14 Definitions

14.1 Terms and Uses Defined (TA 14-02, TA 18-01, TA 19-01, TA 21-01, TA 22-01)(TA 23-02) *(TA 24-01)*

Words and terms used in this Land Development Code shall be given the meanings set forth in this section. All words and terms not specifically defined in this section shall be given their common, ordinary meanings, as the context may reasonably suggest. The reference for common ordinary meanings shall be the latest edition of *Webster's New World Dictionary of the American Language*.

Term	Definition
Accessory	Having a subordinate function. (See also Building, Accessory; Structure, Accessory; Dwelling Unit, Accessory; and Use, Accessory)
Administrative Decision	Decisions made in the implementation, administration, or enforcement of the Hickory Land Development Code that involve the determination of facts and the application of objective standards set forth in the Hickory Land Development Code or local development regulations. These are sometimes referred to as "ministerial" decisions or "administrative determinations".
Adult Bookstore	A bookstore that has 20% or more of it publicly accessible floor area and/or any use that receives a majority of its gross income during any calendar month from the sale and/or rental of printed and/or video materials/publications (including but not limited to videocassettes, books, and magazines) which are distinguished or characterized by their emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas, as defined in this section; or (2) having as a preponderance of its of printed and/or video materials/publications that are distinguished or characterized by their emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas, as defined in this section.
Adult Live Entertainment Business	Any establishment or business wherein adult live entertainment is shown for observation by patrons; or any performance of or involving the actual presence of real people which exhibits specified sexual activities or specified anatomical areas, as defined in this section.
Adult Motion Picture 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 specified sexual activities or described anatomical areas, as defined in this section, for observation by patrons therein. Adult motion picture theater does not include any adult mini-motion picture theater as defined in this section.
Adult Mini-Motion Picture Theater	An enclosed building with viewing booths designed to hold patrons which is used for presenting motion pictures, a preponderance of which are distinguished or characterized by an emphasis on matter depicting, describing, or relating to

	specified sexual activities or specified anatomical areas as defined in this section, for observation by patrons therein.
Adult Use	An adult bookstore, adult motion picture theater, adult mini-motion picture theater, or adult live entertainment business, or nude model studio as defined in this section.
Agriculture	Activities involving the raising or production or plants or animals. Accessory uses may include dwellings for proprietors and employees of the use and animal training. Examples include breeding or raising of fowl or other animals; dairy farms; stables; riding academies; farming, truck gardening, forestry, tree farming; and wholesale plant nurseries. Processing of animal or plant products, including milk, and feed lots are classified as Manufacturing and Production. Livestock auctions are classified as Wholesale Sales. Sale of products produced on site is permitted. Plant nurseries that are oriented to retail sales are classified as Retail Sales and Service.
Airports	An establishment primarily engaged in (1) operating international, national, or civil airports, or public flying fields or (2) supporting airport operations, such as rental of hangar space, and providing baggage handling and/or cargo handling services.
Alcoholic Beverages	Any beverage containing at least one-half of one percent (0.5%) alcohol by volume, including malt beverages, unfortified wine, fortified wine, spirituous liquor, and mixed beverages.
Alley	Minor public or private rights of way used primarily for vehicular access to the rear or side of properties otherwise abutting a street at the front. Alleys provide a secondary means of access to abutting property and are not intended for general vehicular traffic circulation.
All Weather Driving Surface	Roadway surface that is constructed with concrete, asphalt, or other approved surface.
Alternative Tower Structure	Clock towers, sculptures, bell steeples, light poles and similar alternative-design mounting structures that conceal the presence of antennas or towers and are architecturally compatible with the area.
Amusement Facilities, Indoor	A commercial facility providing recreational activities contained entirely within a structure. Such uses include, but are not limited to, amusement arcades, bowling alleys, indoor batting cages, billiard and pool halls, skating rinks, and theaters.
Amusement Facilities, Outdoor	A commercial facility providing recreational activities outside of a building or structure including, but not limited to, swimming pools, baseball hitting ranges, miniature and par three golf courses, golf driving ranges not accessory to a golf course, and zoos.
Animal Hospital or Veterinary Clinic	A place where animals are given medical care and the boarding of animals is limited to short-term care incidental to the hospital use.

Animals, Household	Animals which are customarily kept for personal use or enjoyment within the home, not exhibited to the public, nor raised for commercial purposes. Animals which are dangerous to humans or property when they reach maturity or have cloven or solid hooves are not household animals. Household animals shall include, but not be limited to, domestic dogs, domestic cats, canaries, parakeets, love birds, parrots, cockatiels, finches, toucans, mynah birds, guinea pigs, hamsters, mice, rats, gerbils, small reptiles, small amphibians and aquarium fish.
Animals, Large Domestic	Animals including, but not limited to, horses, donkeys, burros, llamas, bovines, goats, sheep, swine, and other animals or livestock of similar size and type. Sheep, goats, and swine under three months in age are not included when counting large animals. Miniature large animals are considered large animals.
Animals, Small Domestic	Animals or fowl including, but not limited to, chickens, guinea hens, geese, ducks, turkeys, pigeons, and other fowl not listed or otherwise defined. Mink, chinchilla, nutria, gnawing animals in general, and other animals of similar size and type. Young small animals or fowl under three months in age are not included when counting small animals or fowl.
Average Daily Traffic	Average daily traffic shall be based on the trip generation rates found in the latest edition of Institute of Traffic Engineers (ITE) Trip Generation or on a traffic study approved by the City Engineer.
Basement	The portion of a building having its floor sub-grade (below ground level) on all sides.
Basic Utilities	Infrastructure services that need to be located in or near the area where the service is provided including water and sewer pump stations; sewage disposal and conveyance systems; electrical substations; water towers and reservoirs; water quality and flow control facilities; water conveyance systems; stormwater facilities and conveyance systems; telephone exchanges; mass transit stops or turnarounds, transit centers, park-and-ride facilities for mass transit; and emergency communication broadcast facilities. Such uses generally do not have regular employees at the site. Services may be public or privately provided.
Bed and Breakfast	A private-residential establishment providing lodging, breakfast, and hospitality and providing an alternative to other forms of short-term/overnight lodging, such as hotels. All such establishments must be licensed to meet state codes and regulations and must comply with all local municipal restrictions, compliance with health and safety, fire, and building codes and regulations.
Boarding House	A house in which occupants rent one or more rooms on a nightly basis, and sometimes for extended periods of weeks, months, and years. The common parts of the house are maintained, and some services, such as laundry and cleaning, may be supplied. They may provide "room and board," that is, some meals as well as accommodation. Bed and Breakfast operations are excluded from this definition.

Buildable Area	The portion of a lot remaining after required setbacks have been provided and any conservation or preservation areas, submerged lands, easements or road rights-of-way have been subtracted from the lot area.
Building	Any roofed structure designed or intended for the support, enclosure, shelter or protection of persons, animals or property.
Building, Accessory	A subordinate building detached and at least five feet from but located on the same lot as the principal building, the use of which is incidental and accessory to that of the principal building.
Building, Principal	A building or, where the context so indicates, a group of buildings in which is conducted the principal use of the lot on which such building is located.
Building Design Elements	With regard to structures subject to regulation under the North Carolina Residential Code for One- and Two-Family Dwellings only, "building design elements" means exterior building color; type or style of exterior cladding material; style or materials of roof structures or porches; exterior nonstructural architectural ornamentation; location or architectural styling of windows and doors, including garage doors; the number and types of rooms; and the interior layout of rooms. The phrase "building design elements" does not include any of the following: (i) the height, bulk, orientation, or location of a structure on a zoning lot, (ii) the use of buffering or screening to minimize visual impacts, to mitigate the impacts of light and noise, or to protect the privacy of neighbors, or (iii) other regulations governing the permitted uses of land or structures subject to the North Carolina Residential Building Code. This definition is adopted for the limited purpose of compliance with NCGS 160D-702(b) and is not intended to limit or otherwise regulate other lawful building design regulations set forth in this ordinance.
Campground	Land containing two or more campsites which are located, established or maintained for occupancy by people in temporary living quarters, such as tents, recreation vehicles or cabins, for recreation, education or vacation purposes.
Caretaker's Residence	A dwelling unit contained within a commercial or industrial building, in compliance with all state building and fire codes, for use by one (1) Resident Manager and his or her immediate family.
Cemetery	Land used or intended to be used for the burial of human or animal remains and dedicated for cemetery purposes, including crematories, mausoleums and mortuaries, if operated in connection with and within the boundaries of such a cemetery.
Certificate of Occupancy	A document issued by an authorized official setting forth that land, a building or structure legally complies with the City of Hickory Building Code, this Land Development Code and other pertinent local and state requirements and that the same may be used for the purposes stated therein.
Certificate of Zoning Compliance	A document issued by the Planning Director certifying compliance with all terms of an approved Zoning Compliance

	Permit, and authorizing occupancy of a building, structure or land. It may either be a separate document or part of the normal documents associated with a Certificate of Occupancy, Occupational License, Building Permit, or the like.
Change of Use	The change of activities on a parcel or within a building(s) from one use to another, such uses are outlined within Article 6 of this ordinance.
Collocation	The installation of new wireless facilities on previously approved structures including towers, buildings, utility poles, and water tanks.
College	Institutions of higher learning, which offer courses of general or specialized study leading to a degree. Colleges tend to be in campus-like settings or on multiple blocks. Accessory uses include offices, housing for students, food service, laboratories, health and sports facilities, theaters, meeting areas, parking, maintenance facilities and bookstores. Examples include universities, liberal arts colleges, and community colleges. Trade schools are classified as Retail Sales and Service.
Commercial Parking	Parking facilities that are not accessory to a specific use. A fee may or may not be charged. A facility that provides both accessory parking for a specific use and regular fee parking for people not connected to the use is also classified as a Commercial Parking facility. Examples include short and long term fee parking facilities, commercial district shared parking lots, commercial shuttle parking and mixed parking lots (partially for a specific use, partly for rent to others). Parking facilities that are accessory to a use, but which charge the public to park for occasional events nearby, are not considered Commercial Parking facilities. Public transit park-and-ride facilities and publicly owned parking lots/decks are classified as Basic Utilities.
Commercial Vehicle	Any vehicle or trailer licensed by any state of the United States, Mexico, or province or territory of Canada other than domestic vehicles, as defined in this Land Development Code, or over one ton in weight or 20 feet in length.
Community Recreational Centers	Privately or publicly owned community centers, recreation clubs, such as boys and girls clubs, golf clubs, swimming clubs, tennis clubs, country clubs similar facilities that are not accessory to a residential development, park, or school.
Conditional Use	See Special Use.
Cultural Facility	The use of land, buildings, or structures to provide educational and informational services to the general public including, but not limited to, aquariums, arboreta, botanical and zoological gardens, art galleries, museums and libraries.
Container and Non-Traditional Dwelling	Dwellings constructed under NC Residential Building Code utilizing shipping containers, storage sheds, and similar structures not traditionally used for residential dwellings. This definition shall also include dwellings commonly referred to as tiny homes.

Daycare	Uses including day or evening care for children unrelated to the caregiver for a fee. Daycare uses also include the daytime care of teenagers or adults who need assistance or supervision. Examples include preschools, nursery schools, after school programs and adult daycare programs. Daycare use does not include care given by the parents, guardians or relatives of the children or by babysitters.
Day Center	An establishment that provides a combination of case management, resources or a range of like services to aid persons who are primarily indigent, needy, homeless, or transient. Such facilities shall not include overnight facilities or accommodations.
Dead End Main	Water mains where only one end of the pipe is tied into the feeder main so as to be fed from only one direction.
Detention Facilities	Facilities for the judicially required detention or incarceration of people. Inmates and detainees are under twenty-four-hour supervision by detention/incarceration officers, except when on an approved leave. Accessory uses include offices, recreational and health facilities, therapy facilities, maintenance facilities, and hobby and manufacturing activities. Examples include prisons, jails, probation centers, secure community transition facilities and juvenile detention homes.
Determination	A written, final, and binding order, requirement, or determination regarding an administrative decision.
Developer	A person, including a governmental agency or redevelopment authority, who undertakes any development and who is the landowner of the property to be developed, or who has been authorized by the landowner to undertake development on the property.
Development	Unless the context clearly indicates otherwise, the term means Any of the following: a. The construction, erection, alteration, enlargement, renovation, substantial repair, movement to another site, or demolition of any structure. b. The excavation grading, filling, clearing, or alteration of land. c. The subdivision of land as defined within this Land Development Code. d. The initiation or substantial change in the use of land or the intensity of use of land
Development Approval	An administrative or quasi-judicial approval made pursuant to the Hickory Land Development Code that is written and that is required prior to commencing development or undertaking a specific activity, project or development proposal. Development approvals include, but are not limited to, zoning permits, site plan approvals, special use permits, variances, and certificates of appropriateness. This term also includes all other regulatory approvals required by regulations adopted pursuant to the Hickory Land Development Code, including

	plat approvals, permits issued, development agreements entered into, and building permits. Unless provided otherwise by law, all rights, privileges, benefits, burdens, and obligations created by development approvals approved pursuant to this ordinance attach to and run with the land.
Development Regulation	A unified development ordinance, zoning regulation, subdivision regulation, erosion and sediment control regulation, floodplain or flood damage prevention regulation, mountain ridge protection regulation, stormwater control regulation, wireless telecommunication facility regulation, historic preservation or landmark regulation, housing code State Building Code enforcement, or any other regulation adopted pursuant to NCGS 160D, or a local act or charter that regulates land use and development.
Domestic Vehicles	Any vehicle or trailer, licensed by any state of the United States or Mexico or province or territory of Canada, as a private vehicle for operation on streets and may include, but not be limited to, automobiles, private pickup trucks, trailers, and vans.
Drinking Establishment	An establishment where alcoholic beverages are obtainable within or thereon and where such beverages are consumed on the premises. This includes all bars, nightclubs, taverns, and other similar establishments. This excludes eating establishments where food sales exceed 30 percent (30%) of the facility's total sales. If the facility also sells food, and the sale of food products represents more than thirty percent (30%) of the facility's total sales, the facility shall be considered an eating establishment. Eating establishments are classified as Retail Sales and Service.
Drive-In Window	A window or other opening in the wall of a principal or accessory building through which goods or services are provided directly to customers in motor vehicles by means that eliminate the need for such customers to exit their motor vehicles.
Duplex	Two attached dwelling units in a single structure on a single lot. Such structures shall be constructed to applicable North Carolina Building Codes for one and two family dwellings.
Dwelling	Any building, structure, manufactured home, or mobile home, or part thereof, used and occupied for human habitation or intended to be used, and includes any outhouses and appurtenances belonging thereto or usually enjoyed therewith. This term does not include any manufactured home, mobile home, or recreational vehicle, if used solely for a seasonal vacation purpose.
Dwelling, Multi-Family	Three or more attached dwelling units in a single structure on a single lot.
Dwelling, Single-Family Attached	An attached single-family dwelling unit constructed in a group of two or more, separated by property lines, in which each unit extends from the foundation to the roof, and with open space on at least two sides. Such structures shall be constructed to

	applicable North Carolina Building Codes for one and two family dwellings.
Dwelling, Single-Family Detached	A detached single-family dwelling unit, which does not share any walls with another residence, and located on a single lot with private yards on all four sides. Such structures shall be constructed to applicable North Carolina Building Codes for one and two family dwellings.
Dwelling Unit	A room or group of rooms forming a single independent habitable unit used for, or intended to be used for, living, sleeping, sanitation, cooking and eating purposes by one family only; for an owner occupancy or for rental, lease or other occupancy on a monthly or longer basis, and containing independent kitchen, sanitary and sleeping facilities.
Dwelling Unit, Accessory *(TA 14-03)*	A subordinate dwelling unit located on the same lot as the principal dwelling. Such units may either be attached or detached from the principal dwelling; provided detached units are separated by at least five (5) feet from the principal dwelling. The use of such units shall be incidental and accessory to the primary dwelling.
Eating Establishment	An establishment whose principal business is the sale of food, frozen desserts or beverages to the customer in a ready to consume state.
Extended Care Facility	See Nursing/ Extended Care Facility
Evidentiary Hearing	A hearing to gather competent, material, and substantial evidence in order to make a finding for a quasi-judicial decision required by a development regulation adopted under NCGS 160D. This term may also be referred to as "quasi-judicial hearing".
Family	Any number of people related by blood, marriage or adoption or not more than five unrelated persons living together as a single housekeeping unit, using a single facility in a dwelling unit for culinary purposes.
Family Care Home	A home with support and supervisory personnel that provides room and board, personal care and habilitation services in a family environment for not more than six resident persons with disabilities.
Fire Department Access Road	A travel-way that provides fire apparatus access from a fire station to a facility, building or portion thereof. This is a general term inclusive of all other terms such as fire lane, public street, private street, parking lot lane, and all weather driving surfaces.
Fire Flow	The flow rate of a water supply, measured at 20 pounds per square inch residual pressure that is available for fighting fire. The flow shall be available for the duration of at least 60 minutes.
Flat Roof	Any roof that has a roof slope of 2-in-12 or less.
Floor Area	The sum of enclosed areas on all floors of a building or buildings measured from the outside faces of the exterior walls, including halls, lobbies, arcades, stairways, elevator shafts, enclosed porches and balconies, and any below-grade floor area used for habitation, access and storage. Not countable as

	floor area are garages, carports, screened porches, covered decks, open terraces, patios, atriums, balconies, breezeways and outside open space devoted to commercial and service uses. Also not included are tool sheds, special purpose areas for common use (for instance, recreation and social rooms) and open basement areas not used for habitation.
Floor Area Ratio, Maximum Permitted	The floor area ratio permitted as of right in the several districts, excluding any bonus or transferred floor area.
Floor Area Ratio (FAR)	The ratio of permitted floor area to the gross land area of the lot.
Food Pantry	An establishment that primarily distributes food to indigent, needy, homeless, or transient persons; but may also distribute non-food items for human consumption but not consumption on premises.
Food Truck and Trailer	A motor vehicle or trailer towed by another vehicle, designed and equipped to sell food and/or beverages directly to consumers. It does not include wholesale food distributors. The vendor physically reports to and operates from an off-site kitchen for servicing, restocking, and maintenance.
Food Truck and Trailer Court	An improved property where two or more transient food trucks or trailers are located, Such properties provide locations for food trucks and trailers to conduct business. This definition shall apply to any property where two or more food trucks or trailers are located.
Fraternity or Sorority Houses	See Group Living Facility.
Front of lot	On interior lots, the front of a lot shall be construed as the portion nearest the street. On corner lots and through lots, the frontage of a lot shall be specified in writing by the property owner at the time of application for an initial building permit. On through lots in commercial districts, a property owner may specify an interior lot line for the establishment of frontage and the front setback provided that proper vehicular access to the specified frontage can be secured.
Frontage Line	Any lot line that abuts a public street or sidewalk. A corner lot has two frontage lines.
Golf Course	A tract of land laid out with a course having nine or more holes for playing the game of golf, including any accessory clubhouse, driving range, office, restaurant, concession stand, picnic tables, pro shop, maintenance building, restroom facility, or similar accessory use or structure. This term shall not include miniature golf courses as a principal or accessory use, nor shall it include driving ranges not accessory to a golf course.
Ground Floor	The exterior portion of a building that extends up to nine (9) feet above finished grade. *(TA 11-01)*
Group Living Facility	The residential occupancy of a structure by a group of people who do not meet the characteristics of Residential Household

	Living. The size of the group will be larger than the average size of a household. Tenancy is arranged on a month-to-month basis, or for a longer period. Uses where tenancy may be arranged for shorter periods are generally not considered group living. They are considered to be a form of transient lodging (see Retail Sales and Service). Generally, Group Living structures have a common eating area for residents. The residents may or may not receive any combination of care, training or treatment, as long as they also reside at the site.
Height	The vertical distance from the mean elevation at the finished grade along the front of the structure to the highest point of the structure or to the highest point of a flat or mansard roof or to the mean height between the eaves and ridge for a pitched roof in the case of buildings.
Highest Adjacent Grade	The highest natural elevation of the ground surface, prior to construction, next to the walls of the proposed structure.
Home Occupation	An accessory use of a dwelling unit which constitutes, either entirely or partly, the livelihood of the person(s) living in the dwelling unit.
Household	A family living together in a single dwelling unit with common access to and common use of all living and eating areas and all areas and facilities for the preparation and serving of food within the dwelling unit.
Housing, Senior	Multi-family housing designed for and occupied by persons 55 years of age or older.
Industrial Service	Uses engaged in the repair or servicing of industrial, business or consumer machinery, equipment, products or by-products. Firms that service consumer goods do so by mainly providing centralized services for separate retail outlets. Contractors and building maintenance services and similar uses perform services off-site. Few customers, especially the general public, come to the site. Examples include welding shops; machine shops; tool repair; electric motor repair; repair of scientific or professional instruments; building, heating, plumbing or electrical contractors; repair and service of heavy machinery, equipment and vehicles; printing, publishing and lithography; janitorial and building maintenance services; research and development laboratories; laundry, dry-cleaning and carpet cleaning plants; photo finishing laboratories; truck stop; and towing and wrecker service. Contractors and others who perform services off-site are included in the Office category, if equipment and materials are not stored at the site, and fabrication or similar work is not carried on at the site.
Junk	Old, dilapidated, scrap or abandoned materials, including but not limited to metal, paper, building material and equipment, bottles, glass appliances, furniture, beds and bedding, rags, rubber, motor vehicles and parts thereof.
Junkyard and Automobile Salvage Yard.	The use of more than 2,000 square feet of the area of any lot for the outdoor storage, keeping or abandonment of junk, including scrap metals or other scrap materials, or for the

	storage, dismantling, demolition or abandonment of inoperable automobiles, vehicles or machinery or parts thereof.
Kennel	Any lot or premises on which six or more household or exotic animals, more than six months of age, are housed, groomed, bred, boarded, trained or sold.
Land Development Regulation	Any State statute, rule, or regulation, or local ordinance affecting the development or use of real property, including any of the following: a. The Hickory Land Development Code. b. Erosion and sedimentation control regulation. c. Floodplain or flood damage prevention regulation. g. Stormwater control regulation. f. Wireless telecommunication facility regulation. g. Historic preservation or landmark regulation. h. Housing code.
Landowner or owner	The holder of the title in fee simple. Absent evidence to the contrary, the city may rely on the county tax records to determine who is a landowner. The landowner may authorize a person holding a valid option, lease, or contract to purchase to act as his or her agent or representative for the purpose of making applications for development approvals.
Land Excavation	Removal of 500 cubic yards or more of sand, soil, peat, muck, clay, stone, shell and the like, for disposal off-site.
Legislative Decision	The adoption, amendment, or repeal of a regulation under NCGS 160D, or an applicable local act. It also includes the decision to approve, amend , or rescind a development agreement consistent with the provisions of NCGS 160D.
Level of Service	Level of service as defined by the most current edition of the North Carolina Department of Transportation Highway Capacity Manual.
Livability Space	Livability space is part of total open space appropriately improved and located as outdoor living space for residents and for aesthetic appeal. Such space includes lawns and other landscaped areas, walkways, paved terraces and landscaped portions of street rights-of-way. Such space shall not be used for vehicles except for incidental service, maintenance or emergency access.
Loading, Off-Street	Space located outside of any street right-of-way easement and designed to accommodate the temporary parking of vehicles used for bulk pickups and deliveries.
Looped Main	Water mains where both ends of the pipe are tied into feeder mains so as to be fed from two directions.
Lodging Unit	A room or group of rooms forming a separate habitable unit used or intended to be used for living and sleeping purposes by one family only, without independent kitchen facilities, or a separate habitable unit, with or without independent kitchen facilities, occupied or intended to be occupied by transients on a rental or lease basis for periods of less than one month.
Lot	Land bounded by lines legally established for the purpose of property division.

Lot, Corner	A lot located at the intersection of two or more streets. A lot abutting a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost point of the lot (projected if rounded) meet at an interior angle of less than 135 degrees.
Lot Coverage	The percentage of lot area covered by primary structures
Lot, Front of	See “Front of lot”
Lot, Interior	A lot other than a corner lot, and abutting one street. Alleys shall not be considered streets for purposes of this definition.
Lot Line	A line that marks the boundary of a lot.
Lot Line, Interior	Any lot line that is not a street lot line; a lot line separating a lot from another lot.
Lot Line, Street	Any lot line separating a lot from a street right-of-way or general access easement. Where a lot line is located within such street right-of-way or easement, the right-of-way or easement boundary adjacent to the lot shall be considered the street lot line.
Lot of Record	A lot which is part of a subdivision, the plat of which has been recorded in the appropriate Office of the Register of Deeds or any parcel of land, whether or not part of a subdivision that has been officially recorded by a deed in said office, provided such lot was of a size which met the minimum dimensions for lots in the district in which it was located at the time of recording or was recorded prior to the effective date of zoning in the area where the lot is located.
Lot, Reversed Frontage	A lot on which the frontage is at right angles or approximately right angles (interior angles less than 135 degrees) to the general pattern in the area. A reversed frontage lot may also be a corner lot, an interior lot, or a through lot.
Lot, Through	A lot other than a corner lot, and with frontage on more than one street. Through lots abutting two streets shall be referred to as “double frontage lots” unless they are corner lots. Alleys shall not be considered streets for purposes of this definition.
Lot Width	The horizontal distance measured along a straight line connecting the points where the minimum front setback line meets the interior lot lines or, if on a corner, the other front setback line.
Major Event Entertainment	Uses characterized by activities and structures that draw large numbers of people to specific events or shows. Activities are generally of a spectator nature. Accessory uses may include restaurants, bars, concessions, parking and maintenance facilities. Examples include stadiums, sports arenas, coliseums, racetracks (auto, horse, dog, etc.), auditoriums, exhibition and meeting areas and fairgrounds. Exhibition and meeting areas with less than twenty thousand square feet of total event area are classified as Retail Sales and Service. Banquet halls that are part of hotels or restaurants are accessory to those uses, which are included in the Retail Sales and Service category. Theaters, including drive-in theaters, are classified as Retail Sales and Service.

Manufactured Home Park	The use of a single lot for the placement of two or more manufactured homes.
Manufactured Home	As provided in NCGS 143-145(7), A structure, transportable in one or more sections, which in the traveling mode is eight body feet or more in width, or 40 body feet or more in length, or, when erected on site, is 320 or more square feet; and which is built on a permanent chassis and designed to be used as a dwelling, with or without permanent foundation when connected to the required utilities, including the plumbing, heating, air conditioning and electrical systems contained therein. "Manufactured home" includes any structure that meets all of the requirements of this subsection except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the Secretary of HUD and complies with the standards established under the Act. For manufactured homes built before June 15, 1976, "manufactured home" means a portable manufactured housing unit designed for transportation on its own chassis and placement on a temporary or semi-permanent foundation having a measurement of over 32 feet in length and over eight feet in width. "Manufactured home" also means a double-wide manufactured home, which is two or more portable manufactured housing units designed for transportation on their own chassis that connect on site for placement on a temporary or semi-permanent foundation having a measurement of over 32 feet in length and over eight feet in width.
Manufacturing and Production	Establishments engaged in the mechanical or chemical transformation of materials or substances into new products, including the assembling of component pars, the creation of products, and the blending of materials, such as oils, plastics, resins, or liquors. Products are generally made for the wholesale market. Manufacturing of goods to be sold primarily on-site and to the general public are classified as Retail Sales and Service.
Marina	Establishments engaged in operating docking and/or storage facilities for aquatic pleasure craft owners, with or without one or more related activities, such as retailing fuel and marine supplies; and repairing, maintaining, or renting pleasure boats.
Medical Centers	Uses providing medical or surgical care to patients and offering overnight care. Medical Centers tend to be on multiple blocks or in campus settings. Accessory uses include outpatient clinics, offices, laboratories, teaching facilities, meeting areas, cafeterias, parking, maintenance facilities and housing facilities for staff or trainees. Examples include hospitals and medical complexes that include hospitals. Uses

	that provide exclusive care and planned treatment or training for psychiatric, alcohol or drug problems, where patients are residents of the program, are classified in the Group Living category. Medical clinics that provide care where patients are generally not kept overnight are classified as Office. Emergency medical care clinics are classified as Retail Sales and Service.
Mini Storage	A building or group of buildings containing separate, individual, and private storage spaces of varying sizes available for lease or rent for varying periods of time.
Mining	Removal or extraction of mineral or aggregate resources from the ground for off-site use. Accessory uses include storage, sorting, stockpiling or transfer off-site of the mined material. Examples include quarrying or dredging for sand, gravel or other aggregate materials; mining; and oil, gas or geothermal drilling.
Modification, Major	Any modification or amendment to a site-specific vesting plan that is not a minor modification.
Modification, Minor	Except as otherwise provided in this ordinance, a minor modification is any modification or amendment to a site-specific vesting plan that has no substantial impact on neighboring properties, to the general public, or those intended to occupy or use the proposed development. Increases in the allowable number of dwelling units, allowable square footage, or other forms of density and changes in allowable uses are not minor modifications.
Modular home	A modular home is a single-family dwelling constructed in accordance with the North Carolina Uniform Residential Building Code in a manufacturing plant and assembled on site. Such units shall be permitted in all zones where single-family dwellings are permitted, shall rest on permanent foundation and shall comply with all requirements of Section 6.2.13 of the Land Development Code except as modified herein.
Multi-Family	See Dwelling, Multi-Family
New Construction	Structures for which the start of construction commenced on or after the effective date of this Land Development Code.
Nit	A unit of luminance equal to one candela per square meter (cd/m^2).
Nonconformity	Lots, uses of land, uses of structures, structures or characteristics of uses, which were lawful before this Land Development Code was passed or amended, but which would be prohibited, regulated or restricted under the terms of this Land Development Code. The following constitutes types of nonconformities: (a) Lots; (b) Uses of land without structures or with minor structures only; (c) Uses of major structures and premises; (d) Structures; and (e) Characteristics of use which were lawful, but would be prohibited, regulated or restricted by the enactment of this Land Development Code or a subsequent amendment thereto. A nonconformity may also be created where lawful public taking or actions taken pursuant to

	a court order have the same effect as violations of this Land Development Code, if undertaken privately.
Nude Model Studio	Means any place where a person who appears semi-nude, in a state of nudity, or who displays "specified anatomical areas" is provided to be observed, sketched, drawn, painted, sculptured, photographed, filmed or similarly depicted by other persons who pay money or any form of consideration. Nude Model Studio shall not include a proprietary school licensed by the State of North Carolina or a college, junior college or university supported entirely or in part by public taxation; a private college or university which maintains and operates educational programs in which credits are transferable to a college, junior college, or university supported entirely or in part by taxation; or in a structure: (a) that has no sign visible from the exterior of the structure and no other advertising that indicates a nude or semi-nude person is available for viewing; and (b) where in order to participate in a class, a student must enroll at least three days in advance of the class; and (c) where no more than one nude or semi-nude model is on the premises at any one time.
Nursing/Extended Care Facility	Any facility which provides nursing services as defined in the North Carolina General Statutes Annotated. Facility means any institution, building, or other place, whether operated for profit or not, including those places operated by a county or municipality, which undertakes through its ownership or management to provide nursing care, personal care or custodial care for persons not related to the owner or manager by blood or marriage, who for reason of illness, physical infirmity or advanced age require such services. This term shall not include any place providing care and treatment primarily for the acutely ill.
Off-Premises	Not located on the same lot with the principal use or structure.
Open Space	Open space is the total horizontal area of uncovered open space plus one-half the total horizontal area of covered open space subject to limitations set forth below. (a) Uncovered open space is total gross residential land area not covered by buildings plus open exterior balconies and roof areas improved as recreation space. (b) Covered open space is usable open space closed to the sky, but having two clear unobstructed open or partially open sides. Partially open is construed as 50 percent open or more. Examples of covered open space areas are covered balconies, covered portions or improved roof areas, or spaces under buildings supported on columns or posts on cantilevers. The square footage countable as covered open space shall not exceed the square footage of the open sides.
Open Storage	Open Storage shall mean the storage outside of a building, or within buildings with less than three sides, of materials, stuff, supplies, merchandise, equipment, non-motorized commercial vehicles and like items, but excluding junk on a property. The following open storage uses are exempt from the regulations

	contained herein: outdoor in-service vending machines, fresh produce, Christmas trees, live plants, statuary, bagged ice in freezers, firewood in sales bins, tanks of propane in exchange racks, shopping carts, other retail goods left outside during business hours only, operable vehicles (excluding trailers), properly permitted seasonal sales and roadside stands, manufactured or modular homes, and storage buildings prefabricated to building codes
Open Storage, Accessory	Open Storage shall be considered as an accessory use only if 49 percent or less of the total land area of a lot is used for Open Storage and there exists a principle use on the same parcel of land.
Open Storage, Principal	Open Storage shall be considered as a principal use if it uses 50 percent, or more of the total land area is used for Open Storage or if no other use exists on the same parcel of land.
Parking, Off-Street	Space located outside of any street right-of-way or easement and designed to accommodate the parking of motorized domestic and commercial vehicles.
Parks and Open Areas	Uses of land focusing on natural areas, large areas consisting mostly of vegetative landscaping or outdoor recreation, community gardens or public squares. Lands tend to have few structures. Accessory uses may include club houses, maintenance facilities, concessions, campgrounds and parking. Examples include parks, golf courses, public squares, plazas, recreational trails, botanical gardens, nature preserves and land used for grazing that is not part of a farm or ranch.
Person	An individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, interstate body, the State of North Carolina and its agencies and political subdivisions, or other legal entity.
Person With Disability	A person with a temporary or permanent physical, emotional or mental disability including, but not limited to, mental retardation, cerebral palsy, epilepsy, autism, hearing and sight impairments, emotional disturbances and orthopedic impairments, but not including mentally ill persons who are dangerous to others, as defined in G.S. § 122C-3(11)b. Where applicable, this term shall also include persons defined as "disabled" by the Americans With Disabilities Act.
Personal Services	Establishments primarily engaged in providing services involving the care of a person or his or her personal goods or apparel including, but not limited to, barber shops, beauty salons, tattoo parlors, seamstress shops, dry cleaning and laundry pickup facilities.
Planned Development	Land under unified control to be planned and developed as a whole in a single development operation or a definitely programmed series of development operations. A planned development includes principal and accessory structures and uses substantially related to the character and purposes of the planned development. A planned development is built

	according to general and detailed plans which include not only streets, utilities, lots and building location and the like, but also site plans for all buildings, as are intended to be located, constructed, used and related to each other, and plans for other uses and improvements on the land as related to the buildings. A planned development includes a program for the provision, operation and maintenance of such areas, facilities and improvements as will be for common use by some or all of the occupants of the planned development district, but which will not be provided, operated or maintained at general public expense.
Playground	See Parks and Playgrounds
Portable On-Site Storage Unit	Any container designed for the storage of personal property and for transport by commercial vehicle that is typically rented to owners or occupants of property for their temporary use. A portable on-site storage unit is not a building or structure.
Pre-Existing Towers and Antennas	Any tower or antenna on which a permit has been issued prior to the effective date of this Land Development Code.
Premises *(TA 14-03)*	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.
Professional Services (Office)	An establishment containing practitioners of a calling or vocation in which knowledge of some department of science or learning is used in its application to the affairs of others. Such activities would include, but not be limited to, accounting, auditing and bookkeeping services, architectural services, engineering and surveying services, interior design services, medical offices and legal services. This use category excludes building contractors, and any use of that includes on-site retail sales and/or any use that includes outdoor storage.
Public Facility	The use of land, buildings or structures by a municipal or other governmental agency to provide protective, administrative and social services directly to the general public, including police and fire stations, municipal buildings, libraries, community centers, and any other public facility providing the above services. This category also includes water or wastewater treatment plants, telephone exchanges, resource recovery facilities, and other similar public service structures, but not including public land or buildings devoted solely to the storage and maintenance of equipment and materials and not including public cultural facilities.
Public Utility Uses	See Basic Utilities
Railroad Yards	Sites that contain multiple railroad tracks used for rail car switching, assembling of trains and transshipment of goods from other transportation modes to or from trains. Accessory uses include offices, employee facilities, storage areas and rail car maintenance and repair facilities.

Recreational Vehicle	A vehicular-type portable structure which can be towed, hauled or driven, and is primarily designed as temporary living accommodations for recreational, camping and travel use and includes, but is not limited to, travel trailers, motor homes, camping trailers, campers, automobile, truck and recreational vans.
Recycling and Salvage Facilities	Operations that process reusable material, including, but not limited to, metals (including vehicles which have been crushed off-site), glass, rubber (including tires), plastic, paper, wood, construction debris 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, garbage, biodegradable refuse such as food, medical wastes, or other similar materials, and wrecked, dismantled, or partially dismantled automobiles.
Redevelopment	The renovation of previously occupied buildings, where necessary or proposed improvements are greater than or equal to 50% of the assessed tax value, as determined by the appropriate county tax records. For the purposes of this Land Development Code, redevelopment shall be defined in this manner whenever development standards are relaxed or waived for the reoccupation of existing buildings.
Register of Deeds	The Register of Deeds in the County in which the property is located.
Religious Institutions	A structure in which worship, ceremonies, rituals, and education pertaining to a particular set of beliefs are held including, but not limited to churches, temples, synagogues, and mosques.
Research Activity	Research, development, and prototype testing related to such fields as chemical, pharmaceutical, medical, electrical, transportation and engineering, provided such activities are conducted within entirely enclosed buildings and produce no noise, smoke, glare, vibration or odor detectable outside the buildings. This use is classified as Industrial Service
Resident Manager	An owner or agent of the owner of a building, living on the premises, who exercises general supervision of the building.
Residential Household Living	Uses characterized by the residential occupancy of a dwelling unit by a household. Tenancy is arranged on a month-to-month basis, or for a longer period.
Retail Sales and Service	Firms involved in the sale, lease or rent of products to the general public. They may also provide personal services or entertainment, or provide product repair or services for consumer and business goods.
Retail, Sales Oriented	Stores selling, leasing or renting consumer, home and business goods including art, art supplies, bicycles, clothing, dry goods, electronic equipment, fabric, furniture, garden supplies, gifts, groceries, hardware, home improvement products, household products, jewelry, pets, pet food, pharmaceuticals, plants, printed material, stationary and videos, food sales, and sales or leasing of consumer vehicles including passenger vehicles, motorcycles, light and medium trucks and other recreational

	vehicles. Lumber yards and other building material sales that sell primarily to contractors and do not have a retail orientation are classified as Wholesale Sales. Bulk outdoor sales of landscape materials, including bark chips and compost, is classified as Industrial Service. Sales, rental or leasing of heavy trucks and equipment is classified as Wholesale Sales.
Retail Services	Establishments providing services or entertainment, as opposed to products, to the general public for personal or household use, including restaurants, hotels and motels; finance, real estate, and insurance offices; health educational and social services; and galleries.
Retail, Repair Oriented	Businesses engaged in repair of TVs and electronics, bicycles, clocks, watches, shoes, guns, appliances and office equipment; photo or laundry drop-off; quick printing; recycling drop-off; tailor; locksmith; and upholsterer. Repair and service of consumer motor vehicles, motorcycles, and light and medium trucks are classified as Vehicle Repair. Repair and service of industrial vehicles and equipment, and heavy trucks is classified as Industrial Service.
Quasi-Judicial Decision	A decision involving the finding of facts regarding a specific application of development regulation and that requires the exercise of discretion when applying standards of the regulation. Quasi-judicial decisions include, but are not limited to decisions involving variances, special use permits, certificates of appropriateness, and appeals of administrative determinations.
Schools	Public and private schools at the primary, elementary, middle, junior high, or high school level providing state mandated basic education. Accessory uses include play areas, cafeterias, recreational and sport facilities, auditoriums, parking and before- or after-school daycare. Examples include public and private daytime schools, boarding schools and military academies. Preschools are classified as Daycare uses. Trade schools are classified as Retail Sales and Service.
Seasonal Sales *(TA 14-02)*	Sales activities of a seasonal nature conducted as principal use or as an accessory use to established businesses, which are carried out either out-of-door, or within temporary structures. Such activities include the display and sale of Christmas trees, fireworks, pumpkins, and other goods commonly associated with a holiday or seasonal activity.
Setback	An open space unoccupied and unobstructed by any structure or portion of a structure from 36 inches above the general ground level of the graded lot upward (except as otherwise provided by these regulations); provided, however, that fences and walls may be permitted in any setback subject to height limitations established herein, and further provided that poles, posts and other customary yard accessories, ornaments and furniture shall be permitted in any required setback if they do not constitute substantial impediments to free flow of light and air across the setback to adjoining properties. In the event a

	property line extends to the middle or into part of a roadway, the front setback shall be measured from the lines shown on the applicable county tax maps.
Setback, Front	A setback extending between the side lot lines across the portion of a lot adjacent to a street in residential or office and institutional districts or a setback extending between lot lines across the portion of a lot determined to be the front yard in commercial, industrial and economic development districts.
Setback, Rear	A setback extending across the rear of a lot between the side lot lines. The rear setback shall be at the opposite end of the lot from the front lot line, excepting in the case of through lots, corner lots and waterfront lots.
Setback, Side	A setback extending along the side of a lot between the front setback line yard and the rear setback line except on corner lots where the side setback is the setback along any interior lot line that intersects with a street lot line.
Sexually Oriented Business	Any business or enterprise that has as one of its principal business purposes or as a significant portion of its business an emphasis on matter and conduct depicting, describing, or related to anatomical areas and sexual activities as specified in NCGS § 14-202.10. A "Sexually-Oriented Business" includes any Adult Use as defined in this Section.
Sexually Oriented Devices	Without limitation any artificial or simulated specified anatomical area or other device or paraphernalia that is designed principally for specified sexual activities but shall not mean any contraceptive device.
Sexually Oriented Device Retailer	Any use that has 20% or more of its publicly accessible floor area and/or any use that receives a majority of its gross income during any calendar month from the sale and/or rental of sexually oriented devices as defined in this section.
Shelter Facility	A building or group of buildings operated for the purpose of providing boarding and/or lodging and ancillary services on the premises to primarily indigent, needy, homeless, or transient persons. Emergency Shelters resulting from natural disasters, and similar circumstances, shall be excluded from this definition.
Sign	Any structure or device designed to inform or attract the attention of persons not on the premises on which the device is located.
Sign, Area	The area of a sign shall be computed as including the entire surface area within a parallelogram, triangle, circle, semi-circle or other regular geometric figure, including all of the elements of the display, but not including display of identification or licensing officially required by any governmental body or any supporting framework or bracing that is clearly incidental to the display itself and bearing no advertising matter. In the case of signs mounted back-to-back or angled away from each other, the surface area of each sign shall be computed. In the case of cylindrical signs, signs in the shape of cubes, or other signs which are substantially three-dimensional with respect to their display surfaces, the entire display surface or surfaces

	shall be included in computations of area. In the case of embellishments (display portions of signs extending outside the general display area), surface area extending outside the general display area and bearing advertising material shall be computed separately as part of the total surface area of the sign.
Sign, Freestanding	A sign which is attached to or a part of a completely self-supporting structure. The supporting structure shall be set firmly in or below the ground surface and shall not be attached to any building or any other structure whether portable or stationary.
Sign, Point of Purchase	See sign, freestanding.
Sign, Portable	Any sign not permanently attached to the ground or other permanent structure or a sign designed to be transported.
Sign, Roof	A sign supported by and erected on or above a roof that does not meet the requirements of a wall sign
Sign, Vehicular	Any sign attached or applied to or painted on a vehicle or trailer for the primary purpose of advertising or directing attention to a product, service, entertainment, or commercial activity but does not include words, graphics or other communication that serves to identify the vehicle as one ordinarily and routinely used and operated in the course of the business advertised.
Sign, Temporary	Any sign that is used only temporarily and is not permanently mounted.
Signs, Number Of	For the purpose of determining the number of signs, a sign shall be considered to be a single display surface or display device containing elements organized, related and composed to form a unit. Where matter is displayed in a random manner without organized relationship of units, where strings of lights are used, or where there is a reasonable doubt about relationship of elements, each element or light shall be considered to be a single sign where sign surfaces are intended to be read from different directions (as in the case of back-to-back signs or those angled from each other) each surface shall be considered to be a single sign.
Single-Family	(See Dwelling)
Site Plan	A scaled drawing and supporting text showing the relationship between lot lines and the existing or proposed uses, buildings, or structures on the lot. The site plan may include, but is not limited to, site-specific details such as building areas, building height and floor area, setbacks from lot lines and street rights-of-way, intensities, densities, utility lines and locations, parking, access points, roads, stormwater control facilities, that are depicted to show compliance with all legally required development regulations that are applicable to the project and the site plan review. A site plan approval based solely upon application of objective standards is an administrative decision and a site plan approval based in whole or in part upon the application of standards involving judgement and discretion is

	a quasi-judicial decision. A site plan may also be approved as part of a conditional zoning decision.
Site Specific Vesting Plan	A plan submitted to the city describing with reasonable certainty the type and intensity of use for a specific parcel or parcels of property. The plan may be in the form of, but not limited to, any of the following plans or approvals: a Planned Unit Development plan, a subdivision plat, a site plan, a preliminary or general development plan, a special use permit, a conditional zoning, or any other development approval as may be used by the city.
Solid Waste	Garbage, rubbish, refuse or other discarded solid or semi-solid material resulting from domestic, commercial, industrial, agricultural activities and governmental operations, excluding solids or dissolved materials in domestic sewage or other significant pollutants in water resources such as silt, dissolved or suspended solids in industrial wastewater effluents, dissolved materials in irrigation return flows or other common water pollutants.
Special Use	A use which would not be appropriate generally or without special study throughout the zoning district but which, if controlled as to number, size, location or relation to the neighborhood, would promote the public health, safety and general welfare.
Specified Anatomical Areas	Less than completely and opaquely covered (1) human genitals, pubic region, (2) buttock, or (3) female breast below a point immediately above the top of the areola; or human male genitals in a discernibly turgid state, even if complete and opaquely covered.
Specified Sexual Activities	Human genitals in a state of sexual stimulation, or arousal; acts of human masturbation, sexual intercourse or sodomy; or fondling or other erotic touching of human genitals, pubic regions, buttocks, or female breasts.
Start of Construction	The first placement of permanent construction of a structure (including a manufactured home) on a site, such as pouring of slabs or footings or any work beyond the stage of excavation or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation such as clearing, grading and filling, nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure.
Street	A public or private vehicular way (which may also serve in part as a way for pedestrian traffic), whether called street, highway, thoroughfare, parkway, throughway, road, avenue, boulevard, lane, place, alley, mall or otherwise.
Street, Arterial	Streets used primarily for through traffic, usually on a continuous route. For purposes of this Land Development Code, such streets include those so designated in any officially adopted thoroughfare plan or element thereof.

Street, Collector	Streets used to carry traffic from minor streets to arterial streets. For purposes of this Land Development Code, such streets include those designated as collectors in the officially adopted thoroughfare plan or element thereof.
Street, Cul-de-Sac	Dead-end streets, having the same entrance and exit, and requiring including facilities for traffic to turn around
Street, Local or Minor	Streets other than arterials or collectors, used primarily to provide access to abutting properties. The term includes marginal access streets.
Street, Loop	Streets providing a means for local traffic to leave and enter other streets without turning around, but provide access only to properties directly served.
Street, Private	A roadway, not dedicated to the public, providing primary access to adjacent properties and meeting the regulations of the City of Hickory for private street development.
Streets, Limited Access	Streets to and from which access of adjoining property is not direct, but is combined, limited, channeled or prohibited. Marginal access streets, as defined above, are one means for limiting and controlling access to arterial streets, usually combining entrances along a single blockface.
Street, Marginal Access	Streets that are generally parallel and adjacent to arterial streets and serve abutting properties and provide protection from friction with through traffic.
Street, Public	A street that has been accepted for permanent maintenance by either the State of North Carolina or the City of Hickory.

Story	That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except:
	▪ The topmost story is that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above;
	▪ That portion of a building between the eaves and the ridge, when over twenty feet in height, is considered a story;
	▪ That portion of a building below the eaves which exceeds fourteen feet in height is considered a story, each fourteen feet of height (or major part of fourteen feet) being an additional story; and
	▪ A basement or unused under-floor space is a story if the finished floor level directly above is either more than:
	  ▪ Six feet above grade for more than half the perimeter, or
	  ▪ Twelve feet above grade at any point.

Structural Alteration	Any change, except for repair or replacement, in the supporting members of a structure such as, but not limited to, bearing walls, columns, beams or girders.
Structure	Anything constructed or erected which requires location on the ground or attachment to something having a fixed location on the ground including, but not limited to, principal and accessory buildings, manufactured homes, signs, fences, walls,

	bridges, monuments, flagpoles, antennas, transmission poles, towers and cables.
Structure, Accessory	A subordinate structure detached and at least five feet from, but located on the same lot as the principal structure, the use of which is incidental and accessory to that of the principal structure.
Structure, Principal	A structure or, where the context so indicates, a group of structures in or on which is conducted the principal use of the lot on which such structure is located.
Subdivision	The division of a lot, tract, or parcel of land into two or more lots, tracts, parcels, or other divisions of land for sale or building development that is not specifically exempted by NCGS § 160D-802.
Subdivision, Minor	A division of land which meets all of the following criteria: ▪ Creation of up to five (5) new building lots; ▪ All lots created front on an existing public street constructed to the standards of the City of Hickory or NCDOT; ▪ No new streets are created or required to access interior property; ▪ No extension of public sewerage or waterlines is required, nor is the creation of new drainage easements through lots required to serve property at the rear; ▪ All parcels created conform to the requirements of this Land Development Code and related controls. ▪ No part of the parcel to be divided has been divided five (5) years prior to the current proposed division.
Subdivision, Major	Any subdivision that does not meet the criteria of a Minor Subdivision.
Substantial Improvement	Any repair, reconstruction or improvement of a structure within any twelve-month period, where the cost equals or exceeds fifty percent of the market value of the structure, either (1) before the improvement or repair is started, or (2) if the structure has been damaged and is being restored before the damage occurred. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not the alteration affects the external dimensions of the structure. The term does not, however, include either (1) any project for improvement of a structure to comply with existing state and local health, sanitary or safety code specifications which are solely necessary to assure safe living conditions, or (2) any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.
Superior Court	A North Carolina Superior Court having proper jurisdiction over the matter.
Temporary Sales *(TA 14-02)*	Sales activities of a temporary nature conducted as an accessory use to established businesses, which are carried out either out-of-doors, or within temporary structures on the

	property to which the business conducting such sale is located. Temporary sales include, but are not limited to, the display and sale of landscape supplies, building materials that are not otherwise required to be screened, outdoor furniture, and recreational equipment.
Towing/Wrecker Service	A commercial establishment engaged in towing of vehicles or equipment from one location to another. Such facilities may also include an indoor or outdoor storage component for such vehicles or equipment, but may not include junked, salvaged, or permanently inoperable vehicles or equipment. This use is classified as industrial service.
Townhouse	A single-family dwelling constructed in a series or group of attached units with property lines separating the units and meeting the requirements of the North Carolina Building Code.
Transition Line	A horizontal line extending the full width of a building façade. It may be in the form of any of the following: 1. a change in building material; 2. a trim line; or 3. a continuous balcony.
Transmission Main	A water main that serves as the principal water source to any site or district.
Truck Terminals	Establishments primarily engaged in providing services (except motor vehicle towing) commercial users of road network users.
Upper Story Residential	A residential unit located above a non-residential unit
Use	The specific activity or function for which land, a building or a structure is designated, arranged, occupied or maintained.
Use, Accessory	A use on the same lot or in the same structure with, and of a nature and extent customarily incidental and subordinate to the principal use of the lot or structure.
Use, Principal	The primary use and chief purpose of a lot or structure.
Variance	A relaxation by the Board of Adjustment of the dimensional regulations of this Land Development Code where such action will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of actions or the situation of the applicant, a literal enforcement of this Land Development Code would result in unnecessary and undue hardship. The Board of Adjustment shall not grant variances from the use regulations of this Land Development Code.
Vehicle Repair	Firms servicing passenger vehicles, light and medium trucks and other consumer motor vehicles such as motorcycles, boats and recreational vehicles. Generally, the customer does not wait at the site while the service or repair is being performed. Accessory uses may include offices, part sales, and vehicle storage. Examples include vehicle repair, transmission or muffler shop, auto body shop with paint booth, alignment shop, auto upholstery shop, auto detailing and tire sales and mounting. Repair and service of industrial vehicles and

	equipment and of heavy trucks; and towing and vehicle storage are classified as Industrial Service.
Warehouse and Freight Movement	Uses that involve the storage, or movement of goods for themselves or other firms. Goods are generally delivered to other firms or the final consumer, except for some will-call pickups. There is little on-site sales activity with the customer present. Accessory uses may include offices, truck fleet parking and maintenance areas, rail spur or lead lines, docks and repackaging of goods. Examples include separate warehouses used by retail stores such as furniture and appliance stores; household moving and general freight storage; cold storage plants, including frozen food lockers; storage of weapons and ammunition; major wholesale distribution centers; truck or air freight terminals; bus barns; parcel services; major post offices; grain terminals; and the stockpiling of sand, gravel or other aggregate materials. Uses that involve the transfer or storage of solid or liquid wastes are classified as Waste-Related uses. Mini-warehouses rented to consumers on a month to month basis are classified as Mini-Storage Facilities.
Waste Related Use	Uses that receive solid or liquid wastes from others for disposal on the site or for transfer to another location, a use which collects sanitary wastes, or uses that manufacture or produce goods or energy from the biological decomposition of organic material. This category's uses also include uses which receive hazardous wastes from others and which are subject to state hazardous waste standards. Accessory uses may include recycling of materials, offices and repackaging and transshipment of by-products. Examples include sanitary landfills, incinerators, limited use landfills, waste composting, energy recovery plants, portable sanitary collection equipment storage and pumping, and hazardous waste collection sites. Disposal of dirt, concrete, asphalt and similar non-decomposable materials is considered fill.
Water Mains and Fire Hydrants, Private	Any water main and their appurtenances not officially dedicated and accepted by the City of Hickory shall be deemed a private system.
Water Mains and Fire Hydrants, Public	Any water main and their appurtenances officially dedicated and accepted by the City of Hickory shall be deemed a public system.
Wholesale Sales	Establishments or places of business generally involved in the sale, lease or rent of products primarily intended for other businesses including retailers, industrial, commercial, institutional, professional business users, other wholesalers, or acting as agents or brokers and buying merchandise for, or selling merchandise to, such individuals or companies.
Wireless Communications Facility	Any structure, whether freestanding or in association with a building or other permanent structure, that is designed and constructed primarily for the purpose of supporting one or more antennas, including self-supporting lattice towers, guy towers or monopole towers. The term includes radio and

	television transmission towers, personal communications service towers (PCS), microwave towers, common-carrier towers, cellular telephone towers, alternative tower structures and the like. This definition does not include any structure erected solely for a residential, non-commercial individual use, such as television antennas, satellite dishes or amateur radio antennas.
Wireless Communications Facility, Alternative Structure	Clock towers, sculptures, bell steeples, light poles and similar alternative-design mounting structures that conceal the presence of antennas or towers and are architecturally compatible with the area.
Zoning Compliance Permit	A permit issued by the Planning Director authorizing the recipient to make use of property in accord with the requirements of this Land Development Code. This permit may either be a separate document or part of the normal permits associated with certificates of occupancy, occupational license applications, building permits or the like.
Zoning District	Areas of land or water, whose boundaries are indicated on the official Zoning Atlas, within which all properties are regulated by the general regulations of this Land Development Code and the specific regulations of the individual district.