

SECTION .0300 - JUNKYARD CONTROL

19A NCAC 02E .0301 UNZONED INDUSTRIAL AREA

(a) For purposes of this Section and the Junkyard Control Act, "Unzoned industrial area" means the land occupied by an industrial activity, including its building, parking lot, storage or processing, and that land located within 1,000 feet thereof that is:

- (1) located on the same side of the highway as the principal part of the industrial activity;
- (2) not used for residential or commercial purposes; and
- (3) not zoned by State or local law, rule, or ordinance.

(b) For the purposes of this Section and the Junkyard Control Act, "Industrial activity" means an activity that the nearest zoning authority within the State permits in industrial zones or zones that are less restrictive. An activity is also industrial if the nearest zoning authority within the State has prohibited the activity but the activity is generally recognized as industrial by other zoning authorities within the State. None of the following shall be considered industrial activities:

- (1) outdoor advertising structures;
- (2) agricultural activities including ranching, farming, grazing, and such necessarily related activities as are generally carried on by a farmer on the farmer's own premises, including wayside fresh produce stands;
- (3) forestry activities that include the growing of timber, thinning, felling, and logging of timber or pulpwood;
- (4) transient or temporary activities;
- (5) activities not visible from the traffic lanes of the main-traveled way;
- (6) activities more than 1,000 feet from the nearest edge of the right of way;
- (7) activities conducted in a building used as a residence;
- (8) railroad tracts other than yards, minor sidings, and passenger depots; and
- (9) junkyards, as defined in Section 136, Title 23, of the United States Code.

*History Note: Authority G.S. 136-151; 23 U.S.C. 136;
Eff. July 1, 1978;
Amended Eff. December 1, 1993;
Readopted Eff. June 1, 2019.*