

- (h) Commercial aircraft repair facilities, new aircraft dealers and used aircraft dealers may gradually accumulate wrecked, inoperable and cannibalized aircraft to the point where they become commercial salvage yards or aircraft junkyard. This chapter identifies four or more disassembled, wrecked, inoperable, or cannibalized aircrafts not currently awaiting repair that have remained disassembled, wrecked, and inoperable for six months or longer to constitute accumulated junk.
- (i) Commercial vehicle wrecker services which are required to store vehicles requiring a title per city, county, and state regulations are exempt from screening requirements when they verify that the processing for change of ownership or sale of impounded vehicles is in progress. Vehicles impounded for one year or more will require screening.
- (j) Antique vehicles and other vehicles which are properly registered and are in a verifiable restoration process are exempt from the standards set forth in this chapter.
- (k) In the event a property is developed adjacent to an existing establishment dealing in salvaged material and accumulated junk, the screening requirements shall not be the responsibility of the commercial establishment.

(5) Specific screening requirements.

- (1) Commercial junkyard, salvage yards and accumulated junk establishments as defined in this chapter, must screen accumulated junk from public view. If screening is not provided by building, topographical features or dense vegetation, manmade and installed or man planted screening shall be provided.
- (2) Screening shall consist of opaque fencing, buildings, dense vegetation, or a combination of these, to a minimum height of six feet, to conceal vertically accumulated junk. Screening shall be freestanding and extend from the ground level. Tarpaulins, tents or other temporary screens are not acceptable screening materials.
- (3) Deteriorated screening materials and vegetation shall be replaced to maintain complete screening. Accumulated junk establishments have two months from the date of notification that screening has deteriorated to initiate restoration on complete screening, consistent with seasonal planting conditions. Vegetation which has seasonal changes that open the accumulated junk to public view are not sufficient to meet the requirements of this chapter and must be replaced by fencing or suitable vegetation.
- (4) Screening materials shall be set back from the road or street right-of-way or the property boundaries a distance of one foot, or a sufficient distance to allow installation of the screening material between the accumulated junk and the public. Accumulated junk shall not be used to support the screening material or comprise part of the screen itself.
- (4) An owner/operator may install the screen adjacent to the accumulated junk to facilitate

screening from public view if the property boundaries are more than five feet from the accumulated junk.

Section 7-11-16 Enforcement

The enforcement of this Section rests with the Town Manager or his designee. The enforcement officer shall notify the property owner or operator of the establishment of the violation and the owner/operator shall have a period of ninety (90) days from the date of notification to comply with this Section.

ARTICLE XII. DEFINITIONS

For the purpose of this ordinance, certain terms and words are defined as follows: Words used to identify one gender shall be interpreted as including all genders; words used in the present tense include the future tense; words used in the singular include the plural, and words used in the plural include the singular; the word “person” includes a firm, association, organization, partnership, corporation, trust and company as well as an individual; the word “lot” includes the word “plot” or “parcel”; the word “building” includes the word “structure”; the word “shall” is always mandatory and not directory; the word “may” is permissive; the words “used” or “occupied” as applied to any land or building, shall be construed to include the words “intended,” “arranged,” or “designated to be used” or “occupied”; the words “residential property” shall apply to land zoned for residential use and to other land occupied by residential structures. The words “a map”, “a zoning map”, or “Town of Holly Ridge Zoning Map” shall mean the Zoning Map of Holly Ridge, North Carolina; the words “article,” “Zoning Ordinance” or “Town of Holly Ridge Zoning Ordinance” shall mean the Zoning Ordinance of Holly Ridge, North Carolina; the words “Holly Ridge planning area” or “planning area” shall mean the area within which Holly Ridge exercises zoning authority. All other words not defined below shall be defined by the North American Industry Classification System (NAICS). If the word cannot be found in the NAICS, the standard edition of the Webster’s Dictionary shall be used.

ACCESSORY APARTMENT - A secondary dwelling unit established in conjunction with and clearly subordinate to a primary dwelling unit, whether a part of the same structure as the primary dwelling unit or a detached dwelling unit on the same lot.

ACCESSORY STRUCTURE - See Structure, Accessory.

ACCESSORY USE - See Use, Accessory.

ACCESS EASEMENT - The right of a dominant property owner to use the property of an owner for egress and ingress. For purposes of this ordinance, all access easements shall include the right to install utilities.

ADMINISTRATOR OF ZONING - The Administrator of the Town of Holly Ridge Planning Department.

ADULT USES - Any structure or use of land which meets the definition of adult business or sexually oriented business as outlined in G.S. 14.202.10. For the purposes of this ordinance, lingerie modeling, exotic dancing and private dancing shall be considered as and subject to the same ordinances and regulations as those provided for adult uses. (Licensed health massage/body work therapists shall not be considered an adult massage business).

AGRICULTURAL LAND - Any parcel of land which is used in the raising of agricultural, dairy or forest products, livestock, poultry or fur bearing animals (see bona fide farm).

AGRICULTURAL, CROP PRODUCTION - The use of land for the primary purpose of raising and harvesting row, field or tree crops on a commercial basis on a bona fide farm. The

growing and sale of agricultural crops on the premises shall not constitute agricultural crop production (see bona fide farm).

AGRICULTURAL, LIVESTOCK PRODUCTION - The use of land for the primary purpose of raising animals or producing animal products, such as eggs or dairy products, on a commercial basis on a bona fide farm, including grazing, ranching and dairy farming (see bona fide farm).

AIRPORT - Landing fields, aircraft parking or service facilities, passenger or baggage terminals, or related facilities for operation, service, fueling, repair, storage, charter, sales or rental of aircraft, operated by an airport authority or other corporation.

ALLEY - A vehicular way used for providing service access along rear or side property lines of lots.

AMORTIZATION - The process of providing for a time extension of a use, which is not in compliance with this ordinance.

AMUSEMENT PARK - A commercially operated enterprise that offers rides, games, and other forms of entertainment. This does NOT relate to an Adult Establishment or Use.

ANIMAL HOSPITAL/VETERINARY CLINIC - Any facility used for the purpose of giving licensed medical treatment to animals or pets and any other customarily incidental treatment of the animals, such as grooming, boarding or selling of pet supplies.

AQUARIUM - An establishment where aquatic collections of living organisms are kept and exhibited.

APARTMENT - A room or suite of rooms which provides complete independent living facilities for one (1) or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation in each separate unit.

APPEAL - An action requesting reversal or modification of an interpretation or decision made by the Zoning Administrator in the application of these regulations.

ASPHALT PRODUCTS MANUFACTURING - A facility preparing asphalt and/or concrete mixtures for street, parking lot and driveway paving.

AUCTION HOUSE - A structure or enclosure where goods are sold by auction.

AUTOMATIC TELLER MACHINE - A machine that provides banking or financial services.

AUTOMOBILE SALVAGE YARD - Any establishment which is maintained, used or operated for storing, keeping, buying and/or selling two (2) or more wrecked, junked, scrapped, ruined, dismantled or inoperable motor vehicles, regardless of the length of time which individual motor vehicles are stored or kept at said establishment.

AUTOMOBILE, TRUCK AND MOTORCYCLE SALES - An establishment primarily engaged in the retail sale of new and used automobiles, trucks, motorcycles, motor scooters, mopeds, all-terrain vehicles, snowmobiles, go carts, golf carts, utility trailers and similar items.

BASE FLOOD - A flood having a one (1) percent chance of being equaled or exceeded in any given year (see Flood Ordinance).

BASE FLOOD ELEVATION - The elevation of the reach of the one hundred year flood waters (see Flood Ordinance).

BED AND BREAKFAST - The owner-occupied or manager-occupied residential facility providing no more than twelve (12) rooms for overnight lodging or lodging and meals.

BONA FIDE FARM - Crop lands, timber lands, pasture lands, apple orchards, idle or other farm lands as well as any farm houses, barns, poultry houses and tenant houses for workers, as long as such houses for workers shall be in the same ownership as the farm and located on the farm that is ten (10) acres or more (the above definition relates to zoning and should not be associated with tax or other definitions).

BOARD OF ADJUSTMENT - A Quasi-Judicial body, appointed by Town Council, responsible for hearing and deciding appeals, variances requests, special exceptions, and interpretations of the zoning regulations.

BUFFERS - The portion of a yard where special plantings or fences may be required by the Zoning Ordinance to separate and partially screen two (2) adjacent land uses that are ordinarily incompatible. Buffers may include uniform walls, fences, hedges, landscaped areas, berms, additional setbacks, or at the discretion of the Zoning Administrator, combinations of the above.

BUILDABLE AREA - The area of a zoning lot remaining after the minimum setback requirements of this Ordinance have been satisfied.

BUILDING - (SEE STRUCTURE)

BUILDING, PRINCIPAL - The building in which the principal use of the zoning lot is conducted.

BUILDING HEIGHT - The maximum height of a building permitted on a lot. Building height is determined from the vertical distance as measured from the lowest adjacent grade to the building to the highest point on the building.

CAMPGROUNDS AND RECREATIONAL VEHICLE PARKS - A site intended and designed to accommodate recreational vehicles or tent spaces as temporary living quarters for recreational or vacation purposes.

CAMPSITES - Unimproved sites for tents only, no utility hookups are permitted.

CARPORT - A roofed structure enclosed on not more than two (2) sides and used for the

parking of motor vehicles (see Dimensional Requirements Table for setbacks).

CAR WASH - A facility where motor vehicles are washed, cleaned, and/or waxed by hand or with manually operated equipment or automatic machinery.

CEMETARY- Land and facilities used for burial of the dead meeting the requirements of a perpetual care cemetery under State law. Such a facility includes any burial ground, mausoleum, or columbarium.

CERTIFICATE OF ZONING COMPLIANCE - A statement, signed by the Zoning Administrator, stating that the plans for a building, structure, or use of land complies with the Zoning Ordinance of the Town of Holly Ridge.

CHIEF CODE ENFORCEMENT OFFICER- The Town Manager

CHILD CARE CENTER - A day care facility in which day care is provided for thirteen (13) or more children when any child is preschool age or sixteen (16) or more children when all children are school age.

CHILD DAY CARE (SMALL HOME) - A day care operation in which day care is provided for up to five (5) preschool age children, plus up to three (3) additional school age children (see home occupation for requirements).

CHILDREN'S HOME - A facility engaged in the care of children who have been abandoned or given up for adoption. Such home may include living quarters, dining areas, recreation areas, education facility, etc. (see home occupation).

CHURCH - A facility of a religious organization operated for worship and which may include religious training or study.

CLUB OR LODGE - A building or land used for the activities of a non-profit membership organization for recreation or social purposes but not adjunct to, or operated in connection with, a drinking establishment (bar, nightclub or tavern). This does NOT relate to an Adult Establishment or Use.

CODE ENFORCEMENT ADMINISTRATOR- A sworn Code Enforcement Officer designated by the Town Manager as head of enforcement for the provisions of this Ordinance and the North Carolina State Building Codes.

CODE ENFORCEMENT DEPARTMENT - Holly Ridge Code Enforcement Department (Inspections Department).

CODE ENFORCEMENT OFFICER- A sworn officer to enforce the provisions of this Ordinance and the North Carolina State Building Codes.

COLLEGE OR UNIVERSITY - An institution of higher education offering associate, undergraduate and/or graduate degrees.

COMMON OPEN SPACE - Open space held in common ownership by property or unit owners in a development, normally provided for in the declaration or restrictive covenants.

COMMUNITY CENTER, PUBLIC - An area or facility designed to meet the demand for active recreation, including play fields, ball diamonds, parks with picnic and playground equipment, tennis courts, swimming pools, tot lots and similar uses, available to the public and under the management or control of a public agency.

COMMUNITY CENTER, PRIVATE - An area or facility established to serve as a recreation and/or meeting area for the residents of a subdivision or development if the site is shown on the approved subdivision or development plans.

CONDOMINIUM - A dwelling unit owned as a single family home within a multiple property together with an undivided portion of ownership in areas and facilities held in common with other property owners in the development. Condominiums may take a number of forms such as attached townhouses, apartments, or other forms of residential structures. The common areas and structures may include underlying land, parking areas, recreation facilities, swimming pools and in the case of an apartment house, hallways, basements, heating units and elevators.

CONSTRUCTION, START OF - After issuance of a building permit by the Inspections Department, the first placement of a structure, including a manufactured home, on a site for which a building inspection is required. This shall include forming and bracing for concrete placement; the subsequent installation and tying of steel reinforcements for footings, piles or columns (if required), the pouring of slabs, or footings or excavation or the placement of a manufactured home on a foundation.

CONTIGUOUS AREA - Any area which abuts directly on a subject property or is separated from the subject property by a street or the right of way of a railroad or other utility or public service corporation.

CONVENIENCE CENTER - A lot or parcel of land established by a local government for the collection of recycling material and/or other solid waste.

CONVENIENCE STORE - Any retail establishment offering for sale gasoline, diesel fuel, kerosene, automotive products, prepackaged food products, household items, and/or other goods commonly associated with the same.

CORNER LOT - See Lot, Corner.

CORRECTIONAL FACILITY - A facility providing housing and care for individuals confined by law, operated under the authority of local, State or Federal government.

CREMATORIUM - A location containing a properly installed, certified apparatus intended for the use in the act of cremation.

CROP PRODUCTION - See Agricultural Crop Production.

COUNTRY CLUB (PRIVATE) - A private club that requires a paid membership and has an area designed for golf, including a Par 3 golf course, having at least nine (9) holes, each with a tee, fairway, green, and one (1) or more hazards. A clubhouse, pool and other facilities associated with a country club built around a golf course are considered part of the golf course.

COUNTRY CLUB (PUBLIC) - An area open to the public, designed for golf, including a Par 3 golf course, having at least nine (9) holes, each with a tee, fairway, green and one (1) or more hazards. A clubhouse, pool and other facilities associated with a country club built around a golf course and considered part of the golf course.

DENSITY - The ratio of dwelling units permitted on a zoning lot to the area of the zoning lot.

DEVELOPMENT AMENITIES (CLUBHOUSE, POOL, ETC) – Recreation and social facilities and their associated structures, incorporated in a residential development intended for the use of the residents of the development and their guests.

DWELLING, DUPLEX - A building containing two (2) dwelling units, each of which is totally separated from the other by an un-pierced wall extending from ground to roof or an un-pierced ceiling and floor extending from the exterior wall to exterior wall, except from a common stairwell exterior to both dwelling units.

DWELLING, MODULAR- A dwelling unit constructed in accordance with the standards set forth in the North Carolina State Building Code and composed of components substantially assembled in a manufacturing plant, having a permanent foundation and inspected as a site built home.

DWELLING, MODULAR (ON FRAME) - See Manufactured Home.

DWELLING, MULTI FAMILY - A building constructed on site in compliance with the North Carolina State Building Code and designed for three (3) or more dwelling units.

DWELLING, SINGLE FAMILY (SITE BUILT) - A residential building constructed completely on site for occupancy by one (1) single family.

EASEMENT - A grant of one (1) or more of the property rights for a specific purpose by the property owner to, or for the use by the public, a utility or other persons.

ELECTRONIC GAMING OPERATION - A business enterprise where persons utilize electronic machines, included but not limited to personal computers and dedicated gaming terminals, to conduct games of chance, including sweepstakes, and where cash, merchandise, or other prizes are redeemed or otherwise distributed. May also be referred to as cyber or internet sweepstakes.

ENGINEER - A person licensed to practice engineering in the State of North Carolina.

ENVIRONMENTAL HEALTH - Onslow County Environmental Health Department.

EROSION - The wearing away of land surface by the action of wind, water, gravity or any

combination thereof.

EROSION CONTROL ACT - The North Carolina Sedimentation Pollution Control Act of 1973 and all rules and orders adopted pursuant to it and amendments (regulated by NCDEQ).

EROSION, NATURAL - The wearing away of the earth's surface by water, wind, or other natural agents under natural environmental conditions on property undisturbed by man.

FAMILY - One (1) or more persons related by blood, adoption or marriage and their foster parents, or children or step parents or step children, living together in a single dwelling unit; or a number of persons eighteen (18) years or older, not exceeding four (4) and their children or step children under eighteen (18) years of age, living together in a single dwelling unit, though not all related by blood, adoption or marriage; and such domestic servants as are employed on the same premises. A family may include five (5) or fewer foster children placed in a family foster home licensed by the State of North Carolina. The term family shall not be construed to include any group of persons living together as a fraternal, social, honorary or professional organization.

FAMILY CARE HOME - A housing facility with support and supervisory personnel licensed by the State of North Carolina or operated by a non-profit corporation chartered pursuant to Chapter SSA, North Carolina General Statutes, which provides room and board, personal care and rehabilitation services in a supportive family environment for not more than six (6) residents, exclusive of supervisory personnel, including but not limited to handicapped persons, older adults, foster children, abused individuals, homeless persons and those recovering from drug or alcohol abuse. This use shall include Family Care Homes as defined in North Carolina General Statute 168-21. This use shall not serve primarily as an alternative to incarceration and shall not include individuals who are dangerous to others, as defined in North Carolina General Statute 122C3(11) and shall not include persons living together as a fraternal, social, honorary or professional organization.

FARM TENANT HOUSING - A dwelling unit occupied by the family of a person employed in agriculture related activities on the premises.

FEDERAL AVIATION ADMINISTRATION - FAA.

FEDERAL COMMUNICATIONS COMMISSION - FCC.

FEDERAL TELECOMMUNICATIONS ACT OF 1996 - FTA.

FIRE DEPARTMENT – Holly Ridge Fire Department.

FIREARM - any gun from which a bullet is propelled by means of hot gases generated by burning powder (smokeless or black powder).

FLASHING SIGN - Any sign which contains a light source and maintains the same appearance or copy display for at least three (3) seconds or more. Electronic message boards whose copy display or message does not change more frequently than every thirty (30) seconds shall not be

considered flashing.

FLOOD BOUNDARY AND FLOODWAY MAP - An official map on which the Federal Emergency Management Agency had delineated both the floodway and floodway fringe areas. Said maps also contain cross sectional information relevant to both the floodway and floodway fringe areas with data available in official reports supplied by the Federal Emergency Management Agency.

FLOOR AREA, GROSS - The total number of square feet on all floors of a building, as measured from the outside faces of the building.

FOOD STORE - An establishment primary engaged in selling food for home preparation and consumption, and other related items.

FRONT LOT LINE - See Lot Line, Front.

FRONT YARD - See Yard, Front.

FRONTAGE - The property abutting on one (1) side of a street measured along the street right of way line.

FUNERAL HOME - An establishment engaged in undertaking services, such as preparing the human dead for burial and in arranging funerals.

FURNITURE AND HOME FURNISHINGS STORE - An establishment primarily engaged in the retail sale of new or used household furniture, floor coverings, draperies, curtains and upholstery materials, and miscellaneous home furnishings, such as bedding and linens, lamps and shades, mirrors, venetian blinds and window shades.

GOLF DRIVING RANGE - An open air golf practice facility.

GRADING BUSINESS - A business that provides grading services and that does not store or manufacture asphalt, concrete, sand or other similar materials on site.

GREENHOUSE, PRIVATE - A small facility where plants are grown for personal use, not for retail or commercial sale.

GREENHOUSES AND NURSERIES, COMMERCIAL - An establishment primarily engaged in the retail sale of trees, shrubs, other plants, seeds, bulbs, mulches, soil conditioners, fertilizers, pesticides, garden tools and other garden supplies to the general public.

GREENWAY - A linear open space along a natural or constructed corridor which may be used for pedestrian or bicycle passage. Greenways often link areas of activity, such as parks, schools or historic sites with each other and with populated areas.

GROUND COVER - Any natural vegetative growth or other material which renders the soil

surface stable against accelerated erosion (EROSION CONTROL).

GROUP DEVELOPMENT - Development of multiple buildings and/or uses within single parcel or parcels such as a manufactured home park, multi family development, shopping center, mini warehouses or office complex.

HARDWARE STORE - An establishment primarily engaged in the retail sale of a number of basic hardware lines, such as tools, paint and house wares, lumber and other related items.

HATCHERIES - An establishment where the eggs of fish or chicken are incubated and raised for commercial purposes.

HAZARDOUS MATERIAL - Any substance listed as such in the Superfund Amendments and Reauthorization Act (SARA) Section 302, Extremely Hazardous Substances; the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) Hazardous Substances; or Section 311 of the Clean Water Act (CWA) (oil and hazardous substances).

HAZARDOUS SUBSTANCE - Any chemical defined as a physical hazard or a health hazard under standards of North Carolina Administrative Code 7C.0101(a)(105). Physical hazards include, but are not limited to, chemicals which are combustible, explosive, flammable and reactive. Health hazards include, but are not limited to, chemicals which are carcinogens, toxins, corrosives and irritants.

HOME OCCUPATION - A business, profession, occupation or trade for the economic gain or support of a resident of the dwelling, and which is incidental and secondary to the residential use of the lot.

HOSPITAL - A facility providing medical, psychiatric or surgical services for sick or injured persons, including emergency treatment, diagnostic services, training, research, administration and other related services.

HOTEL OR MOTEL - A building or group of buildings used principally to provide shelter, with or without meals, for not fewer than four (4) paying guests.

JUNKYARD - Any open area which is maintained, operated or used for storing, keeping, dismantling, disassembling, salvaging, buying or selling junk regardless of length of time that junk is stored or kept and shall meet the requirements of all Holly Ridge Ordinances.

KENNEL -Any facility used for the purpose of boarding domesticated animals for hire. Kennels may conduct other such incidental activities, such as the sale of animals, treatment of the animals, grooming or cleaning, and the sale of pet supplies. Domesticated animals, for the purpose of this ordinance, shall be defined as dogs, cats, and other generally accepted household pets.

LAKE OR NATURAL WATERCOURSE - Any stream, river, brook, swamp, sound, bay, creek, run, branch, canal, waterway, estuary and any reservoir, lake or pond, natural or

manmade.

LAND DISTURBING ACTIVITY - Any use of the land by any person that results in a change in the natural cover or topography that may cause or contribute to sedimentation. May require a permit from NCDEQ.

LANDFILL, CONSTRUCTION AND DEMOLITION - A landfill which accepts construction or demolition debris or waste including solid waste from construction, remodeling, repair or demolition operations on pavement, buildings or other structures. Such landfills shall meet criteria set by the State of North Carolina.

LANDFILL, SANITARY - A facility for the disposal of all types of solid wastes, excluding hazardous wastes or toxic substances. Such landfills shall meet criteria set by the State of North Carolina.

LANDOWNER - Any owner of real property, including the heirs, successors, assigns and personal representatives of each owner. The owner may allow a person holding a valid option to purchase, to act as his agent or representative for purposes of submitting a proposed site specific development plan in the manner allowed by this Ordinance.

LANDSCAPE ARCHITECT - A person licensed to use the title of landscape architect in the State of North Carolina.

LIBRARY, PUBLIC - A public operated facility housing a collection of books, magazines, audio and videotapes, or other material for use by the general public.

LIGHT INDUSTRIAL – The purpose of this district is to provide locations for light industrial and/or manufacturing, processing, and assembly uses and to protect adjacent rural/residential areas from such land uses. For the purpose of this Ordinance, light industry is defined as the manufacture of small or light articles.

LIQUOR STORE - An establishment regulated by the Alcoholic Beverage Control Board selling alcoholic beverages.

LIVESTOCK PRODUCTION - SEE AGRICULTURAL LIVESTOCK PRODUCTION.

LIVESTOCK SALES - A commercial establishment wherein livestock is collected for sale or auctioning.

LOG HOME MANUFACTURING - A facility where all components of log homes are produced and shipped to work sites.

LOT - A parcel of land, the boundaries of which are established by some legal instrument such as a deed or a recorded plat (but not tax map) and which is recognized as a separate tract for purposes of transfer of title. For purposes of this Ordinance, the word “lot” shall mean any number of contiguous lots or portions of lots upon which one principal building and its accessory

buildings are located or are intended to be located.

LOT, ADJACENT - Any lot or parcel, which has a common boundary, right of way, or easement with the subject lot.

LOT, CORNER - A lot abutting two (2) or more streets in their intersection.

LOT COVERAGE - That portion of the lot area, expressed as a percent that is covered by impervious surface.

LOT, DOUBLE FRONTAGE - A lot having frontage on two (2) or more streets. A corner lot shall not be considered as having double frontage unless it has frontage on three (3) or more streets.

LOT, INTERIOR - A lot other than a corner or double frontage lot.

LOT FRONT - That side of a lot, which fronts on a street regardless of the orientation of the house/building. In the case of a corner lot, the subdivider shall designate the front of the lot for purposes of these regulations by labeling the front and side building lines as such on the final plat or plot plan.

LOT LINE - A line or series of connected line segments bounding a lot.

LOT LINE, FRONT - The line which separates the lot from a street right of way or access easement. Regardless of the orientation of the house, the front lot line is that along the right of way or easement.

LOT LINE, REAR - That lot line which is opposite and more distant from the front lot line. In cases where neither of these conditions is applicable, the Zoning Administrator shall designate the rear lot line.

LOT LINE, SIDE - A lot line other than a front or rear lot line.

LOT, NON-CONFORMING - A lot which does not meet all the dimensional requirements of the zoning district in which it is located, which exists by virtue of the fact that it lawfully existed on the day before the effective date of the Zoning Ordinance or subsequent amendments, and which continues to exist.

LOT OF RECORD - A lot which is a part of a subdivision plat which has been recorded in the office of the Register of Deeds, or a lot which is described by metes and bounds, the description of which has been so recorded, prior to the effective date of this Ordinance.

LOT WIDTH - The horizontal distance between the side lot lines at the building front setback line as measured along a straight line parallel to the front lot line or parallel to the chord thereof.

MALL - SEE SHOPPING CENTER.

MANUFACTURED HOME - A dwelling unit that is composed of one (1) or more components, each of which was substantially assembled in a manufacturing plant after 1973 and designed to be transported to the home site on its own chassis.

MANUFACTURED HOME PARK - (MOBILE HOME PARK) - A tract of land set up with two (2) or more mobile or manufactured home spaces for lease or rent. Manufactured home parks shall be developed and operated in compliance with all prevailing regulations of the Zoning Ordinance provided however, that the following shall not be included within this definition:

- Mobile or manufactured classrooms placed upon public school grounds under the auspices of the county board of education;
- Individual lots conveyed in fee simple by a grantor to a grantee(s) for the placement or erection of a mobile or manufactured home on a lot purchased and occupied by the grantee;
- Mobile or manufactured homes used in conjunction with seasonal farming operations, for the purpose of housing migratory farm workers and their families; and
- Mobile or manufactured homes temporarily placed in areas designated by the town office of emergency management to house victims of a natural disaster or cataclysmic event.
- Recreational vehicles or a vehicular type accommodation, other than a manufactured home, designed as temporary accommodations for travel, vacation or recreation purposes, which are self-propelled or is mounted on or drawn by another vehicle.

MANUFACTURED HOME PARK PLAN – A Site Plan of a proposed mobile home park, prepared by the developer in accordance with the Zoning Ordinance.

MANUFACTURED AND ON FRAME MODULAR HOMES AND RECREATIONAL VEHICLE SALES - An establishment primarily engaged in the retail sale of new and used manufactured homes, modular homes, recreational vehicles and similar items.

MANUFACTURED HOME SPACE - The land in a manufactured home park allotted to or designed for the accommodation of one (1) manufactured home.

MEAT PACKING AND POULTRY PROCESSING PLANTS - An establishment primarily engaged in the slaughtering of cattle, chickens, hogs, sheep, lambs and calves for meat to be sold or to be used on the same premises in canning, cooking, curing and freezing and in making sausage, lard and other products.

MEDICAL AND DENTAL CLINIC - An establishment primarily engaged in furnishing medical and surgical services and licensed for such practice by the State.

MEDICAL OR DENTAL LABORATORIES - An establishment primarily engaged in providing professional analytic or diagnostic services; or an establishment primarily engaged in making dentures, artificial teeth or orthodontic devices.

METAL FABRICATION PLANT - A large scale (greater than 3,001 square feet) facility which is engaged in the shaping of metal and similar materials.

METAL FABRICATION SHOP - A small scale (3,000 square feet or less) facility which is engaged in the shaping of metal and similar materials.

MINING, QUARRYING OR RESOURCE EXTRACTION - Any mining activity, as defined in State law, including:

- (A) The breaking of the surface soil in order to facilitate or accomplish the extraction or removal of minerals, ores or other solid matter.
- (B) Any activity or process constituting all or part of a process for the extraction or removal of minerals, ores, soils and other solid matter from its original location.
- (C) The preparation, washing, cleaning or other treatment of minerals, ores, or other solid matter so as to make them suitable for commercial and other uses.

Mining shall not include plants engaged in processing minerals produced elsewhere and whose refuse does not affect more than one (1) acre of land. Mining shall not include excavation or grading when conducted solely in aid of onsite farming or of onsite construction for purposes other than mining. Removal of overburden and mining of limited amounts of any ores or mineral solids shall not be considered mining when done only for the purpose and to the extent necessary to determine the location, quantity or quality of any natural deposit, provided that no ores or mineral solids removed during such exploratory excavation or mining are sold, processed for sale, or consumed in the regular operation of a business and provided further that the affected land resulting from any such exploratory excavation does not exceed one (1) acre in area.

MINI WAREHOUSE - Moving and/or storage services for household and business goods, including self-service storage facilities.

MOBILE HOME – SEE MANUFACTURED HOME

MOBILE HOME PARKS - SEE MANUFACTURED HOME PARK.

MODULAR HOMES – Homes that are built in sections at the factory and then transported to a building site on truck beds, then joined together. Modular homes are built to conform to all state, local, or regional building codes at their destinations.

MONUMENT SALES - An establishment where concrete or rock based monuments, such as yard décor, tombstones, etc., are sold.

MOTOR VEHICLE - Every vehicle, which is self-propelled, and every vehicle designed to run

upon the highways which is pulled by a self-propelled vehicle. For purposes of this definition, the term motor vehicle shall also include vehicles or implements used in farming or construction, but shall not include golf carts, ATV's and other similar recreational vehicles.

MOTOR VEHICLE BODY OR PAINT SHOP - An establishment primarily engaged in bodywork, painting or customizing of automobiles or other motor vehicles.

MOTORCROSS TRACK - A facility designed as a business or commercial enterprise for public use and used for the racing of two wheeled motorcycles, bikes, four wheel all-terrain vehicles or similar motorized vehicles.

MOTOR VEHICLE REPAIR - An establishment engaged in providing mechanical automotive maintenance and repair. This use includes service stations but does not include body working or painting.

MUSEUM OR ART GALLERY - A structure used for the display and preservation of paintings, sculpture and other constructed or natural objects illustrating human or natural art and/or history. This does NOT relate to an Adult Establishment or Use.

NCDEQ - North Carolina Department of Environment Quality.

NCDOT - North Carolina Department of Transportation.

N.C.G.S. or G.S. - North Carolina General Statute.

NURSING, CONVALESCENT, ASSISTED LIVING FACILITY - A home for persons aged, ill or with disabilities in which two (2) or more persons, not of the immediate family of the owner or manager of said home, are provided with food, shelter and nursing care.

OIL AND GASOLINE BULK STORAGE - The storage on a zoning lot of two thousand five hundred (2,500) gallons or more of flammable liquid, or two thousand (2,000) gallons water capacity or more of flammable gas, including storage tanks, above and below ground.

OPAQUE BARRIER - A vertical structure constructed of masonry, concrete, metal, wooden material, or berm, which does not allow light to pass through.

OPEN SPACE - Any area, which is not divided into private or civic building lots, streets, rights of way, parking or easements for purposes other than open space conservation.

OPEN SPACE, COMMON - Open space within a development not in individually owned lots, which is designed and intended for the common use or enjoyment of the occupants of the development.

OPEN STORAGE FACILITY - Any area which contains trash collection areas or dumpsters, open air docks, outdoor storage of bulk materials and/or parts, or areas regularly used for outdoor repair areas or service stations, motor vehicle dealers, or inspection stations as the principle use, but excluding temporary construction and related activities and closed bay docks.

INDOOR/OUTDOOR FIRING RANGE (SHOOTING RANGE) - A facility designed for the purpose of providing a place on which to discharge firearms. Noncommercial firearms training ranges and complexes operated by and for municipal, county and state law enforcement officers, and the Veterans of Foreign Wars (VFW) facility located at 188 Stump Sound Church Road are exempt from this definition. Nonprofit or charitable organizations engaging in fundraising activities by use of a shotgun using number four-shot through number nine-shot for a period not to exceed six consecutive weeks are exempt from this definition. A shotfall zone consisting of 900 feet of unencumbered space shall be required.

OUTPARCEL SITE - A lot developed separately but linked functionally to a shopping center.

OVERLAY DISTRICT - A zoning district which overlays and combines with one (1) of the principal zoning districts established by this Ordinance. In such case the property involved is subject to the requirements of both districts.

PARKING, COMMERCIAL - A principal use of a zoning lot with or without a parking structure for use as a place for the temporary or long term parking of motor vehicles.

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

PLANNED RESIDENTIAL DEVELOPMENT - A residentially zoned area, planned and developed as a unit, which is characterized by environmentally sensitive design through the use of flexible development standards.

PLANNING BOARD - The Holly Ridge Planning Board.

PLANNING STAFF - The Zoning Administrator or appointed authorized official(s) in the Holly Ridge Planning Department.

PLANTING AREA - An outdoor area, the surface of which may not be covered by impervious surface cover, such as asphalt, concrete or gravel, nor by structures, and must be devoted entirely to the planting and maintenance of trees, shrubs and groundcovers or construction of fences, walls and/or earth berms.

PLAT - A surveyed map or plan of a parcel of land which is to be or has been subdivided. A map or plan of a parcel of land which is to be or which has been subdivided.

PLAT, FINAL - The final map of all or a portion of a subdivision or site, showing the boundaries and location of lots, streets, easements and any other requirements of the Subdivision Regulations which is presented for local government approval and subsequent recordation with the Register of Deeds.

PLAT, PRELIMINARY - A map indicating the proposed layout of the subdivision or site showing lots, streets, water, sewer, storm drainage and any other requirements of the Subdivision Regulations which is presented for preliminary approval.

PORTABLE SIGN - SEE SIGN, PORTABLE.

POST OFFICE - A facility or structure used for the collection, sorting and distribution of mail and having retail services for the general public.

PREMISES - A lot or parcel of real property where a business, profession, service, commodity, product, accommodation, event, attraction or other enterprise or activity or use exists or is conducted, manufactured, sold, offered, maintained or takes place.

PRINCIPAL BUILDING - SEE BUILDING, PRINCIPAL.

PRINCIPAL USE - SEE USE, PRINCIPAL.

PRIVATE RECREATION CLUBS - A private facility designed to meet the demand for active recreation, including play fields, ball diamonds, parks with picnic and playground equipment, tennis courts, swimming pools, tot lots and similar uses. This does NOT relate to an Adult Establishment or Use.

PRIVATE SEWER SYSTEM - A wastewater treatment facility established to serve all or a portion of a residential or commercial development.

PROPERTY - Means all property subject to zoning regulations and restrictions and zone boundaries within the zoning jurisdiction of the town.

PUBLIC - Under the control or responsibility of the elected body on behalf of the general population, rather than individual or private control.

PUBLIC SEWER SYSTEM - An approved sewage disposal system, including municipal and sanitary district sewerage systems as well as “package” plants constructed in a location and to specifications approved by the Environmental Health Department and/or NCDEQ or other public utility.

PUBLIC UTILITY FACILITY - Facilities of any agency which, under public franchise or ownership, provides the general public with electricity, gas, oil, water, sewage, electronic signals or rail transportation. The term utility shall not be construed to include the following: corporate or general offices; storage or service buildings or yards; gas or oil processing, manufacturing or storage facilities; transmission towers; or postal facilities.

PUBLIC WATER SUPPLY SYSTEM - An approved water supply system, including municipal and sanitary district water systems approved by the Environmental Health Department in consultation with the NC Division of Health Services or other public utilities.

QUARRY - SEE MINING.

RADIO AND TELEVISION STUDIOS - An establishment primarily engaged in providing two-way radio/telephone communication services, telephone voice and data communications, telegraph services, radio and television broadcasting or cable and other pay television services, but excluding those uses classified as utilities.

RECREATIONAL AREA, COMMON - An area which is required in certain types of developments for active or passive recreational uses. This does NOT relate to Adult Establishment or Use.

RECREATIONAL VEHICLE - A vehicular type accommodation, other than a manufactured home, designed as temporary accommodations for travel, vacation or recreation purposes, which is self-propelled or is mounted on or drawn by another vehicle.

RECREATIONAL VEHICLE SPACE - A plot of land within a recreational vehicle park designed for the accommodation of one (1) recreational vehicle, tent or other individual camping unit on a temporary basis.

RECYCLING COLLECTION CENTER - An incidental use that serves as a community drop off point for temporary storage of recoverable resources. No processing of such items is allowed. This facility would generally be located in a shopping center parking lot or in other public or institutional areas, such as churches and schools.

RECYCLING FACILITY - A facility at which recoverable resources such as wood, rock, cement, landscape material and other beneficial fill materials are recycled and treated to be reused as fill or landscape material. Sheetrock and other material listed in the Recycling Plant definition are not included. This is not a C&D or LCID Landfill.

RECYCLING PLANT - A facility at which recoverable resources, such as newspapers, magazines, books and other paper products; glass; metal and aluminum cans; waste oil; iron and steel scrap; rubber; and/or other products are recycled and treated to return such products to a condition in which they may again be used for production.

REFINERIES - A facility which produces petroleum based products.

REHABILITATION FACILITY - A facility engaged in the treatment of substance abuse patients and or to restore (a person with disabilities, for example) to useful life through education and therapy.

RENTAL OF VEHICLES - An establishment primarily engaged in furnishing motor vehicle

WOODWORKING FABRICATION SHOP - A small scale (3,000 square feet or less) facility which is engaged in the shaping of wood and similar materials.

YARD - Any area of land located between a lot line and a required setback line. The minimum depth of a yard shall be determined by horizontal measurement at a right angle from the applicable lot line.

YARD, FRONT - The yard extending across the full width of the lot and lying between the front lot line and the front setback line as required in this Ordinance.

YARD, INTERIOR SIDE - The yard extending along the length of the lot between the required front yard and the required rear yard, and between the side lot line and the side building setback line, as required in this Ordinance, provided that the side lot line is not adjacent to a public street right of way.

YARD, REAR - The yard extending across the full width of the lot and lying between the rear lot line and the rear building setback line as required in this Ordinance.

YARD, SIDE - The yard extending between the side line of the building and the adjacent side line of the lot and extending from the rear line of the front yard to the front line of the rear yard.

YARD, STREET SIDE - The yard extending along the length of the lot between the required front yard and the required rear yard adjacent to a public right of way or private access easement and between the side lot line and the side building setback line as required in this Ordinance.

ZERO LOT LINE - A common lot line on which an interior or exterior wall of a structure may be constructed which distinguishes the property line.

ZONING ADMINISTRATOR - Individual or individuals appointed by the Town Manager charged with the administration and/or enforcement this Ordinance to the general public.

ZONING LOT - A lot, or portion thereof, with a single zoning district shall be considered and treated as one (1) zoning lot.

ZONING PERMIT - A permit issued by the Zoning Administrator or designee which authorizes the recipient to use or occupy a tract of land or a structure, or to erect, alter or install a structure or sign which fully meets the requirements of this Ordinance.