

*Automobile wrecking yard* means an establishment that cuts up, compresses, or otherwise disposes of motor vehicles.

*Awning* means any non-rigid material, such as fabric or flexible plastic that extends from the exterior wall of a building and is supported by or attached to a frame.

*Banner sign* means any sign made of cloth, fabric, paper, non-rigid plastic, or similar types of material. National flags, State flags, City flags and symbolic flags of an institution shall not be considered banners for the purpose of this title.

*Base flood elevation* means the highest height, expressed in feet above sea level, of the level of floodwaters occurring at the regulatory base flood.

*Bed and breakfast* means a building wherein lodging, involving less than seven (7) bedrooms, and some meals are provided to the traveling public and where the owner or a manager also resides; also known as an inn.

*Billboard sign. See Off-premises sign.*

*Block* means a tract of land bounded by streets or by a combination of one (1) or more streets and parks, cemeteries, shorelines of waterways, corporate limit lines, or other lines of demarcation.

*Boardinghouse. See Roominghouse.*

*Board of Trustees* means the President and Board of Trustees of the Village of Cary.

*Box sign* means a sign that is self-enclosed in a typically square or rectangular structure with or without internal lighting.

*Buildable area* means the area of the lot remaining after the minimum yard and open space requirements of this title have been met.

*Building* means a structure having a roof supported by columns or walls and designed to be used as a place of occupancy, storage, or shelter. The term "building" shall be construed as if followed by the words "or parts thereof." When any portion is completely separated from another portion by a fire wall, then such portion shall be deemed a separate building.

*Building, accessory*, means a building that is located on the same lot as a principal building and that is used incidentally to a principal building or that houses an accessory use.

*Building frontage* means the linear length of a building facing the right-of-way.

*Building, height of*, means the vertical distance from the mean elevation of the finished grade along the front of the building to the top of the highest roof beams of a flat or shed roof, or to the beams of a mansard roof, or to the mean distance between the eaves and the ridge level for gable, hip, or gambrel roofs.

*Building, principal*, means the primary building on a lot or a building that houses or is designed to house the primary use.

*Building set back line* means a line within a lot or other parcel of land so designated on the final plat, which denotes the area between such line and the adjacent street right-of-way line where an enclosed building and other obstructions are prohibited, except those obstructions that are permitted by zoning ordinance regulations.

*Nude or state of nudity* means a state of undress that exposes to view less than opaquely covered human genitals, pubic region, anus, or areolae of a female breast.

*Nursing home* means a facility maintained for the purpose of providing nursing or convalescent care for three (3) or more persons unrelated to the licensee. A nursing home is a home for chronic or convalescent patients who, on admission, are not as a rule, acutely ill and who do not usually require special facilities such as an operating room, X-ray facilities, laboratory facilities, and obstetrical facilities.

*Odor threshold* means the minimum concentration of odorous material in the air that can be detected as an odor.

*Office* means a room or group of rooms used for conducting the affairs of a business, profession, service, industry or government and generally furnished with desks, tables, files and communication equipment.

*Offsite* means located outside the lot lines of the property which is the subject of the development related application.

*Off-street parking space* means a temporary storage area for a motor vehicle that is directly accessible to an access aisle and that is not located on a dedicated street right-of-way.

*Off-leash dog play area* means a designated outdoor area that is intended for the exercising and/or containment of off-leash domesticated dogs.

*Off premises sign* means a sign that constitutes a principal, separate, or secondary use, as opposed to an accessory use, of the parcel on which it is located.

*Open sales lot* means land used for or occupied for the purpose of buying, selling or renting merchandise stored or displayed out-of-doors prior to sale. Such merchandise includes automobiles, trucks, motorcycles, and boats.

*Open space* means any parcel or area of land or water, essentially unimproved and set aside, dedicated, or reserved for public or quasi-public use or enjoyment. Open space is distinguished from usable open space in that the latter does not include areas that are unsuitable or undevelopable for recreational uses or structures, including, but not limited to, regulatory wetlands, floodways, lakes and ponds, and wastewater land treatment areas.

*Ordinance, this.* "This ordinance" or "the ordinance codified in this title" or "this title" means the 2018 Cary Zoning Ordinance.

*Outdoor storage* means the keeping, in an unenclosed area, of any goods, junk, material, merchandise, or vehicles, other than recreational vehicles, playground equipment, landscape decorations, or the like, in the same place for more than seventy-two (72) consecutive hours.

*Owner* means any person, firm, association, partnership, private corporate, public, or quasi-public corporation, or a combination of any of them, or other legal entity having sufficient proprietary interest in the land sought to be subdivided or divided to commence and maintain proceedings under the provisions of this title.

*Parcel* means a lot.

*Park* means a tract of land designated and used by the public for active and passive recreation. An active park or recreation facility is one typified by active park or recreation facilities; a passive park by passive facilities. Active recreation facilities include swimming pools, tennis and basketball courts, and playgrounds. Passive recreation facilities include picnic areas, walking trails and informal play areas.

**Sec. 14.5.9. - Prohibited signs.**

The following sign categories and types are prohibited in all zoning districts.

- 1) Flashing signs.
- 2) Marquee signs.
- 3) Animated signs.
- 4) Obstructive signs.
- 5) **Off-premises signs/billboards.**
- 6) Signs painted directly on a building wall or fence.
- 7) Portable signs.
- 8) Vehicle signs.
- 9) Roof signs.
- 10) Signs affixed to utility poles or trees.
- 11) Signs affixed to fire escapes or fire suppression systems.
- 12) Signs creating traffic hazards.
- 13) Signs erected without proper permits.
- 14) Signs in the public right-of-way.
- 15) Signs related to abandoned uses or activities.
- 16) Unsafe signs.
- 17) Outline lighting.
- 18) Pole signs.
- 19) Attention getting devices.
- 20) Box signs.

( Ord. No. O19-05-06, § 3, 5-21-2019)