15A NCAC 02B .0621 WATER SUPPLY WATERSHED PROTECTION PROGRAM: DEFINITIONS

In addition to the definitions set forth in G.S. 143-214.7, the following definitions shall apply to Rules .0622 - .0624.

(1) "Balance of Watershed" or "-BW" means the area adjoining and upstream of the critical area in a WS-II and WS-III water supply watershed. The "balance of watershed" is comprised of the entire land area contributing surface drainage to the stream, river, or reservoir where a water supply intake is located.

(2) "Cluster development" means 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. Planned unit development and mixed use development shall be considered as cluster development.

(3) "Commission" has the same meaning as in 15A NCAC 02H .1002.

(4) "Common plan of development" has the same meaning as in 15A NCAC 02H .1002.

(5) "Critical area" has the same meaning as in 15A NCAC 02B .0202.

(6) "Curb Outlet System" has the same meaning as in 15A NCAC 02H .1002.

(7) "Dispersed flow" has the same meaning as in 15A NCAC 02H .1002.

(8) "Division" has the same meaning as in 15A NCAC 02H .1002.

(9) "Erosion and Sedimentation Control Plan" has the same meaning as in 15A NCAC 02H .1002.

(10) "Existing development" has the same meaning as in 15A NCAC 02H .1002.

(11) "Family subdivision" means a division of a tract of land:

(a) to convey the resulting parcels, with the exception of parcels retained by the grantor, to a relative or relatives as a gift for nominal consideration, but only if no more than one parcel is conveyed by the grantor from the tract to any one relative; or

(b) to divide land from a common ancestor among tenants in common, all of whom inherited by intestacy or by will.

(12) "Geotextile fabric" has the same meaning as in 15A NCAC 02H .1002.

(13) "Intermittent stream" means a well-defined channel that contains water for only part of the year, typically during winter and spring when the aquatic bed is below the perched or seasonal high water table. The flow may be supplemented by stormwater runoff. An intermittent stream often lacks the biological and hydrological characteristics commonly associated with the continuous conveyance of water.

(14) "Major variance" means a variance that is not a "minor variance" as that term is defined in this Rule.

(15) "Minimum Design Criteria" or "MDC" has the same meaning as in 15A NCAC 02H .1002.

(16) "Minor variance" means a variance from the minimum statewide watershed protection rules that results in the relaxation of up to 10 percent of any vegetated setback, density, or minimum lot size requirement applicable to low density development, or the relaxation of up to five percent of any vegetated setback, density, or minimum lot size requirement applicable to high density development. For variances to a vegetated setback requirement, the percent variation shall be calculated using the foot print of built-upon area proposed to encroach within the vegetated setback divided by the total area of vegetated setback within the project.

(17) "Nonconforming lot of record" means a lot described by a plat or a deed that was recorded prior to the effective date of local watershed ordinance (or its amendments) that does not meet the minimum lot size or other development requirements of Rule .0624 of this Section.

(18) "NPDES" has the same meaning as in 15A NCAC 02H .1002.

(19) "Perennial stream" means a well-defined channel that contains water year round during a year of normal rainfall with the aquatic bed located below the perched or seasonal high water table for most of the year. Groundwater is the primary source of water for a perennial steam, but it also carries stormwater runoff. A perennial stream exhibits the typical biological, hydrological, and physical characteristics commonly associated with the continuous conveyance of water.

(20) "Perennial waterbody" means a natural or man-made watershed that stores surface water permanently at depths sufficient to preclude growth of rooted plants, including lakes, ponds, sounds, non-stream estuaries and ocean.

(21) "Primary SCM" has the same meaning as in 15A NCAC 02H .1002.

(22) "Project" has the same meaning as in 15A NCAC 02H .1002.

(23) "Protected area" has the same meaning as in 15A NCAC 02B .0202.

(24) "Required storm depth" has the same meaning as in 15A NCAC 02H .1002.
(25) "Runoff treatment" has the same meaning as in 15A NCAC 02H .1002.
(26) "Runoff volume match" has the same meaning as in 15A NCAC 02H .1002.
(27) "Secondary SCM" has the same meaning as in 15A NCAC 02H .1002.
(28) "Stormwater Control Measure" or "SCM" has the same meaning as in 15A NCAC 02H .1002.
(29) "Vegetated setback" has the same meaning as in 15A NCAC 02H .1002.
(30) "Vegetated conveyance" has the same meaning as in 15A NCAC 02H .1002.

History Note: *Authority G.S. 143-214.1; 143-214.5; 143-215.3(a)(1);*
Eff. March 1, 2019 (Portions of this Rule were previously codified in 15A NCAC 02B .0202);
Amended Eff. September 1, 2019.