

**Board Chair:**  
Rodney Cheek

**Planning Director:**  
Matthew Hoagland



Commissioners' Meeting Room  
124 W Elm Street  
Graham, NC 27253  
November 13, 2025 at 7:00 PM

# ALAMANCE COUNTY PLANNING BOARD AGENDA

Livestream: <https://tinyurl.com/22kb3exe>

- I. CALL TO ORDER**
- II. ROLL CALL**
- III. APPROVAL OF PLANNING BOARD MINUTES**  
September 11, 2025 Regular Meeting
- IV. PUBLIC COMMENTS\***
- V. BOARD/COMMISSIONER RESPONSES**
- VI. OLD BUSINESS**
  1. Second Consideration of UDO Article 6.12 Amendments
  2. Second Consideration of UDO Article 6.13 Amendments
- VII. NEW BUSINESS**
  1. Phillippie Landfill Public Hearing
  2. Consideration of Draft UDO Article 6.14 Amendments
  3. Consideration of Draft UDO Article 7 Amendments
  4. Planning Board Applicants Review and Recommendation
- VIII. ANNOUNCEMENTS/DISCUSSION**
- IX. ADJOURNMENT**

*\*Meeting Notes:*

- 1. Those wishing to make public comments should sign-in prior to the meeting.*
- 2. In order to be fair and ensure that all citizens wishing to speak may be heard, the Chair may place time limits on public comments.*
- 3. Any further discussion by the public on a given agenda item is subject to the discretion of the Chair of the Planning Board*

**Board Chair:**  
Rodney Cheek

**Planning  
Director:**



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124 W Elm Street  
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November 13, 2025 at 7:00 PM

# ALAMANCE COUNTY PLANNING BOARD

August 2025 Meeting Minutes

## I. CALL TO ORDER

The Meeting was called to order at 7:00 p.m. by Chairman Rodney Cheek.

## II. ROLL CALL

Present: Rodney Cheek (Chair), Lee Isley (Vice Chair), Amie Perkins, Henry Vines, Henry Chandler, Tom King

Absent: Stephen Dodson, Mac Jordan, Ernest "Smoky" Bare

## III. APPROVAL OF PLANNING BOARD MINUTES

Board members noted a few minor changes to the August 14, 2025, meeting minutes and Mr. Hoagland noted them to be corrected. Mr. King made a motion to approve the August 14, 2025, meeting minutes as amended; seconded by Amie Perkins. They were approved unanimously, as amended.

## IV. PUBLIC COMMENTS

There were no public comments.

## V. BOARD/COMMISSIONER RESPONSES

No comments.

## VI. OLD BUSINESS

### 1. Second Consideration of UDO Article 6.10 Amendments

Mr. Hoagland noted that Section 6.10.9 on "Existing Development" was added since they last meeting. He said that this section mirrors the state's model ordinance on protect existing development and its maintenance from watershed regulations. He added that Section 6.10.12 on the Watershed Management Plan was relocated to a new section but unchanged in wording. He then told the board that Section 6.10.13 would formally designate the Board of Adjustment as the Watershed Review Board, establishing their powers, duties, and variance/appeals procedures. Finally, he explained that Section 6.10.14 was added to outline procedures for amending the Watershed Ordinance in the future, duplicating the state's model language.

Mr. Cheek asked whether the proposed changes would create any new restrictions for existing property owners. Mr. Hoagland clarified that the intent was to ensure existing development, and its maintenance remains protected, with no additional burden for compliance with

watershed rules. Ms. Perkins commented that consistency with the state’s model ordinance helps reduce confusion for both staff and property owners.

## 2. Second Consideration of UDO Article 6.11 Amendments

Mr. Hoagland updated the board on various draft changes since the last meeting. They included clarifying language on adequate spacing between towers and structures rather than exempting residences owned by the property owner in Section 6.11.3, clarifying language regarding fall zones and the previously omitted section on roads in Section 6.11.4 as well as the use of the word “shall” to require landscaping buffers. Board members discussed this landscaping requirement and clarifying when staff can grant relief from such requirements. Mr. Hoagland said he will further narrow the language to outline specific criteria in which staff can grant such relief from these rules in the future. In Section 6.11.5 Mr. Hoagland said he replaced this section with the state’s legal language on collocations and shared facilities, nearly identical to N.C.G.S. 160D-934.

For the next section, Mr. Hoagland asked the board and Assistant County Horn for their input on requiring bonds for towers in Section 6.11.7. The discussion centered around ensuring the rules applied equally to all developers. In conclusion, Mr. Hoagland said he will look into what other jurisdictions do and let that inform the final draft before the board considers this for a final time.

Next, Mr. Hoagland said that he removed the need for documented coverage in Section 6.11.8(b)(4) because it looked to be a violation of N.C.G.S. 160D-933(b). In Section 6.11.9 he eliminated the administrative authority to impose conditions on approvals since state law does not permit this unless previously specifically defined. In Section 6.11.10 he revised the Planning Board’s review process to a straightforward pass/fail system to avoid quasi-judicial hearings. Next, old Section 6.11.11 was removed since it seems to be outdated that the Board of Commissioners would have the administrative power to review tower permits or the quasi-judicial power to conduct evidentiary hearings. The Board of Adjustment is now empowered to conduct evidentiary hearings. Finally, the current Section 6.11.12 on the issuance of a permit would become 6.11.11. After some discussion on this section, Mr. Hoagland said he will further clarify this section so that the final approval and issuance of a permit makes more sense for developers and staff.

## **VII. NEW BUSINESS**

### 1. Consideration of Draft UDO Article 6.12 Amendments

### 2. Consideration of Draft UDO Article 6.13 Amendments

To begin, Mr. Hoagland said that this draft combines Sections 6.12 and 6.13 since both deal with junked vehicles and their storage. One reason is because the current ordinance language leaves a gap between regulation of three and six vehicles. Currently there is no clarity on what happens if someone has more than three but less than six vehicles. These revisions would close this gap by covering all cases of junk car storage, regardless of how many. He

further informed the board that other revisions included simply reformatted for clearer layout and flow. Major changes include creating specific fence standards for automobile graveyards and junkyards, such as requirements for height, placement, and material types, while still allowing landscaping as an alternative.

Board members discussed the various changes and emphasized the importance of having specific height standards for a fence. They cited ten feet as a good minimum to include in the next draft. Ms. Perkins specifically cited issues with junkyards when cars are placed in a flood zone and get carried away or damaged in a flood event. Mr. Hoagland noted that those types of regulations should be added. He said he will specifically add a new requirement for a ten-foot-tall fence and restrict junkyard operations from flood zones. Board members agreed to continue thinking about possible changes to vegetative requirements.

## **VIII. ANNOUNCEMENTS/DISCUSSION**

### **1. Follow up on Staff Recommendation Policy Proposal**

Mr. Hoagland informed the board that he presented staff recommendation that included the land use map and subdivision changes at the August 18 County Commission meeting. He noted, however, that the commissioners essentially took no action on the plan. As a result, the Planning Board will yet again have to revisit the Subdivision Ordinance as part of the overall U.D.O. revision process.

Mr. Chandler spoke up and said that what Mr. Hoagland presented seemed to be very vague and did not really get into specifics like he thought it should. Mr. Hoagland responded that, in preparation for the presentation, he simply planned to give an overview of the information since it was a staff recommendation and not to get too deep into detail since it was not a public hearing or an item that the commissioners had to take action on that night. Mr. Chandler said it was presented in a way where it could be easily frowned upon and not enough information was given to the county commissioners for them to make an educated decision. He said that the Planning Board gave the commissioners what they were asking for and now they just don't want it. Mr. Vines said he feels that all the commissioners focused on the lot sizes but not the other details. Mr. Chandler asked again why they didn't get more information. Mrs. Perkins noted that they had all the information in their packet but that there was also an effort to make a push against the lot size information. Mrs. Chandler reiterated that there was not enough additional information given for context on the lot size regulations. Mr. Vines said that he was disappointed that they gave no input, direction, or feedback on the recommendation and there was no discussion whatsoever. Mr. Chandler said he wished the commissioners would have seen the whole thing and taken the time to look at it. Mrs. Perkins added that the proposal was really more about planned growth than it was heavy regulations and she wishes that was more apparent. Board members then discussed various aspects of affordable housing dynamics and regretted that the commissioners did not take more time to dig into the proposal.

### **2. Historic Properties Commission applicants**

Mr. Hoagland informed the board of a recent discussion among Historic Properties Commission members in which they would like the authority to review and make recommendations for appointing new applicants, much like the Planning Board does. He told the board that this may require an amendment to the U.D.O., which they would have to give an initial approval of before it goes to the commissioners for final approval. If needed, this amendment would appear in the U.D.O. as they look at the entire document upon final review.

### 3. October meeting

Mr. Hoagland informed the board that he is planning to be out on annual family vacation in early October, including the date of the October meeting. After some discussion, Mr. King made a motion not to hold an October meeting and Mr. Isley seconded. The board voted unanimously to not meet in October but to still meet on their regular date in November. Chairman Cheek also mentioned that he anticipates the annual Christmas party will take place either December 9<sup>th</sup> or December 11<sup>th</sup>. He will work on those details and provide more information at the next meeting.

## **IX. ADJOURNMENT**

Following the discussion of the items above, Mrs. Perkins made a motion to adjourn which was seconded by Mr. Isley. The meeting was adjourned at 8:36 p.m.

**PART XII. ABANDONED, JUNKED, AND NUISANCE MOTOR VEHICLES**

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## 6.12 Abandoned, Junk and Nuisance Motor Vehicle

### 6.12.1 JURISDICTION AND PURPOSE

This section governs the storage, removal and disposal of abandoned, junked, and nuisance motor vehicles on public grounds and private property that fall within Alamance County's ordinance-making jurisdiction.

The purpose of this section is to preserve the aesthetic quality of, to promote the health and safety of citizens, and to minimize impacts on incompatible uses within Alamance County.

### 6.12.2 APPLICATION APPLICABILITY

- a) A property owner may store up to three (3) junked motor vehicles, as defined by this ordinance, on a given parcel of land at any time, provided that the vehicle does not pose an immediate threat to public health or create a public safety hazard. ~~Junked motor vehicles shall be kept behind the main structure or house located on the property and shall be covered with a "Car Cover", as defined by this ordinance, or with a heavy canvass covering that is properly secured. However, it shall be unlawful for the registered owner or person entitled to possession of a motor vehicle to cause or allow such vehicle to become a hazard to the public health, safety, or welfare.~~

### 6.12.3 EXCEPTIONS TO APPLICABILITY

- a) This Ordinance does not apply to any vehicle in an enclosed building, or roofed shelter, or to any vehicle on the premises of a business enterprise being operated in a lawful place and manner if the vehicle is necessary to the operation of the enterprise, such as in the case of a bona fide automobile graveyard or junkyard.
- b) Restoration of "Antique Motor Vehicles", as defined by this ordinance, shall be considered an exception.
- c) This Ordinance does not apply to any vehicle in an appropriate storage place or depository maintained in a lawful place and manner by the County.
- d) This Ordinance does not apply to any motor vehicles that are being used on a regular basis for business, farm, or personal use.

### 6.12.4 REGULATION OF JUNKED MOTOR VEHICLES

Junked motor vehicles shall be kept behind the main structure or house located on the property and shall be covered with a "Car Cover", as defined by this ordinance, or with a heavy canvass covering that is properly secured.

Where the layout of a lot or other unique circumstances makes it impossible to store junked motor vehicles behind a main structure or house, such vehicles must be stored in the most discreet manner possible. The intent of such storage shall be to conceal the view of the vehicle(s) from any public or private road and from any neighboring property to the maximum extent possible.

When car covers or canvases become worn, damaged, or generally ineffective to conceal a vehicle, the property owner shall replace it with an effective cover or canvas.

- ~~b) It shall be unlawful for the registered owner or person entitled to possession of a motor vehicle to cause or allow such vehicle to become a hazard to the public health, safety, or welfare.~~

### 6.12.5 ENFORCEMENT PROCEDURES

Upon receiving any valid complaint related to the unlawful storage of junked motor vehicles, the Planning Director, or their designee, shall act in accordance with Article 4 of this Ordinance.

- ~~b.~~ The Administrator may enter ~~on~~ any premises within the County's ordinance-making jurisdiction by any lawful means at any reasonable hour to determine if any vehicles are abandoned, junked, and/or nuisance motor vehicles.
- ~~c.~~ Upon investigation, the Administrator may determine that a motor vehicle is an abandoned, junked, and/or nuisance motor vehicle as defined herein. ~~The Administrator~~ and may order the motor vehicle removed to a storage garage or area that has been approved by the Board of Commissioners ~~of Alamance County.~~
- ~~d.~~ It shall be unlawful for the registered owner or person entitled to possession of a motor vehicle, or for the owner, lessee, or occupant of the real property upon which the vehicle is located to leave or allow the vehicle to remain on the property after it has been declared an abandoned, junked, or nuisance motor vehicle.

#### 6.12.5.1. Removal Procedures

- ~~e.~~ A vehicle may not be removed from private property without the written request of the owner, lessee, or occupant of the premises unless the Board of Commissioners or the Administrator has declared the vehicle to be a health or safety hazard.
- ~~f.~~ Alamance County may require a person requesting the removal from private property of any abandoned or junked motor vehicle to indemnify the County against any loss, expense, or liability incurred through the removal, storage, or sale of the vehicle.

### 6.12.3 EXCEPTIONS AND APPLICABILITY

- e) ~~This Ordinance does not apply to any vehicle in an enclosed building, or roofed shelter, or to any vehicle on the premises of a business enterprise being operated in a lawful place and manner if the vehicle is necessary to the operation of the enterprise, such as in the case of a bona fide automobile graveyard or junkyard.~~
- f) ~~Restoration of "Antique Motor Vehicles", as defined by this ordinance, shall be considered an exception.~~
- g) ~~This Ordinance does not apply to any vehicle in an appropriate storage place or depository maintained in a lawful place and manner by the County.~~
- h) ~~This Ordinance does not apply to any motor vehicles that are being used on a regular basis for business, farm, or personal use.~~

### 6.12.4 6.12.5.2. Required Pre-Towing Notice

- a) Except as set forth in ~~Section 10~~ subsection 6.12.5.3 below, an abandoned, junked and/or nuisance motor vehicle which is to be removed shall be towed only after notice has been given to the registered owner or to the person entitled to possession of the motor vehicle. If the names and mailing addresses can be ascertained in the exercise of reasonable diligence, notice shall be given by certified first class mail, return receipt requested. If such names and addresses cannot be ascertained, notice shall be given by affixing on the windshield or some other conspicuous place on the vehicle a notice indicating that the vehicle will be removed by the County on or after a specific date. This date will be no sooner than seven (7) days after the notice is mailed or affixed to the vehicle, unless the vehicle is removed by the owner or legal possessor prior to that time.
- b) The notice required by Subsection (a) shall provide written findings of fact as to why the motor vehicle has been declared an abandoned, junked, or nuisance motor vehicle by the Administrator. This notice shall also state that the vehicle will be removed seven days after the postmarked date or affixation of the notice unless removed prior to that time.
- c) The notice required by Subsection (a) shall provide information on the availability of the appeal process that is set forth below in ~~Section~~ subsection 6.12.6.

### 6.12.5 6.12.5.3 Exception to Pre-Towing Notice Requirement

- a) The requirement that notice be given prior to the removal of an abandoned, junked, and/or nuisance motor vehicle may, as determined by the Administrator, be omitted in those circumstances where there is a special need for prompt action to eliminate traffic obstructions or to otherwise maintain and protect ~~the~~ public safety and welfare. This includes, but is not limited to, situations that include vehicles blocking or obstructing ingress or egress to businesses and residences, vehicles parked in such a location or manner as to pose a traffic hazard, and vehicles causing damage to public or private property. Such findings shall be documented in written form by the Administrator and included in the post-towing notice required by ~~Section 12~~ subsection 6.12.5.4 of this Ordinance.

~~6.12.6~~ **6.12.5.4 Required Post-Towing Notice**

- a) Any abandoned, junked, and/or nuisance motor vehicle which has been ordered removed may be towed to a storage garage or area by the tow truck operator or towing business contracting to perform such services for the County.
  
- b) Whenever a vehicle with a valid registration plate or registration is removed, the Administrator shall immediately notify the last known registered owner of the vehicle. This notice shall include the following:
  - A description of the removed vehicle;
  - The name, address, and contact number for where the vehicle is stored;
  - The violation with which the owner is charged, if any;
  - The procedure which the owner must follow to redeem the vehicle; and
  - The procedure to be followed in order to request a probable cause hearing on the towing.

~~6.12.7~~ **6.12.6 UNLAWFUL REMOVAL OF IMPOUNDED VEHICLES**

It shall be unlawful for any person to remove or attempt to remove any vehicle which has been impounded pursuant to this Ordinance from any facility designated by Alamance County for the storage of towed abandoned, junked, and/or nuisance motor vehicles unless and until all towing and storage fees have been paid or a bond in lieu of fees has been posted.

~~6.12.8~~ **6.12.7 DISPOSITION OF REMOVAL VEHICLES**

Any abandoned, junked, and/or nuisance motor vehicle which is not claimed by the owner or other person legally entitled to possession may be disposed of by the County or tow truck operator or towing business which has custody of the vehicle. Disposition of such vehicle shall be carried out in coordination with the County and in accordance with Article 1 of Chapter 44A of the North Carolina General Statutes.

~~6.13~~ **6.12.8 AUTOMOBILE GRAVEYARDS AND JUNKYARDS**

This section shall apply to properties which store four (4) or more junked motor vehicles, as defined by this ordinance, and to the operators of business that deal with such vehicles. Uses may include used car lots, junkyards, automobile graveyards, and similar operations.

~~6.13.1~~ **6.12.8.1 Permit Required For Automobile Graveyards and/or Junkyards Requirements**

It shall be unlawful after the effective date of this Ordinance, for any person, firm, or corporation or other legal entity to operate or maintain in any unincorporated area of Alamance County an automobile graveyard without a permit issued in accordance with the provisions of this Ordinance. A permit shall be issued by Alamance County or its agents upon showing of compliance with this Ordinance. The permit shall be valid for a period of three (3) years and may be renewed thereafter unless revoked for the nonconformance to this Ordinance.

~~6.13.2~~ **6.12.8.2 Screening and Fencing**

All automobile graveyards shall be screened by a fence or vegetation at all points where said fence or vegetation shall be necessary to screen the automobile graveyard from the view of persons from public roads or ~~so as~~ to create a barrier to the view of the public of said automobile graveyard except as provided in ~~Section 6.13.3 – Exceptions.~~ subsection 6.12.8.3 below.

**A. Fencing**

Fencing may be located along the perimeter of the property or in a way that only contains the vehicles related to the automobile graveyard or junkyard. Regardless of fence location, it shall be considered a violation of this ordinance to place junked vehicles outside of the fence once constructed.

Fencing shall be at least ten (10) feet in height and constructed to completely conceal vehicles from the view of the public and from neighboring properties. Fence materials may be metal, wood, or a composite material. In all cases, fencing materials shall be opaque and not allow for vehicles to be seen through the fence.

**B. Vegetation**

If vegetation is provided for screening, vegetation shall be of a type that will reach a minimum height of six (6) feet within three (3) years of planting, and shall be planted at intervals evenly spaced and in close proximity to each other so that a continuous, unbroken hedgerow (without gaps or open spaces) will exist to a height necessary to screen the automobile graveyard or junkyard from public view. A proposed plan for vegetation must be approved by designated Alamance County Agricultural Extension Service prior to planting. The hedgerow shall be maintained as a continuous, unbroken hedgerow for the period the property is used as an automobile graveyard. Screening is not required in front of the building.

Each owner, operator, or maintainer of an automobile graveyard to which this Ordinance applies shall utilize good husbandry techniques such as pruning, mulching and proper fertilization so that the vegetation will reach maturity as soon as is practical and will have maximum density in foliage. Dead or diseased vegetation shall be replaced at the next appropriate planting time.

### **C. Gates**

The fence or vegetation shall have not more than two (2) gates and/or entrances on any street for the purposes of ingress and egress of motor vehicles. The gates shall be closed and securely locked at all times, except during business hours. The fence shall be maintained in good order and shall not be allowed to deteriorate.

#### **6.13.3 6.12.8.3 Exceptions to Screening and Fencing**

The following automobile graveyards are excepted from the Screening and Fencing Requirements:

- Automobile graveyards which are in a location that is: Greater than 1000 feet from the nearest edge of right-of-way of any public road; or
- Those automobile graveyards which are screened by natural objects, so as not to be visible from any public road at any season of the year; or
- Those unlicensed junk cars located in a fully enclosed structure; or
- Those automobile graveyards permitted by Article 12 of the North Carolina General Statute Chapter 136.

#### **6.13.4 6.12.9 STREAM BUFFERS AND FLOOD ZONES**

Any automobile graveyard which traverses or borders a perennial or intermittent stream must maintain a fifty (50) foot buffer of vegetation on both sides of the stream at all times to retard rapid water runoff and soil erosion and in which no automobile graveyard will be maintained. Perennial and intermittent streams are identified as solid blue lines and dotted blue lines on United States Geological Survey Maps.

No automobiles or automotive parts may be stored in any portion of a Special Flood Hazard Area, as defined by this Ordinance, when Automobile Graveyards and Junkyards are operated on such properties.

#### **6.13.5 6.12.10 ADVERTISEMENTS ON SCREENING**

Screening required by this ordinance shall not be used for bill postings or other advertising purposes, except that a space not larger than six feet by twelve feet may be used for the advertisement of the business of the owner thereof.

#### **6.13.6 6.12.11 REMEDIES AND PENALTIES FOR VIOLATION**

- a) If any business is operated in violation of this Ordinance, in addition to other remedies, the County may institute an action for an injunction to stop the violation.
- b) The Alamance County ~~Inspections~~ Planning Department shall be responsible for enforcing the provisions of this Ordinance.

- e) Any person, firm, corporation or other entity who maintains or operates or who controls the maintenance or operation of an automobile graveyard in violation of this Ordinance shall be guilty of a misdemeanor pursuant to North Carolina General Statute §14-4 and subject to prosecution, and if convicted, shall be punished by a fine ~~not to exceed \$50 in accordance with Article 4 of this Ordinance,~~ or by imprisonment not to exceed thirty (30) days, or both, in the discretion of the Court. Each day that said automobile graveyard shall be maintained or operated in violation of this Ordinance shall constitute a separate and distinct offense.
- d) The Alamance County ~~Inspections~~ Planning Department shall have the power to revoke the permit required by ~~Section Three of this ordinance.~~ When the ~~Inspections~~ Department intends to revoke the permit, it shall serve the permittee with a notice of revocation. The permittee may appeal the revocation as provided in ~~Section Eleven~~ subsection 6.12.12 below. The permittee may continue operating ~~his~~ their business pending an appeal ~~under Section Eleven.~~ in accordance with N.C. Gen. Stat. 160D-405(f).

#### ~~6.13.7~~ 6.12.12 VARIANCE PROCEDURE

- a) The Board of Adjustment may authorize variances from the provisions of this ordinance ~~regarding required screening~~ where there are practical difficulties or particular hardships in the way of carrying out the strict letter of the provisions of this ordinance. All requests for a variation shall be in writing and submitted to the Planning Department- and processed in accordance with Section 2.3 of this Ordinance, N.C. Gen. Stat. § 160D-406, and any other applicable law.
- b) ~~Notice:~~ All decisions on variances by the Board of Adjustment shall be reached only after a quasi-judicial hearing and after notice has been given by certified mail to the applicant and to any parties who may be reasonably able to claim standing in accordance with N.C.G.S. § 160D-1402(c). Such notice shall contain the address or location of the property for which a hearing by the board is sought, as well as a brief description of the nature of the application.

#### ~~6.13.8~~ 6.12.13 APPEAL PROCEDURE

The revocation of any permit or the refusal to issue a permit ~~by the Alamance County Inspections Department,~~ shall entitle the person who applied for the permit to a hearing if such person submits written demand for a hearing within ~~fifteen (15)~~ thirty (30) days after receipt of written notice of the disapproval or revocation. The hearing shall be conducted by the Alamance County Board of Adjustment ~~and pursuant to procedures adopted by the Alamance County Board of Commissioners.~~ in accordance with Section 2.3 of this Ordinance, N.C. Gen. Stat. § 160D-405, and any other applicable law.



# PHILLIPPIE BORROW PIT & LCID LANDFILL Alamance County, North Carolina

## Civil / Site Plan GRADING & EROSION CONTROL PLAN

Project No. 24-Phillippie-01  
December, 2024  
Revised **SEPTEMBER, 2025**



*Wilson*  
*Engineering Group*

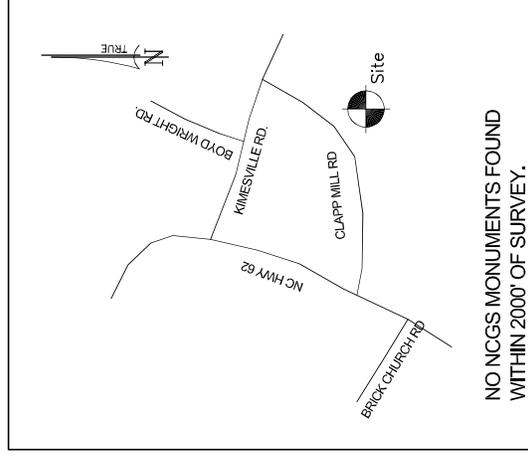
*Civil / Environmental  
Design & Consulting*

1001 CHESTNUT DRIVE  
SMITHFIELD, NORTH CAROLINA 27577  
VOICE (336) 308-9613

### SHEET INDEX

1. EXISTING CONDITIONS - FULL SITE
2. EXISTING CONDITIONS - ENLARGED PROJECT SITE AREA
3. BORROW PIT CONSTRUCTION - GRADING & EROSION CONTROL PLAN
4. LCID LANDFILL CONSTRUCTION - GRADING & EROSION CONTROL PLAN
5. PIT & FILL SECTIONS
6. EROSION CONTROL DETAILS
7. DRAINAGE AREA DELINEATIONS

NG001 SHEETS:  
NG001 - GROUND STABILIZATION AND MATERIALS HANDLING  
NG001 - SELF-INSPECTION, RECORD KEEPING AND REPORTING





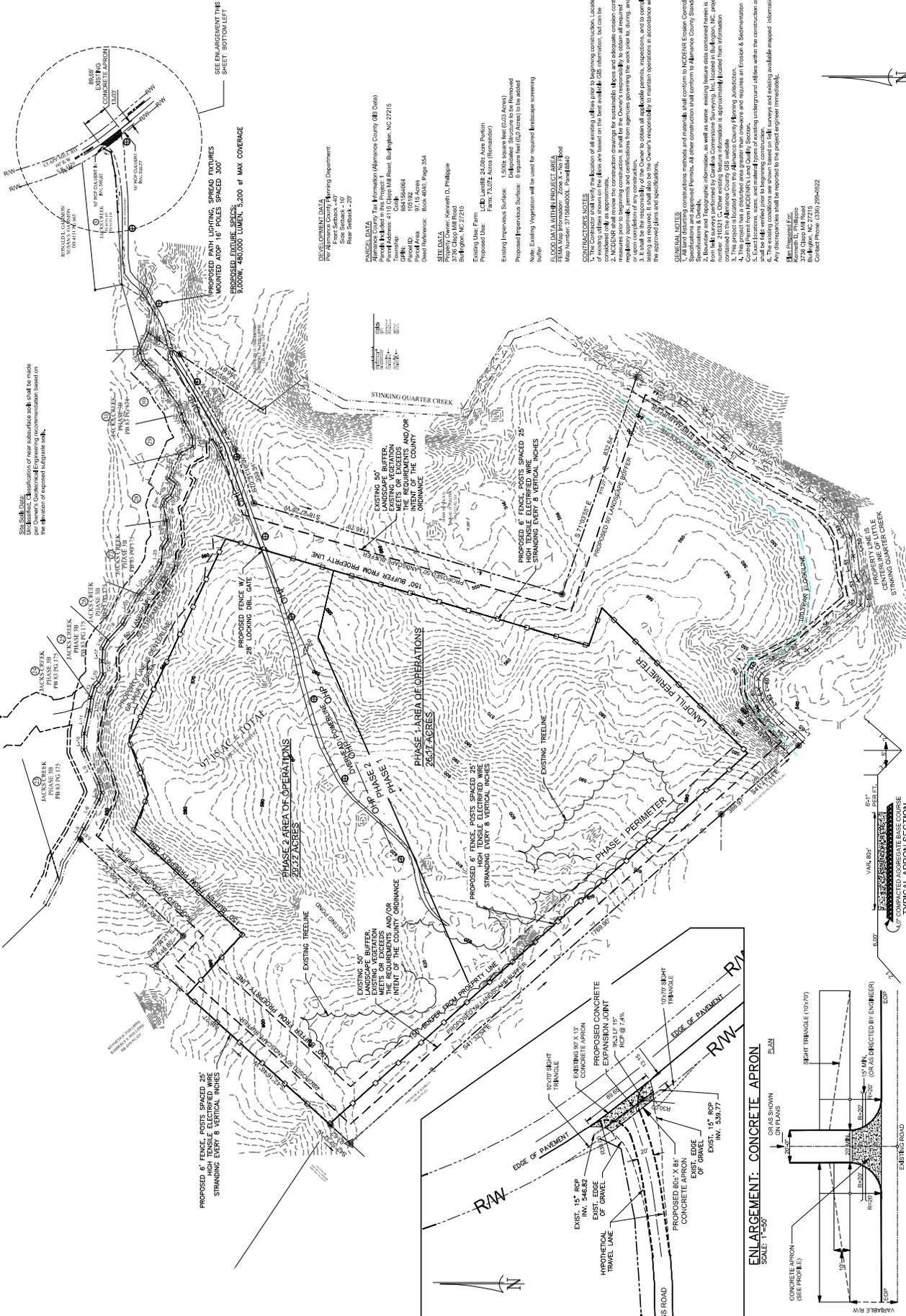
1001 CHESTNUT DRIVE  
SMITHFIELD, NC 27577  
(336) 736-9267



NO.	DESCRIPTION	DATE	BY
1	ADDED APRON DETAIL	8-14/25	JMW
2	REVISED APRON DETAIL	8-14/25	JMW
3	REVISED APRON DETAIL	8-14/25	JMW
4	ADDED PATH LIGHTING DET.	8-14/25	CPH

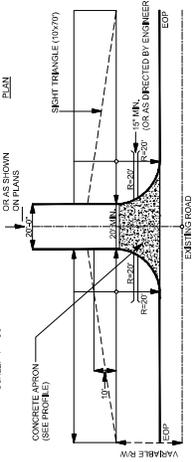
PHILLIPPE BORROW PIT & LID LANDFILL  
ENLARGED - PROJECT SITE AREA  
KENNETH PHILLIPPE  
415 CLAPP MILL ROAD  
BURLINGTON, NC 27215

PROJECT NUMBER	24-PHILLIPPE-0
DESIGNED BY	JMW
DRAWN BY	JMW
CHECKED BY	JMW
AS NOTED	DATE
DATE	8/13/2025
1 of 7	

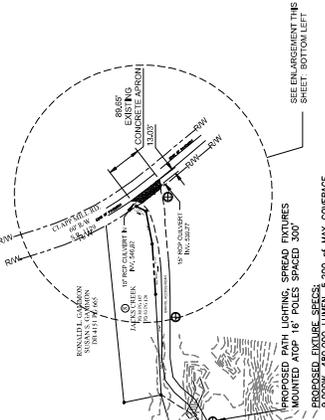


EXISTING CONDITIONS - FULL PROPERTY  
SCALE: 1"=100'

ENLARGEMENT: CONCRETE APRON  
SCALE: 1"=50'



DETAIL: COMMERCIAL DRIVEWAY CONNECTION  
REQUIREMENTS - CONCRETE APRON  
SCALE: NONE



SEE ENLARGEMENT THIS SHEET BOTTOM LEFT

PROPOSED 6" FENCE, POSTS SPACED 25' STRANDING EVERY 8 VERTICAL INCHES

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DEVELOPMENT DATA  
Per Alamance County Planning Department:  
Site Setback - 10'  
Rear Setback - 20'

PARCEL DATA  
Alamance County Tax Information (Alamance County (BE Data))  
Parcel Address: 4115 Clapp Mill Road, Burlington, NC 27215  
Parcel ID: 084184004  
Parcel Area: 504.184004  
Direct Reference: Book 4040, Page 354

SITE DATA  
Property Owner: Kenneth D. Phillippe  
2758 Clapp Mill Road  
Burlington, NC 27215  
Proposed Use: Farm, 23,072 Acres (Remainder)  
LID: Landfill, 24,082 Acres (Portion)

EXISTING IMPROVEMENT SURFACE: 1,500+ square feet (0.03 Acres)  
Delineation of contours to be removed  
Delineation of contours to be retained

PREPARED IMPROVEMENT SURFACE: 1,500+ square feet (0.03 Acres)  
Delineation of contours to be removed  
Delineation of contours to be retained

NOTE: Existing Vegetation will be used for required landscape screening buffer.

FIELD DATA (MATERIAL PROJECT AREA)  
FEMA Map Information: Zone X, No Flood  
Map Number: 371080000L (Panel B840)

CONTRACTOR'S NOTES  
1. The contractor shall verify the location of all existing utilities prior to beginning construction. Locations shown on this plan are for information only and are not to be construed as a guarantee of accuracy. It is the contractor's responsibility to obtain all required permits and notifications from agencies governing the work prior to, during, and/or after construction.  
2. It shall be the responsibility of the Owner to obtain all applicable permits, inspections, and to coordinate with the approved plans and specifications.  
3. All land clearing, construction methods and materials shall conform to INDIANNE EROSION CONTROL SPECIFICATIONS & DETAILS.  
4. The contractor shall coordinate with the Alamance County Planning Department regarding all required permits and notifications.  
5. This project is located within the Alamance County Planning Jurisdiction.  
6. The site conditions are shown based on field survey and existing available mapped information. Any discrepancies shall be reported to the project engineer immediately.

GENERAL NOTES  
1. All land clearing, construction methods and materials shall conform to INDIANNE EROSION CONTROL SPECIFICATIONS & DETAILS.  
2. The contractor shall coordinate with the Alamance County Planning Department regarding all required permits and notifications.  
3. This project is located within the Alamance County Planning Jurisdiction.  
4. The site conditions are shown based on field survey and existing available mapped information. Any discrepancies shall be reported to the project engineer immediately.

DATE: 8/13/2025  
DRAWN BY: JMW  
CHECKED BY: JMW  
AS NOTED: DATE

PROJECT NUMBER: 24-PHILLIPPE-0  
DESIGNED BY: JMW  
DRAWN BY: JMW  
CHECKED BY: JMW  
AS NOTED: DATE

DATE: 8/13/2025  
DRAWN BY: JMW  
CHECKED BY: JMW  
AS NOTED: DATE

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CHECKED BY: JMW  
AS NOTED: DATE

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AS NOTED: DATE

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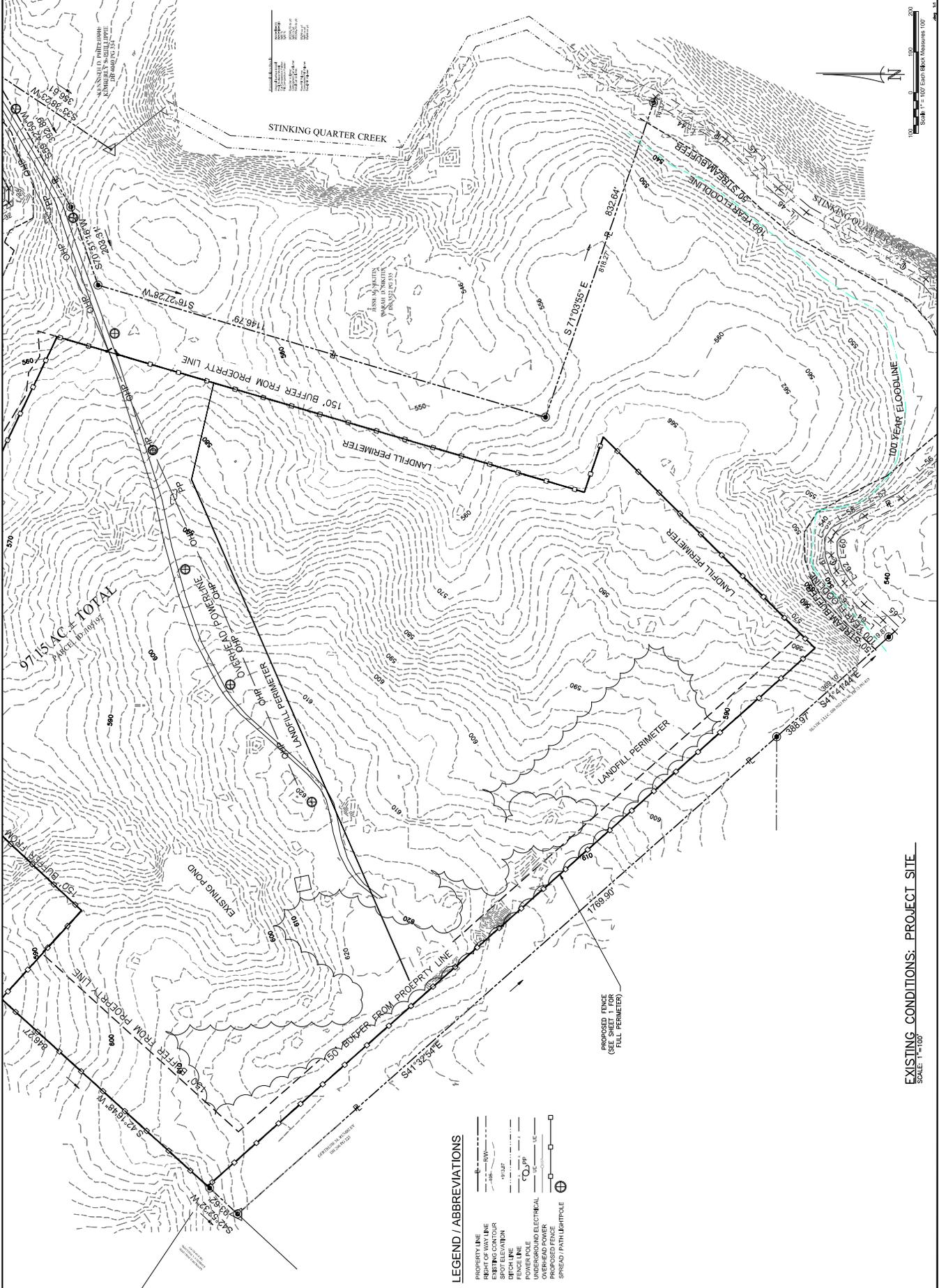
1001 CHESTNUT DRIVE  
SMITHFIELD, NC 27577  
(336) 736-9267



NO.	DESCRIPTION	DATE	BY	APP'D.
1	ADDED PATHLIGHTING DET.	8-2-25	CSH	JWM

PHILLIPPE BORROW PIT & LID LANDFILL  
OVERALL PLAN  
PROJECT SITE AREA  
KENNETH PHILLIPPE  
415 CLAPP MILL ROAD  
BURLINGTON, NC 27215

PROJECT NUMBER	24-PHILLIPPE-0
DESIGNED BY	JWM
DRAWN BY	JWM
CHECKED BY	JWM
AS NOTED	DATE
	8/13/2025
	2 of 7



**LEGEND / ABBREVIATIONS**

- PROPERTY LINE
- RIGHT OF WAY LINE
- EXISTING CONTOUR
- PROPOSED CONTOUR
- DITCH LINE
- FENCE LINE
- POWER POLE
- OVERHEAD ELECTRICAL
- OVERHEAD POWER
- PROPOSED FENCE
- SPREAD PATHLIGHTPOLE

EXISTING CONDITIONS: PROJECT SITE  
SCALE: 1"=100'



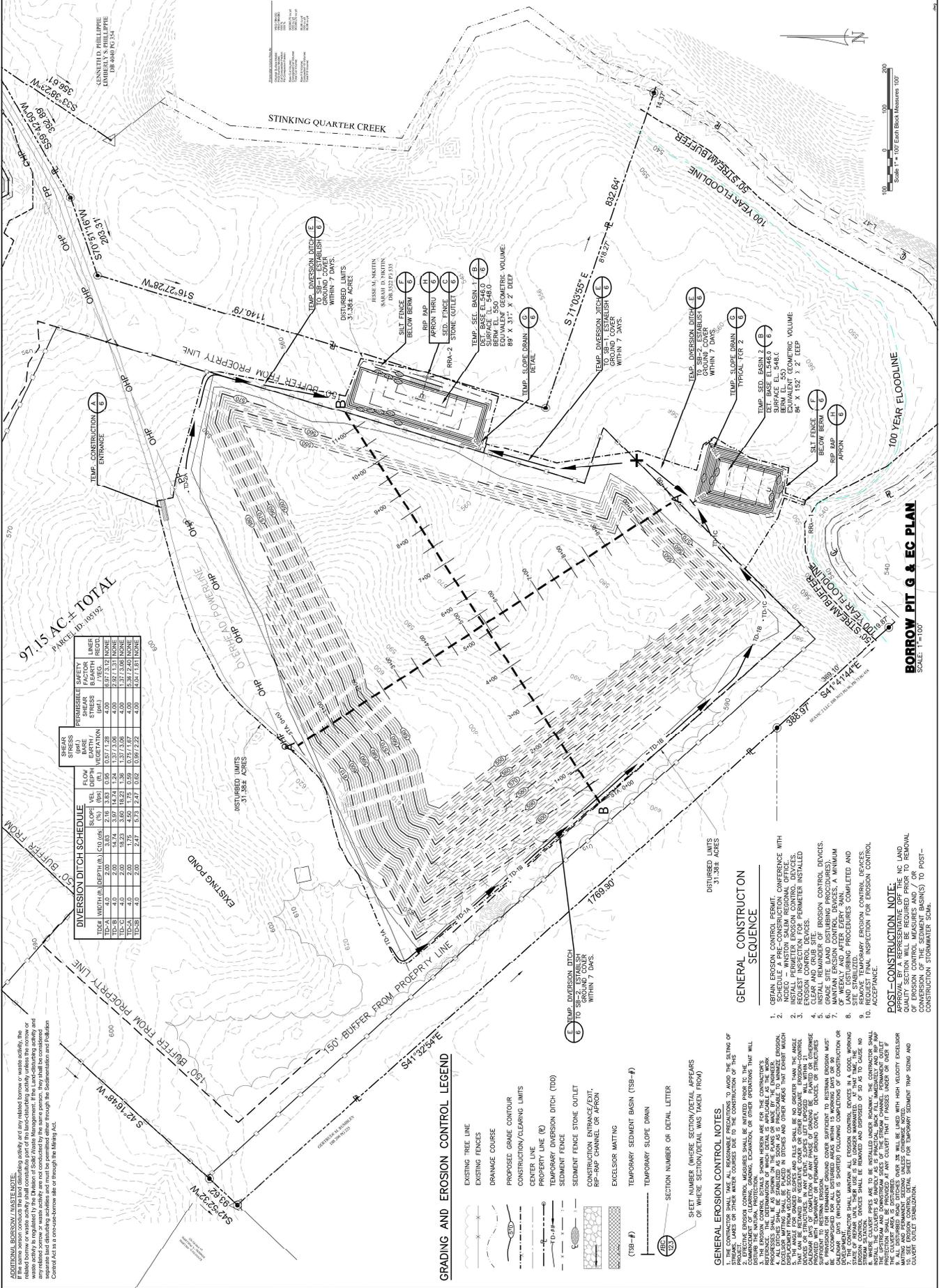
1001 CHESTNUT DRIVE  
SMITHFIELD, NC 27577  
(336) 736-9267



NO.	DESCRIPTION	DATE	BY	APP'D
1	PROPOSED GRADING AND EROSION CONTROL PLAN	05/05/2025	JWW	

**PHILLIPPE BORROW PIT & EROSION CONTROL PLAN**  
**BORROW PIT CONSTRUCTION**  
**GRADING & EROSION CONTROL PLAN**  
**KENNETH PHILLIPPE**  
**4115 CLAPP MILL ROAD**  
**BURLINGTON, NC 27215**

PROJECT NUMBER: 24-PHILLIPPE-01  
 DESIGNED BY: JWW  
 DRAWN BY: JWW  
 CHECKED BY: JWW  
 AS NOTED DATE: 8/13/2025  
 SHEET 3 OF 7



**67.15 AC. TOTAL**  
 PARCEL ID: 000000

TOPE	WIDTH	DEPTH	LCU	VEG.	PERM.	SAFETY
TD-A	4.0	2.0	3.93	2.16	3.93	0.57/1.28
TD-B	4.0	2.0	19.23	3.60	18.22	1.37/3.00
TD-C	4.0	2.0	1.75	4.50	1.75	0.75/1.87
TD-S	4.0	2.0	2.04	3.03	1.24	0.87/2.22

**DIVERSION DITCH SCHEDULE**

TOPE	WIDTH	DEPTH	LCU	VEG.	PERM.	SAFETY
TD-A	4.0	2.0	3.93	2.16	3.93	0.57/1.28
TD-B	4.0	2.0	19.23	3.60	18.22	1.37/3.00
TD-C	4.0	2.0	1.75	4.50	1.75	0.75/1.87
TD-S	4.0	2.0	2.04	3.03	1.24	0.87/2.22

**PERMISSIBLE SHEAR STRENGTH**

FLOW	VEGETATION	PERM.	SAFETY
TD-A	3.93	2.16	3.93
TD-B	19.23	3.60	18.22
TD-C	1.75	4.50	1.75
TD-S	2.04	3.03	1.24

**GRADING AND EROSION CONTROL LEGEND**

- EXISTING TREE LINE
- EXISTING FENCES
- DRAINAGE COURSE
- PROPOSED GRADE CONTOUR
- CONSTRUCTION/CLEARING LIMITS
- CENTER LINE
- PROPERTY LINE (E)
- TEMPORARY DIVERSION DITCH (TDD)
- SEDIMENT FENCE
- SEDIMENT FENCE STONE OUTLET
- CONSTRUCTION ENTRANCE/EXIT, RIP-RAP CHANNEL, OR APRON
- EXCLOSURE MATING
- EXCLOSURE MATING
- TEMPORARY SEDIMENT BASIN (TSB-#)
- TEMPORARY SLOPE DRAIN
- SECTION NUMBER OR DETAIL LETTER

**GENERAL EROSION CONTROL NOTES**

- SHRUBS OR TREES SHALL BE REMOVED PRIOR TO CONSTRUCTION OF THE SITE.
- EFFECTIVE EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO THE START OF CONSTRUCTION.
- CONSTRUCTION SHALL BE LIMITED TO THE DISTURBED AREAS SHOWN ON THIS PLAN.
- ALL DISTURBED AREAS SHALL BE RESTORED TO ORIGINAL OR BETTER CONDITION.
- ALL DISTURBED AREAS SHALL BE RESTORED TO ORIGINAL OR BETTER CONDITION WITHIN 7 DAYS OF COMPLETION OF CONSTRUCTION.
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**GENERAL CONSTRUCTION SEQUENCE**

- GENERAL EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO THE START OF CONSTRUCTION.
- CONSTRUCTION SHALL BE LIMITED TO THE DISTURBED AREAS SHOWN ON THIS PLAN.
- ALL DISTURBED AREAS SHALL BE RESTORED TO ORIGINAL OR BETTER CONDITION WITHIN 7 DAYS OF COMPLETION OF CONSTRUCTION.
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**POST-CONSTRUCTION NOTE:**  
 QUALITY SECTION WILL BE REQUIRED PRIOR TO REMOVAL OF EROSION CONTROL MEASURES. APPROVAL BY A REPRESENTATIVE OF THE NC LAND CONSTRUCTION STORMWATER SOL.

**BORROW PIT & EC PLAN**  
 SCALE: 1"=100'









1001 CHESTNUT DRIVE  
SMITHFIELD, NC 27577  
(336) 736-9267



NO.	DATE	DESCRIPTION
1	02/26/2018	ISSUED FOR PERMITS
2	03/26/2018	REVISED
3	04/26/2018	REVISED

PHILIPPIE BORROW PIT & EROSION CONTROL DETAILS  
415 CLAPP MILL ROAD  
KENNETH PHILLIPPE  
BURLINGTON, NC 27215

PROJECT NUMBER	24-PHILIPPIE-01
DESIGNED BY	JWW
DRAWN BY	JWW
CHECKED BY	JWW
DATE	8/13/25
AS NOTED	6
DATE	9
	7

**PLANTS/LANDSCAPE**

Planting Schedule: 10-15-2025

Planting Area: 1000 sq. ft.

Planting Species: 10-15-2025

Planting Rate: 10-15-2025

Planting Details: 10-15-2025

**Soil Analysis**

Soil Type: 10-15-2025

Soil Test Results: 10-15-2025

Soil Recommendations: 10-15-2025

Soil Treatment: 10-15-2025

**Seeding Schedule**

Seeding Dates: 10-15-2025

Seeding Species: 10-15-2025

Seeding Rate: 10-15-2025

Seeding Details: 10-15-2025

**Seeding Schedule**

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**Seeding Schedule**

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Seeding Species: 10-15-2025

Seeding Rate: 10-15-2025

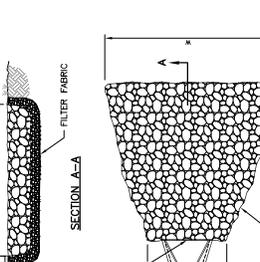
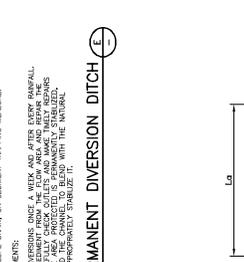
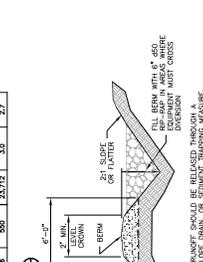
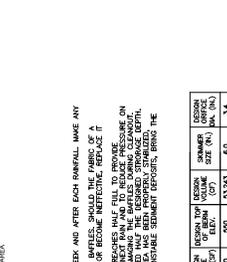
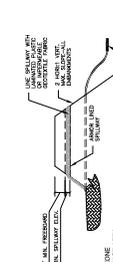
Seeding Details: 10-15-2025

**GROUND STABILIZATION REQUIREMENTS**

SITE AREA DESCRIPTION	STABILIZATION FRAME	PERMITS/OTHER FRAME EXCEPTIONS
1. Parking area, existing, stone, stone	7 Days	None
2. High Quality	7 Days	None
3. Slope 3:1	7 Days	If Slope Area 10' or Less Per Hour 2:1, 14 Days are Allowed
4. Slope 3:1	14 Days	14 Days are Allowed
5. All Other Areas	14 Days	None (except for Retention and New Walls)

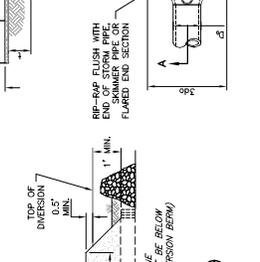
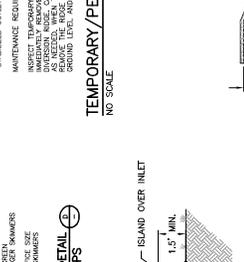
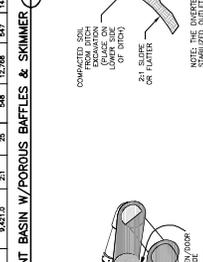
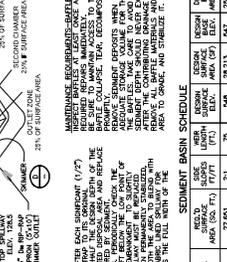
\* Extensions of time may be approved by the permitting authority.

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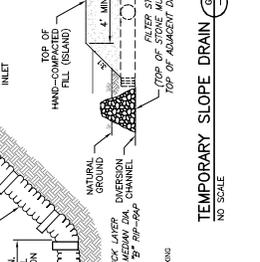
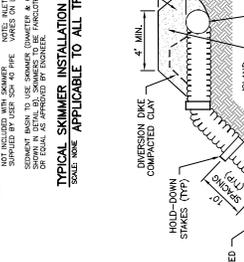
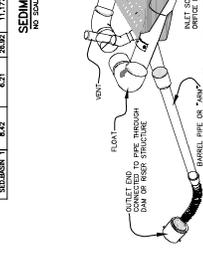
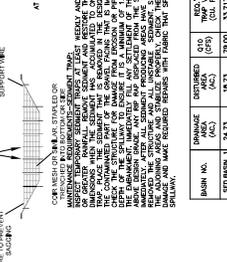
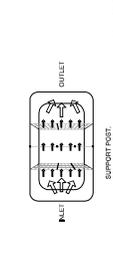
**SEEDING SCHEDULE**

SEEDING DATE	SEEDING SPECIES	SEEDING RATE	SEEDING DETAILS
10-15-2025	10-15-2025	10-15-2025	10-15-2025
10-15-2025	10-15-2025	10-15-2025	10-15-2025
10-15-2025	10-15-2025	10-15-2025	10-15-2025



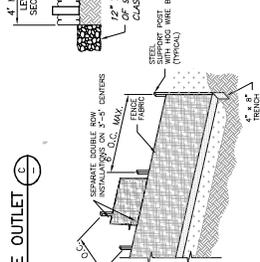
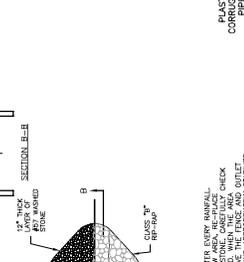
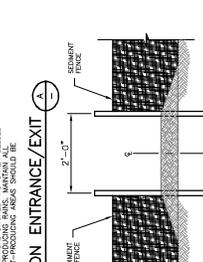
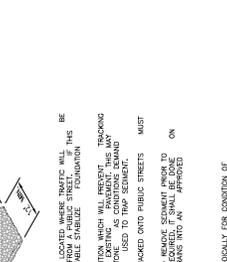
**SEEDING SCHEDULE**

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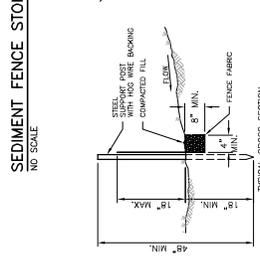
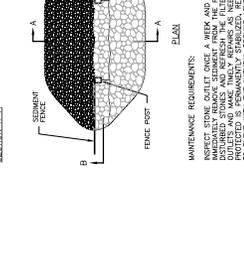
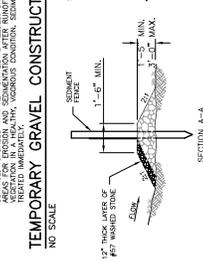
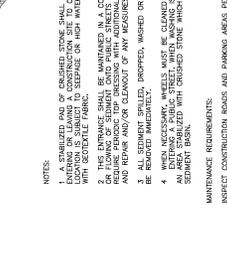
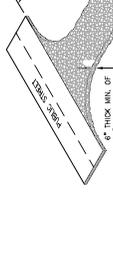
**SEEDING SCHEDULE**

SEEDING DATE	SEEDING SPECIES	SEEDING RATE	SEEDING DETAILS
10-15-2025	10-15-2025	10-15-2025	10-15-2025
10-15-2025	10-15-2025	10-15-2025	10-15-2025
10-15-2025	10-15-2025	10-15-2025	10-15-2025



**SEEDING SCHEDULE**

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10-15-2025	10-15-2025	10-15-2025	10-15-2025



**SEEDING SCHEDULE**

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10-15-2025	10-15-2025	10-15-2025	10-15-2025
10-15-2025	10-15-2025	10-15-2025	10-15-2025



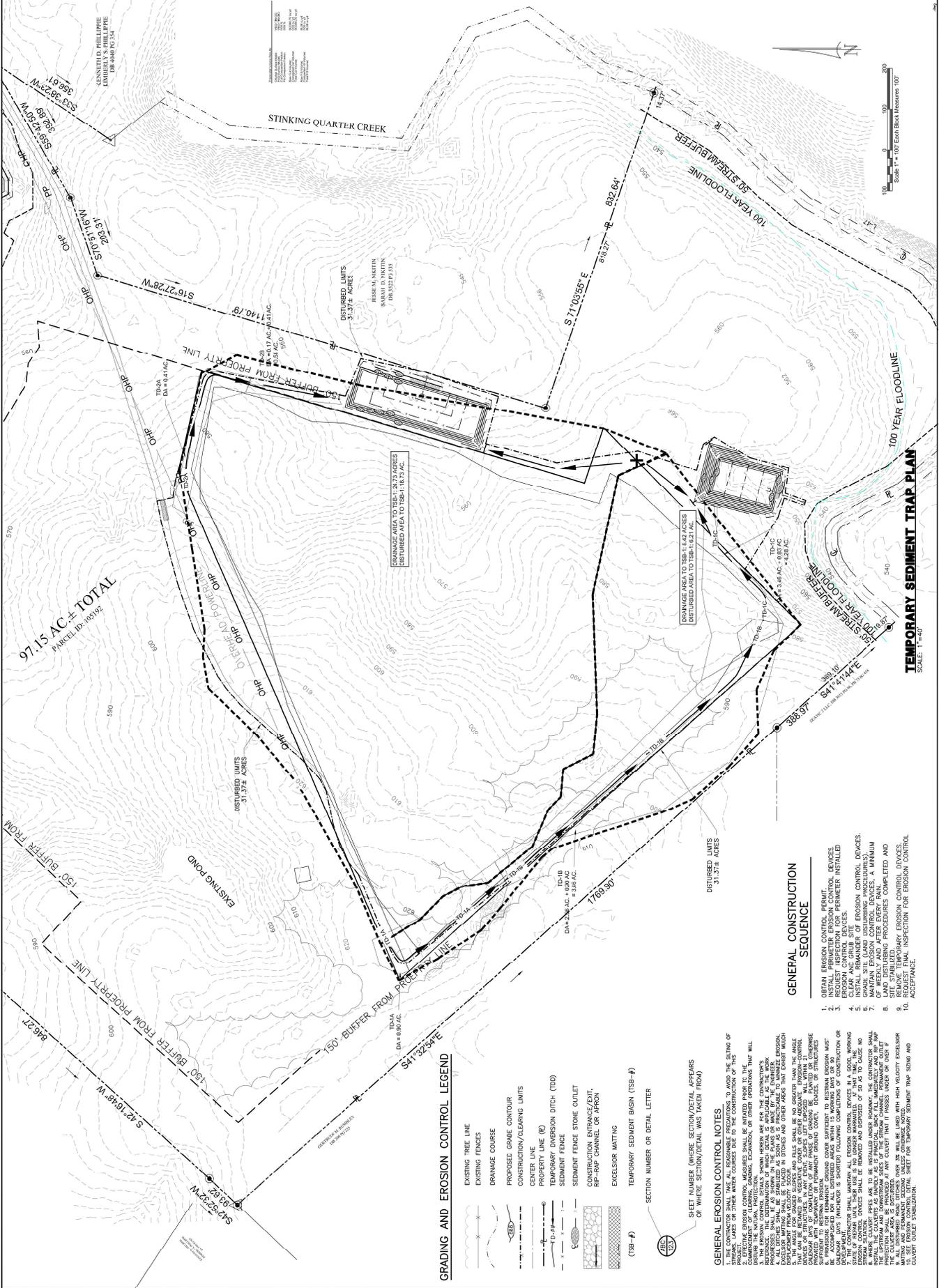
1001 CHESTNUT DRIVE  
SMITHFIELD, NC 27577  
(336) 736-9267



NO.	DESCRIPTION	DATE	BY	APP'D.

**PHILLIPPIE BORROW PIT & DRAINAGE AREA DELINEATIONS**  
**KENNETH PHILLIPPIE**  
 4115 CLAPP MILL ROAD  
 BURLINGTON, NC 27215

PROJECT NUMBER	24-PHILLIPPIE-01
DESIGNED BY	JWW
DRAWN BY	JWW
CHECKED BY	JWW
DATE	8/13/25
AS NOTED	7
DATE	7



**GRADING AND EROSION CONTROL LEGEND**

- EXISTING TREE LINE
- EXISTING FENCES
- DRAINAGE COURSE
- PROPOSED GRADE CONTOUR
- CONSTRUCTION/CLEARING LIMITS
- CENTER LINE
- PROPERTY LINE (E)
- TEMPORARY DIVERSION DITCH (TDD)
- SEDIMENT FENCE
- SEDIMENT FENCE STONE OUTLET
- CONSTRUCTION ENTRANCE/EXIT, RIP-RAP CHANNEL, OR APRON
- EXCLOSOR MATING
- EXCLOSOR MATING
- TEMPORARY SEDIMENT BASIN (TSB-#)
- EXCLOSOR MATING
- SECTION NUMBER OR DETAIL LETTER

SHEET NUMBER (WHERE SECTION/DETAIL APPLIES OF WHERE SECTION/DETAIL WAS TAKEN FROM)

**GENERAL EROSION CONTROL NOTES**

1. ALL DISTURBED AREAS SHALL BE RESTORED TO ORIGINAL OR BETTER CONDITION WITHIN 90 DAYS OF COMPLETION OF CONSTRUCTION OR PERMITS.
2. EFFECTIVE EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO THE START OF CONSTRUCTION AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
3. THE CONSTRUCTION OF EROSION CONTROL MEASURES SHALL BE IN ACCORDANCE WITH THE NATIONAL PREVENTION, DETENTION, OR OTHER MEASURES THAT WILL REDUCE EROSION AND SEDIMENTATION FROM THE PROJECT SITE AND THE WORK AREA.
4. ALL DISTURBED AREAS SHALL BE RESTORED TO ORIGINAL OR BETTER CONDITION WITHIN 90 DAYS OF COMPLETION OF CONSTRUCTION OR PERMITS.
5. ALL DISTURBED AREAS SHALL BE RESTORED TO ORIGINAL OR BETTER CONDITION WITHIN 90 DAYS OF COMPLETION OF CONSTRUCTION OR PERMITS.
6. ALL DISTURBED AREAS SHALL BE RESTORED TO ORIGINAL OR BETTER CONDITION WITHIN 90 DAYS OF COMPLETION OF CONSTRUCTION OR PERMITS.
7. ALL DISTURBED AREAS SHALL BE RESTORED TO ORIGINAL OR BETTER CONDITION WITHIN 90 DAYS OF COMPLETION OF CONSTRUCTION OR PERMITS.
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10. ALL DISTURBED AREAS SHALL BE RESTORED TO ORIGINAL OR BETTER CONDITION WITHIN 90 DAYS OF COMPLETION OF CONSTRUCTION OR PERMITS.

**GENERAL CONSTRUCTION SEQUENCE**

1. OBTAIN EROSION CONTROL PERMIT.
2. INSTALL PERIMETER EROSION CONTROL DEVICES.
3. CLEAR AND GRUB SITE.
4. CLEAR AND GRUB SITE.
5. CLEAR AND GRUB SITE.
6. GRUB SITE (LAND DISTURBING PROCEDURES).
7. OBTAIN EROSION CONTROL PERMIT.
8. LAND DISTURBING PROCEDURES COMPLETED AND PERMITS OBTAINED.
9. REMOVE TEMPORARY EROSION CONTROL DEVICES.
10. REQUEST FINAL INSPECTION FOR EROSION CONTROL COMPLIANCE.

**TEMPORARY SEDIMENT TRAP PLAN**  
SCALE: 1"=40'

**GROUND STABILIZATION AND MATERIALS HANDLING PRACTICES FOR COMPLIANCE WITH THE NCG01 CONSTRUCTION GENERAL PERMIT**

Implementing the details and specifications on this plan sheet will result in the construction activity being considered compliant with the Ground Stabilization and Materials Handling sections of the NCG01 Construction General Permit (Sections E and F, respectively). The permittee shall comply with the Erosion and Sediment Control plan approved by the delegated authority having jurisdiction. All details and specifications shown on this sheet may not apply depending on site conditions and the delegated authority having jurisdiction.

**SECTION E: GROUND STABILIZATION**

Site Area Description	Required Ground Stabilization Timeframes	
	Stabilize within this many calendar days after ceasing land disturbance	Timeframe variations
(a) Perimeter dikes, swales, ditches, and perimeter slopes	7	None
(b) High Quality Water (HQW) Zones	7	None
(c) Slopes steeper than 3:1	7	If slopes are 10' or less in length and are not steeper than 2:1, 14 days are allowed
(d) Slopes 3:1 to 4:1	14	-7 days for slopes greater than 50' in length and with slopes steeper than 4:1 -7 days for perimeter dikes, swales, ditches, perimeter slopes and HQW Zones -10 days for Falls Lake Watershed
(e) Areas with slopes flatter than 4:1	14	-7 days for perimeter dikes, swales, ditches, perimeter slopes and HQW Zones -10 days for Falls Lake Watershed unless there is zero slope

**Note:** After the permanent cessation of construction activities, any areas with temporary ground stabilization shall be converted to permanent ground stabilization as soon as practicable but in no case longer than 90 calendar days after the last land disturbing activity. Temporary ground stabilization shall be maintained in a manner to render the surface stable against accelerated erosion until permanent ground stabilization is achieved.

**GROUND STABILIZATION SPECIFICATION**  
Stabilize the ground sufficiently so that rain will not dislodge the soil. Use one of the techniques in the table below:

Temporary Stabilization	Permanent Stabilization
<ul style="list-style-type: none"> <li>Temporary grass seed covered with straw or other mulches and tackifiers</li> <li>Hydroseeding</li> <li>Roller erosion control products with or without temporary grass seed</li> <li>Appropriately applied straw or other mulch</li> <li>Plastic sheeting</li> </ul>	<ul style="list-style-type: none"> <li>Permanent grass seed covered with straw or other mulches and tackifiers</li> <li>Geotextile fabrics such as permanent soil reinforcement matting</li> <li>Hydroseeding</li> <li>Shrubs or other permanent plantings covered with mulch</li> <li>Uniform and evenly distributed ground cover sufficient to restrain erosion</li> <li>Structural methods such as concrete, asphalt or retaining walls</li> <li>Roller erosion control products with grass seed</li> </ul>

**POLYACRYLAMIDES (PAMS) AND FLOCCULANTS**

- Select flocculants that are appropriate for the soils being exposed during construction, selecting from the *NC DWR List of Approved PAMS/Flocculants*.
- Apply flocculants at or before the inlets to Erosion and Sediment Control Measures.
- Apply flocculants at the concentrations specified in the *NC DWR List of Approved PAMS/Flocculants* and in accordance with the manufacturer's instructions.
- Provide ponding area for containment of treated Stormwater before discharging offsite.
- Store flocculants in leak-proof containers that are kept under storm-resistant cover or surrounded by secondary containment structures.

**EQUIPMENT AND VEHICLE MAINTENANCE**

- Maintain vehicles and equipment to prevent discharge of fluids.
- Provide drip pans under any stored equipment.
- Identify leaks and repair as soon as feasible, or remove leaking equipment from the project.
- Collect all spent fluids, store in separate containers and properly dispose as hazardous waste (recycle when possible).
- Remove leaking vehicles and construction equipment from service until the problem has been corrected.
- Bring used fuels, lubricants, coolants, hydraulic fluids and other petroleum products to a recycling or disposal center that handles these materials.

**LITTER, BUILDING MATERIAL AND LAND CLEARING WASTE**

- Never bury or burn waste. Place litter and debris in approved waste containers.
- Provide a sufficient number and size of waste containers (e.g. dumpster, trash receptacle) on site to contain construction and domestic wastes.
- Locate waste containers at least 50 feet away from storm drain inlets and surface waters unless no other alternatives are reasonably available.
- Locate waste containers on areas that do not receive substantial amounts of runoff from upland areas and does not drain directly to a storm drain, stream or wetland.
- Cover waste containers at the end of each workday and before storm events or provide secondary containment. Repair or replace damaged waste containers.
- Anchor all lightweight items in waste containers during times of high winds.
- Empty waste containers as needed to prevent overflow. Clean up immediately if containers overflow.
- Dispose waste off-site at an approved disposal facility.
- On business days, clean up and dispose of waste in designated waste containers.

**PAINT AND OTHER LIQUID WASTE**

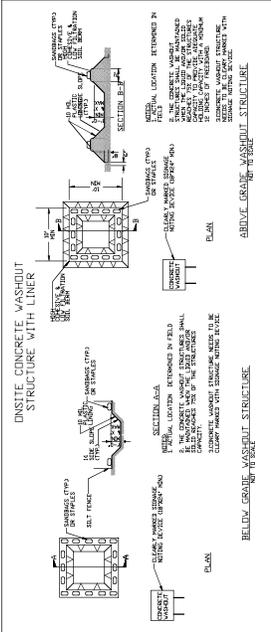
- Do not dump paint and other liquid waste into storm drains, streams or wetlands.
- Locate paint washouts at least 50 feet away from storm drain inlets and surface waters unless no other alternatives are reasonably available.
- Contain liquid wastes in a controlled area.
- Containment must be labeled, sized and placed appropriately for the needs of site.
- Prevent the discharge of soaps, solvents, detergents and other liquid wastes from construction sites.

**PORTABLE TOILETS**

- Install portable toilets on level ground, at least 50 feet away from storm drains, streams or wetlands unless there is no alternative reasonably available. If 50 foot offset is not attainable, provide relocation of portable toilet behind silt fence or place on a gravel pad and surround with sand bags.
- Provide staking or anchoring of portable toilets during periods of high winds or in high foot traffic areas.
- Monitor portable toilets for leaking and properly dispose of any leaked material. Utilize a licensed sanitary waste hauler to remove leaking portable toilets and replace with properly operating unit.

**EARTHEN STOCKPILE MANAGEMENT**

- Show stockpile locations on plans. Locate earthen-material stockpile areas at least 50 feet away from storm drain inlets, sediment basins, perimeter sediment controls and surface waters unless it can be shown no other alternatives are reasonably available.
- Protect stockpile with silt fence installed along toe of slope with a minimum offset of five feet from the toe of stockpile.
- Provide stable stone access point when feasible.
- Stabilize stockpile within the timeframes provided on this sheet and in accordance with the approved plan and any additional requirements. Soil stabilization is defined as vegetative, physical or chemical coverage techniques that will restrain accelerated erosion on disturbed soils for temporary or permanent control needs.



**CONCRETE WASHOUTS**

- Do not discharge concrete or cement slurry from the site.
- Dispose of, or recycle settled, hardened concrete residue in accordance with local and state solid waste regulations and at an approved facility.
- Manage washout from mortar mixers in accordance with the above item and in addition place the mixer and associated materials on impervious barrier and within lot perimeter silt fence.
- Install temporary concrete washouts per local requirements, where applicable. If an alternate method or product is to be used, contact your approval authority for review and approval. If local standard details are not available, use one of the two types of temporary concrete washouts provided on this detail.
- Do not use concrete washouts for dewatering or storing defective curb or sidewalk sections. Stormwater accumulated within the washout may not be pumped into or discharged to the storm drain system or receiving surface waters. Liquid waste must be pumped out and removed from project.
- Locate washouts at least 50 feet from storm drain inlets and surface waters unless it can be shown that no other alternatives are reasonably available. At a minimum, install protection of storm drain inlets closest to the washout which could receive spills or overflow.
- Locate washouts in an easily accessible area, on level ground and install a stone entrance pad in front of the washout. Additional controls may be required by the approving authority.
- Install at least one sign directing concrete trucks to the washout within the project limits. Post signage on the washout itself to identify this location.
- Remove leftovers from the washout when at approximately 75% capacity to limit overflow events. Replace the tarp, sand bags or other temporary structural components when no longer functional. When utilizing alternative or proprietary products, follow manufacturer's instructions.
- At the completion of the concrete work, remove remaining leftovers and dispose of in an approved disposal facility. Fill pit, if applicable, and stabilize any disturbance caused by removal of washout.

**HERBICIDES, PESTICIDES AND RODENTICIDES**

- Store and apply herbicides, pesticides and rodenticides in accordance with label restrictions.
- Store herbicides, pesticides and rodenticides in their original containers with the label, which lists directions for use, ingredients and first aid steps in case of accidental poisoning.
- Do not store herbicides, pesticides and rodenticides in areas where flooding is possible or where they may spill or leak into wells, stormwater drains, ground water or surface water. If a spill occurs, clean area immediately.
- Do not stockpile these materials onsite.

**HAZARDOUS AND TOXIC WASTE**

- Create designated hazardous waste collection areas on-site.
- Place hazardous waste containers under cover or in secondary containment.
- Do not store hazardous chemicals, drums or bagged materials directly on the ground.

**PART III  
SELF-INSPECTION, RECORDKEEPING AND REPORTING**

**SECTION A: SELF-INSPECTION**

Self-inspections are required during normal business hours in accordance with the table below. When adverse weather or site conditions would cause the safety of the inspection personnel to be in jeopardy, the inspection may be delayed until the next business day on which it is safe to perform the inspection. In addition, when a storm event of equal or greater than 1.0 inch occurs outside of normal business hours, the self-inspection shall be performed upon the commencement of the next business day. Any time when inspections were delayed shall be noted in the inspection record.

Inspect	Frequency (during normal business hours)	Inspection records must include:
(1) Rain gauge maintained in good working order	Daily	Daily rainfall amounts. If no daily rain gauge observations are made during weekend or holiday periods, and no individual-day rainfall information is available record the cumulative rain measurement for those unavailable days (and this will determine if a site inspection is needed). Days on which no rainfall occurred shall be recorded as "zero." The permittee may use another rain-monitoring device approved by the Division.
(2) E&SC Measures	At least once per 7 calendar days and within 24 hours of a rain event $\geq 1.0$ inch in 24 hours	1. Identification of the measures inspected, 2. Date and time of the inspection, 3. Name of the person performing the inspection, 4. Whether the measures were operating properly, 5. Description of maintenance needs for the measure, 6. Description, evidence, and date of corrective actions taken.
(3) Stormwater discharge outfalls, SDOs	At least once per 7 calendar days and within 24 hours of a rain event $\geq 1.0$ inch in 24 hours	1. Identification of the discharge outfalls inspected, 2. Date and time of the inspection, 3. Name of the person performing the inspection, 4. Evidence of indicators of stormwater pollution such as oil slicks, floating or suspended solids or discoloration, 5. Indication of visible sediment leaving the site, 6. Description, evidence, and date of corrective actions taken.
(4) Perimeter of site	At least once per 7 calendar days and within 24 hours of a rain event $\geq 1.0$ inch in 24 hours	If visible sedimentation is found outside site limits, then a record of the following shall be made: 1. Actions taken to clean up or stabilize the sediment that has left the site limits, 2. Date, evidence, and date of corrective actions taken, and 3. An explanation as to the actions taken to control future releases.
(5) Streams or wetlands onsite or offsite (where accessible)	At least once per 7 calendar days and within 24 hours of a rain event $\geq 1.0$ inch in 24 hours	If the stream or wetland has increased visible sedimentation or a stream has visible increased turbidity from the construction activity, then a record of the following shall be made: 1. Description, evidence and date of corrective actions taken, and 2. Records of the required reports to the appropriate Division Regional Office per Part III, Section C, Item (2)(a) of this permit.
(6) Ground stabilization measures	After each phase of grading	1. The phase of grading (installation of perimeter E&SC measures, clearing and grubbing, installation of storm drainage facilities, completion of all land-disturbing activity, construction or redevelopment, permanent ground cover). 2. Documentation that the required ground stabilization measures have been provided in accordance with the timeframe or as assurance that they will be provided as soon as possible.

NOTE: The rain inspection resets the required 7 calendar day inspection requirement.

**PART III  
SELF-INSPECTION, RECORDKEEPING AND REPORTING**

**SECTION B: RECORDKEEPING**

**1. E&SC Plan Documentation**

The approved E&SC plan as well as any approved deviation shall be kept on the site. The approved E&SC plan must be kept up-to-date throughout the coverage under this permit. The following items pertaining to the E&SC plan shall be kept on site and available for inspection at all times during normal business hours:

Documentation Requirements
(a) Each E&SC measure has been installed and does not significantly deviate from the locations, dimensions and relative elevations shown on the approved E&SC plan.
(b) A phase of grading has been completed. Initial and date a copy of the approved E&SC plan or complete, date and sign an inspection report to indicate completion of the construction phase.
(c) Ground cover is located and installed in accordance with the approved E&SC ground cover specifications.
(d) The maintenance and repair requirements for all E&SC measures have been performed.
(e) Corrective actions have been taken to E&SC measures.

**2. Additional Documentation to be Kept on Site**

In addition to the E&SC plan documents above, the following items shall be kept on the site and available for inspectors at all times during normal business hours, unless the Division provides a site-specific exemption based on unique site conditions that make this requirement not practical:

- (a) This General Permit as well as the Certificate of Coverage, after it is received.
- (b) Records of inspections made during the previous twelve months. The permittee shall record the required observations on the Inspection Record Form provided by the Division or a similar inspection form that includes all the required elements. Use of electronically-available records in lieu of the required paper copies will be allowed if shown to provide equal access and utility as the hard-copy records.

**3. Documentation to be Retained for Three Years**

All data used to complete the e-NOI and all inspection records shall be maintained for a period of three years after project completion and made available upon request. [40 CFR 122.41.]

**PART II, SECTION G, ITEM (4)**

**DRAW DOWN OF SEDIMENT BASINS FOR MAINTENANCE OR CLOSE OUT**

Sediment basins and traps that receive runoff from drainage areas of one acre or more shall use outlet structures that withdraw water from the surface when these devices need to be drawn down for maintenance or close out unless this is infeasible. The circumstances in which it is not feasible to withdraw water from the surface shall be rare (for example, times with extended cold weather). Non-surface withdrawals from sediment basins shall be allowed only when all of the following criteria have been met:

- (a) The E&SC plan authority has been provided with documentation of the non-surface withdrawal and the specific time periods or conditions in which it will occur. The non-surface withdrawal shall not commence until the E&SC plan authority has approved these items.
- (b) The non-surface withdrawal has been reported as an anticipated bypass in accordance with Part III, Section C, Item (2)(c) and (d) of this permit.
- (c) Dewatering discharges are treated with controls to minimize discharges of pollutants from stormwater that is removed from the sediment basin. Examples of appropriate controls include properly sited, designed and maintained dewatering tanks, weir tanks, and filtration systems.
- (d) Vegetated, upland areas of the sites or a properly designed stone pad is used to the extent feasible at the outlet of the dewatering treatment devices described in Item (c) above.
- (e) Velocity dissipation devices such as check dams, sediment traps, and riprap are provided at the discharge points of all dewatering devices, and
- (f) Sediment removed from the dewatering treatment devices described in Item (c) above is disposed of in a manner that does not cause deposition of sediment into waters of the United States.

**PART III  
SELF-INSPECTION, RECORDKEEPING AND REPORTING**

**SECTION C: REPORTING**

**1. Occurrences that Must be Reported**

Permittees shall report the following occurrences:

- (a) Visible sediment deposition in a stream or wetland.
- (b) Oil spills if:
  - They are 25 gallons or more,
  - They are less than 25 gallons but cannot be cleaned up within 24 hours,
  - They cause sheen on surface waters (regardless of volume), or
  - They are within 100 feet of surface waters (regardless of volume).
- (c) Releases of hazardous substances in excess of reportable quantities under Section 311 of the Clean Water Act (Ref: 40 CFR 110.3 and 40 CFR 117.3) or Section 102 of CERCLA (Ref: 40 CFR 302.4) or G.S. 143-215.85.
- (d) Anticipated bypasses and unanticipated bypasses.
- (e) Noncompliance with the conditions of this permit that may endanger health or the environment.

**2. Reporting Timeframes and Other Requirements**

After a permittee becomes aware of an occurrence that must be reported, he shall contact the appropriate Division regional office within the timeframes and in accordance with the other requirements listed below. Occurrences outside normal business hours may also be reported to the Department's Environmental Emergency Center, per personnel at (800) Reporting Timeframes (After Discovery) and Other Requirements

(a) Visible sediment deposition in a stream or wetland	(b) Oil spills and hazardous substances per Item 1(B)-(C) above	(c) Anticipated bypasses [40 CFR 122.41(m)(3)]	(d) Unanticipated bypasses [40 CFR 122.41(m)(3)]	(e) Noncompliance with the conditions of this permit that may endanger health or the environment [40 CFR 122.41(f)(7)]
<ul style="list-style-type: none"> <li>• <b>Within 24 hours</b>, an oral or electronic notification.</li> <li>• <b>Within 7 calendar days</b>, a report that contains a description of the sediment and actions taken to address the cause of the deposition. Division staff may waive the requirement for a written report on a case-by-case basis.</li> <li>• If the stream is named on the <a href="#">NC 303(d) List</a> as impaired for sediment-related causes, the permittee may be required to perform additional monitoring, inspections or apply more stringent practices if staff determine that additional requirements are needed to assure compliance with the federal or state impaired-waters conditions.</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Within 24 hours</b>, an oral or electronic notification. The notification shall include information about: the date, time, nature, volume and location of the spill or release.</li> </ul>	<ul style="list-style-type: none"> <li>• <b>A report at least ten days before the date of the bypass, if possible.</b> The report shall include an evaluation of the anticipated quality and effect of the bypass.</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Within 24 hours</b>, an oral or electronic notification.</li> <li>• <b>Within 7 calendar days</b>, a report that includes an evaluation of the quality and effect of the bypass.</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Within 7 calendar days</b>, an oral or electronic notification. A report that contains a description of the noncompliance, and its causes, the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time noncompliance is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance. [40 CFR 122.41(f)(6).</li> <li>• Division staff may waive the requirement for a written report on a case-by-case basis.</li> </ul>

**PART XIV. RECREATIONAL VEHICLES**

Section 6.14.1 Purpose and Applicability ..... p. 2  
Section 6.14.2 RV Park Development Standards ..... p.2  
Section 6.14.3 Accessory Uses ..... p. 9  
Section 6.14.4 Site Plan Requirements ..... p. 9  
Section 6.14.5 Expansion to Existing Development..... p. 10  
Section 6.14.6 Recreational Vehicles on Individual Lots .....p. 11

DRAFT

## 6.14 Recreational Vehicle (RV) / Travel Trailer Parks

### 6.14.1 PURPOSE AND APPLICABILITY

The purpose of this section is to regulate the placement of Recreational Vehicles (RVs) within Alamance County in order to promote the public health, safety, and general welfare of the citizens of the county and to attempt to abate nuisances that may arise from the use of such vehicles.

Additionally, these regulations shall ensure that adequate roadways, fire safety, emergency access, off-street parking, utilities (water, sewer, and electricity), solid waste disposal, recreation, and privacy are provided to residents who occupy recreational vehicles on individual lots or in recreational vehicle parks.

All RV parks must be contained within the same parcel of land, and no uses shall be allowed on the property unless they are incidental and in support of the RV Park, as detailed in Section 6.14.3 below. Clustering of spaces within RV parks is not permitted.

### 6.14.2 RV PARK DEVELOPMENT SPECIFICATIONS STANDARDS

#### A. Minimum Space Size Dimensional Requirements

##### 1. Service based Size Requirements

<u>Services Provided</u>	<u>Minimum Space Size</u>
<u>Recreational Vehicle requirements</u>	<u>2,400 square feet</u>

2. RV Parks located in the Balance of Watershed (BOW) shall have a minimum manufactured home space size of one acre.

3. RV Parks located in the Watershed Critical Area (WCA) of watersheds shall have a minimum manufactured home space size of two acres.

1. The minimum space required for any Recreational Vehicle within a park shall be 2,400 square feet. One parking space, as required by Subsection D below, may be included within this 2,400 square-foot area in addition to the space reserved for the Recreational Vehicle.

2. RV Park development within any Balance of Watershed area may not exceed more than twelve (12) percent built-upon area per net acre of land.

3. RV Park development within any Critical Area of a Watershed may not exceed more than six (6) percent built-upon area per net two (2) acres of land.

4. Spaces within Recreational Vehicle/Travel Trailer Parks (collectively referred to in this section as "Parks") are not transferable lots that can be deeded or sold except by an approved subdivision plat. Approved RV Park plans are not to be construed as a subdivision.

\*NOTE: Additional acreage may be required by the Alamance County Health Department to accommodate sewage disposal and well systems.

## B. Road Standards

1. RV Parks shall have a "clearway" of 30 feet.
2. Within each designated clearway there shall be a "travelway." The travelway shall be at least twenty (20) feet wide and be maintained for all weather and emergency vehicle access. Every travelway that does not either intersect a public road or intersect into another travelway must provide for a vehicle turnaround as follows:
  - a. For dead ends ~~less than~~ which are one hundred fifty (150') feet in length or less (as measured from the nearest road or travelway intersection centerline to the center point of the dead end, cul-de-sac, or other end point of the travelway) ~~with~~ there shall be a minimum width of twenty (20') feet or other configuration as approved by the appropriate regulating agency.
  - b. For ~~cul-de-sacs more than~~ dead ends which are one hundred fifty (150') feet in length to five hundred (500) feet in length (as measured from the nearest road or travelway intersection centerline to the center point of the dead end, cul-de-sac, or other end point of the travelway) ~~with~~ there shall be a minimum cul-de-sac width of at least ninety-six (96') feet at the end of the road or other turnaround configuration as approved by the appropriate regulating agency Alamance County Fire Marshal.
  - c. For dead ends which are five hundred and one (501) feet in length to seven hundred and fifty (750) feet in length (as measured from the nearest road or travelway intersection centerline to the center point of the dead end, cul-de-sac, or other end point of the travelway) there shall be a minimum cul-de-sac width of at least ninety-six (96') feet at the end of the road or other turnaround configuration as approved by the Alamance County Fire Marshal.
  - d. No ~~cul-de-sac or other~~ dead-end road shall exceed two thousand, five hundred (2,500') feet in length as measured from the nearest road or travelway intersection centerline to the center point of the dead end, cul-de-sac or other end point of the travelway.
3. All primary entry travelways must originate from a public right-of-way.

4. ~~These standards are a minimum and will be subject to review and approval by the appropriate agency. Private Roads or other access easements may not originate from an RV Park travelway. Travelway use shall be reserved only for guests of the RV Park and in support of the accessory uses related to the RV Park.~~

### **C. Space Frontage**

#### ~~1. Recreational Vehicle~~

~~Each designated recreational vehicle (also referred to as RV) RV space shall have a minimum width of forty (40') feet of frontage on along the travelway.~~

### **D. Parking**

#### ~~1. Recreational Vehicle~~

~~Each RV space Park shall provide for two (2) designated parking spaces outside of the clearway; ~~one~~ One parking space may be met at an overflow parking area on the same parcel as the space of land as the RV Park. One parking space may be met within the allotted 2,400 square feet dedicated to each RV space.~~

~~Each parking space at any location shall have a minimum dimension of at least twenty (20') feet in length and ~~10' nine (9) feet in width, with minimum 4" of ABC (aggregate base course) stone.~~ Spaces designated for handicap, parallel, or diagonal parking may be larger if necessary.~~

~~All parking surfaces shall be paved, graveled, or filled with other solid materials as to ensure the integrity of vehicular load, provide for stable and accessible parking, and prevent erosion and vegetative overgrowth.~~

### **E. Setbacks, Landscaping, and Buffering**

~~The following setbacks are established for units within RV parks:~~

~~The separation requirements of the ordinance ~~is~~ are intended to protect property values, preserve the character and integrity of the County and to promote the health, safety and welfare of County residents. Landscaping requirements are intended to ensure that park developments preserve the rural and natural setting common to the area. Buffers are intended to protect adjoining land uses, from the noise, dust, lights, threats to privacy, and aesthetic impacts of more intense land uses.~~

<b>Structure setbacks</b>	<b>Min. distance 15 feet between structures on adjacent lots</b>
Property Line Setback	Min. 40 ft. setbacks along all property lines
Landscape Buffer	Min. 30 ft. landscape buffer (can be within the 50 ft. property line setback)
Along public right of way	All spaces adjacent to public right of way shall meet a min. 40 ft. Setback
Landscaping	A 30' landscape buffer shall be required along exterior parcel lines. Buffers are intended to protect adjoining land uses, from the noise, dust, lights, threats to privacy, and aesthetic impacts of more intense land uses.
Landscape Buffers	If any portion of any park is BOTH within 300 feet AND visible from any schools, churches or residences (other than that of the park owner), then the park owner will be required to install additional screening from view with a buffer strip or screened fence, along the boundary line facing the residence. For the purpose of this ordinance, a screened fence must be at least six feet high and of opaque material. Please see Appendix B for suggestions and guidelines for general screening. The buffer requirement may also be satisfied by existing natural vegetation meeting the intent of this ordinance provided that the natural vegetation is owned by the park owner. Whether to install a screened fence or a landscaping buffer to meet this requirement is up to the park owner. Landscape Buffers are not required across a public thoroughfare.
Screening	Any park with RVs or manufactured homes located within 50 feet of a public right of way shall be screened from view from the public road with a buffer as defined by this ordinance. In addition, any park with more than five RVs or manufactured homes adjacent to a public road right of way that do not have direct, individual driveway access to the public road shall be buffered from view from the road by a buffer defined by this ordinance. The buffer requirement may be satisfied by a screen fence defined as at least six feet in height and made of opaque materials. The buffer requirement may also be satisfied by existing natural vegetation meeting the intent of this ordinance provided that the natural vegetation is owned by the park owner.

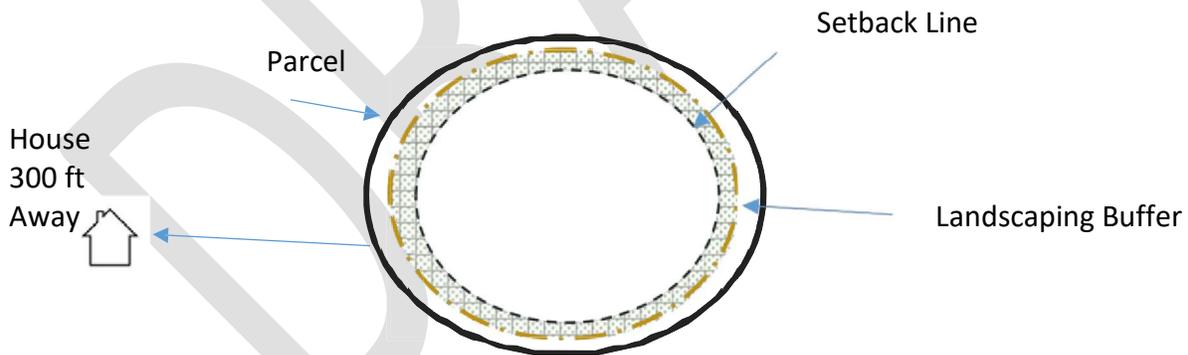
~~\*Note: Persons operating parks shall utilize good husbandry techniques with regard to plant materials including but not limited to proper planting at 8ft on center double row staggered plantings, mulching, fertilization, pruning and otherwise proper maintenance to ensure a healthy, uniform, continuous solid vegetative screen as soon after planting as possible.~~

~~\*Note: In all cases, each lot boundary should be clearly identified with corner markers.~~

All RV Park operations must abide by an internal forty (40) foot setback spacing from all property lines.

If any portion of the development exists within fifty (50) feet of a public road then a landscaping buffer of at least thirty (30) feet must be maintained along the perimeter of the park. This buffer may exist within the forty (40) foot setback area. For suggestions and guidelines on vegetation and planting, please see Appendix B of this Ordinance.

Buffer requirements may also be satisfied by existing natural vegetation meeting the intent of this ordinance provided that the natural vegetation is owned by the park owner and within the setback spacing area. If natural vegetation is used, the Planning Director, or their designee, shall conduct a site visit in order to determine the effectiveness of the vegetation and reduce the analysis to writing. That analysis shall then be delivered to the applicant and kept on file with the other documents related to the RV Park development.



## **F. Land Spacing**

### **Land Use Spacing & Protected Facilities**

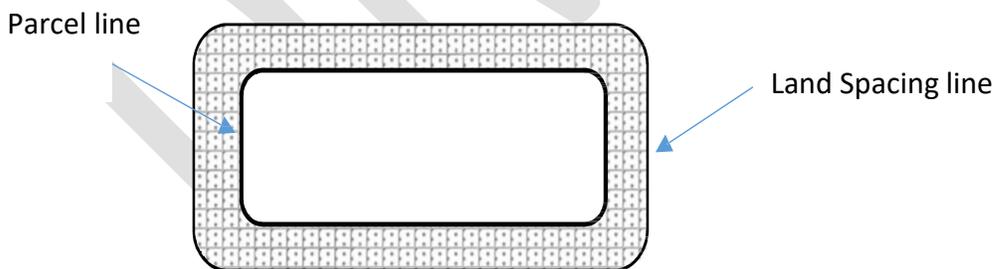
Uses regulated by this section shall be required to meet a minimum spacing requirement from any “protected facility” as defined by this section. Land use spacing shall be measured in a straight line without regard for intervening structures or objects from the closest edge of the property line of the tract(s) on which the RV park is located to the nearest improvement currently in use as a protected facility. The purpose of this requirement is to minimize the potential negative impacts of conflicting uses of land.

For the purpose of this section, the following shall be considered “protected facilities”:

1. A religious Facility
2. A Manufactured Home Park
3. A Recreational Vehicle/Travel Trailer Park
4. A public or privately-owned park or playground
5. A school
6. A dwelling unit

Exception: an RV park may be located in any direction from the residence of the owner of the RV park. The following are the land spacing requirements for Recreational Vehicle Park defined by number of units. Land spacing requirements are to be measured from the property line of the RV park to the neighboring property-structure. As identified below:

<b>Recreational Vehicle Park</b>	
<b>4 or more units</b>	<b>50 ft land spacing</b>
<p><del>*NOTE: Land spacing shall be measured in a straight line without regard for intervening structures or objects from the closest edge of the property line of the tract(s) on which the area of operations is located to the nearest use as listed. The purpose of this requirement is to minimize the potential negative impacts of conflicting uses of land.</del></p>	
<p><del>Where strict application of these standards are not achievable, the RV Park owner at his/her discretion may consider a five feet tall landscaping berm. The berm must maintain a minimum 3:1 slope ratio. The required landscaping for the park shall be planted atop the berm to meet the requirements of this ordinance.</del></p>	



**F. G. Signage**

1. Each RV Park must display and maintain a permanent sign with the name and address as assigned according to Alamance County Addressing Ordinance. These signs shall be no more than ten (10') feet from each entrance. The sign shall be clearly visible with lettering at least four (4") inches high. If the sign is posted perpendicular to the main road, the name and address number shall be visible from both directions.

2. Each RV space shall be consecutively numbered as assigned according to the Alamance County Addressing Ordinance. Each space will display a sign no more than 10' from the unit's driveway or required parking area and will be clearly visible from the travelway. Numbers should be at least four (4") inches high. If the sign is posted perpendicular to the travelway, the address should be visible from both directions.

**G. H. Garbage Disposal and General Maintenance**

All garbage and refuse in every RV Park shall be stored in suitable water-tight and fly-tight standard garbage receptacles, and kept covered with tight fitting covers. At least one such receptacle shall be provided and conveniently located for every RV space except where a dumpster or dumpsters are conveniently located and used in the same manner as

separate receptacles. Operators are responsible for ensuring that the park is properly maintained according to all applicable ordinances.

**H. I. Water and Sewage Disposal**

All RV Parks will be subject to monitoring and enforcement of water quality standards. Each space shall be provided an individual connection to a water supply and wastewater disposal system approved by the appropriate regulatory authority. No site plan will be approved prior to review and approval by the appropriate regulatory authority.

~~**I. RV/Travel Trailer Park Exception**~~

~~One space may be used for a manufactured home for an administrator of the park with space meeting the minimum requirements required in the manufactured home park requirements.~~

**E. J. Approval and Permitting**

Approvals and permits issued under this section are valid for a period of two (2) years and shall automatically expire, unless renewed. A Permit renewal is required for each RV park; should a permit expire for a park the owner will apply for a new permit under current ordinance at that time.

1. Site Visit Required

A site visit must be conducted by the Alamance County Planning Department prior to issuing a renewed permit to ensure continued compliance with this ordinance. It is the responsibility of the permit holder to schedule a site visit with the Alamance County Planning Department.

2. Other Requirements

- a) Proof of continued compliance with all requirements of this Ordinance and maintenance of all required permits.

- b) If the permitted location has been the subject of two or more enforcement actions within the renewal period, then the Planning Director, at their discretion, may require a public hearing before the Alamance County Planning Board prior to the renewal of the Permit.

## **6.14.2 CLUSTER DEVELOPMENT**

~~Clustering of spaces within RV Parks is not permitted.~~

## **6.14.3 ACCESSORY USES**

Accessory uses shall be directly related to RV park operations and designed to blend in with the park's natural surroundings. Such uses shall be clearly accessory to the principal use as a campground/RV park. Accessory uses may include developments such as management offices, owner's living quarters, recreational facilities, bathroom or shower facilities, dumping stations, laundry facilities, convenience stores, restaurants, maintenance sheds, and other structures clearly incidental to the operation of the park. These uses shall be permitted as accessory only and subject to the following conditions:

- The shall not occupy more than ten (10) percent of the gross area of the park;
- The use shall be restricted to the enjoyment of the occupants of the park and/or related park association members, not the general public, and;
- Such establishments shall present no visible evidence from any public road of their commercial character.

### **6.14.2.1. Owner/Operator Living Quarters**

~~One space may be~~ Space may be used within the park for a single-family dwelling or manufactured home for an administrator of the park, with space meeting the minimum requirements required in the manufactured home park requirements. These residential developments must meet the required minimum lot size regulations of the Subdivision Ordinance or Watershed Protection Standards, if applicable, and be properly permitted to connect to a water well and septic system in accordance with Alamance County Health Department standards. Other spacing and access requirements may be the same as those enforced on RV spaces.

## **6.14.3 6.14.4 SITE PLAN REQUIREMENTS**

Site plans shall be submitted for RV Parks as required by the Alamance County Planning Department. RV Parks located in a designated watershed in Alamance County shall also submit a site plan for review and approval per the Alamance County Watershed Protection Standards in this Ordinance.

All RV Park Site Plans are required to show, at minimum:

- Date of Submission
- Name and address of owner(s)
- Name of RV Park (RV Park names shall not duplicate or approximate, phonetically, existing subdivision/ Manufactured Home/ RV Park names)
- Location designation including a vicinity map (township, county, state) showing the property and surrounding area
- Name and address of surveyor or engineer
- Scale in figures and bar graph
- North arrow
- Bearings and distances of property boundary
- Surrounding property lines, property owners, and subdivisions
- Topography including water courses, wooded areas, and contours at 5' intervals or less
- Location, extent, and identification of marginal land
- Acreage of property within the park
- Total proposed number of spaces
- Square feet of each space
- Existing conditions (on property to be subdivided and within 300' of property being subdivided) including, but not limited to, boundaries and identification of political subdivisions, boundaries and identification of land use districts, buildings, structures, or utilities (public or community), street right-of-way (including pavement and names), location and size of bridges, culverts, and other storm drainage facilities, location, width, and purpose of all easements.
- Proposed conditions including travelway alignments, clearways, and all associated dimensions including cul-de-sacs, t-turnarounds, clear zone measurements, parking areas, curve radii and site distance measurements as needed, proposed utilities, and any other infrastructure and storm drainage facilities, all easements, manufactured home spaces including separation lines, numbers, and approximate dimensions of spaces and setbacks, and proposed public use (open space) sites.
- All landscape buffers for the park
- Any other information deemed necessary for site plan review by the Planning Department.
- Approval of any other departments or agencies as required for compliance with the requirements of this or any other ordinance.

#### ~~6.14.4~~ 6.14.5 EXPANSION TO EXISTING DEVELOPMENT

Existing RV or Travel Trailer Parks which were approved under the prior Manufactured Home Parks ordinance shall be considered legal nonconformance subject to Section 3.2 of this ordinance.

#### 6.14.6 RECREATIONAL VEHICLES ON INDIVIDUAL LOTS

Recreational Vehicles may be used as a Temporary Residence as long as they are properly permitted under Section 6.1.6 of this Ordinance.

Recreational Vehicles which are simply stored on individual lots and not intended for use as a Temporary Residence or within a Recreational Vehicle Park shall be viewed as personal property and not subject to the regulations of this Ordinance. Such RVs may be connected to an electrical power source without obtaining a Temporary Residence Permit as long as no person will live in the RV for a period of more than thirty (30) days and with the approval of the Building Inspections Department.

Recreational Vehicles stored as personal property must be kept in good working order or may be regulated as Junked Motor Vehicles in accordance with Section 6.12 of this Ordinance.

DRAFT

## ARTICLE 7 | DEFINITIONS

### 7.1 Word Usage

For the purpose of this Ordinance:

- a) Certain terms and words are hereby defined;
- b) Words used in the present tense shall include the future;
- c) Words used in singular number shall include the plural number, and the plural shall also include the singular;
- d) The word “person” includes a firm, association, corporation, Municipal Corporation, trust, and company as well as the individual;
- e) The word “structure” shall include the word “building;”
- f) The word “lot” shall include the words, “plot,” “parcel,” and “tract;”
- g) The word “shall” is always mandatory and not merely discretionary;
- h) The word “will” is always mandatory and not merely discretionary;
- i) Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this Ordinance its most reasonable application.

### 7.2 Definitions

#### ABANDONED MOBILE HOME

A manufactured home for which an owner cannot be located through reasonable efforts that include utilizing the Alamance County Tax Assessor’s records and other appropriate sources.

#### ABANDONED MOTOR VEHICLE

A motor vehicle that is (1) left on public grounds or County-owned property in violation of a law or ordinance prohibiting parking; (2) left for longer than twenty-four consecutive hours on property owned or operated by the County; (3) left for longer than two consecutive hours on private property without the consent of the owner, occupant, of lessee or the property; or (4) left for longer than seven consecutive days on public grounds.

#### ACCESSORY STRUCTURE or APPURTENANT STRUCTURE

A structure located on the same parcel of property as the principal structure and the use of which is incidental to the use of the principal structure. Garages, carports, and storage sheds are common urban accessory structures. Pole barns, hay sheds, and the like qualify as accessory structures on farms, and may or may not be located on the same parcel as the farm dwelling, or shop building.

#### ADDITION

An extension or increase in the floor area or height of a building or structure.

#### ADDRESS ADMINISTRATOR

The official or officials of Alamance County charged with the administration of regulating addressing and road naming.

#### ADULT BOOK/VIDEO STORE

An establishment or business which: a) receives a majority of its gross income during any calendar month from the sale or rental of publications or having as a substantial or significant portion of stock in trade (including books, magazines, other periodicals, videotapes, compact discs, DVDs, or another photographic, electronic, magnetic, or imaging medium) which are distinguished or characterized by their emphasis on matter depicting, describing, or relating to Specified Sexual Activities or Specified Anatomical Areas; or b) has a preponderance (either in terms of the weight and importance of the material or in terms of greater volume of materials) of its publications (including books, magazines, other periodicals, videotapes, compact discs, DVDs, or another photographic, electronic, magnetic, or imaging medium) which are distinguished or characterized by their emphasis on matter depicting, describing, or relating to Specified Sexual Activities or Specified Anatomical Areas.

#### ADULT CABERET

A cabaret which features topless dancers or waitresses, go-go dancers, exotic dancers, male or female impersonators, or similar entertainment.

#### ADULT ESTABLISHMENT

An adult bookstore, adult motion picture theatre, adult mini-motion picture theatre, adult live entertainment business, adult motel, escort service, or massage business as defined in this Ordinance. This term shall also include establishments and businesses that feature servers and employees who display Specified Anatomical Areas as defined herein.

#### ADULT LIVE ENTERTAINMENT

Any performance of or involving the actual presence of real individuals which exhibits Specified Sexual Activities or Specified Anatomical Areas, as defined in this Ordinance. This term shall not include live theatre performances which have serious literary, artistic, or political value.

#### ADULT LIVE ENTERTAINMENT BUSINESS

Any establishment or business wherein adult live entertainment is shown for observation by patrons.

#### ADULT MINI-MOTION PICTURE THEATER

An enclosed building with viewing booths or an enclosed building or open air theater with a capacity of less than fifty persons designed to hold patrons which is used for presenting motion pictures, a preponderance of which are distinguished or characterized by emphasis on matter depicting, describing, or relating to Specified Sexual Activities or Specified Anatomical Areas as defined herein, for observation by patrons therein.

#### ADULT MOTEL

A hotel, motel, or similar commercial establishment that: a) offers accommodations to the public for any form of consideration; provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides, or other photographic reproductions that depict or describe Specified Sexual Activities or Specified Anatomical Areas as one of its principal business purposes; b) offers a sleeping room for rent for a period of time that is less than ten hours; or c) allows a tenant or occupant of a sleeping room to sub-rent the room for a period of time that is less than ten hours.

#### ADULT MOTION PICTURE

A motion picture which is distinguished or characterized by an emphasis on matter depicting, describing, or relating to Specified Sexual Activities or Specified Anatomical Areas. This term shall not include motion pictures which have serious artistic, political, or scientific value.

#### ADULT MOTION PICTURE THEATER

An enclosed building or open air theater with a capacity of fifty or more persons used for presenting material distinguished or characterized by an emphasis on matter depicting, describing, or relating to Specified Sexual Activities or Specified Anatomical Areas or an enclosed building or premises used for presenting adult motion pictures for observation by patrons therein. This term shall not include motion picture theatre establishments which present films of serious literary, artistic, political, or scientific value.

#### AGRICULTURAL FARMING OPERATIONS

A bona fide farming operation whose primary purpose is the production of agricultural products including but not limited to crops, fruits, Christmas trees, forestry, vegetables, ornamental or flowering plants, dairy, livestock, poultry, swine, and all other forms of agricultural products having a domestic or foreign market. When performed on the farm, "agriculture", "agricultural", and "farming" also include the marketing and selling of agricultural products, agritourism, the storage and use of materials for agricultural purposes, packing, treating, processing, sorting, storage, and other activities performed to add value to crops, livestock, and agricultural items produced on the farm, and similar activities incident to the operation of a farm. Included with this definition is the operation, equipment operation, management, conservation, improvement, and maintenance of a farm and the structures and buildings on the farm, including building and structure repair, replacement, expansion, and construction incident to the farming operation.

#### AGRICULTURAL PRESERVATION DISTRICT

A parcel or tract of land or a group of parcels or tracts of land that have qualified for and have been accepted for inclusion into the Alamance County Voluntary Farmland Preservation Program.

AIRPORT (from Height Restriction Ordinance, HRO)

The Burlington-Alamance Regional Airport.

AIRPORT AUTHORITY (from HRO)

The Burlington-Alamance Airport Authority and its agents; a governing body charged with administering the operations of the Burlington-Alamance Airport.

AIRPORT ELEVATION (from HRO)

The established elevation of the highest point on the usable landing area; 616.1' mean sea level, MSL.

AIRPORT HAZARD (from HRO)

Any overhead powerline, not constructed, operated, and maintained according to standard engineering practices in general use which interferes with radio communication or navigation between a publicly owned airport and aircraft approaching or leaving same, or any structure of tree or use of land which obstructs the airspace required for the landing or takeoff of aircraft.

AIRPORT REFERENCE POINT (HRO)

The point established as the approximate geographic center of the airport landing area and so designated.

ALTERATION OF A WATERCOURSE

A dam, impoundment, channel relocation, change in channel alignment, channelization, or change in cross-sectional area of the channel or the channel capacity, or any other form of modification which may alter, impede, retard, or change the direction and/or velocity of the riverine flow of water during conditions of the base flood.

#### ANTENNA ARRAY (from Wireless Communication Facilities Ordinance, WCFO)

One or more rods, panels, discs, or similar devices used for the transmission or reception of radio frequency signals, which may include herein-directional antenna (rod), directional antenna (panel), and parabolic antenna (disc). This does not include the support structure.

#### ANTIQUÉ MOTOR VEHICLE

A motor vehicle, but not a reproduction thereof, manufactured more than twenty-five years prior to the current year and which, because of discontinued production and limited availability, is considered to be a model or make of significant value to collectors or exhibitors and which has been maintained in or restored, or will be maintained in or restored to a condition which is substantially in conformity with the manufacturer's specifications and appearance, and is listed for ad valorem taxes in Alamance County.

#### APPEAL

An official request for the review of any decision or interpretation of any provision of this Ordinance made by the Planning Director, or their designee. In all cases, appeals of administrative decisions shall be made to the Alamance County Board of Adjustment.

#### APPLICANT

A person, firm, or corporation who is the legal owner of a property, or a representative acting on behalf of an owner, proposing to subdivide or develop a property which is subject to the regulations of this Ordinance. (See also "Developer")

#### APPROACH SURFACE

An inclined plane longitudinally centered along the extended runway centerline, sloping outward and upward from the end of the primary surface. In plan the perimeter of the approach surface coincides with the perimeter of the approach zone.

#### APPROACH ZONE (from HRO)

An area beneath the approach surface as set forth in Section 6.6 of this Ordinance.

#### AREA OF FUTURE-CONDITIONS FLOOD HAZARD (from FDPO)

The land area that would be inundated by the one-percent-annual-chance (100 year) flood base on future-conditions hydrology.

#### AREA OF OPERATIONS

The portion of a tract of land on which an industry is situated that is actually under use, or may actually be put to use in the future, for operations by the industry, including the area occupied by buildings, structures, parking, equipment, storage, stormwater control measures, and other uses necessary for the business of the industry. Area of operations shall not include required setbacks or those areas required by this Ordinance, or any other regulations, to be kept in a vegetative state.

#### AREA OF SHALLOW FLOODING (from FDPO)

A designated Zone AO on a community's Flood Insurance Rate Map (FIRM) with base flood depths determined to be from one (1) to three (3) feet. These areas are located where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident.

#### AREA OF SPECIAL FLOOD HAZARD (from FDPO)

See "Special Flood Hazard Area (SFHA).

#### AREAS REQUIRING DAILY COVERAGE (from Solid Waste Ordinance, SWO)

Areas designated for the disposal of solid waste, and which necessitate a daily covering of soil or other material as approved by the State.

#### ASPHALT PLANT

Establishments, with all related equipment, for the manufacture and production of asphalt and tar paving mixtures and blocks from purchased asphaltic materials (NAICS 324121). Also included in this definition are establishments engaged in manufacturing asphalt and tar paving mixtures and blocks and roofing cements and coatings from purchased asphaltic materials and/or saturating purchased mats and felts with asphalt or tar (NAICS 32412 and 324122).

#### ASSISTED LIVING FACILITY

Any group housing and services program for two or more unrelated adults, however named, which makes available, at a minimum, one meal a day and housekeeping services and provides personal care services directly or through a formal written agreement with one or more North Carolina licensed home care or hospice agencies.

#### ATTACHED WIRELESS COMMUNICATION FACILITY (from WCFO)

An antenna array that is attached to an existing structure. These structures include, but are not limited to, utility poles, signs, water towers, rooftops, equipment facilities, and towers with any accompanying pole or device which attaches the antenna array to the existing building or structure and associated connection cables.

#### AUTOMOBILE GRAVEYARD

Any establishment or place of business which is maintained, used or operated for storing, keeping, buying, or selling six or more wrecked, scrapped, ruined, or dismantled motor vehicles, or motorized equipment; or any establishment or place of business upon which six or more unlicensed used motor vehicles or motorized equipment which cannot be operated under their own power are kept or stored for a period of fifteen days or more shall be deemed an "automobile graveyard" within the meaning of this ordinance.

#### AUTOMOTIVE SALVAGE FACILITY

Establishments primarily engaged in the merchant wholesale and retail distribution of used motor vehicle parts and establishments primarily engaged in dismantling motor vehicles for the purpose of selling the parts (NAICS 423140).

#### AUTOMOTIVE STORAGE FACILITY

Establishments primarily intended for the short or long term storage of wrecked or inoperative automobiles pending sale of the entire automobile. This definition does not include establishments where the storage of automobiles is ancillary to the repair of the automobiles stored, such as at a garage or repair shop.

#### BALANCE OF WATERSHED, BOW

The entire land area contributing surface drainage to a specific point, the public water supply intake, minus the watershed critical area.

#### BASE FLOOD

The flood having a one-percent chance of being equaled or exceeded in any given year.

#### BASE FLOOD ELEVATION

A determination of the water surface elevations of the base flood as published in the Flood Insurance Study. When the BFE has not been provided in a "Special Flood Hazard Area," it may be obtained from engineering studies available from Federal, State, or other sources using FEMA approved engineering methodologies. This elevation, when combined with the "Freeboard," establishes the "Regulatory Flood Protection Elevation."

#### BASEMENT

Any area of the building having its floor subgrade, or below ground level, on all sides.

#### BOARD OF ADJUSTMENT

The body established and appointed by the Alamance County Board of Commissioners to preside over and decide all quasi-judicial matters.

#### BOARD OF COMMISSIONERS

The Alamance County Board of Commissioners.

#### BONA FIDE FARM

See agricultural operations.

#### BUFFER

An area of natural or planted vegetation through which stormwater runoff flows in a diffuse manner so that the runoff does not become channelized and which provides for infiltration of the runoff and filtering of pollutants. The buffer is measured landward from the normal pool elevation of impounded structures and from the bank of each side of streams or rivers.

#### BUILDING

See "structure." Any structure having a roof supported by columns or by walls, and intended for shelter, housing, or enclosure of persons, animals, or property. The connection of two buildings by means of an open porch, breezeway, passageway, carport, or other such open structure, with or without a roof, shall not be deemed to make them one building.

#### BUILDING SETBACK LINES

A line parallel to the street right-of-way line or front property line, side property lines, and rear property line of a lot. Buildings and structures shall not be erected within the area between said lot lines and the building setback lines. Setback regulations shall only be applicable to permanent structures and not movable or personal property.

#### BUILT-UPON AREA

Built-upon areas shall include that portion of a development project that is covered by impervious or partially impervious cover including buildings, pavement, gravel areas (such as roads, parking lots, paths), recreation facilities (such as tennis courts), etc. Wooden slatted decks and the water area of a swimming pool are not considered pervious.

#### BULKY WASTE

The remains of, or pieces and parts of, large items of solid waste such as household appliances, furniture, automobiles, large auto parts, machinery, trees, stumps, or other tree remnants greater than six inches in diameter and other oversized or nonputrescible solid waste, both combustible and noncombustible, whose large size precludes or complicates their handling by normal solid waste collections, processing, or disposal methods.

#### BUSINESS

Any marketing activity conducted for the sale, trade, or barter of goods or services for a profit.

#### CABERET

Any place wherein any type of alcoholic beverage is sold (or given away) to be consumed on the premises and the operator thereof holds a license from the state to sell such beverages.

#### CEMENT MANUFACTURING

establishments primarily engaged in manufacturing portland, natural, masonry, pozzolanic, and other hydraulic cements. Cement manufacturing establishments may calcine earths or mine, quarry, manufacture, or purchase lime (NAICS 327310).

#### CHARITABLE ORGANIZATION

An organization as defined in Section 501(c)(3) of the Internal Revenue Code which is primarily set up for the purposes of receiving and redistributing donated goods.

#### CHEMICAL MANUFACTURING

establishments primarily involved in the production, synthesis, formation, processing, refining, manufacturing, and/or distribution of chemical products in bulk, for other than retail sales on-site (including all chemical manufacturing in NAICS subsector 325).

#### CHEMICAL STORAGE FACILITY (from FDPO)

A building, portion of a building, or exterior area adjacent to a building used for the storage of any chemical or chemically reactive products.

#### CHILD CARE FACILITY

A child care facility as defined in G.S. §110-86 or any successor statute thereto.

#### CHURCH

Any building used on a regular basis for the primary purpose of serving as a place of public worship.

#### CLEARWAY (~~Manufactured Home Park ordinance, MHP~~)

A cleared area of land in a manufactured home park or recreational vehicle park which contains the travelway, that is free of all obstacles that would prevent access by vehicles for emergency or other purposes. The clearway is privately owned by the ~~manufactured home park operator~~ and its function is similar to that of a public right of way.

#### CLERK

The Clerk to the Alamance County Board of Commissioners.

#### CLUSTER DEVELOPMENT

The grouping of buildings in order to conserve land resources and provide for innovation in the design of the project including minimizing stormwater runoff impacts. This term includes nonresidential development as well as single-family residential and multi-family developments. For the purpose of this Ordinance, planned unit developments and mixed-use development are considered as cluster development.

#### COLLECTION

The act of removing solid waste, residential household garbage, or recyclable material from a point of generation to a central storage point or to a disposal site, and from a central storage point to a disposal site.

#### COLOCATION

Use of a communication facility or site by more than one wireless communication license holder or by one wireless communication license holder for more than one type of communications technology and/or placement of an antenna array on a structure owned and operated by a utility or public entity.

#### COMMERCIAL

The use of land for the purpose of operating a business intended to profit, whether or not a profit is actually realized, through the exchange of monies for goods and/or services.

#### COMMERCIAL GENERATOR

Any generator of Target Recyclables located in Alamance County other than a Residential Generator, and includes but is not limited to businesses, institutions, and public entities.

#### COMMERCIAL HAULER

Any person, whether or not for hire or profit, which collects and/or transports Target Recyclables and/or Solid Waste originated from a location other than the Person's residence or place of business. The operation of a Buyback Center shall not be deemed activities of a Commercial Hauler. Excluded from this definition is any eleemosynary organization.

#### COMMERCIAL SOLID WASTE

Solid waste generated by stores, offices, restaurants, warehouses, and other non-manufacturing activities.

#### COMMITTEE

The Alamance County Voluntary Agriculture District Committee.

#### COMPREHENSIVE PLAN/LAND DEVELOPMENT PLAN

The Land Development Plan, adopted by the Alamance County Board of Commissioners on November 18, 2020, which sets forth goals, policies, and programs intended to guide the present and future physical, social, and economic development of the county.

## CONICAL SURFACE

A surface extending from the periphery of the horizontal surface at a slope of twenty feet outward for each foot upward (20:1) for a horizontal distance of 4,000 feet.

## CONICAL ZONE

An area beneath the conical surface as set forth in Section 6.6 of this Ordinance.

## CONSERVATION AGREEMENT

A right, whether stated in the form of a restriction, easement, covenant, condition, or otherwise, that is conveyed through a deed, will or any other instrument executed by or on behalf of the owner of land to the County for the purposes mentioned under this Ordinance. This right may be stated in the form of a negative restriction, executed on behalf of the owner of the land, whether appurtenant or in gross, and acquired by the County for the purpose of preserving the natural character of the land in accordance with the goals outlined under this ordinance and consistent with the Conservation and Historic Preservation Agreements Act.

## CONSTRUCTION ACTIVITIES

any studies, investigations, improvements, or other activities undertaken at the site of a proposed regulated industry pertaining to the construction, placement, erection, or establishment of the same, including but not limited to surveys, soil and other environmental tests, clearing and grading, pouring footers or pads, placing building materials or equipment at the site, locating or constructing buildings, structures, or other improvements, or any other similar activities, except those similar activities constitute operations as defined in this ordinance

## CONSTRUCTION AND DEMOLITION WASTE

Solid waste including, but not limited to, waste building materials, packaging, and rubble resulting from construction, remodeling, repair, or demolition operations on pavements, houses, commercial buildings, or other structures, but not including inert debris, land-clearing debris, or yard trash.

## COUNTY

Alamance County – a body corporate and politic existing under the laws of North Carolina.

## DATA CENTER

An industrial style facility primarily used for the storing of computer equipment used for the purpose of processing internet data. Activities at these centers typically involve cloud computing and storage, artificial intelligence processing, cryptocurrency exchanges, and similar computer activities. Use of these centers often require large quantities of electricity and fans or other cooling technologies for purposes of computer temperature control.

## DEAD STORAGE

Keeping or accumulating items or materials that are not being used for their intended purpose(s) for an extended period of time.

## DEBRIS

The remains of, or pieces and parts of, destroyed buildings, automobiles, machinery, furniture, and other non-putrescible solid wastes, combustible and noncombustible.

## DESIGN FLOOD

See "Regulatory Flood Protection Elevation."

## DEVELOPER

Any person undertaking any development as defined in this Ordinance. (See also "Applicant")

## DEVELOPMENT

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

*As related to watershed protection standards, any land disturbing activity which adds to or changes the amount of impervious or partially impervious cover on a land area or which otherwise decreases the infiltration of precipitation into the soil.*

## DEVELOPMENT ACTIVITY, as related to Flood Damage Prevention Standards

Any activity defined as "development" which will necessitate a Floodplain Development Permit. This includes buildings, structures, and non-structural items, including but not limited to: fill, bulkheads, piers, pools, docks, landings, ramps, and erosion control/stabilization measures.

## DEVELOPMENT RIGHTS

The right to construct a building or structure, to improve land, or to extract minerals expressly reserved for the owner or interest holder of real property.

## DIGITAL FLOOD INSURANCE RATE MAP, DFIRM

The digital official map of a community, issued by the Federal Emergency Management Agency (FEMA), on which both the Special Flood Hazard Areas and the risk premium zones applicable to the community are delineated.

## DISCHARGING LANDFILL

A facility with liners, monitoring equipment, and other measures to detect and/or prevent leachate from entering the environment and in which the leachate is treated on site and discharged to a receiving stream.

## DISCONTINUED

A voluntary or involuntary cessation of the original permitted use.

## DISPOSAL

As defined in NCGS 130A-290(a)(6), the discharge, deposit, injection, dumping, spilling, leaking, or placing of any solid waste into or on any land or water that the solid waste or any constituent part of the solid waste may enter the environment or be emitted into the air or discharged into any waters, including groundwaters.

## DISTRICT

Voluntary Agricultural District as established by this Ordinance.

## ~~DOT~~

~~North Carolina Department of Transportation.~~

## DRAGSTRIP OR RACE TRACK

Any commercial facility for the conducting of races of human- operated machines (e.g. automobiles, go-carts, lawnmowers or motorcycles).

## DRIVEWAYS

A private way or street beginning at the property line of a lot abutting a public street, private street, easement or private right-of-way that will give access from a public street, recorded easement, recorded private street, or private right-of-way, and shall not serve more than two structures.

## DWELLING

A building or structure that may be used as a place of residence.

## DWELLING UNIT (from WPO)

*As related to Watershed Protection standards, A building, or portion thereof, providing complete and permanent living facilities for one family.*

*As related to Heavy Industrial Development, (single and multi-family) any building, manufactured home, or modular home providing complete independent living facilities for a single or multi-family, including permanent provisions for living, sleeping, eating, cooking, and sanitation. Two or more manufactured homes which are combined on one lot or parcel shall be considered as a single dwelling unit if they are joined together in one living unit for the use of a single family and meet all of the requirements for a "dwelling unit" under the Watershed Protection standards.*

## EASEMENT

A grant by the property owner for use by the public, a corporation, or person(s) to use a strip of land for a specific purpose.

#### EDUCATIONAL FACILITY

Any elementary school, secondary school, charter school, private school, community college, college, university, or any other similar institution or facility for the education of persons, including any property owned by such facility used for educational purposes.

#### ELECTRICITY GENERATING FACILITY

Any stand-alone plant not ancillary to another land use which is intended for the commercial generation of electric power from any source other than solar, hydroelectric, and wind, including but not limited to fossil fuels, nuclear, or waste products, to be primarily distributed to the public for compensation. This definition shall not apply to an agricultural farm, residence, business, or other facility where the sale of the electricity so produced is secondary to on-site consumption.

#### ELEVATED BUILDING

A non-basement building which has its lowest elevated floor raised above ground level by foundation walls, shear walls, posts, piers, pilings, or columns.

#### ENCROACHMENT

The advance or infringement of uses, fill, excavation, buildings, structures, or development into a special flood hazard area, which may impede or alter the flow capacity of a floodplain.

#### EQUIPMENT FACILITY

Any structure used to contain ancillary equipment for a wireless communication facility.

#### ESCORT SERVICE

An establishment or business that coordinates the provision of companionship for a fee. This does not involve the arrangement of assignations or prostitution, nor does it include businesses which provide companionship as an ancillary part of health care, mental health, or child supervisory services.

#### ESTABLISHMENT

Any real property on which or in which there is operated or maintained any commercial, industrial, or service business or activity for profit.

#### EXISTING DEVELOPMENT

Those projects that are built or those projects that at a minimum have established a vested right under North Carolina zoning law as of the effective date of this Ordinance or those ordinances repealed and replaced by this ordinances, based on at least one of the following criteria: a) substantial expenditures of resource (time, labor, money) based on a good faith reliance upon having received a valid local government approval to proceed with the project, b) having an outstanding valid building permit as authorized by the General Statutes (NCGS 153A-344.1 and NCGS 160A-385.1), or c) having an approved site specific or phased development plan as authorized by the General Statutes (NCGS 153A-344.1 and NCGS 160A-385.1)

#### EXISTING LOT

A lot or tract of land which is part of a subdivision, a plat of which has been recorded in the Office of the Register of Deeds prior to the adoption of this Ordinance, or a lot or tract of land described by metes and bounds, the description of which has been so recorded prior to the adoption of this Ordinance.

#### EXISTING MANUFACTURED HOME PARK OR MANUFACTURED HOME SUBDIVISION

A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) was completed before the initial effective date of the floodplain management regulations adopted by the community- or- a manufactured home park for which plans have been submitted to and approved by the Health Director or Planning Director on or before the date of adoption of these rules (previously approved MHPO was adopted November 16, 2015)

#### FAA

The Federal Aviation Administration

#### FALL ZONE

The radius around the base of the tower or attached wireless communication facility that is equal to the height of the tower. This is the area in which a collapsing tower or facility should fall.

#### FCC

The Federal Communications Commission

#### FTA

The Federal Telecommunications Act of 1996

#### FARM DISTRICT

A property used for bona fide agricultural purposes as defined by N.C. Gen. Stat. 160D-903 and categorized as either Present Use Value, Permanently Preserved, or Voluntary Agricultural District.

#### FEMA

The Federal Emergency Management Agency.

#### FENCE (Solid)

A continuous, opaque, unperforated barrier extending from the surface of the ground to a uniform height of not less than six (6) feet from the ground at any given point, constructed of wood, stone, or other metal, or any substance of a similar nature and strength and shall be weather and rot resistant.

#### FENCE (Perforated)

A continuous barrier extending from the surface of the ground to a uniform height of not less than six (6) feet from the ground at any given point, constructed of galvanized, zinc or weather coated wire, steel or any substance of a similar nature and strength, no less than 14 gauge in thickness, but with perforations or openings which are no larger than sixteen (4" x 4") square inches.

NOTE: Particular guidelines on fence height, materials, and other features may vary depending on the specific sections found within this Ordinance. Where fence requirements conflict with these definitions, the most strict application of standards shall apply.

#### FLOOD, or FLOODING

A general and temporary condition of partial or complete inundation of normally dry land areas from: a) the overflow of inland or tidal waters; and/or b) the unusual and rapid accumulation or runoff of surface waters from any source.

#### FLOOD BOUNDARY AND FLOODWAY MAP (FBFM)

An official map of a community, issued by the FEMA, on which the Special Flood Hazard Areas and the floodways are delineated. This official map is a supplement to and shall be used in conjunction with the Flood Insurance Rate Map (FIRM).

#### FLOOD HAZARD AND BOUNDARY MAP (FHBM)

An official map of a community, issued by the FEMA, where the boundaries of the Special Flood Hazard Areas have been defined as Zone A.

#### FLOOD INSURANCE

The insurance coverage provided under the National Flood Insurance Program.

#### FLOOD INSURANCE RATE MAP (FIRM)

An official map of a community, issued by the FEMA, on which both the Special Flood Hazard Areas and the risk premium zones applicable to the community are delineated, see also DFIRM.

#### FLOOD INSURANCE STUDY (FIS)

An examination, evaluation, and determination of flood hazards, corresponding water surface elevations (if appropriate), flood hazard risk zones, and other flood data in a community issued by the FEMA. The Flood Insurance Study report includes Flood Insurance Rate Maps (FIRMs) and Flood Boundary and Floodway Maps (FBFMs), if published.

#### FLOOD PRONE AREA

See "Floodplain."

#### FLOOD ZONE

A geographical area shown on a Flood Hazard Boundary Map or Flood Insurance Rate Map that reflects the severity or type of flooding in the area.

#### FLOODPLAIN

Any land area susceptible to being inundated by water from any source.

#### FLOODPLAIN ADMINISTRATOR

The individual appointed to administer and enforce the floodplain management regulations.

#### FLOODPLAIN DEVELOPMENT PERMIT

Any type of permit that is required in conformance with the provisions of this Ordinance, prior to the commencement of any development activity.

#### FLOODPLAIN MANAGEMENT

The operation of an overall program of corrective and preventative measures for reducing flood damage and preserving and enhancing, where possible, natural resources in the floodplain, including but not limited to: emergency preparedness plans, flood control works, floodplain management regulations, and open space plans.

#### FLOODPLAIN MANAGEMENT REGULATIONS

This Ordinance and other zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances, and other applications of police power. This term describes federal, state, or local regulations, in any combination thereof, which provide standards for preventing and reducing flood loss and damage.

#### FLOODPROOFING

Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitation facilities, structures, and their contents.

#### FLOOD-RESISTANT MATERIAL

Any building product (material, component, or system) capable of withstanding direct or prolonged contact (minimum of seventy-two hours) with floodwaters without sustaining damage that requires more than low-cost cosmetic repair. Any material that is water-soluble or is not resistant to alkali or acid in water, including normal adhesives for above-grade use, is not flood-resistant. Pressure-treated lumber or naturally decay-resistant lumbers are acceptable flooring materials. Sheet-type flooring coverings that restrict evaporation from below and materials that are impervious, but dimensionally unstable are not acceptable. Materials that absorb or retain water excessively after submergence are not flood-resistant. Please refer to Technical Bulletin 2, *Flood Damage-Resistant Material Requirements*, and available from the FEMA. Class 4 and 5 materials, referenced therein, are acceptable flood-resistant materials.

#### FLOODWAY

The channel of a river or other watercourse, including the area above a bridge or culvert when applicable, and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

#### FLOODWAY ENCROACHMENT ANALYSIS

An engineering analysis of the impact that a proposed encroachment into a floodway or non-encroachment area is expected to have on the floodway boundaries and flood levels during the occurrence of the base flood discharge. The evaluation shall be prepared by a qualified North Carolina licensed engineer using standard engineering methods and models.

#### FREEBOARD

The height added to the BFE to account for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, blockage of bridge or culvert openings, and the hydrological effect of urbanization of the watershed. The BFE plus the freeboard establishes the "Regulatory Flood Protection Elevation."

#### FREESTANDING WIRELESS COMMUNICATION TOWER

A wireless communication tower that is not attached to any existing building or structure, such as a utility pole, water tower, equipment facility, rooftop, or wall.

#### FUEL BULK STORAGE FACILITIES

Any establishment whose primary purpose is the wholesale or retail distribution, storage, distribution, mixing, or transfer of flammable or combustible liquids, gases, or solids, received or transferred by truck, train, tank vessel, pipelines, tank car, piping, portable tank or containers, or other method, including propane, methane, ethanol, gasoline, kerosene, oil, coal, and other fuels. This definition shall not include filling stations used solely for distribution to individual consumers; nor shall it include fuel stored at or on an agricultural farm, residence, business, or other facility where use of the fuel stored is limited primarily to on-site consumption (NAICS 424710 and 424720).

#### FUNCTIONALLY DEPENDENT FACILITY

A facility which cannot be used for its intended purpose unless it is located in close proximity to water, limited to a docking or port facility necessary for the loading and unloading of cargo or passengers, shipbuilding, or ship repair. The term does not include long-term storage, manufacture sales, or service facilities.

#### GARBAGE

All putrescible waste, including food waste, animal offal and carcasses, and recognizable industrial by-products, but excluding sewage and human waste, and shall mean and include all such substances from all public and private establishments except residences.

#### GATE

A door or other device attached to a fence which, when opened, provides a means of ingress and egress of persons and things and which, when closed, forms a continuous barrier as part of the fence to which it is attached.

#### GENITALS

Male or female organs of sex and excretion. This includes the anus, penis, testicles, vulva, vagina, clitoris, and *mons veneris*. This term does not include female breasts.

#### GOVERNING BOARD

Refers to the Alamance County Board of Commissioners in almost all cases, especially when making legislative decisions concerning land use in the unincorporated areas of the county. Also refers to municipal elected bodies when those boards have established that the Alamance County Historic Properties Commission will serve as their Historic Properties Commission for the purpose of dealing with Historic Preservation matters as outlined in N.C. Gen. Stat. 160D, Part 4.

#### HAZARD TO AIR NAVIGATION

An obstruction determined to have a substantial adverse effect on the safe and efficient utilization of the navigable airspace.

#### HAZARDOUS PRODUCTION MATERIAL (HPM)

A solid, liquid, or gas that has a degree rating in health, flammability, laboratory, or production processes which have as their end product materials which are not hazardous, as defined in North Carolina State Building Code Volume V – Fire Prevention.

#### HAZARDOUS WASTE

A solid waste, or combination of solid wastes, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may: a) cause or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness; or b) pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

#### HAZARDOUS WASTE MANAGEMENT FACILITY

As defined in NCGS 130A, Article 9, a facility for the collection, storage, processing, treatment, recycling, recovery, or disposal of hazardous waste.

#### HEALTH DIRECTOR

The director of the Alamance County Health Department, or his authorized representative.

#### HEALTH DEPARTMENT

The Alamance County Health Department.

#### HEIGHT (from HRO)

*As related to Height Restriction standards,* For the purpose of determining the height limits in all zones set forth in section 6.6 and shown on the zoning map, the datum shall be mean sea level elevation unless otherwise specified.

*As related to Wireless Communication Facilities,* the distance measured from the ground to the highest point on the wireless communication facility.

#### HIGHEST ADJACENT GRADE, HAG

The highest natural elevation of the ground surface, prior to construction, immediately next to the proposed walls of the structure.

#### HIGHLY TOXIC MATERIAL, HTM

A material which produces a lethal dose or lethal concentration within those categories as defined by the Code of Federal Regulations: Title 29, CFR 1910.1200, as defined in North Carolina State Building Code Volume V – Fire Protection.

#### HISTORIC STRUCTURE

Any structure that is: a) listed individually in the National Register of Historic Places or preliminarily determined by the Secretary of the Interior as meeting the requirements of individual listing on the National Register; b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; c) individually listed on a local inventory of historic landmarks in communities with a "Certified Local Government (CLG) Program;" or d) certified as contributing to the historical significance of a historic district designated by a community with a "Certified Local Government Program."

Certified Local Government (CLG) Programs are approved by the U.S. Department of the Interior in cooperation with the N.C. Department of Natural and Cultural Resources through the State Historic Preservation Officer as having met the requirements of the National Historic Preservation Act of 1966 as amended in 1980.

#### HOLDER

The County acquiring the property or property rights from the owner.

#### HORIZONTAL SURFACE, also BURLINGTON SAFETY SURFACE

A circular horizontal plane 100 feet above the airport elevation established by swinging arcs of 10,000 feet radii from the end of the primary surface of each runway end centerline and connecting the adjacent arcs by drawing lines tangent to those arcs. The horizontal zone does not include the approach and transitional zones.

#### HORIZONTAL ZONE

An area beneath the horizontal surface as set forth in Section 6.6 this Ordinance.

#### HOSPITAL

Any facility as defined in G.S. §131E-76(3) or any successor statute thereto.

#### HOUSE TRAILER

Any trailer or semi-trailer designed and equipped to provide living or sleeping facilities and to be drawn by a motor vehicles.

#### HOUSING UNIT

Any house, manufactured home, an apartment, a group of homes, or a single room occupied or intended for occupancy as separate living quarters for one or more humans.

#### IMPERVIOUS SURFACE

See "Built-upon area."

#### INDUSTRIAL DEVELOPMENT

Any non-residential development that requires a National Pollutant Discharge Elimination System (NPDES) permit for an industrial discharge and/or requires the use or storage of any hazardous material for the purpose of manufacturing, assembling, finishing, cleaning, or developing any product or commodity.

#### INDUSTRIAL SOLID WASTE

All garbage and refuse from establishments other than those classified as residential.

#### INERT DEBRIS

Solid waste solely consisting of material that is virtually inert and is likely to retain its physical and chemical structure under expected conditions of disposal.

#### INSTITUTIONAL SOLID WASTE

Solid waste generated by educational, healthcare, correctional, and other institutional facilities.

#### JUNKED CAR

An unlicensed used motor vehicle or motorized equipment which cannot be operated under its own power.

#### JORDAN NUTRIENT SUPPLY OR JORDAN WATER SUPPLY NUTRIENT STRATEGY

The set of Rules 15A NCAC 2B.0262 through .0273 and .0311(p).

#### JORDAN RESERVOIR

The surface water impoundment operated by the US Army Corps of Engineers and named B. Everett Jordan Reservoir, as further delineated for purposes of the Jordan nutrient strategy in Rule 15A NCAC 2B.0262(4).

#### JORDAN WATERSHED

All lands and waters draining to B. Everett Jordan Reservoir.

#### JUNKED MOTOR VEHICLE

A motor vehicle that does not display a current license plate and also: (1) is partially dismantled or wrecked; (2) cannot be self-propelled or moved in the manner in which it originally was intended to move and is not being renovated and/or restored; or (3) is more than five years old and appears to be worth less than one hundred dollars.

#### JUNKYARD

An establishment or place of business which is maintained, operated, or used for storing, keeping, buying, or selling junk, or for maintenance or operation of an automobile graveyard. The term shall include garbage dumps and sanitary landfills.

#### LAND-CLEARING DEBRIS

Solid waste generated solely from land clearing activities.

#### LANDFILL

A facility for the disposal of solid waste on land in a sanitary manner in accordance with Chapter 130A Article 9 of the NCGS.

#### LANDING AREA

The area of the Airport used for the landing, takeoff, or taxiing of aircraft.

#### LETTER OF MAP CHANGE, LOMC

An official determination issued by FEMA that amends or revises an effective Flood Insurance Rate Map or Flood Insurance Study. Letters of Map Change include:

- a) Letter of Map Amendment (LOMA): an official amendment, by letter, to an effective National Flood Insurance Program map. A LOMA is based on technical data showing that a property had been inadvertently mapped as being in the floodplain, but is actually on natural high ground above the base flood elevation. A LOMA amends the current effective FIRM and establishes that a specific property, portion of a property, or structure is not located in a Special Flood Hazard Area.
- b) Letter of Map Revision (LOMR): a revision based on technical data that may show changes to flood zones, flood elevations, special flood hazard area boundaries and floodway delineations, and other planimetric features.
- c) Letter of Map Revision Based on Fill (LOMR-F): a determination that a structure or parcel of land has been elevated by fill above the BFE and is, therefore, no longer located within a special flood hazard area. In order to qualify for this determination, the fill must have been permitted and placed in accordance with the community's floodplain management regulations.
- d) Conditional Letter of Map Revision (CLOMR): a formal review and comment as to whether a proposed project complies with the minimum NFIP requirements for such projects with respect to delineation of special flood hazard areas. A CLOMR does not revise the effective Flood Insurance Rate Map or Flood Insurance Study; upon submission and approval of certified as-built documentation, a Letter of Map Revision may be issued by FEMA to revise the effective FIRM.

#### LOT

A portion of a subdivision, or any other parcel of land, intended as a unit for a transfer of ownership or for development. Lot is further defined by:

CORNER LOT – a lot abutting upon two or more streets at their intersection.

DOUBLE FRONTAGE LOT – a continuous lot between two streets accessible from both of the streets which it fronts. Corner lots are not included unless they front on three streets.

LOT DEPTH – the distance of a line connecting the midpoints of the front and rear lines of a lot.

LOT WIDTH – the distance between the sidelines of a lot measured on a line drawn perpendicular to the line used in measuring lot depth and bisecting said line at its midpoint.

REVERSE FRONTAGE LOT – a continuous lot between two streets accessible from only one of the streets upon which it fronts.

#### LOT OF RECORD

See “Existing Lot.”

#### LOWEST ADJACENT GRADE, LAG

The elevation of the ground, sidewalk, or patio slab immediately next to the building or deck support after completion of the building.

#### LOWEST FLOOR

The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access, or limited storage in an area other than a basement area is not considered a building’s lowest floor, provided that such an enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this Ordinance.

#### MAJOR RESIDENTIAL SUBDIVISION

~~A housing subdivision that includes fourteen or more lots which have been approved for residential purposes.~~

#### MAJOR VARIANCE (WATERSHED)

A variance from the minimum statewide watershed protection rules, that results in any one or more of the following: a) the relaxation, by a factor greater than ten percent, or any management requirement under the low density option; b) the relaxation, by a factor greater than five percent, of any buffer, density, or built upon area requirement under the high density option; c) any variation in the design, maintenance, or operation requirements of a wet detention pond or other approved stormwater management system.

#### MANUFACTURED HOME

##### Class A

A “double wide” manufactured home that meets or exceeds the construction standards promulgated by the US Department of Housing and Urban Development through the National Manufactured Housing Construction and Safety Standards Act of 1974.

##### Class B

A “single wide” manufactured home that meets or exceeds the construction standards promulgated by the US Department of Housing and Urban Development through the National Manufactured Housing Construction and Safety Standards Act of 1974.

Class C

A manufactured home constructed in accordance with the standards promulgated by the US Department of Housing and Urban Development through the National Manufactured Housing Construction and Safety Standards Act of 1974 that does not meet the definition of either a Class A or a Class B above.

Class D

A manufactured home constructed outside of the standards or prior to the effective date of the National Manufactured Housing Construction and Safety Standards Act of 1974.

*As related to Flood Damage Prevention standards* - A structure, transportable in one or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The term “manufactured home” does not include a “recreational vehicle.”

*As related to Dead Storage of Manufactured Homes standards* - a structure, transportable in one or more sections, which in the traveling mode is eight body feet or more in width, or forty body feet or more in length, or, when erected on site, is three hundred and twenty 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. For the purposes of this Ordinance, mobile homes shall be synonymous with manufactured homes, but travel trailers and campers shall not be considered manufactured homes.

*As related to Manufactured Home Park standards:* also known as Mobile Home, a residential dwelling unit designed for transportation after fabrication on its own wheels or on flatbeds or other trailers, and arriving at the site where it is to be occupied as a dwelling unit complete and ready for occupancy except for minor unpacking and assembly operations. Travel trailers, campers, or motor homes (or any other transportable structure with or without a permanent foundation) being used as a residence within an approved Manufactured Home Park shall not be considered a manufactured home. Travel trailers, campers, and motor homes being stored on a site (and not used as a residence on site) shall not be considered manufactured homes.

## MANUFACTURED HOME PARK OR SUBDIVISION

*As related to a park* comprised of three or more manufactured homes on one tract of land, regardless of whether or not a fee is charged to occupy the land.

## MANUFACTURED HOME SPACE

That portion of land in a Manufactured Home Park allotted to or designed for accommodation of one manufactured home.

## MARKET VALUE

The building value, not including the land value and that of any accessory structures or other improvements on the lot. Market value may be established by independent certified appraisal; replacement cost depreciated for age of building and quality of construction (Actual Cash Value); or adjusted tax assessed values.

## MASSAGE

The manipulation of body muscle or tissue by rubbing, stroking, kneading, or tapping by hand or mechanical device.

## MASSAGE BUSINESS

An establishment or business wherein massage is practiced. This includes establishments commonly known as health clubs, physical culture studios, or massage parlors.

## MASTER STREET ADDRESS GUIDE, MSAG

Consists of the street name, addresses, and emergency service providers for that range. This lookup became the key step for Enhanced 9-1-1 services.

## MEDICAL WASTE

Any solid waste which is generated in the diagnosis, treatment, or immunization of human beings or animals, in research pertaining thereto, or in the production or testing of biologicals, but does not include any hazardous waste, radioactive waste, or those substances excluded from the definition of solid waste.

## METAL RECYCLING AND SALVAGE FACILITIES

Establishments primarily engaged in the merchant wholesale distribution of automotive scrap, industrial scrap, and other recyclable materials. Included in this industry are auto wreckers primarily engaged in dismantling motor vehicles for the purpose of wholesaling scrap (NAICS 423930).

## MINING

The breaking of the surface soil in order to facilitate or accomplish the extraction or removal of minerals, ores, or other solid matter; 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 their original location; and the preparation, washing, cleaning, or other treatment of minerals, ores, or other solid matter so as to make them suitable for commercial, industrial, or construction use.

"Mining" does not include excavation or grading when conducted solely in aid of on-site farming or of on-site construction for purposes other than mining; removal of overburden and mining of limited amounts of any ores or mineral solids 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 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 exploratory excavation does not exceed one acre in area; excavation or grading where all of the following apply:

- a) The excavation or grading is conducted to provide soil or other unconsolidated material to be used without further processing for a single off-site construction project for which an erosion and sedimentation control plan has been approved in accordance with Article 4 of Chapter 113A of the General Statutes.
- b) The affected land, including nonpublic access roads, does not exceed five acres.
- c) The excavation or grading is completed within one year.
- d) The excavation or grading does not involve blasting, the removal of material from rivers or streams, the disposal of off-site waste on the affected land, or the surface disposal of groundwater beyond the affected land.

#### MINOR VARIANCE (WATERSHED)

A variance from the minimum statewide watershed protection rules that results in a relaxation, by a factor of up to ten percent of any buffer, density, or built-upon area requirement under the low-density option.

#### MOTORIZED EQUIPMENT

Every device that is propelled or powered by mechanical power sources which is designed to accomplish any work.

#### MOTOR VEHICLE

Every device in, upon, or by which any person or property is or may be transported or drawn upon land, air, or water which is propelled by mechanical power sources, and every device designed to run upon land, air, or water that is pulled or pushed by a device propelled by mechanical power. This term shall include house trailers, travel trailers, farm equipment, and mobile homes.

#### MULTI-FAMILY RESIDENTIAL

Any development where: a) a single building contains more than one dwelling unit; b) more than one dwelling unit is on a separate deeded lot or manufactured home park lot; and/or c) a lot contains more than one dwelling unit.

#### MULTIPLE DWELLING UNITS

A building used or capable of being used for residential purposes wherein more than two separate and distinct places of habitation exist. May also be referred to as duplex apartment, apartment complex, townhouse, or condominium development.

#### N.C.D.O.T.

The North Carolina Department of Transportation.

#### NEW CONSTRUCTION

Structures for which the “start of construction” commenced on or after the effective date of the initial floodplain management regulations and includes any subsequent improvements to such structures.

#### NON-CONFORMING LOT OF RECORD

A lot or tract of land which is part of a subdivision, a plat of which has been recorded in the Office of the Register of Deeds prior to the adoption of this Ordinance, or a lot or tract of land described by metes and bounds, the description of which has been so recorded prior to the adoption of this Ordinance or in a watershed a lot described by a plat or a deed that was recorded prior to the effective date of local watershed protection regulations (or their amendments) that does not meet the minimum lot size or other development requirements of the statewide watershed protection rules.

#### NON-ENCROACHMENT AREA (NEA)

The channel of a river or other watercourse, including the area above a bridge or culvert when applicable, and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot as designated in the Flood Insurance Study report.

#### NON-RESIDENTIAL DEVELOPMENT

All development other than residential development.

#### NUISANCE MOTOR VEHICLE

A motor vehicle on public or private property that is determined and declared to be a health or safety hazard, a public nuisance, and unlawful, including a vehicle found to be: (1) a breeding ground or harbor for mosquitoes, other insects, rats, or other pests, or (2) a point of heavy growth of weeds or other noxious vegetation over ten inches in height, or (3) a point of collection of pools or ponds of water, or (4) a point of concentration of quantities of gasoline, oil, or other flammable or explosive materials, or (5) one which has areas of confinement which cannot be operated from the inside, unless rendered safe by securing open or closed; or (6) so situated or located that there is a danger of it falling or turning over; or (7) one which is a point of collection of garbage, food waste, animal waste, or any other rotten or putrescent matter of any kind, or (8) any other vehicle specifically declared a health and safety hazard and a public nuisance by the Board of Commissioners of the County of Alamance.

## NURSING HOME

A facility, however named, which is advertised, announced, or maintained for the express or implied purpose of providing nursing or convalescent care for three or more persons unrelated to the operator.

## OBSTRUCTION

Any structure, growth, or other object, including a mobile object, which exceeds a limiting height set forth in this Ordinance.

## OPEN SPACE

An area of land and/or water resources set aside, dedicated, or reserved for the common use and enjoyment of occupants of a subdivision neighborhood or other planned development. Such land may be developed for active and/or passive recreation pursuits with various man-made improvements to accommodate such activities in accordance with the regulations of this Ordinance.

## OPERATIONS

The manufacturing, production, processing, of any goods, substances, food, products or articles for commercial purposes, other uses necessary for the business of the industry and includes any storage or transportation associated with any such activity except to the extent the uses and storage or transportation are associated solely with construction activities.

## OPERATOR

A person who owns or is responsible for the operation of a manufactured home park or travel trailer park.

## OWNER OF A MOBILE HOME

Any person who is the legal or equitable owner of a mobile home and shall include: 1) any person whose name is entered upon a title to a structure deemed a mobile home under the provisions of this Ordinance; 2) any person whose name is entered upon a certificate of title of a vehicle deemed a mobile home under the provisions of this Ordinance; 3) any person who has purchased a mobile home as defined in this section under a contract of sale, conditional sales contract, lease-purchase agreement, or any other arrangement whereby at law such purchaser is the equitable owner of such mobile home, even though such purchaser's name is not entered on a title to or certificate of title of such mobile home; 4) any person who has listed or by law is entitled or required to list a mobile home as defined in this section in the office of the Tax Administrator of the County for ad valorem property tax purposes.

If two or more persons are deemed owners as defined by the above, each such person shall be required to comply with the provisions of this Ordinance and shall be subject to the non-conformance fee and charges for failure to comply, except that if one such person complies or has complied with this Ordinance in a particular period, other such persons may be excused from such compliance upon written application to and upon written notice of waiver from the Planning Director of the County.

#### PAPER MILL

Establishments primarily engaged in manufacturing paper from pulp. These establishments may manufacture or purchase pulp. In addition, the establishments may convert the paper they make. The activity of making paper classifies an establishment into this industry regardless of the output.

#### PERENNIAL WATERBODY

A natural or man-made basin, including lakes, ponds, and reservoirs, that stores surface water permanently at depths sufficient to preclude growth of rooted plants. For the purpose of the State's riparian buffer protection program, the waterbody must be part of a natural drainage way (i.e., connected by surface flow to a stream).

#### PERSON

A firm, corporation, general partnership, limited partnership, Limited Liability Corporation, sole proprietor, individual, individual acting on behalf of another, or any other entity of any type whatsoever.

#### PLANNED UNIT DEVELOPMENT

An area of minimum contiguous size to be planned, developed, operated, and maintained as a single entity and containing one or more residential clusters or planned unit residential developments and one or more public, quasi-public, commercial, or industrial areas.

#### POST-FIRM

Construction or other development for which the "start of construction" occurred on or after August 15, 1994, the effective date of the initial Flood Insurance Rate Map.

#### PRE-FIRM

Construction or other development for which the "start of construction" occurred before August 15, 1994, the effective date of the initial Flood Insurance Rate Map.

#### PRECISION INSTRUMENT RUNWAY

A runway end having instrument capabilities utilizing air navigation with horizontal and vertical approach guidance.

#### PREMISES

A definite portion of real estate including land with its appurtenances, a building, or part of a building.

#### PRIMARY SURFACE

A surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the primary surface extends 200 feet beyond each end of that runway; when the runway has no specially prepared hard surface, or planned hard surface, the primary surface ends at each end of that runway. The width of the primary surface is set forth in Section 2.3.2 of this Ordinance. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway surface.

#### PRINCIPALLY ABOVE GROUND

The state in which at least 51% of the actual cash value of the structure is above ground.

#### PRIVATE CLUB

An establishment or business that is organized and operated solely for a social, recreational, patriotic, or fraternal purpose and that is not open to the general public, but only to bona fide members and their guests. A private club has a formal membership application process and maintains a current listing of its members. This term does not include establishments or businesses that merely charge a fee for entrance to the general public.

#### PRIVATE PARTS

Male or female genitalia. This term includes the anus, penis, testicles, vulva, vagina, clitoris, and *mons veneris*. This term does not include buttocks or female breasts.

#### PROGRAM

The Farmland Preservation Program.

#### PUBLIC NUISANCE and/or PUBLIC SAFETY

Anything which is injurious to the safety or health of an entire community or neighborhood, or any considerable number of persons, or unlawfully obstructs the free passage or use, in the customary manner, of any navigable lake, or river, bay, stream, canal, or basin.

#### PUBLIC NUISANCE

Conduct which unreasonably and significantly interferes with the health, safety, peace, comfort, or convenience of the public at large. This may include an action or omission that interferes with the use and enjoyment of one's property.

#### PUBLIC PLACE

An area which is accessible to the public at large, but is not necessarily a place devoted solely to the uses of the public. This term includes private businesses that are open to the public during regular business hours.

#### PUBLIC ROAD

A public street or road: any street, highway, thoroughfare, or other way of passage that has been irrevocably dedicated to the public or in which the public has acquired rights by prescription without regard to whether it is open for travel; a public road as defined in North Carolina General Statute Section 136-67.

#### QUARRYING

Open excavations where the works are visible at the surface and intended for the extraction of stone, slate, marble, or other mineral from a mass of surrounding rock.

#### QUASI-JUDICIAL DECISION

A decision involving the finding of facts regarding a specific application of a development regulation and that requires the exercise of discretion when applying the standards of the regulation. The term includes, but is not limited to, decisions involving variances, special use permits, certificates of appropriateness, and appeals of administrative determinations.

#### RADIOACTIVE WASTE

Any waste that emits ionizing radiation spontaneously.

#### RECREATIONAL VEHICLE, RV, TRAVEL TRAILER

A vehicle which is a) built on a single chassis; b) 400 square feet or less when measured at the largest horizontal projection; c) designed to be self-propelled or permanently towable; d) designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel, or seasonal use; and e) is fully licensed and ready for highway use.

“Tiny Homes/Houses” and Park Models that do not meet the items listed above are not considered Recreational Vehicles and should meet the standards of and be permitted as Residential Structures.

#### RECREATIONAL VEHICLE, RV, TRAVEL TRAILER PARK

*As related to* a park comprised of three or more recreational vehicles, RVs or travel trailers on one tract of land, regardless of whether or not a fee is charged to occupy the land.

#### RECREATIONAL VEHICLE, RV TRAVEL TRAILER PARK SPACE

That portion of land in a Recreational vehicle/ travel trailer Park allotted to or designed for accommodation of one Recreational vehicle/travel trailer.

## READY-MIX CONCRETE SUPPLIERS

Establishments, such as batch plants or mix plants, primarily engaged in manufacturing concrete delivered to a purchaser in a plastic and unhardened state, where such establishments are not engaged in mining or quarrying sand and gravel (NAICS 327320).

## REFERENCE LEVEL

The top of the lowest floor for structures within Special Flood Hazard Areas designated as Zones A, AE, AH, AO, A99. The reference level is the bottom of the lowest horizontal structural member of the lowest floor for structures within Special Flood Hazard Areas designated as Zone VE.

## REFUSE

All non-putrescible waste, including ashes.

## REGULATORY FLOOD PROTECTION ELEVATION

The Base Flood Elevation plus the Freeboard. In Special Flood Hazard Areas where Base Flood Elevations (BFEs) have been determined, this elevation shall be the BFE *plus* two feet (*“freeboard”*). In Special Flood Hazard Areas where no BFE has been established, this elevation shall be the at least two feet above the highest adjacent grade.

## RENEWABLE ENERGY FACILITY

Any stand-alone plant not ancillary to another land use which is intended for the commercial generation of electric power from hydroelectric, and wind to be primarily distributed to the public for compensation. This definition shall not apply to an agricultural farm, residence, business, or other facility where the sale of the electricity so produced is secondary to on-site consumption.

## REPAIR

To fix a portion of a property that has sustained damage through an action or event that was not under the property owner’s control or consciously contemplated by the property owner. This does not include remedial actions that will affect more than fifty percent of the assessed value of the property.

## REPLACE

To fix an entire property or a substantial amount of a property that has sustained damage through an action or event that was not under the property owner’s control or consciously contemplated by the property owner. This includes remedial actions that will affect more than fifty percent of the assessed value of the property. Replacement may also include acts of substitution that are not remedial in nature and are designed simply to upgrade a property or substantial portion of a property.

## REPLACEMENT VALUE

The cost to restore a structure to its previously existing condition as computed by an appraisal which has been conducted by an appraiser holding a North Carolina State Certified General Real Estate Appraisal License and conducted in compliance with generally accepted practices within the appraisal community.

#### RESIDENTIAL

The use of land for the purpose of housing or living accommodations for human occupants. Residential land uses shall also include any accessory uses of the land that is not commercial in nature, as defined by this Ordinance, and incidental to the residential use.

#### RESIDENTIAL DEVELOPMENT

Any development in which its primary purpose is to serve for residential housing and its related accessory functions.

#### RESIDENTIAL GENERATOR

An individual household, dwelling, apartment, or other place of residence located in Alamance County, which produces Target Recyclables.

#### RESIDENTIAL HOUSEHOLD GARBAGE

All putrescible waste, including food waste, and non-putrescible waste both combustible and noncombustible, originating from residences, including paper, cardboard, plastic, or metal food or household chemical containers, wood objects, glass, bedding, crockery, metals, and other similar objects or materials, but specifically excluding bulky waste, animal offal and carcasses.

#### RESOURCE EXTRACTION

The commercial removal of any naturally occurring substance from the land not otherwise covered by the definition of mining and quarrying. Such substances include, but not limited to top soil or fill dirt. Such substances do not include petroleum in any form, natural gas, or other gaseous substance agricultural products, timber, surface or subsurface water, or any renewable resource.

#### RIGHT OF WAY

A type of easement that gives people the legal right to cross the property of another, typically for the public use of vehicular travel. The size of a right of way may vary based on the regulations within this Ordinance or N.C.D.O.T. standards. Rights of way are designed and set aside in order to feature elements like public roads, private roads, travelways, drainage ditches, driveway entrances, culvers, mailboxes, utilities, road signs, and similar features.

#### RIVERINE

Relating to, formed by, or resembling a river (including tributaries), stream or brook, etc.

## ROAD

See "Street."

## RUBBISH

Non-putrescible solid wastes. Rubbish consists of both combustible and noncombustible materials, such as paper, cardboard, tin cans, yard waste, wood, glass, bedding, crockery, metals, and similar objects and materials.

## RUNWAY

A defined area on an airport prepared for landing and takeoff of aircraft along its length. The planned usable runway length for the Airport is 7,000 feet. The runway end is the physical end of the hard surface, having a defined coordinate and elevation as noted on the Height Restriction Zoning Plan Map.

## RURAL MEDICAL CENTER

A facility staffed on a regular basis by one (1) or more physicians licensed to practice medicine in the State of North Carolina, which facility is located outside the boundaries of a municipality and is established and maintained for the purpose of providing medical care to members of the community in which it is situated.

## SALVAGE YARD

Any non-residential property used for the storage, collection, and/or recycling of any type of equipment, and including but not limited to vehicles, appliances, and related machinery.

## SAW MILL

Any permanent commercial establishments primarily engaged in sawing dimension lumber, boards, beams, timbers, poles, ties, shingles, shakes, siding, and wood chips from logs or bolts. Sawmills may plane the rough lumber that they make with a planing machine to achieve smoothness and uniformity of size. Sawmills that are temporary, portable, or located on 10 acre or less are excluded from this definition.

## SCRAP METAL

Discarded steel, ferrous, copper, and other metallic articles generated from residential, commercial, and industrial sources such as bedsprings, machinery, auto parts, lighting fixtures, shelving units, and similar units.

## SCRAP TIRE

A tire that is no longer suitable for its original, intended purpose because of wear, damage, or defect.

## SETBACK

The required distance from the property line of the parcel on which the wireless communication facility is located to the base of the support structure and equipment facility, or in the case of a guywire support, guywire anchors.

#### SEXUALLY-ORIENTED DEVICES

Any artificial or simulated Specified Anatomical Areas or other devices or paraphernalia that are designed principally for Specified Sexual Activities. This term does not include contraceptive devices.

#### SEXUALLY-ORIENTED SECONDARY BUSINESS ACTIVITY

A sexually-oriented business activity that occurs on the premises of an establishment or business where the primary purpose is not the sale of sexually-oriented materials, publications, or devices; the presentation of adult live entertainment; or the presentation of adult motion pictures. This sexually-oriented business activity does not constitute the majority of a business' income or a preponderance of a business' inventory or display of materials.

#### SINGLE-FAMILY RESIDENTIAL

Any development where: a) no building contains more than one dwelling unit; b) every dwelling unit is on a separate deeded lot or a manufactured home park lot and; 3) where no lot contains more than one dwelling unit.

#### SITE PLAN

A drawing or rendering used by a developer, or their authorized agent, which shows existing and/or proposed conditions for a given area, typically a parcel of land which is to be modified. These plans may show buildings, roads, sidewalks, trails, open space, parking, drainage or stormwater facilities, sanitary sewer lines, water lines, lighting, landscaping, or any similar site-specific elements.

#### SOIL ANALYSIS

A test of the soil suitability for absorption of effluent from on-site sewage treatment and disposal system based on soil analysis to determine the type of characteristics of the soil.

#### SOLAR ENERGY SYSTEMS

Developments which feature ground-mounted PV, concentrating PV (CPV), or concentrating solar power (CSP or solar thermal) panels capable of generating two megawatts AC (MW AC) or more directly connected to the local or regional electrical grid with the ability to deliver power to the electrical grid. The term includes solar arrays, accessory buildings, battery storage facilities, transmission facilities, and any other infrastructure necessary for the operation of the development. For purposes of this section, a smaller-scale solar panel installation designed to generate power for a single family residence or stand alone business shall not be regulated as a Solar Energy System.

#### SOLID WASTE

Hazardous or non-hazardous garbage, residential household garbage, yard trash, refuse, sludge from a waste treatment plant, water supply treatment plant, or air pollution control facility, domestic sewage and sludge generated by the treatment thereof in sanitary sewage collection, treatment, and disposal systems, and other material that is either discarded or being accumulated, stored or treated prior to being discarded, or has served its original intended use and is generally discarded, including solid, liquid, semi-solid, or contained gaseous material resulting from industrial, institutional, commercial, and agricultural operations, and from community activities. The term does not include: a) fowl and animal fecal waste; b) solid or dissolved material in (i) domestic sewage and sludge generated by the treatment thereof in sanitary sewage collection, treatment, and disposal systems which have a design capacity of more than 3,000 gallons or which discharge effluents to the surface waters; (ii) irrigation return flows; and (iii) wastewater discharges and the sludge incidental thereto and generated by the treatment thereof which are point sources subject to permits granted under section 402 of the Water Pollution Control Act, as amended (PL 92-500), and permits granted under GS 143-215.1 by the Environmental Management Commission; c) oils and other liquid hydrocarbons controlled under Article 21A of Chapter 143, NCGS; d) any source, special nuclear or by-product material as defined by the Atomic Energy Act of 1954 as amended (42 USC § 2011), or radioactive material as defined by the North Carolina Radiation Protection Act, GS 74-46 through 74-68, and regulated by the North Carolina Mining Commission. Solid waste shall include for the purpose of this Ordinance the definitions: Bulky Waste, Commercial Solid Waste, Construction and Demolition Waste, Debris, Garbage, Hazardous Waste, Industrial Solid Waste, Inert Debris, Institutional Solid Waste, Land Clearing Debris, Medical Waste, Residential Household Garbage, Rubbish, Scrap Metal, Scrap Tires, White Goods, and Yard Trash.

#### SOLID WASTE DISPOSAL FACILITY

Any facility involved in the disposal of solid waste, as defined in NCGS 130A-290(a)(35).

#### SOLID WASTE DISPOSAL SITE

As defined in NCGS 130A-290(a)(36), any place at which solid wastes are disposed of by incineration, sanitary landfill, or any other method.

#### SOLID WASTE MANAGEMENT FACILITY

Land, personnel, and equipment used in the management of solid waste as defined in Title 15A of the North Carolina Administrative Code.

#### SOLID WASTE RECEPTACLE

Large metal container, commonly known as a dumpster, used for the temporary storage of solid waste and capable of being automatically emptied into collecting vehicles or transported to the county landfill.

#### SPECIAL FLOOD HAZARD AREA, SFHA

The land in the floodplain subject to a one percent or greater chance of being flooded any given year, as determined by section 6.4 of this Ordinance.

#### SPECIAL NON-RESIDENTIAL INTENSITY ALLOCATION, SNIA

A built-upon area allocation made under the procedures of the SNIA.

#### SPECIFIED ANATOMICAL AREAS

Less than completely or opaquely covered human genitals, pubic regions, buttocks, or female breast(s) below a point immediately above the top of the areola. This term also includes human male genitals in a discernibly turgid state, even if completely and opaquely covered.

#### SPECIFIED SEXUAL ACTIVITIES

Real or simulated conduct of a sexual nature which includes: human genitals and/or female breasts in a state of sexual stimulation or arousal; vaginal or oral sexual intercourse; acts of human masturbation; sodomy; fondling or other erotic touching of human genitals; pubic regions; buttocks; or female breasts; lewd exhibitions of uncovered human genitals; excretory functions; bestiality; or an act or condition that depicts torture, physical restraint by being fettered or bound, or flagellation of or by a nude person or a person clad in undergarments or in revealing or bizarre costume.

#### START OF CONSTRUCTION

Includes substantial improvement and means the date the building permit was issued provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of the building, whether or not that alteration affects the external dimensions of the building.

#### STEALTH TOWER TECHNOLOGY

Towers designed and located using existing or new structures in which the tower is not visible. This includes towers that are concealed within architectural features or camouflages through the use of exterior devices such as false trees.

#### STREAMS

An intermittent or perennial stream, pond, lake, or reservoir whose presence and location has been determined by the North Carolina Division of Water Resources, or if it appears on any of the following types of maps: the most recent version of the soil survey map prepared by the Natural Resources Conservation Service of the United States Department of Agriculture; the most recent version of the 1:24,000 scales ( 7.5 minute) quadrangle topographic maps prepared by the United States Geologic Survey (USGS); OR a map approved by the Geographic Information Coordinating Council and by the NC Environmental Management Commission.

#### STREET ADDRESS

The combination of numbers and street names assigned by Alamance County that identifies a particular building or lot.

#### STREETS AND ROADS

A dedicated and accepted public right-of-way for vehicular traffic. The following functional classifications are used for rural roads and streets by the North Carolina Department of Transportation in the preparation of county thoroughfare plans. Where applicable, the equivalent classifications for urban streets and roads shall be used:

**PRINCIPAL ARTERIAL** – a rural link in a highway system serving travel and having characteristics indicative of substantial statewide or interstate travel and existing solely to serve traffic. This network would consist of interstate routes and other routes designated as principal arterials.

**MINOR ARTERIAL** – a rural roadway joining cities and larger towns and providing intra-state and inter-county service at relatively high overall travel speeds with minimum interference to through movement.

**MAJOR COLLECTOR** – a facility which serve major intra-county travel corridors and traffic generators and provides access to the arterial system.

**MINOR COLLECTOR** – a facility which provides service to small local communities and traffic generators and provides access to the arterial system.

**LOCAL ROAD** – a public road which serves primarily to provide access to adjacent land and for travel over relatively short distances.

**CUL-DE-SAC** – a short street having only one end open to traffic and the other end being permanently terminated by a vehicular turn-around.

**PRIVATE ROAD** – a road not intended for public use or public dedication which serves a limited number of lots, and therefore is not built to NCDOT standards. Also refer to NCGS 136-102.6.

A right-of-way for vehicular traffic which affords the principal means of access to abutting properties in a watershed.

## STRUCTURE

A walled and roofed building, a manufactured home, or a gas, liquid, or liquefied gas storage tank that is principally above ground in a flood area or an object constructed, or installed by man, including but without limitation: buildings, towers, smokestacks, and overhead transmission lines- in a watershed anything constructed or erected, including but not limited to buildings, which requires location on the land or attachment to something having permanent location on the land.

## SUBDIVIDER

Any person or firm, or official agent thereof, who subdivides any land deemed to be a subdivision.

## SUBDIVISION

All divisions of a tract or parcel of land into two or more lots, building sites, or other divisions when any one or more of those divisions is created for the purpose of sale or building development, whether immediate or future, and shall include all divisions of land involving the dedication of a new street or a change in existing streets. For the purposes of this ordinance, the following classifications of subdivisions are established:

- 1) MAJOR SUBDIVISIONS. Subdivisions including fifteen (15) or more applicable lots.
- 2) MINOR SUBDIVISIONS. Subdivision including fourteen (14) or fewer applicable lots.
  - a. Class 1 Minor Subdivision. Those consisting of four (4) or fewer lots.
  - b. Class 2 Minor Subdivision. Those consisting of five (5) to fourteen (14) lots.

## SUBDIVISION STREET

Any dedicated and accepted public right-of-way for vehicular traffic, or a private street, either of which were established pursuant to the subdivision standards described herein.

## SUBSTANTIAL DAMAGE

Damage of any origin sustained by a structure during any one-year period whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50% of the market value of the structure before the damage occurred. See definition for "substantial improvement."

## SUBSTANTIAL IMPROVEMENT

Any combination of repairs, reconstruction, rehabilitation, addition, or other improvement of a structure, taking place during any one-year period for which the cost equals or exceeds 50% of the market value of the structure before the “start of construction” of the improvement. This term includes structures which have incurred “substantial damage,” regardless of the actual repair work performed. The term does not, however, include either: a) any correction of existing violations of state or community health, sanitary, safety code specifications which have been identified by the community code enforcement official and which are the minimum necessary to assure safe living conditions; or b) any alteration of a historic structure, provided that the alteration is approved by variance issued pursuant to the variance procedures established by this ordinance.

#### SUPPORT STRUCTURE

A structure designed and constructed specifically to support an antenna array. This includes, but is not limited to, a monopole, self-supporting tower, and guywire support tower. A support structure does not include any device that is used to attach a wireless communication facility to a building or structure.

#### TARGET RECYCLABLES

As to Residential Generators, means newspapers, corrugated cardboard, aluminum cans, food and beverage glass bottles and glass jars which are either clear or brown in color; and as to Commercial Generators, means in addition to these items listed, office paper – including computer paper and shredded office paper.

#### TECHNICAL BULLETIN and TECHNICAL FACT SHEET

A FEMA publication that provides guidance concerning the building performance standards of the NFIP, which are contained in Title 44 of the U.S. Code of Federal Regulations at Section 60.3. The bulletins and fact sheets are intended for use primarily by State and local officials responsible for interpreting and enforcing NFIP regulations and by members of the development community, such as design professionals and builders. New bulletins, as well as updates of existing bulletins, are issued periodically as needed. The bulletins do not create regulations; rather they provide specific guidance for complying with the minimum requirements of existing NFIP regulations.

#### TEMPORARY WIRELESS COMMUNICATION FACILITY

A wireless communication facility that is intended to be in used for ninety or fewer days.

#### THOROUGHFARE PLAN

A plan adopted for the development of existing and proposed major streets that will adequately serve the future needs of an area in an efficient and cost effective manner.

#### THROUGH STREET

Any street not ending in a permanent dead end. A street ending at a property boundary is a through street.

#### TOW

To remove a motor vehicle by any means.

#### TRANSITIONAL SURFACES

Surfaces extending outward at 90-degree angles to the runway centerline at a slope of seven feet horizontally for each foot vertically (7:1) to a point intersecting with the horizontal and conical surfaces.

#### TRANSITIONAL ZONES

Areas beneath the transitional surfaces as set forth in Section 6.6 of this Ordinance.

#### TRAVEL TRAILER

A vehicular unit mounted on wheels, designed to provide temporary living quarters for recreational, camping, or travel use, and of a size or weight that does not require a special highway movement permit when towed by a motorized vehicle.

#### TRAVELWAY

A road or driveway used for access in a manufactured home park or recreational vehicle park allowing for the circulation of vehicle traffic. The travel way is privately owned by the manufactured home park operator. "Road" should not be considered the same as a publicly built or dedicated access easement.

#### TREE

Any object of natural growth.

#### VARIANCE

A modification or alteration of any requirement of this Ordinance, only granted at the conclusion of a quasi-judicial hearing by a four-fifths vote of the Board of Adjustment.

#### VEGETATION

Evergreen trees or shrubs or plants with a minimum height of four feet when planted, which reach a height of at least six feet within three years.

#### VESTED RIGHT

A right pursuant to NCGS 160D-108 and 160D 108.1 to undertake and complete the development and use of property under the terms and conditions of an approved site-specific development plan.

#### WASTE PROCESSING FACILITY

Includes incinerators, composting facilities, household hazardous waste facilities, waste-to-energy facilities, transfer stations, reclamation facilities or any other location where wastes are consolidated, temporarily stored, salvaged or otherwise processed prior to being released into the air or transported to a final disposal site. Specifically included in this definition are medical waste facilities as defined by G.S. § 130A-309.26a.

#### WATER DEPENDENT STRUCTURE

Any structure for which the use requires access to or proximity to or siting within surface waters to fulfill its basic purpose, such as boat ramps, boat houses, docks, and bulkheads. Ancillary facilities such as restaurants, outlets for boat supplies, parking lots, and commercial boat storage areas are not water dependent structures.

#### WATER SURFACE ELEVATION, WSE

The height, in relation to NAVD 1988, of floods of various magnitudes and frequencies in the floodplains of riverine areas.

#### WATERCOURSE

A lake, river, creek, stream, wash, channel or other topographic feature on or over which waters flow at least periodically. Watercourse includes specifically designated areas in which substantial flood damage may occur.

#### WATERSHED

The entire land area contributing surface drainage to a specific point, the public water supply intake.

#### WATERSHED CRITICAL AREA, WCA

The area adjacent to a water supply intake or reservoir where risk associated with pollution is greater than from the remaining portions of the watershed. The critical area is defined as extending either one mile from the normal pool elevation of a water supply reservoir or to the ridge line of the watershed, whichever comes first; or one mile upstream from the intake located directly in the stream or river ("run-of-the-river"), or the ridge line of the watershed, whichever comes first.

#### WATERSHED MANAGEMENT PLAN

A plan that documents industries that are located within watershed boundaries which use, store, or manufacture chemicals that could potentially pose a threat to water quality and the response procedures for handling spills and/or discharges.

#### WHITE GOODS

Inoperative and discarded refrigerators, ranges, water heaters, freezers, and other similar domestic and commercial large appliances.

#### WIRELESS COMMUNICATIONS

Personal wireless services as defined in 47 USC §(7)(C), the “Telecommunications Act of 1966.” This includes FCC licensed commercial wireless telecommunications services, including cellular, personal communication services (PCS), specialized mobile radio (SMR), enhanced specialized mobile radio (ESMR), paging, and similar services that currently exist.

#### WIRELESS COMMUNICATION FACILITY

Any unstaffed facility designed for the transmission and/or reception of wireless telecommunications services. This usually consists of an antenna array, connection cables, and equipment facility, and a support structure.

#### YARD TRASH

Solid waste solely consisting of vegetative matter resulting from landscaping maintenance, including grass clippings.

#### SECONDARY RESIDENCES

Dwellings which exist on the same property as a primary residence but are serviced by independent well and septic systems. All secondary residences must comply with lot area, lot access, setbacks and other subdivision requirements. Secondary residences should be permitted in the exact same fashion as primary residences and this may include upgrading private roads to a higher standard if necessary. Secondary residences will not be allowed on lots if the establishment of secondary residences would render the lot nonconforming with regards to lot size, access, setbacks, or other regulations.

#### ACCESSORY DWELLING UNITS

Dwellings which exist on the same property as a primary residence and are connected to the same well and septic system as the primary residence. These dwelling units shall be regulated in much the same manner as an accessory building, pool house, or similar structure which is clearly secondary to the primary structure. When accessory dwellings are connected to the same well as the primary residence but are served by their own septic system, an additional 20,000 square feet of land shall be required. When accessory buildings are connected to the same septic system as the primary residence but are served by their own well, an additional 10,000 square feet of land shall be required.

#### SHORT-TERM RENTALS

Living quarters which may be established in primary residences, secondary residences, or accessory dwelling units as long as they comply with all other regulations within this Ordinance. Prior to their establishment, owners of short-term rentals shall register with the Alamance County Tax Department then provide a copy of said documentation to the Planning Department. Temporary residences may not be used as short-term rentals.