment 7/10/01*).
- 2-3.131 Special Promotion.** An advertising activity or circumstance of a business which is not part of its daily activities or normal routine, and in which the display or sale of

merchandise, wares, or other tangible items is the sole purpose for the promotion. Special promotions include grand openings or closeout sales, but do not include reoccurring sales advertisements or other similar publicity.

**2-3.132 Special Use Permit.** A permit issued by the Board of Commissioners authorizes the recipient to make use of property in accordance with the requirements of this Ordinance or as well as any additional requirements imposed by the Board of Commissioners.

**2-3.133 Stabilizing Vegetation.** Any vegetation that protects the soil against erosion.

**2-3.134 Storm Drainage Facilities.** The system of inlets, conduits, channels, ditches and appurtenances which serve to collect and convey stormwater through and from a given drainage area.

**2-3.135 Stormwater Runoff.** The direct runoff of water resulting from precipitation in any form.

**2-3.136 Street Right-of-Way.** A strip of land occupied or intended to be occupied by a travelway for vehicles and also available, with the consent of the appropriate governmental agency, for installation and maintenance of sidewalks, traffic control devices, traffic signs, street name signs, historical marker signs, water lines, sanitary sewer lines, storm sewer lines, gas lines, power lines, and communication lines.

**2-3.137 Street Setback.** Any setback from a street, road, or lane.

**2-3.138 Structure.** Anything constructed, erected, or placed.

**2-3.139 Subcollector Street.** A street whose principal function is to provide access to abutting properties, but which is also designed to be used or is used to connect local streets with collector or higher classification streets.

**2-3.140 Subdivider.** Any person who subdivides land.

**2-3.141 Subdivision.** All divisions of a tract or parcel of land into two or more lots, building sites, or other divisions when any one or more of those divisions is for the purpose of sale or building development (whether immediate or future), and includes all division of land involving the dedication of a new street or a change in existing streets; however, the following shall not be included within this definition:

(A) The combination or recombination of a portion of previously subdivided and recorded lots if the total number of lots is not increased, and the resultant lots are equal to or exceed the standards of this Ordinance.

(B) The division of land into parcels greater than ten acres if no street right-of-way dedication is involved.

(C) The public acquisition by purchase of strips of land for the widening or opening of streets or for public transportation system corridors.

(D) The division of a tract in single ownership, the entire area of which is not greater than two acres into not more than three lots, if no street right-of-way dedication is

involved, and if the resultant lots are equal to or exceed the standards of this Ordinance. (Amended 01-09-07)

- 2-3.142 Swimming Pool.** A water-filled enclosure, permanently constructed or portable, having a depth of more than eighteen inches below the level of the surrounding land, or an above-surface pool, having a depth of more than thirty inches designed, used, and maintained for swimming and bathing.
- 2-3.143 Temporary Building.** Any building of an impermanent nature, or one which is designed for use for a limited time, including any tent or canopy.
- 2-3.144 Temporary Emergency, Construction, or Repair Residence.** A residence (which may be a manufactured home) that is: (i) located on the same lot as a residence made uninhabitable by fire, flood, or other natural disaster and occupied by the persons displaced by such disaster, or (ii) located on the same lot as a residence that is under construction or undergoing substantial repairs or reconstruction and occupied by the persons intending to live in such permanent residence when the work is completed; or (iii) located on a nonresidential construction site and occupied by persons having construction or security responsibilities over such construction site. (See Section 11-1.45 for specific standards related to such residences.)
- 2-3.145 Temporary Event.** An activity sponsored by a governmental, charitable, civic, educational, religious, business, or trade organization which is infrequent in occurrence and limited in duration. Examples include arts and crafts shows, athletic events, community festivals, carnivals, fairs, circuses, concerts, conventions, exhibitions, trade shows, outdoor religious events and other similar activities.
- 2-3.146 Temporary Structure.** Any structure of an impermanent nature or one which is designed for use for a limited time, including any tent or canopy.
- 2-3.147 Tenant.** Any person who alone, or jointly, or severally with others occupies a building under a lease or holds a legal tenancy.
- 2-3.148 Thoroughfare Plan.** A plan adopted by the Board of Commissioners for the development of existing and proposed major streets that will adequately serve the future travel needs of an area in an efficient and cost effective manner.
- 2-3.149 Through Lot.** A lot abutting two streets that do not intersect at the corner of the lot.
- 2-3.150 Tourist Cottages.** A commercial operation primarily engaged in the seasonal rental, on a daily, weekly or monthly basis, of attached or detached lodging units. The lodging units, which may also contain cooking and eating facilities, are short-term, seasonal housing accommodations similar to that provided by a motel or resort lodge.
- 2-3.151 Tourist Home.** A private residence in which accommodations are provided for lodging and may include meals for overnight guests for a fee.
- 2-3.152 Town.** The Town of White Lake, North Carolina.
- 2-3.153 Townhouse Dwelling.** A building consisting of single-family residences attached to one another in which each unit is located on an individually-owned parcel, generally within a development containing drives, walks and open space in common area.

- 2-3.154 Townhouse Lot.** A parcel of land intended as a unit for transfer of ownership, and lying underneath, or underneath and around, a townhouse, patio home, or unit in a nonresidential group development.
- 2-3.155 Tract.** All continuous land and bodies of water in one ownership, or contiguous land and bodies of water in diverse ownership, being developed as a unit, although not necessarily all at one time.
- 2-3.156 Two-Family Dwelling.** A building on one lot arranged and designed to be occupied by two families living independently of each other.
- 2-3.157 Understory Tree.** A species of tree which normally grows to a mature height of fifteen to thirty-five feet in height.
- 2-3.158 Use.** The purpose or activity for which land or structures is designed, arranged or intended, or for which land or structures are occupied or maintained.
- 2-3.159 Use(s), Accessory.** A structure or use that: 1) is clearly incidental to and customarily found in connection with a principal building or principal use; 2) is subordinate to and serves a principal building or principal use; 3) is subordinate in area, extent, or purpose to the principal building or principal use served; 4) contributes to the comfort, convenience, or necessity of occupants, business, or industry, in the principal building or principal use served; and 5) is located on the same lot as the principal building or principal use served.
- 2-3.160 Use, Mixed.** Occupancy of building or land by more than one use.
- 2-3.161 Use(s), Principal.** The primary purpose or function that a lot or structure serves or is proposed to serve.
- 2-3.162 Utility Easement.** An easement which grants to the Town of White Lake or other utility provider the right to install and thereafter maintain any and all utilities including, but not limited to, water lines, sewer lines, septic tank drain fields, storm sewer lines, electrical power lines, telephone lines, natural gas lines and community antenna television systems.
- 2-3.163 Variance.** Official permission from the Board of Adjustment to depart from the requirements of this Ordinance.
- 2-3.164 Waiver.** Official permission from a designated permit-issuing authority, other than the Board of Adjustment, to depart from specified requirements of this Ordinance.
- 2-3.165 Zoning Inspector.** The person(s) authorized by Section 3-3 who is responsible for administering and enforcing this Ordinance.
- 2-3.166 Zoning District.** An area defined by this Ordinance and delineated on the Official Zoning Map, in which the requirements for the use of land and in which building and development standards are prescribed.
- 2-3.167 Zoning Permit.** A permit issued by the Zoning Inspector that authorizes the recipient to make use of property in accordance with the requirements of this Ordinance.

**2-3.168 Zoning Vested Right.** A right established pursuant to NCGS 160A-385.1 to undertake and complete the development and use of property under the terms and conditions of an approved site development plan. (See Section 4-15.)

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