WARREN COUNTY
NORTH CAROLINA
ZONING ORDINANCE

This Ordinance (as amended in its entirety) and the Official Zoning Map of Warren County (as amended) are approved by the Warren County Board of Commissioners and effective as of November 4, 2019 and been recorded after following proper form and procedure in the minutes of the regular Board of Commissioners meeting for November 4, 2019.

This Ordinance and the Official Zoning Map (amended and adopted as of January 16, 2019) of Warren County are in accordance and consistent with the Warren County Comprehensive Development Plan (Land Use Plan) adopted March 11, 2002 by the Warren County Board of Commissioners, in order to promote the public health, safety, and general welfare of the residents of Warren County (in accordance with North Carolina G.S. 153A-341).

Acknowledgments: This document is the culmination of work by the Warren County Citizen's Advisory Council – Land Use and Warren County Planning Board with input and support from the Warren County Board of Commissioners, County Manager, County Attorney and Board of Adjustment (September 2007 to November 2019). The Planning and Zoning Administrator extends appreciation for the input, work and support of all involved.

TIMELINE OF AMENDMENTS AND REVISIONS

ORDINANCE/MAP - ORIGINAL ADOPTION AUGUST 5, 1963
ORDINANCE/MAP - REVISED/AMENDED JUNE 3, 1985
ORDINANCE - REVISED/AMENDED FEBRUARY 2, 2004
ORDINANCE - REVISED/AMENDED SEPTEMBER 11, 2006
ORDINANCE - EFFECTIVE/CURRENT SEPTEMBER 11, 2006
MAP UPDATE - EFFECTIVE/CURRENT DECEMBER 1, 2008
(12-1-08 Official Zoning Map supersedes and replaces the Official Zoning Map adopted 6-3-85)
ORDINANCE - REVISED/AMENDED JUNE 22, 2009
MAP - REVISED/AMENDED NOVEMBER 2, 2009
MAP - EFFECTIVE/CURRENT NOVEMBER 2, 2009
(11-2-09 Official Zoning Map supersedes/ replaces the 12-1-08 updated Official Zoning Map and original Official Zoning Map adopted 6-3-85)
ORDINANCE - REVISED/AMENDED JANUARY 4, 2010
ORDINANCE - REVISED/AMENDED MARCH 1, 2010
ORDINANCE - EFFECTIVE/CURRENT MARCH 1, 2010
(March 1, 2010 Ordinance supersedes/ replaces Ordinances dated August 5, 1963 - June 3, 1985 - February 2, 2004 - September 11, 2006 -June 22, 2009 - January 4, 2010)
MAP - REVISED/AMENDED MAY 2, 2011
MAP - EFFECTIVE/CURRENT MAY 2, 2011
(5/2/11 Official Zoning Map supersedes/ replaces the 11/2/09 and 12/1/08 updated Official Zoning Maps and original Official Zoning Map adopted 6-3-85)
ORDINANCE - REVISED/AMENDED SEPTEMBER 6, 2011
ORDINANCE - EFFECTIVE/CURRENT SEPTEMBER 6, 2011
(September 6, 2011 Ordinance supersedes/ replaces Ordinances dated August 5, 1963 - June 3, 1985 – February 2, 2004 - September 11, 2006 -June 22, 2009 - January 4, 2010 - March 1, 2010)
MAP - REVISED/AMENDED SEPTEMBER 6, 2011
MAP - EFFECTIVE/CURRENT SEPTEMBER 6, 2011
(9/6/11 Official Zoning Map supersedes/ replaces the 5/2/11, 11/2/09, 12/1/08 revised/updated Official Zoning Maps and original Official Zoning Map adopted 6-3-85)
MAP - REVISED/AMENDED MARCH 12, 2012
MAP - EFFECTIVE/CURRENT MARCH 12, 2012
(3/12/12 Official Zoning Map supersedes/ replaces the 9/6/11, 5/2/11, 11/2/09, 12/1/08 revised/updated Official Zoning Maps and original Official Zoning Map adopted 6-3-85)
ORDINANCE - EFFECTIVE/CURRENT OCTOBER 1, 2012
(October 1, 2012 Ordinance supersedes/ replaces Ordinances dated August 5, 1963 - June 3, 1985 - February 2, 2004 - September 11, 2006 -June 22, 2009 - January 4, 2010 - March 1, 2010 - September 6, 2011)
ORDINANCE - EFFECTIVE/CURRENT JULY 1, 2013
(July 1, 2013 Ordinance supersedes/ replaces Ordinances dated August 5, 1963 - June 3, 1985-February 2, 2004 September 11, 2006-June 22, 2009-January 4, 2010-March 1, 2010-September 6, 2011–October 1, 2012)
MAP - REVISED/AMENDED JANUARY 5, 2015
MAP - EFFECTIVE/CURRENT JANUARY 5, 2015
(1/5/15 Official Zoning Map supersedes/ replaces the 3/12/12, 9/6/11, 5/2/11, 11/2/09, 12/1/08 revised/updated Official Zoning Maps and original Official Zoning Map adopted 6-3-85)
MAP - REVISED/AMENDED OCTOBER 6, 2015
MAP - EFFECTIVE/CURRENT OCTOBER 6, 2015
(10/6/15 Official Zoning Map supersedes/ replaces the 1/5/15, 3/12/12, 9/6/11, 5/2/11, 11/2/09 and 12/1/08 revised/updated Official Zoning Maps and original Official Zoning Map adopted 6-3-85)
ORDINANCE - EFFECTIVE/CURRENT May 2, 2016
(May 2, 2016 Ordinance supersedes/ replaces Ordinances dated August 5, 1963 - June 3, 1985-February 2, 2004 September 11, 2006-June 22, 2009-January 4, 2010-March 1, 2010-September 6, 2011–October 1, 2012 and July 1, 2013)
ORDINANCE - EFFECTIVE/CURRENT May 7, 2018
(May 7, 2018 Ordinance supersedes/ replaces Ordinances dated August 5, 1963 - June 3, 1985-February 2, 2004 September 11, 2006-June 22, 2009-January 4, 2010-March 1, 2010-September 6, 2011–October 1, 2012, July 1, 2013 and May 2, 2016)
MAP - REVISED/AMENDED JANUARY 16, 2019
MAP - EFFECTIVE/CURRENT JANUARY 16, 2019
(1/16/19 Official Zoning Map supersedes/replaces all prior Official Zoning Maps including all maps from the 12/1/08 revised/updated Official Zoning Maps and original Official Zoning Map 6-3-85 to the current January 16, 2019 map)
ORDINANCE - EFFECTIVE/CURRENT NOVEMBER 4, 2019
(November 4, 2019 Ordinance supersedes/ replaces Ordinances dated August 5, 1963 - June 3, 1985-February 2, 2004, September 11, 2006-June 22, 2009-January 4, 2010-March 1, 2010-September 6, 2011–October 1, 2012, July 1, 2013, May 2, 2016 and May 7, 2018)

PRE-2004 REVISIONS/AMENDMENTS:

Prepared For (Warren County Board of Commissioners)

- Michael Jones, Chairman
- Harry Williams III, Vice-Chairman
- Glen Richardson
- Clinton G. Alston
- Roy Williams
- Loria D. Williams, County Manager
-

Prepared By (Warren County Planning Board)

- Tim Proctor, Chair
- Doris Ross, Vice-Chair
- J. Dean Andrews, Secretary
- Clinton Capps
- Al Thompson
- B. Reid Tunstall, Ex-Officio
-

2004 - 2006 REVISIONS/AMENDMENTS:

Prepared For (Warren County Board of Commissioners)

- Ulysses S. Ross, Chairman (2004-2006)
- H.E. Luke Lucas, Vice-Chairman (2004-2006)
- Clinton G. Alston (2004-2006)
- Weldon C. Capps, Jr. (2004-2005)
- Janet Humphries (2004-2006)
- Barry Richardson (2004-2006)
- Loria D. Williams, County Manager (2004-2005)
- Linda T. Jones, County Manager (2005-2006)
-

Prepared By (Warren County Planning Board)

- Al Cooper, Chair
- Doris Ross, Vice-Chair
- Clinton Capps, Secretary
- Al Thompson
- Marvin Richardson
- Michael Humphries
- David Williams
- Joyce Green Williams, Interim Planning and Zoning Administrator
-

Warren County Board of Adjustment

- Oscar "Butch" Meek – Chairman
- Robert C. Kelly
- Gene Midyette
- Henry Bobbitt, III
- Paul Bernard
- Vanessa Tunstall
- Joyce Green Williams, Interim Planning and Zoning Administrator

BOARDS AND COMMISSIONS 2006 – CURRENT

Warren County Board of Commissioners (as of 2018/2019)

- Tare "T" Davis (Chair)
- Victor Hunt (Vice-Chair)
- Bertadean Baker (Commissioner)
- Jennifer Jordan (Commissioner)
- Walter Powell (Commissioner)
- Vincent Jones, County Manager
-

Warren County Planning Board

- Anthony Moran, (Chair)
- Billy "Seth" Pearce
- Al Thompson
- Ted Echols
- David Williams
- Clarence "Chip" King
- Barney Watson
- Charla Duncan (Primary Alternate Member)
- Cynthia Moore (Secondary Alternate Member)
- Shawn Burton, Senior Administrative Assistant – Planning/Zoning and Code Enforcement Department
- Ken Krulik, AICP CZO Planning and Zoning Administrator (2007 - Current)
-

Warren County Citizen's Advisory Council-Land Use (June 2, 2008 through May 25, 2011)

- Ron Skow, Chairman (2008-2010)
- Marty Richardson, Vice-Chairman (2008-2010)
- David Duxbury (2008-2010)
- Fern Boyd (2008-2010)
- Eleanor Fuller (2008-2009)
- Clarence Royster (2008)
- Daria Holcomb (2008)
- Bruce Perkinson (2008)
- Earl Evans (2008-2010)
- John Alston (2009)
- Anthony Moran (2009-2010)
- Herbert Burrows (2009-2010)
- Jereann King Johnson (2010)
- Lester Capps (2010)
- Ken Krulik, AICP CZO Planning and Zoning Administrator (2007- Current)

Warren County Board of Adjustment (as of August 15, 2019)

- Oscar "Butch" Meek – Chairman
- Robert C. Kelly
- Gene Midyette
- Paul Bernard
- Sid Cutts
- Glenn ForsythRon Skow, Chairman (2008-2010)
- Marty Richardson, Vice-Chairman (2008-2010)
- David Duxbury (2008-2010)
- Fern Boyd (2008-2010)
- Eleanor Fuller (2008-2009)
- Clarence Royster (2008)
- Daria Holcomb (2008)
- Bruce Perkinson (2008)
- Earl Evans (2008-2010)
- John Alston (2009)
- Anthony Moran (2009-2010)
- Herbert Burrows (2009-2010)
- Jereann King Johnson (2010)
- Lester Capps (2010)
- Ken Krulik, AICP CZO Planning and Zoning Administrator (2007- Current)

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- Oscar "Butch" Meek – Chairman
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- Ron Skow, Chairman (2008-2010)
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- Daria Holcomb (2008)
- Bruce Perkinson (2008)
- Earl Evans (2008-2010)
- John Alston (2009)
- Anthony Moran (2009-2010)
- Herbert Burrows (2009-2010)
- Jereann King Johnson (2010)
- Lester Capps (2010)
- Ken Krulik, AICP CZO Planning and Zoning Administrator (2007- Current)

Warren County Board of Adjustment (as of August 15, 2019)

- Oscar "Butch" Meek – Chairman
- Robert C. Kelly
- Gene Midyette
- Paul Bernard
- Sid Cutts
- Glenn Forsyth

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SECTION I - GENERAL PROVISIONS

A. ***Authority:*** The provisions of this ordinance are adopted by the Warren County Board of Commissioners under authority granted by the General Assembly of the State of North Carolina, in Chapter 153A, Section 18 of the General Statutes.

B. ***Purpose:*** The purpose of this ordinance is to provide a comprehensive set of regulations to protect the environment and promote the health, safety and general welfare within the jurisdiction of Warren County. By regulating the uses permitted in an established zoning district, all areas shall be developed to their potential while being protected from incompatible and discriminatory land use practices.

C. ***Applicability:*** In the following circumstances this ordinance applies:

1. ***Bona Fide Farms not Affected by this Ordinance:*** Nothing in this ordinance shall be construed to affect bona fide farms, but any use of such property for non-farm purposes shall be subject to these regulations (see "bona fide farms" in the Definitions Section VI.B of this Ordinance).
2. ***Zoning Affects Every Building and Land Use:*** Except as provided in Paragraph I.C.1 above (Bona Fide Farms) no building shall be erected, moved, reconstructed, renovated or structurally altered, nor shall any building or land be used except in compliance with all the zoning district regulations established by this ordinance.
3. ***Required Open Space:*** No part of a lot, yard, off-street parking area, or other required open space shall be reduced below the minimum required by this ordinance nor shall it be used to satisfy the requirements of another building or use.
4. ***Existing Lots of Insufficient Size:*** Any existing lot of record, which has any dimension, minimum yard (setback) or lot size less than required by this ordinance, shall be subject to its current zoning district minimum yard (setback) requirements and current regulations for an approved septic system or public utilities for water and sewer service as applicable.
5. ***Access To A Public Road:*** Every business or residential building hereafter erected or moved shall be on a lot that has access to a public road or right of way, and all structures shall be so located as to provide safe and convenient access for servicing, fire protection and required off-street parking.

D. ***Existing Conditional Uses:*** After the effective date of this ordinance, those uses which existed prior to that effective date shall be considered to be legally established Conditional Uses. Any expansion, addition or other change for which a zoning permit is required shall be submitted per Section VIII of this Ordinance (Board of Adjustment).

E. ***Buffers/Screening:*** Development shall, when feasible, incorporate a natural area as an undisturbed buffer (maintained in a natural vegetative condition, e.g. undisturbed trees, hedges, etc.) or provide replanting of vegetation as a separation between inconsistent land uses (e.g. residential development next to commercial/industrial development). A buffer is defined as the portion of a yard where special plantings and/or vegetation may be required to separate and partially screen two adjacent land uses that are ordinarily incompatible by virtue of their use (See Terms and Definitions Section VI). Additional provisions may be required by the Warren County Planning Board or Board of Adjustment as part of a specific plan approval or a Conditional Use Permit. The following shall apply.

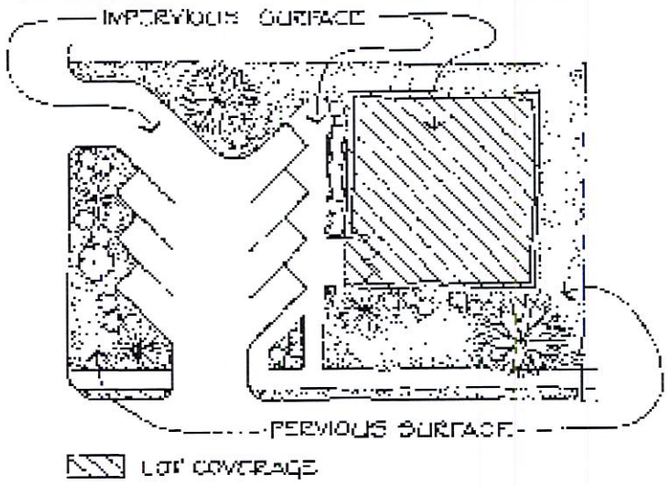
1. Buffers, as defined in this ordinance, are those features that preserve existing vegetation and minimize potential erosion by providing a natural buffer. The Planning Board may allow appropriate existing vegetation to substitute for landscape requirements provided the intent of this ordinance is maintained.
2. Buffers as defined in this ordinance are permitted to be located within the setbacks (minimum yards) of the development or individual lot/parcel for the respective zoning district (a buffer is not in addition to the setback requirements).
3. If a lot or parcel adjacent to new development is vacant, then no buffer is required, except in circumstances where the new development requires specific protection of natural resources as determined by Warren County development regulations and North Carolina Department of Environmental and Natural Resources regulations.
4. Buffers are not required on all sides of new development if it is identified to the Planning and Zoning Administrator that the proposed use buffers the existing adjacent use. In all other circumstances, a buffer is required surrounding the perimeter of any new development adjacent to other properties that are not within the new development (not inclusive of easements).
5. Between incompatible land uses the developer shall either maintain to the maximum extent feasible a twenty foot (20') buffer of undisturbed natural area or provide an appropriate level of vegetative replanting as determined by the Planning and Zoning Administrator.

6. If the new development incorporates a solid wall, opaque wood fence or other approved materials is proposed then a fifty percent (50%) reduction is to be allowed in the depth of the buffer and plant material.
7. A buffer as defined in this ordinance shall be planted, leaving space for an ingress and egress location. The buffer shall be maintained in serviceable conditions at all times and damage to the buffer shall be corrected within fourteen (14 days).
8. For Planned Unit Developments (PUD)or mixed uses, the buffer requirements shall be incorporated into the application process (Conditional Use Permit) as part of a project master plan for review by the Planning and Zoning Administrator, Board of Adjustment and Planning Board as applicable. Each project shall be reviewed on a case-by-case basis, dependent on the scale and intensity of the development where the developer shall be encouraged to provide for a compatible mix of uses to meet the provisions and intent of this Ordinance.

F. ***Impervious Surface Area:*** As defined in Section VI of this ordinance, in order to provide protection of the County's natural resources for land and water quality, new development shall not exceed the following percentages (impervious surface ratio) per lot in its respective zoning districts (illustration shows what is defined as an impervious surface only and does not reflect the percentages below):

1. **Residential Development - maximum of 25% impervious surface area.**
2. **Non-Residential Development - maximum of 36% impervious surface area.**

EXAMPLE OF WHAT QUALIFIES AS IMPERVIOUS SURFACE



PICTURE ABOVE IS AN EXAMPLE FOR REFERENCE ONLY-NOT REFLECTIVE OF COUNTY IMPERVIOUS SURFACE AREA REQUIRMENTS

SECTION II - DISTRICT REGULATIONS

A. ***Purpose:*** The purpose of this section is to provide an overview of requirements for Warren County's established zoning districts, definitions of the zoning districts, dimensional requirements and permitted uses for the zoning districts.

B. ***Height Regulations:*** The district height limitations stipulated in Table II-1 may be exceeded but such modification shall be in accordance with the following:

1. Special structures, such as elevator penthouses, gas tanks, grain elevators, scenery lofts, radio and television receiving antennas, manufacturing equipment and necessary mechanical appurtenances, cooling towers, fire towers, substations, and smoke stacks, shall not exceed in height their distance from the nearest lot line.
2. Essential services, utilities, water towers, electric power and communication transmission lines shall not exceed in height their distance from the nearest lot line.
3. Communication structures such as radio and television transmission and relay towers, aerials, and observation towers shall not exceed in height their distance from the nearest lot line.
4. Agricultural structures, when applicable, such as barns, silos tanks and windmills, shall not exceed in height their distance from the nearest lot line.
5. Public or quasi-public facilities, such as schools, churches, hospitals, monuments, sanitariums, libraries, governmental offices, and stations, may be erected to a height of sixty (60) feet, in circumstances where the structure exceeds 35 feet in height a fall zone buffer (defined in Section VI and Paragraph I.E of this ordinance) shall be provided.
6. Maximum Height (see also Section VI Terms and Definitions -Building Height, Basement, and Ground/Grade Level) - In areas bordering Lake Gaston and Kerr Lake, no more than two (2) stories in height are permitted, plus a basement which is that portion of a building partially or completely below grade. All other areas of the County may be a

maximum of three stories plus a basement which is that portion of a building partially or completely below grade.

7. Height Limit Exceptions - Architectural projections, such as spires, belfries, parapet walls, cupolas, domes, flues, and chimneys, shall not exceed in height their distance from the nearest lot line. The other height limitations contained in this ordinance do not apply to spires, belfries, cupolas, antennas, water tanks, ventilators, chimneys, mechanical equipment penthouses, or other appurtenances required to be placed above the roof level and not intended for human occupancy.

C. ***Accessory Uses:*** Accessory buildings and uses may be erected or permitted by this ordinance and shall be subject to the following requirements:

1. No separate accessory building or use shall be erected within ten (10) feet of any other buildings, or within ten (10) feet from any property line; and
2. The square footage of all non-farm accessory buildings or uses may not exceed seventy-five (75) percent of the permitted principle structure and improvement. ***NOTE*** - This size restriction shall not apply to accessory buildings for bona fide farms, as defined in this ordinance, where the accessory building is secondary to the operation of the bona fide farm.

D. ***Minimum Frontage:*** Where a minimum lot width is specified in the regulations it shall be measured at the building line.

E. ***Zoning Districts Defined***

1. ***Agricultural Residential District (AR):*** This district is established to promote a compatible mixture of agricultural, forestry, conservation and very low-density residential uses. Preservation of prime farmlands, protection of the environment and the continuation of rural lifestyles are the goals of this district.
2. ***Residential Lakeside District (RL):*** This district is established to promote residential uses and protection of the environment in the areas of Lake Gaston and Kerr Lake.
3. ***Residential District (R):*** This district is established to promote, protect and enhance residential development.
4. ***Lakeside Group Camp District (GC):*** This district is established as a camping district which will allow both permanent structures and temporary camping facilities to encourage a combination of uses and facilities appropriate for this district.
5. ***Lakeside Tent or Trailer Camping District (TC):*** This district is established as a camping district which will allow temporary camping facilities for tents, trailers, and recreational vehicles (RV's).
6. ***Lakeside Business District (LB):*** This district is established to promote low-density business development around Lake Gaston and Kerr Lake while protecting the environment.
7. ***Neighborhood Business District (NB):*** This district is established to provide commercial development compatible with the surrounding communities.
8. ***Heavy Business District (HB):*** This district is established to promote **large-scale** commercial development not otherwise classified as Neighborhood Business (NB) commercial development compatible with the surrounding communities. Permitted uses in this district shall comply with all Local, State and Federal regulations regarding environmental protection and nuisance issues.
9. ***Light Industrial District (LI):*** This district is established to promote compatible locations for service, manufacturing, packaging, research and development (R&D) and warehousing industries. Permitted uses in this district shall comply with all Local, State and Federal regulations regarding environmental protection and nuisance issues.
10. ***Heavy Industrial District (HI):*** This district is established to promote compatible locations for **large-scale** service, manufacturing, packaging, research and development (R&D) and warehousing industries. Permitted uses in this district shall comply with all Local, State and Federal regulations regarding environmental protection and nuisance issues.

F. ***Official Zoning Map:*** Warren County is hereby divided into zoning districts whose locations and boundaries are shown on the Official Zoning Map (ref. Appendices M-A through M-D at end of this document) for the county which is adopted by reference and declared to be a part of this ordinance, attached and recorded in the minutes of the Board of Commissioners of Warren County. The map shall be identified by the signature of the Chairman, attested by the Clerk, and bearing the Official Seal of Warren County under the following words: **"This is to certify that this is the Official Zoning Map of the Zoning Ordinance for Warren County, North Carolina".** The date of adopting shall also be shown. If in accordance with the provisions of this ordinance, changes are made in the zoning district boundaries or other information shown on the map, such changes shall be made together with an entry on the map as follows: **"On (date) by official action of the Warren County Board of Commissioners the following changes were made in the Official Zoning Map" and include a** brief description of nature of change. The entry shall be signed by the Chairman and attested by the Clerk. No amendment to this ordinance which involves information portrayed on the map shall become effective until after such change and entry has been made on said map. The Board

of Commissioners shall give official notice of a zoning change to the Zoning Administrator within twenty-four hours after passage of said Zoning Map, which shall be located in the Planning and Zoning Administrator's office. The Official Zoning Map shall be the final authority as to the current zoning status of land, water areas and buildings in Warren County:

1. **Maintenance of the Official Zoning Map -** The Zoning Administrator shall be responsible for the maintenance and revision of the Official Zoning Map. Upon notification by the Board of Commissioners that a zoning change has been made, the Zoning Administrator shall make the necessary changes on the Official Zoning Map within twenty-four (24) hours of notification.
2. **Replacement of Official Zoning Map -** In the event that the Official Zoning Map becomes damaged, destroyed, lost or difficult to interpret, the Board of Commissioners may by ordinance adopt a new Official Zoning Map, which shall be the same in every detail as the map it supersedes. The new map shall bear the signatures of the current Chairman and Clerk and shall bear the seal of the County under the following words: "This is to certify that this Official Zoning Map supersedes and replaces the Official Zoning Map adopted (date of adoption of Map replaced)". The date of adoption of the new Official Zoning Map shall be shown also.

G. ***Rules for Interpretation of Zoning District Boundaries:*** For Table II-1 Dimensional Requirements and Table II-2 Permitted Uses, in addition to the information contained in these tables, where district boundaries prove to be uncertain as to their location on the Official Zoning Map, the following rules shall apply:

1. Unless otherwise specifically indicated, where district boundaries are indicated on the zoning map as approximately parallel to or following the center line of a street, highway, railroad right of way, utility easement, stream bed or river bed, or such lines extended, then such lines shall be construed to be such district boundaries.
2. Boundaries indicated, as approximately following platted lot lines shall be construed as following those boundaries.
3. Boundaries indicated as approximately following town limits or other jurisdictional boundary shall be construed as following those boundaries.
4. If a district boundary divides a lot, the requirement for the district in which the greater portion of the lot lines shall be extended to the balance of the lot, provided that such extension shall not include any part of such lot which lies more than 50 feet beyond the district boundary, and further provided that the remaining parcel shall not be less than the minimum required for the district in which it is located.

TABLE II-1 DIMENSIONAL REQUIREMENTS

(NOTE–REQUIREMENTS PERTAIN TO INDIVIDUAL LOT DEVELOPMENT AND SUBDIVISIONS AS MINIMUM STANDARDS)

Zoning District	Lot Size Minimum	Density per Acre	Width Minimum	Depth Minimum	Front Setback (min.)	Side Setback (min.)	*** Rear Setback (min.)	** Height (max)
AR	30,000 SF (well/septic) 20,000 SF (public water/septic) 15,000 SF (public water/sewer)	1.45 2.18 2.9	100 FT (well/septic) 100 FT (public water/septic) 80 FT (public water/sewer)	200 FT (well/septic) 150 FT (public water/septic) 125 FT (public water/sewer)	30 Feet	10 Feet	25 Feet	35 Feet
RL	30,000 SF (well/septic) 20,000 SF (public water/septic) 15,000 SF (public water/sewer)	1.45 2.18 2.9	100 FT (well/septic) 100 FT (public water/septic) 80 FT (public water/sewer)	200 FT (well/septic) 150 FT (public water/septic) 125 FT (public water/sewer)	30 Feet	10 Feet	25 Feet	35 Feet
R	30,000 SF (well/septic) 20,000 SF (public water/septic) 15,000 SF (public water/sewer)	1.45 2.18 2.9	100 FT (well/septic) 100 FT (public water/septic) 80 FT (public water/sewer)	200 FT (well/septic) 150 FT (public water/septic) 125 FT (public water/sewer)	30 Feet	10 Feet	25 Feet	35 Feet
GC	15 Acres	30 persons per acre	N/A	N/A	200 Feet	200 Feet	100 Feet	35 Feet
TC	15 Acres	30 persons per acre	N/A	N/A	50 Feet	50 Feet	50 Feet	35 Feet
LB	1 Acre (43,560 SF)	*	100 Feet	200 Feet	50 Feet	50 Feet	50 Feet	40 Feet
NB	1 Acre (43,560 SF)	*	100 Feet	200 Feet	50 Feet	35 Feet (corner lot=50 Feet	50 Feet	40 Feet
HB	1 Acre (43,560 SF)	*	100 Feet	200 Feet	50 Feet	50 Feet	50 Feet	50 Feet

LI	2 Acres (87,120 SF)	*	200 Feet	400 Feet	100 Feet	70 Feet (corner lot=100 Feet	100 Feet	75 Feet
HI	4 Acres (174,240 SF)	*	400 Feet	800 Feet	200 Feet	150 Feet (corner lot=200 Feet	200 Feet	75 Feet

***ALL PROPERTIES SHALL COMPLY WITH THE APPROPRIATE ZONING DISTRICT DENSITY AND IMPERVIOUS SURFACE REQUIREMENTS AS SPECIFIED IN THIS ORDINANCE AND TABLE II-1 ABOVE.**

**** FOR BUILDING HEIGHT AS NOTED IN TABLE II-1 ABOVE THE HEIGHT SHALL BE MEASURED AT THE FRONT ELEVATION OF THE STRUCTURE.**

***** FOR PROPERTIES ZONED RL (RESIDENTIAL LAKESIDE) AND RECORDED ON A LOT OF RECORD IN THE WARREN COUNTY REGISTER OF DEEDS FOR PLATS PRIOR TO THE EFFECTIVE DATE OF THIS ORDINANCE, THE REAR SETBACK OF TWENTY FIVE (25) FEET SHALL NOT APPLY TO THE SIDE OF THE PROPERTY ABUTTING KERR LAKE AND LAKE GASTON. ALL OTHER REGULATIONS AS WRITTEN IN THIS ORDINANCE SHALL APPLY AS OF ITS EFFECTIVE DATE.**

NOTE **– AT A MINIMUM, APPROPRIATE SILT FENCES (TO RETAIN SEDIMENT IN PLACE WHERE SOIL IS BEING DISTURBED DURING CONSTRUCTION) SHALL BE REQUIRED AND MAINTAINED FOR ALL NEW CONSTRUCTION AS OF THE EFFECTIVE DATE OF THIS ORDINANCE.**

TABLE II-2 PERMITTED USES

P = Permitted, CU = Conditional Use Permit Required (pages 20 - 32), X = Prohibited

(NOTE: "ALL APPLICABLE GOVERNMENT REQUIRMENTS" PERTAINS TO COUNTY, STATE AND FEDERAL)

USES	AR	RL	R	GC	TC	LB	NB	HB	LI	HI	NOTES PER DISTRICT
ABC stores	X	X	X	X	X	X	P	P	P	X	
Accessory buildings and uses secondary to permitted uses	P	P	P	P	P	P	P	P	P	P	
Accessory retail uses (e.g. cafeterias, gift and souvenir shops, drink/snack bars for employees, patients, patrons, visitors in the principle building -no exterior advertising).	X	X	X	X	X	X	X	X	P	P	
Adult entertainment establishments	X	X	X	X	X	X	X	CU	CU	CU	2,000 linear foot separation from the adjacent property line per CU.
Agricultural equipment sales and service	P	X	X	X	X	X	X	P	P	P	Buffering required per Paragraph I.E of this ordinance.
Agricultural supply sales	P	X	X	X	X	X	P	P	P	P	Buffering required per Paragraph I.E of this ordinance.
Airports, landing field, heliports and helipads	CU	X	X	X	X	X	X	X	P	P	
Amusement parks with outdoor rides, bowling, trampolines, miniature golf, concessions, swimming pools, arcades, and drive-in movie theaters	X	X	X	X	X	CU	CU	CU	X	X	
Animal hospitals and kennels (no animal storage/runs shall be closer than 50 feet to any property line)	P	X	X	X	X	X	P	P	P	P	Distance from wells shall be maintained at a minimum of 100 feet per all applicable Government requirements
Apparel sales	X	X	X	X	X	P	P	P	P	X	
Appliance distributors for wholesale	X	X	X	X	X	X	X	X	P	P	
Appliances, sales/service	X	X	X	X	X	X	P	P	X	X	
Assembly halls, coliseums, stadiums, gymnasiums and similar structures, grounds-facilities for open air	CU	X	X	P	X	X	P	P	P	P	Buffering required per Paragraph I.E of this ordinance. Hours of operation shall be compatible

games/sports											with adjacent land uses, noise levels shall comply with Warren County's Noise Ordinance.
USES	**AR**	**RL**	**R**	**GC**	**TC**	**LB**	**NB**	**HB**	**LI**	**HI**	**NOTES PER DISTRICT**
Assembly of machines/appliances from previously prepared parts	X	X	X	X	X	X	X	X	P	P	
Automobile repair garages with outside storage of wrecked or inoperable automobiles permitted only for those in process of repair (vehicles shall be concealed from view from a public street by a fence, wall or evergreen at least eight feet high - use includes Junk Yard (Section VI-Definitions)	X	X	X	X	X	X	X	X	P	P	No new operations within a ½ mile radius of an existing operation. Buffering required per Paragraph I.E of this ordinance.
Automobile sales new/used, includes repair and parts	X	X	X	X	X	X	P	P	P	P	
Automobile service stations and self-service gas pumps	X	X	X	X	X	X	P	P	P	P	No fuel pumps or storage tanks within fifteen (15) feet of any property line or street right of way (NC-DENR & NC-DOT regulations apply, more strict supersedes).
Automobile/truck assembly	X	X	X	X	X	X	X	X	P	P	
Bakeries	X	X	X	P	X	P	P	P	X	X	
Baking plants	X	X	X	X	X	X	X	X	P	P	
Banks	X	X	X	X	X	P	P	P	P	P	
Beauty/barber shops	X	X	X	X	X	X	P	P	X	X	
Bed and breakfast establishment	P	P	P	X	X	P	P	X	X	X	
Bedding, carpet and pillow manufacturing, cleaning and renovating	X	X	X	X	X	X	X	X	P	P	
Blacksmith or horse shoeing shops	P	X	X	X	X	X	X	X	P	P	
Blueprinting, bookbindery	X	X	X	X	X	X	X	P	P	P	
Boat sales new/used, includes repairs, parts, and sales	X	X	X	X	X	P	P	P	P	P	
Bona fide farms (all zones except AR permit crops only, AR zone permits commercial livestock production)	P	P	P	P	P	P	P	P	P	P	No commercial slaughter operations except where permitted in this Table (see Food Processing)
Bottling works	X	X	X	X	X	X	X	X	P	P	
USES	**AR**	**RL**	**R**	**GC**	**TC**	**LB**	**NB**	**HB**	**LI**	**HI**	**NOTES PER DISTRICT**
Building Supply Sales	X	X	X	X	X	X	P	P	X	X	
Business and professional offices	X	X	X	X	X	P	P	P	P	P	
Camps with sites for tents, camping trailers, and recreational vehicles (RV).	X	X	X	X	P	X	X	X	X	X	Buffering required per Paragraph I.E of this ordinance.
Cemeteries, church association	P	P	P	X	X	X	CU	CU	CU	CU	

Cemeteries, commercial	CU	X	X	X	X	X	CU	CU	CU	CU	
Cemeteries, family	P	P	P	X	X	X	X	X	X	X	
Cemeteries, pet (commercial only)	CU	X	X	X	X	X	CU	CU	CU	CU	
Churches (see Section VI for definitions)	P	P	P	P	P	P	P	P	P	P	
Clothing manufacture includes leather manufacturing	X	X	X	X	X	X	X	X	P	P	
Commercial cleaning operations	X	X	X	X	X	X	X	X	P	P	
Commercial livestock production (beef, poultry, pork, and dairy operations for keeping, breeding, raising livestock for commercial purposes - this use includes petting zoos).	P	X	X	X	X	X	X	X	X	P	Buffering required per Paragraph I.E of this ordinance.
Commercial marinas for launching/storage, rental, sale or repair of boats.	X	X	X	X	X	P	X	X	X	X	No new commercial marinas within one (1) linear mile measured on the same shoreline and ½ mile radius measure across from existing marinas.
Community (private), county or municipal sewage treatment plants, water treatment plants, water pumping stations, sewage pumping stations.	P	P	P	P	X	X	X	P	P	P	Stations, plants and, facilities shall comply with all applicable Government requirements
Convenience store with no petroleum (gas) sales.	P	X	X	P	P	P	P	P	P	P	
Crematoria	X	X	X	X	X	X	CU	CU	P	P	
Daycare and pre-school (daycare facilities shall include those for seniors and handicapped persons)	P	P	P	P	X	P	P	P	P	P	Facilities shall comply with all applicable Government requirements.
USES	**AR**	**RL**	**R**	**GC**	**TC**	**LB**	**NB**	**HB**	**LI**	**HI**	**NOTES PER DISTRICT**
Department and drug stores	X	X	X	X	X	X	P	P	X	X	
Dry cleaners-laundries	X	X	X	X	X	X	P	P	X	X	Water reservoir space shall equal five times the capacity of the laundry.
Dwelling, single family (stick built), manufactured home (singlewide or double wide), modular	P	P	P	P	CU	X	X	X	X	X	
Dwelling, multi-family (includes apartments, condominiums, duplexes, triplexes, and townhomes)	CU	CU	CU	X	X	X	X	X	X	X	
Dwelling, temporary (manufactured-mobile homes)	CU	CU	CU	P	CU	X	X	X	X	X	
Family care home or facility	P	P	P	X	X	X	P	P	X	X	No new Family Care Home or Facility located within ½ mile radius of an existing Family Care Home or Facility. All such

											homes or facilities shall comply with all applicable Government requirements.
Feed, grain, and fertilizer sales-storage	P	X	X	X	X	X	P	P	P	P	Buffering required per Paragraph I.E of this ordinance
Fire stations, police, rescue squad/EMS and civil defense stations	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	Buffering required per Paragraph I.E of this ordinance.
Florist and gift shops	P	X	X	X	X	P	P	P	X	X	
Food and grocery stores	X	X	X	X	X	X	P	P	X	X	
Food processing in wholesale quantities, meat processing-packing and-slaughter	X	X	X	X	X	X	X	X	P	P	Buffering required per Paragraph I.E of this ordinance.
Frozen food lockers, cold storage plants	X	X	X	X	X	X	X	X	P	P	
USES	**AR**	**RL**	**R**	**GC**	**TC**	**LB**	**NB**	**HB**	**LI**	**HI**	**NOTES PER DISTRICT**
Fuel oil/ kerosene or other Class III (National Board of Fire Underwriters) flammable liquids: the incidental sale in containers provided they comply with applicable codes Fuel oil/kerosene for heating purposes in above ground containers provided they comply with applicable codes	X	X	X	X	X	X	X	X	P	P	Buffering required per Paragraph I.E of this ordinance.
Funeral Homes	X	X	X	X	X	X	P	P	P	P	
Furniture Sales	X	X	X	X	X	X	P	P	X	X	
Garbage and waste incinerators	X	X	X	X	X	X	X	X	P	P	Buffering required per Paragraph I.E of this ordinance.
Gases or liquefied petroleum gases, for commercial sale and storage, provided the same comply with applicable codes combine with class III Gasoline storage, underground, provided the same comply with applicable State of North Carolina and Federal Codes.	X	X	X	X	X	X	X	X	P	P	Buffering required per Paragraph I.E of this ordinance.
Government buildings - buildings used exclusively by government entities for public purposes	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	Buffering required per Paragraph I.E of this ordinance.
Greenhouses, cultivation facilities and warehousing for wholesale and related retail trade	P	X	X	X	X	X	P	P	P	P	
Group camp facilities (profit or non-profit basis) if such camps use only permanent buildings rather than tents/trailers. Non-profit youth organizations (Boy Scouts, Girl Scouts, and	X	X	X	P	X	X	X	X	X	X	

4-H Clubs) may use land in Lakeside Group Camp District for a temporary camp using tents.											
USES	**AR**	**RL**	**R**	**GC**	**TC**	**LB**	**NB**	**HB**	**LI**	**HI**	**NOTES PER DISTRICT**
Group Home (also Halfway House See Section VI Terms and Definitions)	CU	CU	CU	X	X	X	CU	CU	X	X	
Hardware stores	X	X	X	X	X	X	P	P	X	X	
Homes for the aged including retirement communities	P	P	P	X	X	X	P	P	X	X	Facilities shall comply with all applicable Government requirements.
Home occupations (see Section VI Terms and Definitions)	P	P	P	X	X	X	X	X	X	X	
Hunting and fishing lodges (and related retail sales)	P	X	X	X	X	P	P	X	X	X	
Jewelry sales, watch repair	X	X	X	X	X	X	P	P	X	X	
Laboratories for research and testing	X	X	X	X	X	X	X	X	P	P	
Landfill (see Section VI Terms and Definitions)	X	X	X	X	X	X	X	CU	CU	CU	Facilities shall comply with all applicable Government requirements. Buffering required per Paragraph I.E of this ordinance
Locksmiths and gunsmiths	P	X	X	X	X	X	P	P	P	P	Gunsmiths shall comply with all applicable Government requirements.
Machine shops	P	X	X	X	X	X	X	X	P	P	Buffering required per Paragraph I.E of this ordinance
Manufactured-Mobile Home Park	CU	CU	CU	X	X	X	X	X	X	X	
Manufactured home sales lot	X	X	X	X	X	X	X	P	P	P	
Manufacturing -**HEAVY** - or processing not otherwise named herein which are in compliance with all local, state and federal environmental regulations	X	X	X	X	X	X	X	X	X	P	Buffering required per Paragraph I.E of this ordinance.
Manufacturing -**LIGHT** - or processing not otherwise named herein which are in compliance with all local, state and federal environmental regulations	X	X	X	X	X	X	X	X	P	P	Buffering required per Paragraph I.E of this ordinance.
USES	**AR**	**RL**	**R**	**GC**	**TC**	**LB**	**NB**	**HB**	**LI**	**HI**	**NOTES PER DISTRICT**
Mini-Storage Warehouses	X	X	X	X	X	X	P	P	P	P	No sales, service, or repair activities other than the rental of storage units are permitted on the premises and storage of hazardous materials shall be prohibited
Motels	X	X	X	X	X	P	P	P	X	X	Facilities shall comply with all applicable

											Government requirements. Buffering required per Paragraph I.E of this ordinance
Night Clubs and Bars	X	X	X	X	X	X	CU	CU	CU	CU	Facilities shall comply with all applicable Government requirements.
Optical and scientific instrument, jewelry and clock, musical instrument manufacture	X	X	X	X	X	X	X	X	P	P	
Pharmaceutical products manufacturing	X	X	X	X	X	X	X	X	P	P	
Planned Unit Development – Commercial Residential (PUD-CR)	X	X	X	X	X	CU	CU	X	X	X	
Planned Unit Development - Residential (PUD -R)	CU	CU	CU	X	X	X	X	X	X	X	
Public parks, picnic area, public swimming pools, and locations for public access-boat launches (Lake Gaston, Kerr Lake)	CU	CU	CU	CU	CU	X	X	X	X	X	Facilities shall comply with all applicable Government requirements.
Public and private clubs, golf courses (exclusive of miniature golf courses and three par golf courses) and fishing clubs	CU	CU	CU	X	X	CU	CU	CU	X	X	
Radio, television, microwave towers, high voltage power lines, transmission towers cell towers, relay stations, office and studios in conjunction with these.	P	X	X	P	P	CU	CU	CU	CU	CU	Required fall zone buffer - A land buffer around a tower base to provide for containment of the tower to the site in the event that it falls.
Restaurants and catering establishments	X	X	X	X	X	P	P	P	P	P	
USES	**AR**	**RL**	**R**	**GC**	**TC**	**LB**	**NB**	**HB**	**LI**	**HI**	**NOTES PER DISTRICT**
Repair and servicing of office and household equipment	P	X	X	X	X	X	P	P	P	P	
Riding stables	P	CU	CU	P	P	X	X	X	X	X	Facilities shall comply with all applicable County and State regulations. Buffering required per Paragraph I.E of this ordinance
Schools, public and private	P	CU	CU	CU	X	CU	CU	X	X	X	
Shoe sales, repair	X	X	X	X	X	X	P	P	X	X	
Shopping centers (see Section VI Terms and Definitions)	X	X	X	X	X	X	CU	P	X	X	
Signs, only in compliance with Section V of this Ordinance	P	P	P	P	P	P	P	P	P	P	
Sign painting, and sign manufacturing	X	X	X	X	X	X	P	P	P	P	
Solar Farm - Photovoltaic Systems and related equipment-structures for this use.	CU	X	X	X	X	CU	CU	CU	CU	CU	Impervious surface requirements shall be met per the respective zoning district.
Solar Farm - Thermal System and related equipment-structures for this use.	X	X	X	X	X	X	X	P	P	P	
Substations, electric – and related equipment	CU	CU	CU	X	X	CU	CU	CU	CU	CU	Impervious surface requirements shall be

structures for this use											met per the respective zoning district.
Storage warehouses	X	X	X	X	X	X	X	X	P	P	
Swimming clubs	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	
Temporary camp by a non-profit organization (see Section VI Terms and Definitions)	CU	X	X	P	P	X	X	X	X	X	
Textile manufacture	X	X	X	X	X	X	X	X	P	P	
Timeshare	X	CU	CU	X	X	X	X	X	X	X	
Tobacco processing and storage	P	X	X	X	X	X	X	X	P	P	
Trash/garbage collection facilities, County convenience sites (recycling)	P	P	P	P	X	X	X	P	P	P	Facilities shall comply with all applicable County and State regulations and Paragraph I.E of this ordinance.
Water tanks and towers, but not service or storage yards or warehouses.	P	P	P	P	P	P	P	P	P	P	Required fall zone buffer around a tower base to provide for containment of the tower within the site.
Woodworking shops, mill work	P	X	X	X	X	X	P	P	P	P	

H. ***Conditional Use Permit(s):*** In addition to the uses listed in Table II-2 Permitted Uses, some uses due to their nature, are recognized as having objectionable operational characteristics (when several such uses are concentrated under certain circumstances, which may cause a negative effect upon adjacent areas). Conditional regulation of these uses is necessary to insure that these negative effects will not contribute to the blighting or downgrading of the surrounding neighborhood and communities. These conditional regulations are itemized in this Section. The primary regulation is for the purpose of preventing a concentration of these uses in any one area (i.e. not more than one (1) such use within a certain measured distance of each other which would create an adverse effect) as well as potential increase in traffic/safety issues and environmental issues. The requirements for each use that follows are additional requirements to the requirements listed in Section II. The following additional requirements only apply to those uses where a conditional use permit is indicated in Table II-2 with a CU notation - **if a CU is approved, but the conditions specified are not followed then the permit is revoked and subsequent action taken under the authority of the Planning and Zoning Administrator as identified in this ordinance):**

1. **Adult Entertainment Establishment**
   a. No adult entertainment establishment may be located within one-thousand (1,000) linear feet of another adult entertainment establishment, that distance shall be measured from the exterior walls of the buildings containing such regulated use.
   b. No adult entertainment establishment may be located within a building that is in whole or in part located within two thousand (2,000) linear feet of a property line of any residential use, residential unit (s), church, synagogue, temple, nursery school, child care center and public or private school, camps (camping districts), family care home/facility, or home for the aged (retirement community) in zoning districts AR, RL, R, GC, TC, and LB, measured using the shortest airline distance between the two points.
   c. Screening and buffering shall comply as specified in this ordinance under Paragraph I.E.
   d. A required plan shall be submitted identifying the location of existing structures on property within one thousand (1,000) linear feet of exterior wall(s) of the permitted use, and the properties (with zoning district noted) within two thousand (2,000) linear feet of each property line of the permitted use from the property line of the adjacent use.
   e. Hours of operation shall not continue past 2:00 AM and noise levels shall comply with the Warren County Noise Ordinance as applicable.
   f. All viewing booths (if provided) shall be open and visible to the manager (s) of the establishment.
   g. No viewing booth shall be occupied by more than one (1) person.
   h. No nude or semi-nude service/entertainment of any kind shall be allowed outside the building of a regulated use.
   i. The adult establishment shall be limited to one (1) wall sign per premise; the sign shall be internally lighted, and shall be allowed the maximum size of twenty (20) square feet.
   j. No adult establishment shall allow, permit or condone patronage of any person under the age of eighteen (18) years of age upon the premises of the business.

k. All Government regulations and requirements shall be adhered to by the adult entertainment establishment regarding serving food and/or alcohol.

2. **Airports, landing field, heliports and helipads**
   a. Heliports (see Definitions Section) - Dimensional requirements for this use shall be a minimum site of five (5) acres. Setbacks from helicopter pads shall be at least one hundred (100) feet for each helicopter operating from the facility, up to a maximum setback of four hundred (400) feet.
   b. Private Landing Strips - Dimensional requirements for this use shall be a minimum of ten (10) acres.
      1) An area equal to fifteen percent (15%) of the runway length shall be within the site at both ends of the runway.
      2) The setback from the runway shall be a minimum of one hundred (100) feet for each aircraft operating from the facility, up to a maximum of four hundred (400) feet.
      3) No dwelling unit shall be within five hundred (500) feet of either end of the runway.
   c. General Aviation Airport: Dimensional requirements for this use shall be one hundred (100) acres. Development plans for this classification shall be submitted with a noise impact assessment. Said assessment shall identify the initial twenty (20) year projected Day-Night Level (DNL-see Definitions Section) noise contour lines beginning with fifty (50) DNL and proceeding to seventy-five (75) DNL.
      1) The twenty (20) year, seventy (70) DNL line shall be completely contained within the airport property, or adjacent land that has been granted a noise easement.
      2) If the fifty-five (55) DNL area expands, a land use plan for all land within the fifty-five (55) DNL noise contour shall be submitted.
      3) This plan shall indicate the feasibility of restricting such land to non-residential uses.
      4) Airport approval shall be based on the ability to minimize noise intrusion (pollution) to existing residential areas and to prohibit residential development that would limit future airport expansion.
      5) Once established, Warren County shall require all re-zonings that would permit residential use within the twenty (20) year, fifty-five (55) DNL noise contour to record the noise contours on the property.
      6) All developments and all individual lot surveys would be required to identify (illustrate) the noise contours, to be indicated on the preliminary and final plats as reviewed by the Warren County Planning/Zoning and Code Enforcement Department, Warren County Planning Board and Warren County Board of Commissioners. In addition, to be included on the final recorded plat for the development a warning would accompany all such lots to indicate that Warren County will not limit future airport expansion due to residential development within the fifty-five (55) DNL noise contour.
      7) This use (General Aviation Airport) shall be separated from all residential districts and schools by a minimum of one thousand five hundred (1,500) feet.
      8) This use shall comply with all applicable requirements for line of sight and regulations from the Department of Homeland Security and Federal Aviation Administration (FAA).

3. **Amusement parks with outdoor rides, bowling, trampolines, miniature golf, golf courses, concessions, swimming pools, and arcades**
   a. Hours of operation shall be between 8:00 AM and 10:00 PM, Sunday through Thursday and until 12:00 midnight on Friday and Saturday.
   b. Noise levels shall comply with the Warren County Noise Ordinance.
   c. The Board of Adjustment shall not grant the Conditional Use Permit unless it finds that the parking generated by the use can be accommodated without undue disruption to or interference with the normal flow of traffic or with the right of adjacent and surrounding property owners. Parking shall be in compliance with the calculations as outlined in this ordinance.
   d. All buildings shall be set back a minimum of 50 feet from all exterior property lines.

4. **Assembly halls, coliseums, stadiums, gymnasiums and similar structures, grounds-facilities for open air games/sports**

a. Hours of operation shall be between 8:00 AM and 10:00 PM, Sunday through Thursday and until 12:00 midnight on Friday and Saturday.
b. Noise levels shall comply with the Warren County Noise Ordinance.
c. The Board of Adjustment shall not grant the Conditional Use Permit unless it finds that the parking generated by the use can be accommodated without undue disruption to or interference with the normal flow of traffic or with the right of adjacent and surrounding property owners. Parking shall be in compliance with the calculations as outlined in this ordinance.
d. All buildings shall be set back a minimum of 50 feet from all exterior property lines.

5. **Cemeteries, church association**
   a. Graves and crypts shall meet Warren County Environmental Health Department regulations for distance from wells/septic systems and shall meet Warren County Public Utilities regulations for distance from public water/sewer systems.
   b. Graves and crypts shall be set back at least thirty (30) feet from exterior property lines, as an alternative for setbacks along exterior property lines a buffer in compliance with Paragraph I.E of this ordinance may be substituted.
6. **Cemeteries, commercial**
   a. Graves and crypts shall meet Warren County Environmental Health Department regulations for distance from wells/septic systems and shall meet Warren County Public Utilities regulations for distance from public water/sewer systems.
   b. Graves and crypts shall be set back at least thirty (30) feet from exterior property lines, as an alternative for setbacks along exterior property lines a buffer in compliance with Paragraph I.E of this ordinance may be substituted.
7. **Cemeteries, family**
   a. Graves and crypts shall meet Warren County Environmental Health Department regulations for distance from wells/septic systems and shall meet Warren County Public Utilities regulations for distance from public water/sewer systems.
   b. Graves and crypts shall be set back at least thirty (30) feet from exterior property lines, as an alternative for setbacks along exterior property lines a buffer in compliance with Paragraph I.E of this ordinance may be substituted.
8. **Cemeteries, pet (commercial only)**
   a. Graves and crypts shall meet Warren County Environmental Health Department regulations for distance from wells/septic systems and shall meet Warren County Public Utilities regulations for distance from public water/sewer systems.
   b. Graves and crypts shall be set back at least thirty (30) feet from exterior property lines, as an alternative for setbacks along exterior property lines a buffer in compliance with Paragraph I.E of this ordinance may be substituted.
9. **Dwelling, manufactured home (singlewide or doublewide)**
   a. This type of dwelling, as defined in this ordinance, permitted as an accessory use to the principle use of the property for the purpose of a residence by the owner and or facility caretaker of the property.
   b. No more than one dwelling of this type shall be permitted for every ten acres.
10. **Dwelling, multi-family (includes-as defined in this Ordinance- apartments, condominiums, duplexes, triplexes, and townhomes)**
   a. The Warren County Planning Board shall receive this request first and shall make a recommendation to the Board of Adjustment within 30 days after its first consideration.
   b. Minimum Lot Area - One (1) acre.
   c. Parking - Shall comply with Section III of this ordinance.
   d. Plans are required and must include: structures (location of buildings, signs, and sign sizes), circulation (proposed points of access and egress and pattern of internal circulation), and parking (layout of parking spaces per Section III of this ordinance).
   e. Maximum Height (see Section VI Terms and Definitions on Building Height, Basement, and Ground/Grade Level) - In areas bordering Lake Gaston and Kerr Lake, no more than two (2) stories in height, plus a basement which is that portion of a building partially or completely below grade, all other areas of the County may be a maximum of three stories plus a basement which is that portion of a building partially or completely below grade level.
   f. Minimum Building Setbacks - Within the development, twenty (20) feet combined front and rear, side setbacks may be zero (0) for the interior side setback between attached units where applicable for developments with

multiple buildings on the same lot, distances between structures shall comply (for the purposes of fire safety - sprinkler systems) with the most current provisions of IBC (International Building Code) and North Carolina State Building Code for apartments and condominiums.

g. Roadway Setbacks - Shall be equal to those required for the appropriate zoning category, unless the proposed development is a Planned Unit Development (PUD) and meets the conditions for that approval process, then the following shall apply:
    1) From all other streets, the roadway setback between the front of the dwelling and the roadway shall be no less than eighteen (18) feet when parking is provided between the dwelling and the roadway, or ten (10) feet when parking is not provided between the dwelling and the roadway (at the rear of the property or on the side of the property).
    2) When parking is provided between the dwelling and the roadway the eighteen (18) feet will be measured from the inside edge of the sidewalk or back of curb if no sidewalk is required.

h. Firewall Requirements (Individual Units) - Must be provided in accordance with the most current provisions of IBC (International Building Code) and North Carolina State Building Code standards and when exterior walls of individual dwelling units on individual parcels are placed within six (6) feet of one another.

i. Permanent Common Open Space Required - Twenty percent (20%) of the total parcel proposed for development, excluding dedicated right-of-way. The Planning Board may allow this requirement to be reduced to ten percent (10%) of the total parcel area when a portion of this common space preserves significant tree coverage located outside of required buffers.

j. Roof eaves may encroach two (2) feet into an adjoining lot (in the same project development only).

k. A five (5) foot maintenance and access easement with a maximum eave encroachment easement of two (2) feet within the maintenance easement shall be established on the adjoining lot and shall assure ready access to the lot line wall at reasonable periods of the day for normal maintenance.

l. Maximum density requirements of twelve (12) dwelling units per gross acre with a maximum number of units per building of eight (8) and a maximum building height of three (3) stories, where the height shall be above grade, measured at the level grade of the topographical surface.

m. A setback of at least 30 feet shall be provided around the entire perimeter of the site. Parking spaces and accessory buildings shall not be allowed in the required yard.

n. Access for emergency vehicles to all buildings in the complex shall be provided.

11. **Dwelling, single family**
    a. This type of dwelling, as defined in this ordinance, permitted as an accessory use to the principle use of the property for the purpose of a residence by the owner and or facility caretaker of the property.
    b. No more than one (1) dwelling of this type shall be permitted for every ten (10) acres.

12. **Dwelling, temporary**
    a. Manufactured homes used as a residence, containing bathroom, kitchen facilities, and established the principle building on a lot for a period not exceeding one year, as a temporary residence for the owner/caretaker of the lot (for temporary use only while the new construction or permanent residence is being built, permit renewal as necessary).
    b. This type of dwelling, as a temporary use, is permitted only when there is a principle (primary structure) building to be built on a single lot.
    c. The timeframe is for a period not exceeding one year, as a temporary residence for the owner/caretaker of the lot (temporary use only while new construction/permanent residence is built-with permit renewal as necessary)

13. **Fire stations, police, rescue squad/EMS and civil defense stations**
    a. All buildings shall be set back a minimum of 30 feet from all exterior property lines (except where the zoning district specifies a greater minimum setback distance).
    b. Off street parking area is provided on the same lot (parcel, property) and be at least twice as large as the floor area in the building.

14. **Government buildings - buildings used exclusively by government entities for public purposes**
    a. All buildings shall be set back a minimum of 30 feet from all exterior property lines (except where the zoning district specifies a greater minimum setback distance).
    b. Off street parking area is provided on the same lot (parcel, property) and be at least twice as large as the floor area in the building.

15. **Group Home (also known as a halfway house):**
    a. No new Group Home (also known as a halfway house) may be located within a half mile (½) mile radius of an existing similar home or facility.
    b. A site plan shall be provided and indicating distances from existing similar facilities, buffering requirements and parking as applicable with this type of use in this ordinance.
    c. Staffing shall be licensed staff, with appropriate safety and security measures and in accordance with all applicable Government regulations.
    d. All such homes or facilities shall comply with all applicable Government regulations.

16. **Landfill**
    a. Distance Requirements - The landfill or any structure must be a minimum of one thousand (1,000) feet from any residential structure on surrounding properties. An owner occupied residence on the property of the tract is allowed. All buildings, including accessory garages or storage buildings, shall be set back a minimum of one hundred (100) feet from all property lines and street rights-of-way.
    b. Screening, Buffering, and Fencing - Outdoor storage must meet the buffering requirements of this ordinance. Screening is required which completely screens from view the stored items. Such screening shall be a durable wall or fence at least eight (8) feet high *in addition* to a minimum fifteen (15) foot wide vegetated strip around the entire perimeter of any outdoor storage area. This vegetated strip shall consist of a naturally wooded area or planted with a mixture of evergreen and deciduous trees and shrubs to simulate a naturally wooded area.
    c. Gates - Any gates allowing for access must meet the same height requirement and must be kept closed and locked after dark and at any time when not open for business.

17. **Manufactured - Mobile Home Park:**
    a. Park Development Plan - A plan drawn to a scale of not less than one inch equals 100 feet shall be submitted to the Board of Adjustment, as part of the Conditional Use Permit application/review process, for all new or expanded mobile home parks to determine if the proposal meets the requirements of this ordinance, the plan should include:
        1) The name of the park, the names and addresses of the owner or owners, and designer or surveyor;
        2) Date, scale and approximate North Arrow;
        3) Site plan showing streets, driveways, recreation areas, parking spaces, service buildings, water courses, easements, mobile home spaces, and all structures to be located on the park site;
        4) Vicinity map showing the location of the park and the surrounding land uses;
        5) Land contours with vertical intervals of not less than two (2) feet for all parks with twenty-five (25) sites or more;
        6) Names of adjoining property owners;
        7) The proposed utility system for water, sewer, gas, surface water drainage, streetlights, and electrical power.
            i. Certification of approval for water supply systems by the Warren County Public Utilities Department and Warren County Environmental Health Department as applicable if the development systems are to serve four (4) and up to fifteen (15) sites – development systems to serve fifteen (15) or more sites shall require review/approval from the North Carolina Department of health and Human Services.
            ii. Certification of approval for wastewater treatment and disposal facilities from the Warren County Environmental Health Department if individual septic tank systems are to be used for each site – private wastewater treatment facilities

require review/approval from the North Carolina Department of Health and Human Services.

iii. Certification of approval for solid waste storage, collection and disposal plans from the Warren County Department of Public Works.

b. Review of the Proposed Development Plan – the Warren County Planning and Zoning Administrator or his/her designee shall transmit the proposed plan and Conditional Use Permit application to the Warren County Board of Adjustment for review at the next scheduled meeting of the Board of Adjustment:

1) The Board of Adjustment shall review the proposed plan and Conditional Use Permit to determine if the proposed plan/application is in accordance with standards established in this section and those noted above for the Park Development Plan):

i. Tile information
ii. Location Map
iii. Recreation areas
iv. Street and lot design
v. Surface water drainage
vi. Street lighting system
vii. Other features of the park as noted above under a. Park Development Plan

2) NOTE – It is recommended that the park developer or his/her agent be present to answer questions about the prosed development and plan.

c. The proposed Park Development Plan and conditional Use Permit application shall be reviewed by the Board of Adjustment within forty-five (45) after submittal to the Planning and Zoning Administrator or his/her designee in order to follow the public hearing process for a Conditional Use Permit as outlined in this ordinance.

d. Upon completion of the public hearing process as indicated, approval by the Board of Adjustment shall be submitted in writing to the park developer – if the project is denied then the Board of Adjustment shall submit in writing the reason for the denial to the applicant at a which time the applicant may appeal to the Warren County Superior Court as outlined in the ordinance.

e. Upon approval of the Park Development Plan and Conditional Use Permit by the Board of Adjustment and other agencies outlined in this section as applicable, the developer or his/her agent shall be permitted to initiate obtaining the necessary building permits to construct the park with appropriate inspections. NOTE – this approval is to enable the execution of the park plan in the field and shall not be construed as to entitle the recipient to offer spaces or sites for rent or lease or to operate the Manufactured – Mobile Home Park until the facilities as outlined in the section and the Conditional Use Permit have been constructed and passed final inspection by the appropriate agencies.

f. After completion of the Manufactured – Mobile Home Park facilities the developer shall follow all Warren County procedures to initiate a final inspection of the park in order to obtain a Certificate of Occupancy after inspection by the Warren County Planning/Zoning and Code Enforcement Department – at this time individual manufactured homes may be applied for to install on the individual sites by the developer.

g. When a Manufactured – Mobile Home Park is to be constructed within fifty (5) feet of a recorded residential subdivision not naturally screened by a vegetative buffer, the park developer shall install and maintain a twenty (20) foot wide vegetative buffer strip comprised of natural plantings or solid fencing at least five (5) feet in height to screen the adjacent subdivision. All other buffer requirements as outlined in this ordinance shall be adhered to.

h. Within the Manufactured – Mobile Home Park, one (1) manufactured home may be used as an administrative office.

i. For the convenience of the park residents a coin operated laundry is permitted under the following restrictions:

1. The facility shall be secondary to the residential use and character of the park;
2. The facility shall present no visible evidence of its commercial intent beyond the confines of the park;
3. The facility shall be designed to accommodate only the park residents.

j. Streets and Parking – Access to each home site or space shall be provided by streets/drives with a minimum right of way of fifty (50) feet with the construction standards meeting the same requirements as outlined in the Warren County Subdivision Ordinance Private Roads (Section 611.2 Type I, Type II, Type III Roads). Streets shall be designed to meet NC-DOT requirements for possible future acceptance to the Secondary Road System. Maintenance of such streets shall be provided by the owner or operator of the park.
   1) All required right of way widths shall have an all-weather surface of gravel or equivalent material.
   2) Each lot in the park shall abut a street
   3) Permanent dead-end streets or cul-de-sacs shall not exceed five hundred (500) feet in length and shall provide a turnaround of at least eighty (80) feet in diameter.

k. Each home shall be located at least twenty (20) feet from any other home and twenty (20) feet from any other permanent building within the park.

l. Each lot or space shall meet the following minimum requirements for design/capacity:

	Width	**Depth**
- 30,000 SF (well/septic)	100 Ft.	200 Ft.
- 20,000 SF (public water/septic)	100 Ft.	150 Ft.
- 15,000 SF (public water/sewer)	100 Ft.	125 Ft.

m. Each park shall provide four hundred (400) square feet of recreation area for each manufactured home space that is less than thirty thousand (30,000) square feet in area. For lots or spaces of thirty thousand (30,000) square feet or more in area, no recreation area shall be required unless the park comprises more than twenty-five (25) lots or spaces.

n. Each lot or space shall not be located on ground susceptible to flooding.

o. Sewage (wastewater) Disposal Facilities shall comply with the following:
   1) Adequate and sewage (wastewater) disposal facilities shall be provided in all Manufactured – Mobile Home Park. A sewerage collection system shall be connected to a public or community sewerage system when such system is available and within five hundred (500) feet of a park. When such connection to a public or community system cannot be made, individual septic systems may be provided if the Warren County Department of Environmental Health determines the soil, topography and groundwater conditions are favorable and issue an appropriate Certificate of Compliance as necessary.
   2) All sewerage disposal systems shall be designed, constructed and approved in accordance with the regulations for these systems as applicable with eh Warren County Department of Environmental Health and North Carolina Department of Health and Human Services under the provision of North Carolina General Statutes (G.S.) as applicable The provisions of these regulations, and all amendments, adopted by reference in accordance with the provisions of North Carolina G.S. NC 153A-47 and shall become part of this ordinance as full as if set out herein.
   3) Each space or lot within the park shall be provided with at least a four (4) inch diameter sewer connection pipe where collection systems are provided. The slope of any such portion thereof shall be at least one-fourth (1/4) inch per foot and shall consist of one pipe line only without any branch fittings. The sewer riser pipe shall be so located on each space that the sewer connection to the home drain outlet will approximate a vertical position, shall extend at least four (4) inches above ground level and shall have a concrete apron installed around the riser pipe at grade level. The apron shall be a minimum of four (4) square feet in area (approximately 2'x2' square) and shall be a minimum of four (4) inches in thickness.
   4) All joints in the sewer connection pipe and sewer riser pipe shall be water tight and shall be constructed of similar approved

materials. Pipe used for the sewer riser and sewer connection piping shall be semi-rigid, corrosion resistant, non-absorbent and durable. The inner lining shall be smooth.

p. Storage areas of all items of a temporary nature such as lumber, pipe and other building materials stored for immediate use for construction shall be so maintained as to prevent rodent harborage and shall be stored at least one (1) foot above ground.

q. Storage of all items of a permanent nature shall be in an approved, portable building with closing and lockable doors.

r. As the potential for insect and rodent infestation exists, all exterior openings in or beneath any structure shall be appropriately screened with wire mesh or other suitable materials approved by the Warren County Department of Environmental Health. The underside of all homes, buildings and structures shall be underpinned or skirted of a material approve by the Warren County Planning/Zoning and Code Enforcement Department (Code Enforcement Officers) within ninety (90) days after a home, building or structure has bene placed and/or set up on a lot/space.

s. The growth of brush, weeds and grass shall be controlled to prevent harborage of ticks, chiggers, snakes and other noxious insects or reptiles and to prevent the spread of fire. Parks shall be so maintained as to prevent the growth of ragweed, poison oak, poison ivy, poison sumac and other noxious weeds considered detrimental to health. Open area shall be maintained free of heavy undergrowth of any description.

t. All streets within the park shall be adequately illuminated from sunset to sunrise. The minimum size street light shall be a one hundred seventy-five (175) watt mercury-vapor (approximately 7,000 lumen class) or its equivalent and spaced at intervals not to exceed three hundred (300) feet.

u. Registration of Occupants – Every park owner or operator shall maintain an accurate register containing a record of all lessees or renters of spaces or lots in the park. The register shall contain the following:
   1) Name of lessee or renter
   2) Manufactured – Mobile Home space or lot number

v. Inspection – Field Inspections/Code Enforcement staff of the Warren County Department of Environmental Health and Warren County Planning/Zoning and Code Enforcement Department are hereby authorized and directed to make such inspections as are necessary to determine satisfactory compliance with the provisions of this ordinance and Conditional Use Permit provisions as stated in this section. It shall be the duty of the owner (s) of the park to give these Departments free access to such premises at reasonable times for the purposes of inspection.
   1) The person (s) to whom a Certificate of Occupancy and an approved Conditional Use Permit for a Manufactured – Mobile Home Park are issued shall operate the park in compliance with this ordinance and shall provide adequate supervision to maintain the park, its facilities and equipment in good repair and in a clean, sanitary condition.

w. Existing Manufactured – Mobile Home Parks – Parks existing at the time of the adoption of this ordinance shall be allowed to continue, but shall not be allowed to expand or increase in any manner unless such expansion meets fully the requirements of this ordinance and Conditional Use Permit section.

x. Variances – Where strict adherence to the provisions of this ordinance and section would cause unnecessary hardship of topographical or other conditions peculiar to the site, the Warren County Board of Adjustment may accept for a review a request for a variance and in accordance with the review procedures outlined in this ordinance.

y. Penalty – Any person (s) violating the provisions of this ordinance and section on Conditional Use Permit as stated for his use shall be subject to the Administration and Enforcement Section of this ordinance (Section VII) as well as revocation of any approved Certificate of Occupancy Permit and Conditional Use Permit for the park.

18. **Night Clubs and Bars:**

a. No night club or bar may be located within one-thousand (1,000) linear feet of another night club or bar (on the same property), that distance shall be measured from the exterior walls of the buildings containing such regulated use.

b. No night club or bar may be located within two thousand (2,000) linear feet, measured from the adjacent property lines' nearest edge (for adjacent property), of any residential use, residential unit (s), church, synagogue, temple, nursery school, child care center and public or private school, camps (camping districts), family care home/facility, or home for the aged (retirement community) in zoning districts AR, RL, R, GC, TC, and LB.
c. Screening and buffering shall comply as necessary with this ordinance under Paragraph I.E.
d. A required plan shall be submitted identifying the location of existing structures on the property within one thousand (1,000) linear feet of exterior wall (s) of the regulated use, and the properties (with zoning district noted) within two thousand (2,000) linear feet of each property line of the regulated use from the property line of the adjacent use (adjacent properties).
e. Hours of operation shall not continue past 2:00 AM and noise levels shall comply with the Warren County Noise Ordinance as applicable.
f. Servers of food and beverage shall at all times be fully clothed.
g. The night club or bar shall be limited to one (1) wall sign per premise (see Table V-1 Signs); the sign shall be internally lighted, and shall be allowed maximum size of twenty (20) square feet.
h. No night club or bar shall allow, permit or condone patronage of any person under the age of eighteen (18) years of age upon the premises of the business.
i. All County and State regulations shall be adhered to by the night club or bar, in regards to serving of food and/or alcohol.

19. **Planned Unit Development – Commercial Residential (PUD-CR):**
a. Review - The Warren County Planning Board shall receive and review requests for establishing (developing) a Planned Unit Development – Commercial Residential (PUD-CR) and shall make a recommendation to the Board of Adjustment within 30 days after its first consideration.
~~b.~~ Minimum Lot Area - Four (4) acres
c. Permitted Uses: A Planned Unit Development may contain any of the permitted uses of the district in which it is allowed as a conditional use, residential development may include:
1) Townhouses - A dwelling unit as part of a structural arrangement of two (2) or more single family attached dwellings joined by common walls on not more than two (2) opposite sides with the uppermost story being a portion of the same dwelling located directly beneath at the grade or first floor level and having exclusive individual ownership and occupant rights of each dwelling unit including, but not limited to, the land area directly beneath the dwelling. Said units have separate entrances to the outside and are entirely separated from each other by walls that meet North Carolina Building Standards. The minimum number of townhouses attached to each other shall be two and the maximum number shall be six. Density of townhouses in a planned unit development shall not exceed twelve (12) units per gross acre and a maximum number of six (6) units per building. Building height for townhouses is permitted up to three (3) stories where the height shall be above grade (measured at the level grade of the topographical surface) except where Paragraph II.B of this ordinance applies.
2) The site area not covered by dwelling units may be made part of the individual townhouse lots or clustered as common open space, dedicated to a homeowners association, or combination of the two.
3) Clustered detached single-family dwellings - These are dwellings in which the lot size for each individual dwelling may be reduced, but may not be less than 6,000 square feet provided that the difference between the required dimensions for the district and the reduced dimensions is dedicated to a homeowner's association as common open space.
4) Zero (0) lot line dwellings - Detached single-family dwellings on lots without side yard requirements on one

side of the lot. The lot for a zero (0) lot line dwelling may be reduced, but may not be less than six thousand (6,000) square feet provided that the difference between the required dimensions for the district and the reduced dimensions is dedicated to a homeowners' association as common open space.

5) Commercial uses – low intensity commercial uses that are listed as permissible in either the Lakeside Business (LB) or Neighborhood Business (NB) Districts identified in Table II-1 Dimensional Requirements and Table II-2 Permitted Uses of this Ordinance.
6) Where a site development incorporates both commercial and residential uses as indicated in this section the impervious surface ratio of 36% shall apply and a minimum of 15% green-space preservation shall apply.

20. **Planned Unit Development – Residential (PUD-R)**

d. Review - The Warren County Planning Board shall receive and review requests for establishing (developing) a Planned Unit Development (PUD) and shall make a recommendation to the Board of Adjustment within 30 days after its first consideration.
e. Minimum Lot Area - Two (2) acres.
f. Permitted Uses: A Planned Unit Development may contain any of the permitted uses of the district in which it is allowed as a conditional use, residential development may include any of the following:

7) Townhouses - A dwelling unit as part of a structural arrangement of two (2) or more single family attached dwellings joined by common walls on not more than two (2) opposite sides with the uppermost story being a portion of the same dwelling located directly beneath at the grade or first floor level and having exclusive individual ownership and occupant rights of each dwelling unit including, but not limited to, the land area directly beneath the dwelling. Said units have separate entrances to the outside and are entirely separated from each other by walls that meet North Carolina Building Standards. The minimum number of townhouses attached to each other shall be two and the maximum number shall be six. Density of townhouses in a planned unit development shall not exceed twelve (12) units per gross acre and a maximum number of six (6) units per building. Building height for townhouses is permitted up to three (3) stories where the height shall be above grade (measured at the level grade of the topographical surface) except where Paragraph II.B of this ordinance applies.
8) The site area not covered by dwelling units may be made part of the individual townhouse lots or clustered as common open space and dedicated to a homeowners association, or a combination of the two.
9) Clustered detached single-family dwellings - These are dwellings in which the lot size for each individual dwelling may be reduced, but may not be less than 6,000 square feet provided that the difference between the required dimensions for the district and the reduced dimensions is dedicated to a homeowner's association as common open space.
10) Zero (0) lot line dwellings - Detached single-family dwellings on lots without side yard requirements on one side of the lot. The lot for a zero (0) lot line dwelling may be reduced, but may not be less than six thousand (6,000) square feet provided that the difference between the required dimensions for the district and the reduced dimensions is dedicated to a homeowners' association as common open space.

g. **Additional Requirements** – The North Carolina Planned Community Act (Chapter 47 F of the North Carolina General Statures) shall apply. Common area and common open space shall be deeded to a homeowners association and the developer or owner shall record with in the Warren County Register of Deeds office a declaration of covenants and restrictions as well as regulations and by-laws that will govern the open space for the development.

21. **Public parks, picnic area, public swimming pools, and locations for public access-boat launches**
    a. Buffering - Screening and buffering shall be required to meet the requirements of this ordinance, if the development is located within one hundred (100) feet of the adjacent property line of an existing residential property.
    b. Lighting - Lighting must be directed away from adjacent property and roadways. Lighting shall be directed onto the applicant's site only.
    c. Access - Adequate space must be provided on the site that allows vehicles to exit onto the street without backing into the road, highway, or street.
    d. Parking - Requirements for parking shall meet the calculations outlined in Section III of this ordinance.
    e. Hours of Operation - Hours of operation are limited to 7:00 AM-10:00 PM with the exception of any use that may allow overnight stay.
    f. Setbacks - All buildings and swimming pools shall be set back a minimum of fifty (50) feet from all exterior property lines.
    g. Applicability - This type of use shall also comply with Warren County Parks and Recreation Department and Environmental Health (Health Department) regulations as applicable.
22. **Public and private clubs, golf courses (exclusive of miniature golf courses and three par golf courses) and fishing clubs:**
    a. Screening and buffering shall be required to meet the requirements of this ordinance, if the development is located within one hundred (100) feet of the adjacent property line of an existing residential property, this buffer requirement shall not apply to golf course communities.
    b. All buildings and swimming pools shall be set back a minimum of fifty (50) feet from all exterior property lines.
23. **Radio, television, microwave towers, high voltage power lines, transmission towers, cell towers, relay stations, office and studios in conjunction with these uses.**
    a. Towers shall not interfere with normal radio and television reception in the vicinity. Commercial messages shall not be displayed on any tower. Violations shall be considered zoning violations and shall be corrected under the enforcement provisions.
    b. Lighting shall not exceed the Federal Aviation Administration (FAA) minimum if lighting is required by the FAA. The lights shall be oriented so as not to project directly onto surrounding residential property, consistent with FAA requirements. Prior to issuance of a building permit, the applicant shall be required to submit documentation from the FAA that the lighting is the minimum lighting required by the FAA.
    c. Towers shall be constructed and maintained in conformance with all applicable building code requirements.
    d. In order to protect the public from unnecessary exposure to electromagnetic radiation, the tower owner shall provide appropriate Federal Communications Commissioner (FCC) documentation indicating that the power output levels do not exceed federally approved levels.
    e. In allowed districts, towers of seventy five (75) feet or more require that a Conditional Use Permit be granted by the Board of Adjustment. The Board of Adjustment may consider variances up to ten percent (10%) of the setback requirements for such towers as a part of the Conditional Use Permit approval.
    f. To encourage shared use of towers, no new tower shall be located within one (1) mile of an existing tower. The Board of Adjustment may allow a tower to be placed within one (1) mile of an existing tower upon being presented written documentation that (1) appropriate space on the tower is not available, (2) the new sponsor has made good faith efforts to negotiate an agreement with the owner of the current tower, or (3) equipment currently on the tower is not compatible with the proposed equipment. If the petitioner cannot locate on an existing tower and a new tower has to be constructed, the height of the tower cannot exceed two hundred (200) feet.
    g. All new towers shall be constructed to be able to accommodate at least two users so that future co-location will be available. In addition, reasonable accommodation for public service uses is recommended.
    h. Towers shall conform to the following dimensional requirements:
        1) With the exception of concealed towers, such structures may not be located on top of structures in any residential district. Towers which are located on top of structures in nonresidential districts which are not tower accessory structures shall not be more than seventy five (75) feet

above the top of the structure. The structure shall meet the normal setbacks of the zone.

2) Those located on the ground or top of a tower accessory structure are required to incorporate a fall zone buffer which is a land buffer around a tower base to provide for containment of the tower to the site in the event that it falls.

i. To encourage shared use of towers, applications for towers which will operate with more than one user, immediately upon completion may reduce setbacks from adjacent nonresidential property. The setback from adjacent nonresidential property may be reduced by twenty five percent (25%) when two users occupy the tower immediately upon its completion, or reduced by fifty percent (50%) when three or more users commit to occupy the tower immediately upon its completion. However, the required setback distance may not be reduced to less than fifty (50) feet. The reductions do not apply if the tower adjoins a residential zone on any side and a fall zone buffer as identified in this ordinance shall be required.

j. No setbacks shall be required if the tower is to be located on an existing structure, and a fall zone buffer as identified in this ordinance shall be required.

k. Towers (with the exception of concealed towers) where allowed in residential districts shall conform to the following additional setback requirements:

1) To prevent a clear view of the base of the tower, the setback shall contain an established forested area with a depth of at least one hundred (100) feet.

2) When the one hundred (100) foot forested area requirement note above cannot be met, a natural buffer shall be provided as required in this ordinance.

3) The Board of Adjustment, when deciding the Conditional Use Permit, may reduce the setback adjacent to nonresidential property upon consideration of circumstances which reduce the offsite effects of the tower such as topography, berms, the proximity of other existing or potential uses, and existing vegetation and improvements made to the site to obscure or reduce the visibility of the tower (a fall zone buffer as identified in this ordinance shall be required).

4) The Board of Adjustment shall not reduce the required setback from adjacent property which has residential use.

l. No outdoor storage yards shall be allowed on tower sites, storage buildings that are secondary and/or incidental to the primary use of the site are allowed within the provisions of the designated zoning category.

m. The base of the tower, any guy wires, and any associated structures, walls or fences shall be surrounded by a landscaped buffer. The developer may have the option of: (1) providing a buffer around the tower base and associated items individually or (2) providing a buffer around the perimeter of the entire site. A ten (10) foot vegetative buffer shall be provided between the tower and the property boundaries in all zones other than residential. In all residential zones, the vegetative buffer shall be a minimum of twenty five (25) feet in width.

n. The following information must be supplied with the site plan or building permit application for towers that exceed seventy five (75) feet in height prior to any approval:

1) Identification of the intended user(s) of the tower.

2) Documentation provided by registered engineer that the tower has sufficient structural integrity to accommodate more than one user.

3) Documentation by the applicant that no suitable existing facilities within the coverage area are available to the applicant.

4) A statement indicating the owner's intent to allow shared use of the tower and how many other users can be accommodated.

o. To further encourage co-location, additional users and associated equipment that do not add to the tower's height may be added without additional approval. However, additional building code regulations may apply. Site plans must show the locations for at least two equipment buildings, even if the tower is proposed for a single user.

p. Towers that are not used for a period of six (6) months or more shall be removed by the owner within one hundred eighty (180) days after receiving notice from the County to remove the tower. To assure the removal of towers that do not meet requirements for use or maintenance, this section serves as notice that the County may remove said tower and may file a lien collectable as taxes against the property.

q. Additional requirements for Conditional Use Permits for telecommunication towers and equipment:

1) When considering a Conditional Use Permit request, the Board of Adjustment shall be required to make a determination of the electromagnetic field (EMF) effects of the tower on the health of the public.

2) All property owners within a 1,500 foot radius and/or adjoining the property where the tower is proposed shall be notified, in writing, of the public hearings at which the application will be considered.

r. Conditional Use Permits for all towers shall expire unless documentation, including but not limited to an FCC license, is submitted each January to the Board of Adjustment indicating that the tower is being utilized.

s. The tower shall meet all other applicable supplementary requirements.

24. **Riding stables**

a. All stables and exercise runs shall be set back at least fifty (50) feet from all exterior property lines.

b. Buffering shall comply with Paragraph I.E of this ordinance.

c. Lighting shall be provided, if applicable, such that it is not directed on to any adjacent residential lot or road.

25. **Schools, public and private**

a. All buildings and swimming pools (when provided) shall be set back a minimum of fifty (50) feet from all exterior property lines.

b. Buffering shall comply with Paragraph I.E of this ordinance.

c. Lighting shall be provided, if applicable, such that it is not directed on to any adjacent residential lot or road.

26. **Shopping centers (see Section VI Terms and Definitions)**

a. Minimum Lot Area - Five (5) acres.

b. Parking and Loading shall comply with Section III - One parking space for each one hundred (100) square feet of gross floor area and one off street loading space for each twenty thousand (20,000) square feet of gross floor area or portion thereof.

c. Plans are required and must show:

1) Structures - location of buildings, signs, and sign sizes.

2) Circulation - proposed points of access and egress and pattern of internal circulation.

d. Other requirements:

1) Shopping Centers shall contain only those uses permitted in the district in which it is located.

2) All setbacks shall be a minimum of fifty (50) feet.

3) Shopping centers adjoining any residential use shall provide an eight feet high solid screen along the entire adjoining property lines, if not already naturally screened.

4) Topographical information with contour intervals two feet or less shall be depicted on the site plan.

27. **Solar Farm (also known as a Solar Energy System – SES – with Photovoltaic Systems):**

a. Setbacks - minimum of a fifty feet (50') from all property lines (inclusive of equipment and fencing).

b. Security - fencing shall be a minimum of six feet (6' in height) and secured to reduce/eliminate trespassing.

c. Height - maximum (not including power lines) of fifteen feet (15').

d. Buffers - minimum requirements of this ordinance shall be applied with vegetative buffers having a minimum of three feet (3') in height at the time of project construction and reaching a minimum of eight feet (8') in height within five (5) years.

1) Landscaping including vegetative buffers, security fences and gates shall be maintained for the duration of the solar farm operation, up to and including decommissioning (dismantled/removed).

2) Vegetative buffer shall be installed (exception granted if an existing natural buffer meeting the requirements of this ordinance exists) surrounding the solar farm site to screen adjacent properties - with

the exception of the entrance-road frontage of the lot or parcel where a buffer is not required.

e. Solar panels/arrays shall be constructed so as to minimize glare or reflection onto adjacent properties and roadways.

f. Decommissioning - The Planning and Zoning Administrator, or his/her designee shall be advised, in writing within thirty (30) days, by the solar farm operator or property owners (whichever entity/party holds the zoning and building permits holder) in the event the project is sold or otherwise transferred to another entity/party and/or the current operator/owner abandons the project.

1) At the time of applying for permits the applicant (solar farm developer or property owner) shall include a decommissioning plan with the anticipated life expectancy of the solar farm and the anticipated cost in current dollars, as well as the method (s) of insuring that funds will be available for decommissioning and restoration of the project site to its original, natural condition prior to the solar farm development.

2) If the site is damaged, the solar farm operate shall have twelve (12) months to bring the project back to its operational capacity. If for any reason the solar farm is not generating electricity after six (6) months, the operator shall have six (6) months to complete decommissioning of the solar farm in compliance with paragraph f (1) of this section above.

3) In the event of bankruptcy or similar financial default of the solar farm, the property owner of the project site shall bear the decommissioning costs.

g. Other Applicable Codes/Inspections – all solar farms shall be in compliance the requirements of the most current State Building and Electrical Codes, the State of North Carolina and Warren County.

1) All active solar farms shall be inspected by a Warren County Code Enforcement Officer (Building Inspector) on an annual basis to insure compliance with applicable State Building and electrical Codes.

2) Each solar farm shall be required to have the facility inspected annually for three (3) years by the Planning and Zoning Administrator or his/her designee following the issuance of the zoning permit or development permit (applicable in the un-zoned areas of Warren County) to verify continued compliance with the Zoning Ordinance or Solar Farm Ordinance as applicable.

3) Additional inspections shall be conducted as necessary in the event of complaints and shall not replace the noted inspections outlined in this section.

28. **Substations, electric:**

a. Setbacks – all buildings and ground mounted equipment shall be set back minimum of a fifty feet (50') from all exterior property lines (except where the district specifies a greater minimum setback distance).

b. Height – structure height shall not exceed the maximum height requirements for eh zoning district where the construction is located except for associated transmission infrastructure and lightning masts.

c. Buffer – vegetative buffer of twenty (20) feet (within the minimum setback distances for that zoning district) shall be provided unless natural vegetation exists that will meet this same requirement.

d. Security fencing required.

e. Service parking area shall be provided on the same lot (parcel, property) and be at least twice as large as the structure footprint for the buildings and ground mounted equipment on-site.

29. **Strip centers (see Section VI Terms and Definitions)**

a. Minimum Lot Area - Two (2) acres.

b. Parking and Loading shall comply with Section III - One parking space for each one hundred (100) square feet of gross floor area and one off street loading space for each twenty thousand (20,000) square feet of gross floor area or portion thereof.

c. Plans are required and must show:

1) Structures - location of buildings, signs, and sign sizes.

2) Circulation - proposed points of access and egress and pattern of internal circulation.

d. Other requirements:

1) Shopping Centers shall contain only those uses permitted in the district in which it is located.

2) All setbacks shall be a minimum of fifty (50) feet.
3) Shopping centers adjoining any residential use shall provide an eight feet high solid wall along the entire adjoining property lines, if not already naturally screened.
4) Topographical information with contour intervals two (2) feet or less shall be depicted on the site plan

30. **Swimming clubs**
    a. All buildings and swimming pools shall be set back a minimum of fifty (50) feet from all exterior property lines.
    b. Buffering shall be required per Paragraph I.E of this ordinance.
31. **Temporary camp by a non-profit organization (see Section VI Terms and Definitions)**
    a. A temporary camp operated by a non-profit youth organization (e.g. Boy Scouts, Girl Scouts, 4-H Clubs) shall be permitted for a period of time not to exceed fourteen (14) days and not more than six (6) times a year.
    b. This temporary camp shall utilize facilities, as permitted by the Warren County Department of Environmental Health and complying with Warren County Planning/Zoning and Code Enforcement Department for occupancy regulations for this type of use.
    c. Temporary camps shall not involve the construction of permanent buildings at the site.
    d. Buffering shall be required per Paragraph I.E of this ordinance.
    e. Any event proposed with a density greater than that permitted under "Dimensional Requirements" in the GC Zoning district shall be reviewed by the Planning and Zoning Administrator to determine if any public safety issues prior to issuing a temporary zoning permit.
    f. The applicant shall submit said request at least fourteen (14) calendar days prior to the proposed event.
    g. The Planning and Zoning Administrator shall approve, deny, or approve with conditions in written form no later than seven (7) calendar days after receiving the requested permit.
    h. Any decision may be appealed per procedures established in this ordinance.
32. **Timeshare**
    a. All requirements for subdivision development, per the Warren County Subdivision Ordinance shall be met.
    b. Certificates of Occupancy shall not be issued until the project is completed with all amenities and infrastructure in place.

SECTION III - OFF STREET PARKING AND LOADING REQUIREMENTS

A. ***Off Street Parking Requirements:*** At the time of erection of any new building or the enlargement of an existing building, permanent off street parking shall be provided in all zoning districts as specified by this Section.
    1. Each application or a Zoning Permit shall include information as to the location and dimensions of off street parking and loading space, and the means of ingress and egress to such space. This information shall be in sufficient detail to determine whether the requirements of this Section are met.
    2. The required parking space for any number of separate uses may be combined in one lot, but the required space assigned to one use may not be assigned to another use, except the one-half of the parking space required for churches, theaters, or assembly halls, whose peak attendance is at night or Sundays, may be assigned to a use which will be closed at night and/or weekends.
    3. If the off street parking space required by this ordinance cannot be reasonably provided on the same lot on which the principle use is located, such space may be provided on any land within four hundred (400) feet of the principle use or building, provided such land is in the same ownership as the principle use. Said land shall be used for no other purpose as long as the principle use exists.
    4. The minimum number of off street parking spaces required by this Section shall be provided on the same lot with the principle use except as provided above, and the required number of off street parking spaces specified for each use shall be considered as the absolute minimum.

Auto sales	Four (4) spaces for each salesman on the largest shift.
Business and professional offices (such as banks, savings and loan, real estate,	One (1) space per two hundred (200) square feet of area where primary business is

lawyers, insurance, governmental), personal service establishments (such as barber shop, beauty shop, shoe repair, dry cleaning, laundromat, etc.).	routinely conducted excluding such secondary area as storage areas, corridors, stairwells, restrooms and intermittently used meeting rooms or areas. In addition, one parking space shall be required for each employee who works regularly.
Churches, auditoriums, coliseums, stadiums, arenas, theaters, fraternal or social clubs	One (1) space for each five (5) fixed seating spaces in the largest assembly area and one space for each one hundred (100) square feet used for assembly or dancing.
Commercial indoor recreation	One (1) space for each one hundred (100) square feet of customer participation area.
Day care centers	One (1) space for each employee plus one (1) off street loading space per six (6) individuals.
Dormitories	One (1) space for each two (2) beds.
Drive-in eating establishment	Parking area equal to ten (10) times the gross floor area in the principle building.
Drive-in windows	Off street movement lane to accommodate two (2) cars to the front and two (2) cars to the rear of each window.
Dry cleaners, laundries	One (1) space for each two employees, plus reservoir space equal to five (5) times the capacity of the laundry.
Funeral homes or mortuaries	One (1) space for each three (3) seats in the chapel, plus off street passenger loading accommodation for ten (10) cars and one space for each two employees.
Furniture stores	One (1) space for each two hundred (200) square feet on sales floor area below five thousand (5,000) square feet plus one space for each four hundred (400) square feet above five thousand (5,000) square feet, plus one (1) space for each two (2) employees.
Golf courses, including miniature golf	Three (3) spaces for each hole, plus one (1) space for each two (2) employees.
Homes for the aged including retirement communities	One (1) space for each four (4) beds plus one (1) space, plus one (1) space for each two (2) employees.
Home occupations	One (1) off street space for each person employed plus sufficient off street spaces for patrons, not to be in a required front yard.
Hospitals	One (1) space for each bed, plus one (1) space for each staff doctor, plus one (1) space for each two (2) employees on the largest shift.
Kindergartens, nurseries, elementary and junior high schools	Three (3) spaces for each classroom plus off street passenger loading arrangements.
Library, museum, art gallery or other cultural facility	One (1) space for each two hundred (200) square feet of gross floor area for use by the public.
Medical offices and clinics	Four (4) spaces for each doctor, plus one (1) space for each employee.
Multi-family residences	Two and one-half (2 ½) spaces for each dwelling unit.
Restaurants, excluding drive-in	One (1) space for each three (3) seats in the business.
Retail stores, not otherwise specified	One (1) space for each two hundred (200) square feet of sales area in the building, plus one (1) space for each two employees.
Senior high schools, trade and vocational schools, business and professional schools, colleges and universities	Five (5) spaces for each classroom plus off street passenger loading arrangements.
Service station	Four (4) spaces for each grease or wash rack.
Single and two (2) family residence	Two (2) spaces for each dwelling unit.

Tourist homes and room renting	One (1) space for each guest room, plus one (1) space for each two (2) employees.
Wholesale establishments	One (1) space for each two (2) employees plus one space for each two hundred (200) square feet of sales area.

B. ***Off Street Loading:*** Where off street loading space is required in a particular zoning district, one or more loading berths or other space shall be provided for standing, loading and unloading operations either inside or outside a building and on the same or adjoining premises. A loading berth shall have minimum plan dimensions of 12 feet by 60 feet and 14 feet overhead clearance. A loading space need not be necessarily a full berth but shall be sufficient to allow normal loading and unloading operations of a kind and magnitude appropriate to the property served. The Planning and Zoning Administrator shall determine the sufficiency of loading space, but in no case shall the use of such space hinder the free movement of vehicles and pedestrians over a street, sidewalk or alley. The number of required off street loading spaces shall be as follows:

1. **Retail Business** - One space for each 20,000 sq. ft of gross floor area, or fraction thereof.
2. **Wholesale Trade/Industries** - One space for each 20,000 sq. ft. of gross floor area or fraction thereof.
3. **Office or Institution, including Schools** - One space for each 50,000 sq. ft. of gross floor area or fraction thereof.

SECTION IV - NON-CONFORMING USES

A. ***Purpose:*** The purpose of this section is to provide guidelines that address non-conforming uses, as stated in this ordinance as well as to minimize these uses in Warren County.

B. ***Effect Upon Existing Non-conforming Uses:*** Lots or structures that do not meet the minimum dimensional requirements of this ordinance, or the existing uses of lots or structures that would be prohibited under the regulations of this ordinance in the district in which they are located may be used and continued provided they were lawfully constructed or established prior to the date of passage of this ordinance, except that:

1. Such non-conforming uses may not be enlarged or extended in such a way as to create any additional area of non-conformity.
2. If a building occupied by a non-conforming use is destroyed by any means to an extent of more than fifty (50) percent of its replacement cost at the time of destruction, such building may not be restored for any non-conforming use.
3. Non-conforming open uses of land shall not be changed to any but conforming uses, and shall not be enlarged to cover more land than was occupied by that use at the date of passage of this ordinance.
4. When any non-conforming use is discontinued for a period more than one year, any future use shall be limited to those uses permitted by this ordinance in the district in which it is located. Vacancy and/or nonuse of the land or structure, regardless of the intent of the owner or tenant, constitute discontinuance under this Section.
5. Where a non-conforming use of land or structure is changed to a conforming use, it shall not thereafter be used for any non-conforming use.
6. When a non-conforming structure or manufactured home is moved from any lot, for any reason, it shall only be replaced with a conforming structure.
7. Vacant, unimproved lots, of a non-conforming square footage, which have been previously approved or authorized by prior subdivision regulations or actions of the Warren County Planning Board or Board of County Commissioners may be built upon if such improvements are otherwise in compliance with all current setbacks, access and environmental health regulations
8. Existing structure(s) on lots of a non-conforming square footage may be replaced or remodeled if such work is in compliance with all current setbacks, access and environmental health regulations

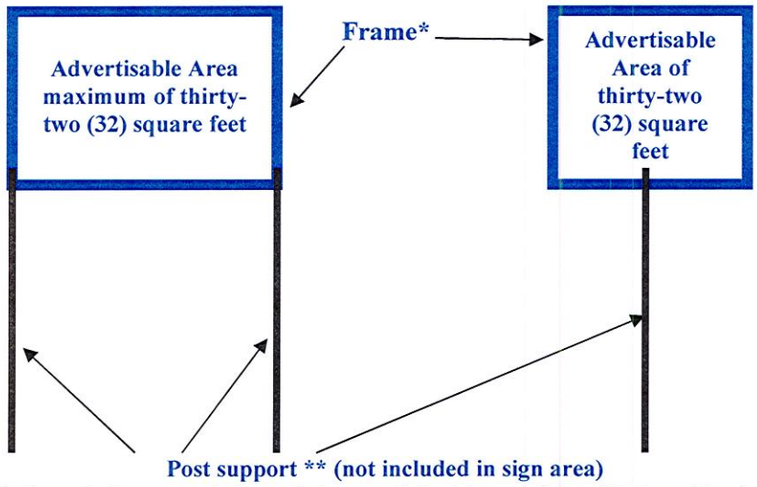
SECTION V – SIGNS

A. ***Sign Compliance:*** No type of exterior sign may be erected, posted, reposted, placed, replaced, hung, painted, or repainted in any district except in compliance with this ordinance.

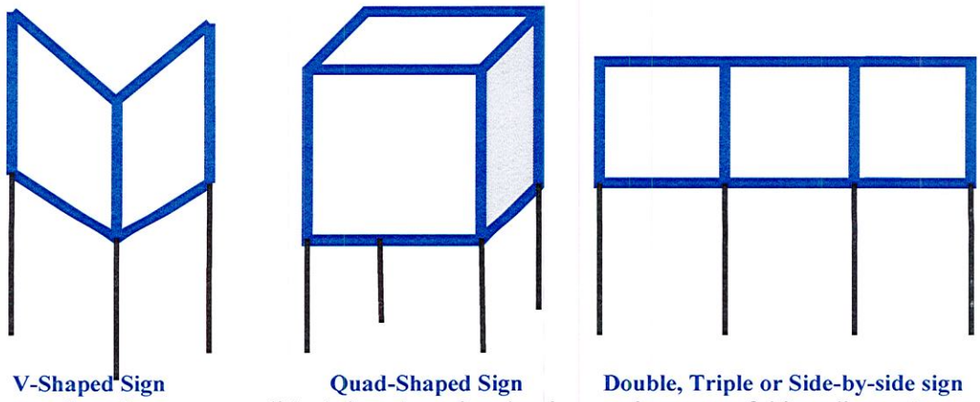
B. ***General Sign Regulations***

1. No sign shall be erected or constructed to interfere with visual clearance at any street or road right of way.
2. No sign except those erected for governmental purposes shall be permitted on any public right of way.

3. All signs shall be at least five feet from street right of way. Any sign less than two feet from right of way after street widening may remain if, in the opinion of the Planning and Zoning Administrator said sign would not encumber the free movement of traffic.
4. All signs, together with any supports, braces, guys, and anchors shall be kept in good repair. Signs shall meet all structural requirements of the State Building Code.
5. Illuminated signs shall be limited to those lighted from behind to silhouette letters and figures and illuminated internally, except spotlighted signs will be permitted if no glare is cast which is disturbing to motorists or where it reflects on any property in separate ownership. All illuminated signs or structures shall be placed to prevent the light rays or illumination from being cast directly on any dwelling.
6. No sign may exceed twelve (12) feet in height above ground level or grade level.
7. No new ***off premise*** commercial signs (where the sign is not located on the same site/property as the business being advertised) within a three hundred-fifty (350) foot radius of an existing commercial sign. ***On-premise*** signs for the business located on the same site/property are not subject to this distance requirement and shall adhere to all other regulations as noted in this ordinance.
8. No more than one (1) free-standing, on-premise commercial sign is permitted per business/property (includes all commercial, industrial zoning districts in this ordinance).
9. Window signs may be placed only on the inside of any buildings and shall not exceed twenty five (25) percent of the glass area on which the sign is displayed.
10. An identification sign shall pertain only to the name of the principle use of the premises or its operators and shall not advertise products/services differing from the principle use.
11. No sign or advertisement on a sign shall be maintained for more than ninety (90) days after it has been made obsolete for any reason or the sign is in a state of disrepair as determined by the Planning and Zoning Administrator.
12. The area of a sign, for the purpose of determining its permitted size (i.e. sign area or sign face) shall be the advertisable surface and shall not exceed shall not exceed thirty-two (32) square feet in area with a maximum frame* size of six (6) inches. This includes any type of sign, bulletin board, billboard or kiosk defined in this ordinance and this measurement shall encompass only the printable, advertising area of the sign (measurement does not include post support ** for the sign) - see illustrations:



12. V-shaped signs, quad-shaped signs and double or triple, side-by-side signs are prohibited. See illustrations below:



13. No temporary signs, banners or political signs (meeting the size requirements of this ordinance) shall remain on display for more than ten (10) days after the date of the advertised event.

C. ***Table of Permitted Signs:*** This table is provided to illustrate the types of signs that are permitted in each zoning district.
   1. Districts in which particular signs are permitted as a Use-By-Right, no permit is required as indicated by "BR"

2. Districts in which particular signs are permitted upon procurement of a permit are indicated by "P".
3. Districts in which particular signs are permitted as a Conditional Use upon approval of the Board of Adjustment are indicated by "CU"
4. Districts in which particular signs are prohibited are indicated by an "X"

TABLE V -1 PERMITTED SIGNS

USES	AR	RL	R	GC	TC	LB	NB	HB	LI	HI
One professional or announcement sign per establishment or residence not exceeding three (3) sq. ft. in area mounted flat against a wall or door hung from a mailbox or post.	BR	BR	BR	BR	BR	BR	BR	BR	BR	BR
Commercial real estate signs between five (5) square feet and-thirty two (32) sq. ft. in area which advertise the sale, rental or lease of the business upon which said signs are temporarily located. One onsite identification sign facing each public street which adjoins the property.	P	P	P	P	P	P	P	P	BR	BR
Residential real estate signs not exceeding five sq. ft. in area which advertise the sale, rental or lease of the property upon which said signs are temporarily located.	BR	BR	BR	BR	BR	BR	BR	BR	BR	BR
Church or public bulletin boards located on the property not exceeding thirty two (32) sq. ft. in area and not placed closer than fifteen (15) feet from the property line	BR	BR	BR	BR	BR	BR	BR	BR	BR	BR
Directional or informational signs of a public or quasi-public nature, not exceeding twelve (12) sq. ft. in area.	BR	BR	BR	BR	BR	BR	BR	BR	BR	BR
Memorial signs, tablets, names of buildings and date of construction when cut into any masonry surface or constructed of metal affixed flat against a structure.	BR	BR	BR	BR	BR	BR	BR	BR	BR	BR
House numbers and names of occupants provided such signs are mounted flat against a wall or door hung from a mailbox or post and that no sign of this type exceeds three square (3) feet in area.	BR	BR	BR	BR	BR	BR	BR	BR	BR	BR
Signs advertising agricultural products produced on the premises not exceeding thirty-two (32) sq. ft. in area.	P	X	X	X	X	X	P	P	P	P
Temporary construction sites placards not exceeding thirty-two (32) square feet in area and non-illuminated only while construction is taking place on the premises. One onsite identification sign facing each public street which adjoins the property.	P	CU	CU	P	P	P	P	P	P	P
USES	**AR**	**RL**	**R**	**GC**	**TC**	**LB**	**NB**	**HB**	**LI**	**HI**
Non-illuminated signs directing traffic and pedestrians on private property not to exceed six (6) sq. ft. per sign.	BR	BR	BR	BR	BR	BR	BR	BR	BR	BR
Temporary single residence construction sites signs not exceeding six (6) square feet in area and non-illuminated, to be removed when construction is complete. One onsite identification sign facing each public street which adjoins the property.	BR	BR	BR	BR	BR	X	X	X	X	X
Residential entrance and exit signs, not exceeding thirty two (32) sq. ft. in area.	BR	BR	BR	BR	BR	X	X	X	X	X
One onsite industrial identification sign facing each public street which adjoins the property, not exceeding thirty two (32) sq. ft. in area.	X	X	X	X	X	X	X	X	P	P
Signs on the walls of commercial buildings up to a maximum of two (2) sq. ft. of area per lineal foot of	CU	X	X	P	P	P	P	P	P	P

building frontage (only main entrance wall of building used in computing frontage)										
Signs mounted on a trailer, mobile framework, or other movable apparatus, other than vehicles used for transportation, are called portable signs and are prohibited on a permanent basis. Such portable signs will be permitted on a temporary basis on the same property at grand openings, open houses, or special events for a total of twenty-eight (28) days in a calendar year and not to exceed seven (7) days in any one period, and shall not exceed-thirty two (32) sq. ft. in area.	P	CU	CU	P	P	P	P	P	P	P
Billboards -per NC-DOT requirements with a Warren County Conditional Use Permit.	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU

SECTION VI - TERMS AND DEFINITIONS

A. ***Interpretation of Certain Terms:*** In the construction of this ordinance, the word interpretations and definitions contained in this Section shall be observed and applied, except when the context clearly indicates otherwise. In further amplification and for clarity of interpretation of the context, the following definitions of word usage shall apply:

- Words used in the present tense shall include the future; and words used in the singular number shall include the plural number, and the plural the singular.
- The word "shall" is mandatory and not discretionary.
- The word "may" is permissive.
- The word "person" includes a firm, association, organization, partnership, corporation, trust and company as well as an individual.
- The word "lot" shall include the words "piece", "parcel", "tract", and "plot".
- The word "building" includes all enclosed structures.
- The phrase "used for" shall include the phrases "arranged for", "designed for", "intended for", and "occupied for".
- The word "map" or "zoning map" shall mean the official Zoning Map(s) of Warren County, North Carolina.

B. ***Definitions***

Abut: Having property or zone lines in common; i.e., two lots are abutting if they have property lines in common. Lots are also considered to be abutting if directly opposite each other and not separated by a street, alley, railroad right of way, or stream.

Abandon: That the use, structure, building, or sign is not used occupied or otherwise operating for the intended non-conforming activity for the period specified in this Ordinance. Periods of active remodeling during which the use is closed for repairs should not be considered in determining abandonment, provided the remodeling is completed within a reasonable time period as indicated on the zoning permit.

Accessory: Incidental to the primary use of structure (s) on the same lot.

Accessory Building, Structure, or Use: A building, structure, or use, not including signs, which is incidental to the principle use.

Adult Entertainment Establishment: Includes clubs and eating and drinking establishments with nude or semi-nude entertainment or dancing; physical culture establishments, such as but not limited to massage parlors, adult bookstores, adult motion picture theaters, adult motels and hotels, and similar establishments depicting/emphasizing sexual activities and/or nudity.

Agriculture: The practice of cultivating the soil, producing crops, and raising livestock; such as but not limited to dairy, pasture, viticulture, horticulture, hydroponics, floriculture, aquaculture, truck farming, orchards, forestry, and animal husbandry.

Agriculture Sales and Services (Agribusiness): Any business where the primary activity is sales and service of feed, seed, fertilizer, and farm equipment.

Airport: A use that includes facilities for operating, maintenance and storage of aircraft.

Apartment: A room or suite of rooms intended for use as a residence by a single household or family. Such a dwelling unit may be located in an apartment house, duplex, or as an accessory use in a single family home or a commercial building.

Apartment Building: A residential building incorporating multiple dwelling units, for rental purposes only.

Automobile Repair Services: An establishment primarily engaged in one or more of the following activities: (1) general automotive repair or service, (2) automotive engine repair, (3) installation or repair of automotive transmissions, (4) installation or repair of automotive glass, (5) installation or repair of automotive exhaust systems, (6) repair of automotive tops, bodies and interiors, and (7) automotive painting and refinishing.

Automobile Service Station (Gas Station): Any building or land used for the dispensing, sale, or offering for sale at retail any automobile fuels along with accessories such as lubricants or tires, except that car washing, mechanical and electrical repairs, and tire repairs shall only be performed incidental to the conduct of the service station and are performed indoors.

Basement: A space of full-story height that is below the first floor, wholly or partly below the exterior grade, and is not used primarily for living accommodations. Space partly below grade that is used primarily for living accommodations or commercial use is not identified by FHA as basement space.

Bed and Breakfast/Tourist Home: A form of temporary housing for travelers which may serve meals.

Billboard: A flat surface or board, usually outdoors, on which large advertisements, signs or notices are posted and where the size of the structure meets all NC-DOT requirements for size, construction, placement and located only along the Interstate (I-85) corridor.

Board of Adjustment: The convening body of members appointed by the Warren County Board of Commissioners charged with hearing and deciding on Conditional Use Permits, Variances and Appeals from orders and Interpretation of the Planning and Zoning Administrator.

Board of Commissioners: The governing body of Warren County.

Bona Fide Farm: Except as provided in G.S. 106-743.4 for farms that are subject to a conservation agreement under G.S. 106-743.2, bona fide farm purposes include the production and activities relating or incidental to the production of crops, fruits, vegetables, ornamental and flowering plants, dairy, livestock, poultry, and all other forms of agricultural products as defined in G.S. 106-581.1 having a domestic or foreign market.

Buffer: A fence, wall, hedge, or other planted area or device used to enclose, screen, or separate one use or lot from another.

Building: Any structure enclosed by exterior walls and a roof constructed or used for a residence, business purposes, or accessory thereto; and including but not limited to manufactured structures, garages, tents, lunch wagons, dining cars, trailers, mobile homes, and carports.

Building Height: The vertical distance measured at the front elevation to the highest point of the building. Spires, cupolas, chimneys, antennae attached to a building, and/or projections from buildings, radios, TV, communications, telecommunication, and water towers are not to be included in the calculations of building height.

Building Setbacks: The minimum distance from the property line, right of ways, and /or easements to the closest projection of the exterior face of buildings, walls, or other form of construction (i.e. decks, landings, terraces, porches, and patios on grade).

Building Site: Any lot or portion thereto, of a parcel of land upon which a building or buildings may be erected in conformance with the provisions contained herein.

Built-Upon Area: Built-upon areas include that portion of a development project that is covered by impervious or partially impervious surfaces, including buildings, pavement, and recreation facilities.

Bulletin Board: A board or structure not to exceed sixteen (16) square feet in size that is used for posting bulletins, notices, advertisements or signs.

Campground: Land upon which, for compensation, shelters (such as tents, travel trailers, and recreational vehicles) are erected or located for occupation by transients and/or vacationers. They may include such permanent structures and facilities as are normally associated with the operation of a campground.

Car Wash: A building, or portion thereof containing facilities for washing automobiles or other vehicles, using production line methods with a chain conveyor, blower, or other mechanical devices; or providing space, water, equipment, or soap for the complete or partial hand washing of automobiles, whether washing is performed by the operator or by the customer.

Certificate of Occupancy: A legal document issued by the local building inspector (Warren County Code Enforcement Officer) to the owner of a premises attesting that the premises have been built and maintained according to the provisions of State building codes (State of North Carolina and/or National Building Code), such as those that govern building, fire, mechanical, electrical and plumbing codes.

Church: A building or structure for public worship of religion. This term shall refer to all religious denominations.

Club or Lodge (Private, Nonprofit, Civic, or Fraternal): An association of persons, who lease a building, or portion thereof, the use of such premises being restricted to members and their guests.

Cluster Development: A use that keeps land in open space and protects natural resources which requires buildings to be concentrated on a specified area of total acreage.

Common Area/Open Space: A parcel or parcels of land, or an area of water, or a combination of both land and water, within the site designated for development and designed and intended for the use and enjoyment of residents of the development not including streets or off-street parking areas.

Condominium(s): A system of ownership of individual units in a multi-unit structure combined with joint ownership of commonly used property (e.g. sidewalks, hallways, stairs, and open space/common area).

Conditional Use: A use that, given special characteristics related to its operation or installation is permitted in a zone subject to approval by the Warren County Board of Commissioners or Warren County Board of Adjustment (as applicable), and subject to special requirements, different from those requirements for the zone in which the conditional use may be located.

Contractor: Person or business that provides products or services under contract to another.

Controlled-Access Highway: A roadway which, in accordance with State and Federal Guidelines, is designed to give preference to through traffic by providing access connections at interchanges or selected public roads only.

Conversion: Changing the original purpose of the building to the different use.

Covenant: A private legal restriction on the use of land, which is contained in the deed to the property or otherwise formally recorded.

Day Care Facility (Adults or Children): A licensed facility other than an occupied dwelling, which provides for the care of children or adults.

Day Care Home (Adults or Children): A licensed dwelling in which a permanent occupant of the dwelling provides for the care of children or adults.

Day-Night Level (DNL): A measure of noise that is an outdoor, day-night average (a weighted sound level). See also the Warren County Noise Ordinance.

Dedication: The transfer of privately owned land to the public without consideration, with the intent that the land will be accepted and used for public purposes.

Density: The number of families, persons, housing units, or buildings per unit of land.

Dwelling: A building or portion thereof designed, arranged, or used for permanent living quarters which include a bedroom and permanent kitchen and bathroom facilities. The term "dwelling" shall not include a travel trailer, motel, hotel, tourist home, or other structures designed for transient residence.

Dwelling, Attached: A building joined to other buildings on one or more sides by a party wall or walls.

Dwelling, Detached: A dwelling that is entirely surrounded by open space on the same lot.

Dwelling, Duplex: A building containing two attached residential units, in a single building.

Dwelling, Single Family: A detached building designed for or occupied exclusively by one family and approved by the Warren County Planning/Zoning and Code Enforcement Department.

Dwelling, Multi-Family: A building used for, and designed as a residence for two or more families living independently of each other.

Dwelling, Triplex: A building containing three attached residential units, in a single building.

Dwelling Unit: A residential structure or that portion of a residential structure used or designed as a residence for one family. This definition shall also mean a room or rooms connected together, constituting a separate, independent housekeeping establishment for a family, for owner occupancy or rental or lease on weekly or longer terms, physically separated from any other rooms or dwelling units which may be in the same structure, and containing independent kitchen, bathroom, and sleeping facilities. This definition applies to only one (1) primary dwelling per lot and at a maximum only one (1) accessory dwelling per lot where applicable and in compliance this ordinance for the respective zoning district. The accessory dwelling shall be no larger than 25% or 50% of the size of the primary dwelling. The 25% rule applies to an efficiency apartment within the primary dwelling and the 50% rule is for an accessory dwelling either attached or detached from the main house (guest houses). For single family dwellings with multiple kitchens there shall be only one entrance for the whole structure in order to maintain its classification as a single-family dwelling, the structure shall not be defined as multi-family and shall not serve as a rental unit for gain. RV's, campers and work trailers are not permitted on site for living in while homes are being built and shall not be permitted for use as a dwelling unit as defined in this ordinance. For the purposes of physically separated rooms which may be in the same structure, and containing independent kitchen, bathroom, and sleeping facilities, the term "mother-in-law" suite shall be applicable and meet the provisions of this ordinance. Said "mother-in-law" suite shall be located within a dwelling and with access to the suite through the single-family dwelling.

Easement: A right given by the owner of land to another party for specific limited use of that land.

Eating Establishment: See Restaurant

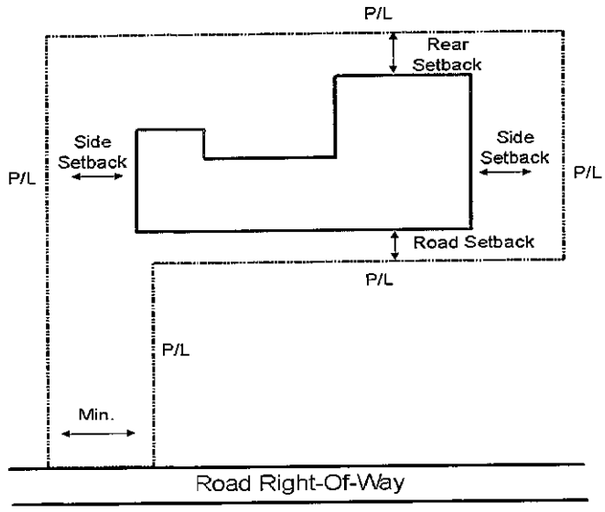
Fall Zone Buffer: A land buffer around a tower base to provide for containment of the tower to the site in the event that it falls.

Family: Any number of related people or not more than two unrelated people living together as a single housekeeping unit.

Family Care Facility: A licensed business in a commercial building that provides healthcare, counseling, or related services, including room, board, and care for non-convalescent persons.

Family Care Home: A licensed residence that provides limited health, counseling, or related services, including room, board, and care, to six (6) or fewer persons in a family-type environment.

Flag Lot: An irregularly shaped lot where the buildable area of the lot is connected to its street frontage by an arm of the lot (see example illustration below).



Frontage: All of the real property abutting a street line measured along the street right of way.

Gas Station: See Automobile Service Station.

Greenhouses and Nurseries (commercial): An establishment primarily engaged in the wholesale **or** retail sale of trees, shrubs, other plants, seeds, bulbs, mulches, soil conditioners, fertilizers, pesticides, garden tools, and other garden supplies to the general public.

Greenway: A corridor of open space that connects different parts of a community (county) and offers opportunities for walking, bicycling, other forms of passive recreation, and non-motorized transportation.

Ground/Grade Level/Finished Grade: The average level of the finished surface of the ground adjacent to the exterior walls of the building or structure and measured at the front elevation of the structure.

Group Home (Halfway House): A small, residential facility designed to serve children or adults which usually have six (6) or fewer occupants and are staffed 24 hours a day by trained caregivers.

Heliport, Helipad: A use that includes facilities for the flying of helicopters and associated rotary-wing aircraft.

Historic Structure: Any structure that is (a) listed individually in the National Register of Historic Places (a listing maintained by the US Department of Interior) or preliminarily determined by the Secretary of Interior as meeting the requirements for individual listing on the National Register; (b) certified or preliminarily determined by the Secretary of Interior as contributing to the historical significance of a registered historic zone or a zone preliminarily determined by the Secretary to qualify as a registered historic zone; (c) individually listed on a State inventory of historic places; or (d) individually listed on a local inventory of historic places.

Homes for the Aged (including Retirement Communities): A licensed institution, which is advertised, announced, or maintained for the express or implied purpose of providing nursing or convalescent care.

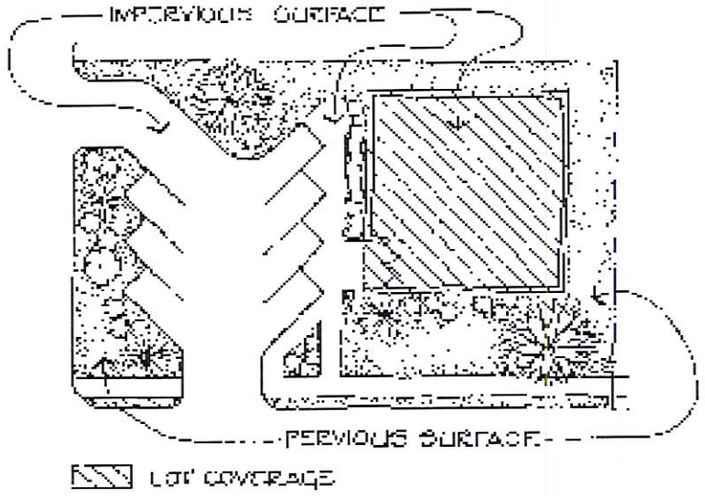
Home Occupation: Any occupation or profession which is clearly incidental and secondary to the use of the dwelling, carried on entirely within a dwelling or accessory building on the same lot by one or more occupants thereof providing the following:

- Where no more than twenty-five percent (25%) of the total floor area of the dwelling is used for such purposes.
- That there is no outside or window display.
- There shall be no change in the outside appearance of the building or premises, or other visible evidence of the home occupation other than one non-illuminated sign, not exceeding three (3) square feet in area.
- That no mechanical or electrical equipment is installed or used other than is normally used for domestic, professional, or hobby purposes, or for infrequent consultation or emergency treatment.
- That not more than one (1) person not a resident of the dwelling is employed in connection with the home occupation.
- No traffic shall be generated by such home occupation in greater volumes than would normally be expected in the residential neighborhood, and required parking shall be met off the street and other than in a required front yard.
- No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot. In the case of electrical interference no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises.

Homeowners Association (HOA): An organization of the homeowners in a particular subdivision, Planned Unit Development (PUD), or condominium, generally for the purpose of enforcing deed restrictions or managing the common elements of the development.

Hotel/Motel: A building or other structure kept, maintained, advertised as, or held out to the public to be a place where sleeping accommodations are supplied for pay to transient or permanent guests or tenants. Rooms are furnished for the accommodation of such guests, and the hotel may or may not have one or more dining rooms, restaurants, or cafes where meals are served.

Impervious Surface Area: The portion of the land area allowing no infiltration of precipitation into the soil. Impervious areas include, but are not limited to, that portion of a development project covered by buildings, areas paved with concrete, asphalt, or brick, paved roads, patios, driveways, streets, and recreation facilities; such as tennis courts and swimming pools (see example illustration below):



Impervious Surface Ratio: The algebraic ratio calculated to determine the percentage of open land versus built-upon area on any tract(s) of land used for the purpose of actual or anticipated residential or nonresidential development.

Incompatible Use: A use or service that is unsuitable for direct association with certain other uses because it is contradictory, incongruous, or discordant.

Industrial Park: A special or exclusive type of planned industrial area designed and equipped to accommodate a community of industries, providing them with all necessary facilities and services in attractive surroundings among compatible neighbors.

Junk: Pre-used or unusable metallic parts and non-metallic manufactured products that are worn, deteriorated or obsolete making them unusable in their existing conditions, but are subject to be dismantled and salvaged.

Junk Yard (also known as Salvage Yard): Any area, in whole or in part, where waste or scrap materials are bought, sold, exchanged, stored, baled, packed, disassembled, or handled, including but not limited to scrap iron and other metals, paper, rags, vehicles, rubber tires, and bottles. A "junk yard" includes an auto-wrecking yard, but does not include uses established entirely within enclosed buildings. A "junk yard" for vehicles is defined as four or more junk, inoperable or unlicensed vehicles stored on the property.

Kennel: Any facility used for the purpose of boarding domesticated animals.

Kiosk: A small structure not to exceed sixteen (16) square feet in size having one or more sides open and used as a newsstand, refreshment stand, bandstand, or a thick, column-like structure on which signs or advertisements are posted.

Landfill, Demolition: A landfill facility for stumps, limbs, leaves, concrete, brick, wood, uncontaminated earth and other solid wastes due to construction, demolition or land clearing.

Landfill, Sanitary: A facility where waste material and refuse is placed in the ground in layers and covered with earth or some other suitable material. Sanitary landfills shall also conform to requirements of 15A NCAC 13B regarding solid waste management.

Loading Area or Space, Off-Street: An area located for bulk pickups and deliveries.

Lot Depth: The depth of a lot, per this ordinance, is the distance measured in the mean direction of the side lines of the lot from the midpoint of the front line to the midpoint of the opposite lot line.

Lot: An individual parcel of land.

Lot Line: Any boundary of a parcel of land.

Lot Line Front: Any boundary line of a lot running along a street right of way.

Lot Line Rear: The rear lot line shall be the property line(s) which is/are opposite the front property line. If no property line is deemed to be opposite the front property line and no minimum building line exists on the final plat to establish a rear lot line, then there shall be no rear lot line; however, the rear yard setback shall be maintained from the point (apex) on the property's perimeter which is the furthest removed from the midpoint of the front line. The rear yard minimum building line shall be a line perpendicular to a straight line connecting said apex and the midpoint on the front lot line.

Lot Line Side: A boundary line that is not defined as a front or rear lot line.

Lot of Record: A lot, which has been recorded in the Office of the Register of Deeds or a lot described by metes and bounds the description of which has been recorded in the aforementioned office.

Lot, Through: An interior lot having frontage on two (2) streets.

Lot Width: The horizontal distance between the sidelines measured along the front building line as specified by the applicable front yard setback in this ordinance.

Machine and Welding Shop: A business primarily engaged in fabrication, assembly and testing of parts or products. Generally machine shop jobs are low volume (production) using machine tools such as lathes, automatic screw machines; and machines for boring, grinding, milling and welding.

Manufactured Home: A factory built structure, as determined by the Housing and Urban Development Department (HUD) of the Federal Government, composed of one or more components, each of which is manufactured or constructed under the authority of 42 United States Code Section 5401, the National Manufactured Home Construction and Safety Standards Act, and is to be used as a place for human habitation, but which is not constructed or equipped with a permanent hitch or other device allowing it to be moved other than for the purpose of moving to a permanent site, and which does not have permanently attached to its body or frame any wheel or axles. **NOTE - Recreational vehicles or travel trailers (campers) are not manufactured homes.**

Manufactured-Mobile Home Park: Any lot or part thereof, or any parcel of land which is used or offered for location for two (2) or more manufactured-mobile homes (defined in this ordinance), regardless of whether or not a charge (fee) is made for such accommodations. Provided, however, the provisions of this ordinance shall not apply to home spaces allocated by the property owner without charge to person related to the property owner by blood or marriage or to tenant farmers employed by said owner for the purposes of engaging in agricultural pursuits on the premises (for this definition and defined in this Section, "family" is defined as any number of related people or not more than two unrelated people living together as a single housekeeping unit).

Mini-Warehouse/Storage Facilities: A building, or group of buildings, in a controlled access and/or fenced compound that contains varying sizes of individual, compartmentalized and controlled access stalls or lockers for the dead storage of a customer's goods or wares. No sales, service, or repair activities other than the rental of storage units are permitted on the premises.

Mobile Home: See Manufactured Home.

Mobile Home Park: See Manufactured-Mobile Home Park.

Modular Home: A factory built home certified as meeting the North Carolina Building Codes and associated codes as applicable to modular housing. A modular home is subject to the same standards as a site built home.

Non-conforming Lot: A lot existing at the effective date of this ordinance or any amendment to it (and not created for the purpose of evading the restrictions of this ordinance) that cannot meet the minimum area or lot width or depth requirements of the zone in which the lot is located.

Non-conforming Use: A use of buildings or land not conforming to the regulations of the district in which such building or land is situated but was lawful before adoption of this ordinance.

Nuisance: Anything that interferes with the use or enjoyment of property, endangers personal health or safety, or is offensive to the senses (sight, smell, touch, hearing, and taste).

Nursing Home: See also Homes for the Aged.

Parking Lot: An area or plot of land used for the parking of vehicles, either as a principle use or as an accessory use.

Parking Space: A graded and surfaced storage space for one automobile, plus the necessary access space. It shall always be located outside the dedicated street right of way. Parking space sizes shall be: for Angle Parking (Min. 8.5 ft.x20 ft. measured parallel to the vehicle) and 90 Degree Parking (Min. 9 ft.x20 ft.).

Parking Space, Off-Street: A parking space located outside of a dedicated street right of way.

Person: Includes a firm, association, organization, partnership, corporation, trust and company as well as an individual.

Planned Unit Development – Commercial Residential (PUD-CR): A form of development which combines commercial and residential development (mixed-use) only on commercially zoned properties per this Ordinance. This development would be characterized by a unified site design combining uses permitted in the Lakeside business (LB) and/or Neighborhood Business (NB) districts combined with housing units, clustering buildings, providing common open space, density increases, and mix of residential building types/land uses. It permits the planning of a project and the calculation of densities over the entire development, rather than on an individual lot-by-lot basis. For this definition (and as relates to Cluster Development) for zero (0) side and/or rear yard setbacks (townhouse and/or condominium development), a zero (0) side and/or rear yard setback is within the development only and does not refer to the setbacks that abut adjoining properties (relates to the sides of dwelling units that face open space areas).

Planned Unit Development – Residential (PUD-R): A form of residential development characterized by a unified site design for a number of housing units, clustering buildings, providing common open space, density increases, and mix of building types/land uses. It permits the planning of a project and the calculation of densities over the entire development, rather than on an individual lot-by-lot basis. For this definition (and as relates to Cluster Development) for zero (0) side and/or rear yard setbacks (townhouse and/or condominium development), a zero (0) side and/or rear yard setback is within the development only and does not refer to the setbacks that abut adjoining properties (relates to the sides of dwelling units that face open space areas).

Planning Board: A body appointed by the Warren County Board of Commissioners to perform the following duties: develop and recommend long range development plans/policies; advise the Board of Commissioners in matters pertaining to current physical development and zoning for the county, review-approve or deny proposed development plans per County regulations, review-approve or deny proposed re-zoning petitions per County regulations.

Public (County or Municipal) or Community Sewage System: A single system of sewage collection, treatment, and disposal owned and operated by a sanitary district, a metropolitan sewage district, water and sewer authority, a county or municipality or a public utility.

Public (County or Municipal) Water System: A system for the provision to the public or piped water for human consumption if such system has at least 15 service connections or regularly serves an average of at least 25 individuals daily at least 60 days out of the year.

Recreational Vehicle: A vehicle which is-designed to be self-propelled or permanently towable by a truck; and designed as temporary living quarters for recreational, camping, travel or seasonal use.

Restaurant (also known as an Eating Establishment): An establishment whose principal business is the sale of food, frozen desserts or beverages to the customer in a ready to consume state. Sit-down restaurants are

those at which food and/or beverages may or may not be served by waitresses or waiters to patrons seated at booths or tables (a sit-down restaurant may have walk-in/carry out service as part of its operation). Walk-in/carry out restaurants are those at which the customers receive but do not consume the food and/or beverages at a counter, bar, or from a drive-in window. Drive-in restaurants are those at which food or beverages are served for consumption by customers in parked motor vehicles.

Retail: The sale of a commodity to a consumer and not customarily subject to sale again.

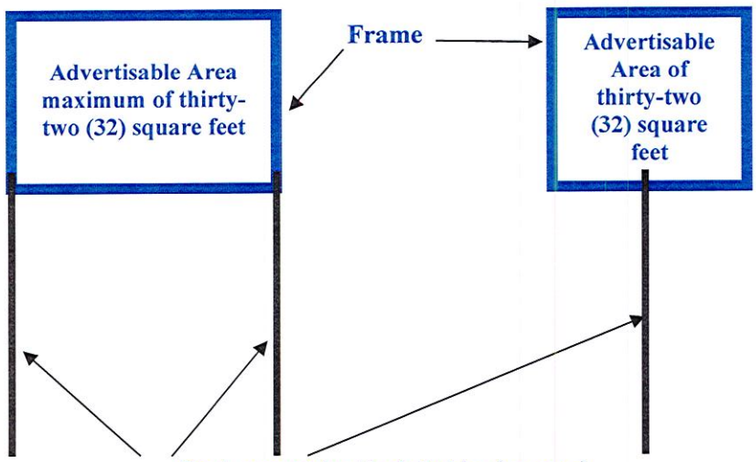
Right of Way: An area owned and maintained by a municipality, the State of North Carolina, a public utility, a railroad, or a private entity for the placement of such utilities and/or facilities for the passage of vehicles/pedestrians, including roads, pedestrian walkways, utilities, or railroads.

Setback (also known as minimum yard): The distance from the curb or other established line, on an individual lot or parcel, within which no buildings or structures may be erected.

Shopping Center: A group of commercial establishments planned, developed and managed as a unit with a unified design of buildings and with coordinated parking and service areas.

Sign: A displayed structure bearing lettering or symbols, used to identify or advertise a place of business, items for sale, direction or designation.

Sign Area (Area of Sign, Sign Face): The area of a sign, for the purpose of determining its permitted size, shall be the advertisable surface and includes any type of sign, bulletin board, billboard or kiosk as defined in this ordinance and the measurement shall encompass only the printable, advertising area of the sign:



Silt Fence: A temporary sediment control device used on construction sites to protect water quality in nearby surface waters from sediment (loose soil) in stormwater runoff. It consists of a piece of synthetic filter fabric (i.e. a geotextile) stretched between a series of wooden or metal fence stakes along a horizontal contour level (stakes are installed on the downhill side of the fence, and the bottom edge of the fabric is trenched into the soil and backfilled on the uphill side). The fence is installed on a site before soil disturbance begins, down-slope from the disturbance area.

Site Plan: A plan, to scale, showing uses and structures proposed for a parcel of land as required by the regulations involved. It includes such things as lot lines, streets, building sites, reserved open space, buildings, major landscape features – both natural and manmade and depending on requirements, the locations of proposed utility lines.

Solar Farm (also known as a Solar Energy System - SES): the components and subsystems required to convert solar energy into electric or thermal energy suitable for use. The area of the system includes all the land inside the perimeter of the system, which extends to any fencing. The term applies, but is not limited to, solar photovoltaic (PV) systems, solar thermal systems, and solar hot water systems.

Solar Photovoltaic (PV) Systems: an electrical system or device that converts the energy of light directly into electricity by the photovoltaic effect through the use of photoelectric cells (also known as solar panels).

Solar Thermal Systems: large scale commercial-industrial energy system and related equipment for harnessing solar energy to generate thermal energy or electrical energy for use in connection with commercial and industrial operations.

Solar Hot Water Systems: small scale, roof-top energy systems in which the sun's heat is gathered by a solar collector and used to increase the temperature of a heat-transfer fluid (such as water or a nonfreezing liquid) which flows through the pipes in the collector; the heat contained in this fluid then is conveyed and transferred to the water to be heated (this type of system is often used on homes, recreational centers and schools, hospitals and office buildings).

Spot Zoning: When the zoning of a particular lot for a certain use is different from the permitted uses in the surrounding zone. This action is potentially invalidated by the courts.

Storage: The deposition of commodities/items for the purpose of future use or safekeeping.

Story: That portion of a building included between the surface of any floor and the surface of the next floor above it, or if there is no floor above it, then the space between such floor and the ceiling above it.

Street: A public or private thoroughfare, which affords access to abutting property and is recorded as such in the Warren County Register of Deeds.

Strip Center: A long, one story building or group of buildings with multiple businesses connected by common walls, each business with separate entrances/exits, housing retail services and/or service establishments. Out-parcels for these same business are included, this term shall refer to "strip malls."

Structure: Anything constructed or erected, including a building; a manufactured (modular) or mobile home; storage tank for gases or liquids; or any other permanent or temporary, man-made facilities, including swimming pools, walls, signs, and storage buildings.

Subdivision (per the Warren County Subdivision Ordinance): All divisions of a tract or parcel of land into two or more lots, building site, or other divisions for the purpose of sale, lease, or building development (whether immediate or future) and includes all divisions of land involving the dedication of a new street or a change in existing streets; however, the following is not included within this definition is not subject to any regulations enacted pursuant to the Warren County Subdivision Ordinance:

- Combination/Recombination - The combination or recombination of portions of previously subdivided and recorded lots where the total number of lots is not increased and the resultant lots are equal to or exceed the standards of the County as shown by the regulations prescribed by this ordinance, shall be exempt
- Divisions Greater Than Ten (10) Acres - The division of land into parcels greater than ten (10) acres where no street right of way dedication is involved shall be exempt.
- Public Acquisitions/Right of way - The public acquisition by purchase of strips of land for the widening or openings of street shall be exempt.
- Lots Of Record Not Platted - Lots of record which were recorded by a deed in the Warren County Courthouse prior to the adoption of the subdivision ordinance may have a plat prepared and recorded.
- Cemetery Lots - Individual cemetery plots may be platted and recorded that do not meet the minimum lot size requirement of the zoning district in which it exists; however, the cemetery shall comply with the applicable zoning district regulations.
- Utility Easements/Lease Agreements - Utility easements shall be shown on subdivision plats as required by this ordinance; however, utility easements and utility lease agreements for distribution boxes or structures shall be exempt from the subdivision regulations.
- Conservation Easements
- Estate Exclusion - A voluntary partition of land or subdivision of land made for dividing the estate of a decedent among his/her heirs, whether the decedent died testate or intestate. In the event of a transfer or division of an estate in which interior parcels do not abut a public road, each such parcel must have an approved access to a public road with a minimum of a fifty (50) foot right of way.

Substantial damage: Damage of any origin sustained by a structure whereby the cost of restoring the structure to it's before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Timeshare: A form of property ownership under which a property is held by a number of people, each with the right of possession for a specified time interval.

Tourist Home: See Bed and Breakfast.

Tower Height: The vertical distance measured from the ground to the uppermost point of the tower, including the antennas and lightning rod.

Townhouse: A dwelling unit as part of a structural arrangement of two (2) or more single family attached dwellings joined by common walls on not more than two (2) opposite sides with the uppermost story being a portion of the same dwelling located directly beneath at the grade or first floor level and having exclusive individual ownership and occupant rights of each dwelling unit including, but not limited to, the land area directly beneath the dwelling. Said units have separate entrances to the outside and are entirely separated from each other by walls that meet North Carolina Building Standards.

Trailer: Any vehicle or structure originally designed to transport something or intended for human occupancy for short periods of time. Trailers shall include the following: (1) house trailer - A vehicular, portable structure built on a wheeled chassis, designed to be towed by a self-propelled vehicle for use for travel, recreation, or vacation purposes, having a body width ten (10) feet or less or a body length thirty-two (32) feet or less when equipped for road travel, (2) camping trailer-A folding structure manufactured of metal, wood, canvas, plastic, or other materials, or any combination thereof, mounted on wheels and designed for travel, recreation, or vacation use, or (3) trailer-vehicle hauled by another vehicle; designed to transport vehicles, boats, or material.

Use: The purpose for which land or structures thereon are designed, arranged or intended to be occupied or use; or for which it is occupied, maintained, rented or leased.

Use, Conditional: A use permitted in a zone only after specific findings by the Board of Adjustment.

Use by Right: A use, which is listed as an unconditionally permitted activity in this ordinance.

Variance: A modification or alteration of any of the requirements of this ordinance.

Warehouse: A building or compartment in a building used for the deposit, safekeeping or selling of goods.

Watershed: The entire land area contributing surface water drainage to a specific point (e.g., the water supply intake, lake area).

Wetlands: Those areas that are defined as wetlands by the United States Army Corps of Engineers from time to time.

Yard: Any open space on the same lot with a building and unoccupied from the ground upward except by trees, shrubbery or fences.

Zero Lot Line: A term generally used to describe the positioning of a structure on a lot so that one side rests directly on the lot's boundary line (property line). Such construction is generally prohibited in many areas by established setbacks, unless permitted as part of a Planned Unit Development (PUD) or similar development.

Zoning: A police power measure, enacted primarily by general purpose units of local government, in which the community is divided into zones or zones within which permitted and conditional uses are established, as are regulations governing lot size, building bulk, placement, and other development standards. Requirements vary from zone to zone, but they must be uniform within zones (Zoning Ordinance consists of text and a map).

Zoning Administrator (Planning and Zoning Administrator or designee): The person charged with the administration of the Warren County Zoning Ordinance. This definition may include other Zoning Enforcement Officers; both the positions of the Administrator and Enforcement Officer are sworn positions.

Zoning District: An area established by this ordinance where the individual properties and their respective, permitted uses are established.

Zoning Permit: An official certification that a proposed used of a building, land, or sign conforms to provisions of this Ordinance. Such a certificate is granted for new construction or for alterations or additions to existing structures or a change in use. Unless such a permit is issued within the zoned areas of Warren County (not inclusive of the Town of Warrenton and Town of Norlina and their respective extraterritorial jurisdictions) a building permit cannot be issued by the Warren County Planning/Zoning and Code Enforcement Department.

SECTION VII - ADMINISTRATION AND ENFORCEMENT

A. ***Planning and Zoning Administrator:*** The Planning and Zoning Administrator, is duly charged with enforcement of the provisions of this ordinance. If the Zoning Administrator finds that any of the provisions of this ordinance are being violated, he/she shall notify in writing, within ten working days, the person(s) responsible for such violations, indicating the nature of the violation and ordering the action(s) necessary to correct it. He/she shall also take any other action authorized by this ordinance to ensure compliance with or to prevent violation of its provisions.

B. ***Zoning Permit***

1. No building, sign, structure or any part thereof, designed or intended to be used shall be erected or repaired until a zoning permit has been issued by the Zoning Administrator or his authorized representative. A fee shall be charged for the issuance of each zoning permit (see Warren County Fee Schedule).
2. Each application for a zoning permit shall be accompanied by a plat, drawn to scale, showing accurate dimensions of the lot to be built upon, accurate dimensions of the lot to be built upon, accurate dimensions of the building or sign to be erected, its location on the lot and such other information as may be necessary to provide for the enforcement of this ordinance. An accurate record of such application and plats, together with a record of the action taken, shall be kept in the Planning/Zoning and Code Enforcement Department.
3. No permit for excavation, construction of any building, sign, part of a building or sign, repairs to, alteration of a building, or sign or the relocation of a building or sign from the lot on which it is situated, shall be issued until a permit application has been properly filed by the applicant.

C. ***Certificate of Occupancy:*** No land shall be used or occupied and no building, sign, or structure erected or altered nor shall be used or changed in use until a Certificate of Occupancy has been issued by the Zoning Administrator stating that the building, sign, and/or the proposed use complies with the provisions of this ordinance. A certificate of the same shall be required for changing or extending any non-conforming use. The aforementioned certificate shall be applied for coincidentally with the application for a Zoning Permit and shall be issued within ten working days after the erection or alterations of such building or part shall have been competed in conformity with the provisions of this ordinance. A record of all such certificates shall be kept on file and copies shall be furnished, upon request, to any person having a propriety or tenancy interest in the building or land.

D. ***Penalties for Violations***

1. Any person, firm or corporation who violates any provision of this ordinance shall be subject to a civil penalty (see Warren County Fee Schedule) which may be recovered by Warren County in a civil action in the nature of debt instituted in the North Carolina General Court of Justice, if the penalty is not paid within 15 days after the offender has been cited for violation of the Zoning Ordinance of Warren County. Each day's continuing violation shall be a separate and distinct offense. Citations (see Warren County Fee Schedule) may be issued each day the offense continues until the violations have ceased or abated (This amendment is made by authority of G.S. 153A-123).
2. Nothing contained in Section VII shall prevent Warren County from taking such other lawful actions as may be necessary to prevent or remedy any violation of the Zoning Ordinance of Warren County. In its discretion, Warren County may proceed to enforce the ordinance by either civil penalties and/or citations.

E. ***Right of Appeal:*** If the zoning permit and/or Certificate of Occupancy are denied, the applicant may appeal the action of the Planning and Zoning Administrator to the Board of Adjustment.

F. ***Zoning Permit Invalid if Work not Commenced or Completed:*** Any zoning permit issued shall become invalid unless the work authorized by it shall have been commenced within six months of its date of issue or if the work authorized by it is suspended or abandoned for a period of one year or if such work is not completed within two years of the date of the issuance of the zoning permit. Application may be made to the Zoning Administrator for a new zoning permit to replace any permit, which shall become invalid.

SECTION VIII- BOARD OF ADJUSTMENT

A. ***Composition:***

1. The Warren County Board of Commissioners shall create a Board of Adjustment consisting of five members. The initial appointment to the Board of Adjustment shall be as follows:
    a. Two (2) members shall be appointed for three (3) year terms.
    b. Two (2) members shall be appointed for two (2) year terms.
    c. One (1) member shall be appointed for a one (1) year term.
    d. Thereafter, all new terms shall be for three (3) years, and members may be reappointed.
2. The Board of Commissioners shall also appoint two (2) alternate members to serve in the absence of regular members. Both the initial appointment and new terms shall be for three (3) years, and alternate members may be reappointed. Each alternate member, while attending any regular or special meeting of the Board of Adjustment and serving in the absence of any regular member, shall have and may exercise all the powers and duties of a regular member.

B. ***Rules for Proceeding of the Board of Adjustment:*** The Board shall adopt rules governing its organization and for all proceedings before it. These rules shall be approved by the Board of Commissioners. Such rules shall provide and require the following, in addition to such other rules and regulations the Board shall adopt:

1. The Board shall elect a Chairman, Vice-Chairman and a Secretary on an annual basis.
2. The secretary shall keep detailed minutes of the proceedings. The minutes shall contain relevant facts and testimony of each appeal, the vote of each member on each appeal, abstention from voting and attendance. The minutes shall contain the signature of the secretary and the chairman.
3. No appeal may be heard unless a quorum is present. A quorum shall consist of three (3) members in attendance.
4. The notice of a Board meeting shall be given to all parties having interest in an appeal.
5. Any interested party may appear in person, by agent or by attorney to offer evidence and testimony relative to an appeal.
6. Fees for appeals/applications to the Board of Adjustment include Variance Applications, Conditional Use Permit Applications and Appeals to the determination of the Planning and Zoning Administrator (see Warren County Fee Schedule).

C. ***Powers and Duties of the Board of Adjustment:*** The Board of Adjustment shall have the following powers and duties:

1. **Administrative Review:** To hear and decide any appeal from and review any order, requirement, decision or determination made by the Planning and Zoning Administrator.
2. **Variances:** To authorize upon appeal, in specific cases, such variances from the terms of this ordinance which will not be contrary to the public interest. Where, owing to special conditions, a literal enforcement of the provision of this ordinance would result in unnecessary hardship, a variance from the terms of this ordinance may be granted by the Board of Adjustment when a written application demonstrates all of the following:
    a. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
    b. The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.
    c. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.
    d. The requested variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is achieved.

3. **Conditions Imposed on Variances**
    a. In granting any variance, the Board of Adjustment may prescribe appropriate conditions and safeguards to ensure that substantial justice has been done and that the public safety and welfare has been assured. Such conditions may be imposed by the Board regarding the location, character, and other features of the proposed building, structure, or use as may be deemed by the Board to protect property values and general welfare of the neighborhood.
    b. Non-conformance with such conditions and safeguards, when under part of the terms under which the variance is granted shall be deemed a violation of this ordinance.
    c. In addition to the grounds of granting variance specified by state law, the Board of Adjustment may approve a variance when it finds that approval of the requested variance will cause no significant hazard, annoyance or

inconvenience to the owners or occupants of nearby property, will not significantly change the character of the neighborhood or reduce the value of nearby property, will not impose any significant cost burden upon Warren County and will not create any significant obstacle to implementation of the County's Land Use Plan. The Board of Adjustment may attach any conditions to the grant of a variance under this Section, which it may find necessary to ensure that the intent and purpose of this ordinance are observed in all respects.

4. **Conditional Uses:** To hear and decide request for Conditional Use Permits allowed by this ordinance.
    a. **Objectives and Purpose:** Conditional uses add flexibility to the zoning ordinance by permitting potential undesirable uses of property in specified districts when certain conditions are met. By means of controls exercised through the Conditional Use Permit procedures, uses of property, which would otherwise be undesirable in certain districts, can be developed to minimize any negative effects they might have on surrounding properties.
    b. **Procedure**
        1) The Planning and Zoning Administrator may issue a Conditional Use Permit after approval by the Board of Adjustment for the uses as designated in Table II-2 Permitted Uses. The application for a Conditional Use Permit shall accompany the application for a zoning permit. The Board of Adjustment shall file the application for the Conditional Use Permit ten (10) working days before the date of review. The Board of Adjustment shall hold a public hearing before rendering a decision on the Conditional Use Permit, and if approved, shall include approval of such plans as may be required. In approving the permit, the Board of Adjustment shall find:
            a) That the use will not materially endanger the public health, safety or general welfare if located where proposed and developed according to the plan as submitted and approved.
            b) That the use meets all required conditions.
            c) That the location and character of the use, if developed according to the plans as submitted and approved, will be in harmony with the area in which it is to be located and in general conformity with the plan of development of the county.
        2) In approving the Conditional Use Permit the Board of Adjustment may designate such conditions, in addition and in connection therewith, as will, in its opinion, assure that the use in its proposed location will be harmonious and with the spirit and intent of this ordinance. All such additional conditions shall be entered in the minutes of the meeting, at which the Conditional Use Permit is granted, on the Conditional Use Permit, and on the plans submitted therewith. All conditions shall run with the land and shall be binding on the original applicant for the Conditional Use Permit, the heirs, successors and assigns. In order to ensure that such conditions and requirements of each Conditional Use Permit will be fulfilled, the petitioner for the Conditional Use Permit may be required to provide physical improvements required as a basis for the issuance of the Conditional Use Permit.
        3) If the Board of Adjustment denies the Conditional Use Permit, the reasons shall be entered in the minutes of the meeting at which the permit is denied and the applicant notified in writing including the appeals process as outlined in this ordinance.
        4) In addition to the specific conditions imposed by this ordinance whatever additional conditions the Board of Adjustment deems to be reasonable and appropriate, Conditional Use shall comply with height, yard, area and parking regulations of the zone in which they are located.
        5) In the event of failure to comply with the plans approved by the Board of Adjustment, or with any conditions imposed upon the Conditional Use Permit, the permit shall thereupon immediately become void and of no effect. No zoning permits for further construction or Certificate of Occupancy/Compliance under the Conditional Use Permit shall be issued, and the use of all completed structures shall immediately cease and not thereafter be used for any purpose other than a use-by-right as permitted by the zoning district in which the property is located.

6) Where plans are required to be submitted and approved as part of the application for a Conditional Use Permit, modifications of the original plans may be made by the Board of Adjustment.

D. ***Voting Procedures:***

(1) **The concurring vote of four-fifths of the board shall be necessary to grant a variance. A majority of the members shall be required to decide any other quasi-judicial matter or to determine an appeal made in the nature of certiorari.** For the purposes of this subsection, vacant positions on the board and members who are disqualified from voting on a quasi-judicial matter shall not be considered members of the board for calculation of the requisite majority if there are no qualified alternates available to take the place of such members.

(2) A member of any board exercising quasi-judicial functions pursuant to this Article shall not participate in or vote on any quasi-judicial matter in a manner that would violate affected persons' constitutional rights to an impartial decision maker. Impermissible violations of due process include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to change, undisclosed ex parte communications, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter. If an objection is raised to a member's participation and that member does not recuse himself or herself, the remaining members shall by majority vote rule on the objection.

E. ***Appeals:***

1. Appeals from the enforcement and interpretation of this ordinance, and applications for Conditional Use permits or variances shall be filed with the Planning and Zoning Administrator, who shall transmit all such records to the Board of Adjustment within thirty (30) days.
2. The Board of Adjustment shall fix a reasonable time, not to exceed 30 days, from the receipt of the records as noted in Paragraph VIII.D.1above for the hearing of the appeal and publish notice of such hearing in a newspaper of general circulation in Warren County at least five (5) working days prior to the hearing.
3. The Board of Adjustment, by a vote of at least four (4) of its five (5) members, may reverse any order, requirement, decision, or determination of the Planning and Zoning Administrator, or may decide in favor of the applicant a matter upon which the Board is required to pass under the ordinance, or may grant a variance from the provisions of this ordinance.
4. Each decision of the Board of Adjustment is subject to review by the County Superior Court. Any appeal to the Superior Court shall be taken within thirty (30) days after the decision of the Board of Adjustment is filed in the Office of the Zoning Administrator, or after written copy of the decision is delivered to the appellant by registered mail, return receipt requested, whichever is later.

SECTION IX – AMENDMENTS

A. ***General***

1. The Warren County Board of Commissioners may, at any time, amend, supplement, change, modify or repeal this ordinance. Proposed changes or amendments may be initiated by the County Board of Commissioners, Planning Board, Board of Adjustment, or by one or more owners, optionees, or lessees of property within the area proposed to be changed or affected.
2. Petitions to amend this ordinance shall be presented to the Secretary of the Warren County Planning Board for review and recommendation by said Board at least ten (10) working days prior to its meeting. The petition shall state the nature of the proposed amendment, a legal description of the property involved, and the names of the property owners. A fee (see Warren County Fee Schedule) to defray cost of advertising and other administrative costs involved, unless initiated by the Warren County Board of Commissioners, Board of Adjustment, or the Planning Board, shall accompany each petition.
3. The Planning Board shall have forty five (45) days, from the date of its meeting, within which to submit its recommendation. Failure of the Board to submit its recommendation within this time shall constitute a favorable recommendation. The Planning Board's report shall be submitted in writing to the County Manager, and subsequently the Board of Commissioners, and to the petitioner(s), by the Secretary of the Planning Board.
4. The Board of Commissioners shall hold a public hearing before adoption of any proposed amendment of this ordinance.
   a. A notice of such public hearing shall be published once a week for two consecutive weeks in a newspaper of general circulation in Warren County. Said notice shall be published the first time not less than ten (10) days and not more than twenty five (25) before the date established for such public hearing.
   b. Whenever there is a zoning classification action involving a parcel of land, the owner of that parcel of land as shown on the county tax listing, and the owners of all parcels of land abutting that parcel of the proposed classification by first class mail at the last addresses listed for such owners on the county tax abstracts. The person or persons mailing such notices shall certify to the Warren County Board of Commissioners that fact, and such certification shall be deemed conclusive in the absence of fraud.
   c. In addition, the Planning and Zoning Administrator shall post a sign on any property for which a petition to change the zoning classification has been received. The sign shall state the nature of the

change requested and the date, time and place of the public hearing and shall be posted on the property in question at least five work days before the public hearing date.

5. A majority vote of the Board of Commissioners shall be the required minimum to amend this ordinance.
6. When a petition to rezone (zoning map amendment) is denied by the Board of Commissioners, a period of twelve (12) months, from the date of the petition to rezone, must elapse before another petition for the same change previously involved may be submitted.
7.

SECTION X - LEGAL STATUS PROVISIONS

A. ***Legal Status Provisions***

1. In its interpretation and application, the provisions of this ordinance shall be held to be minimum requirements, adopted for the promotion of the public health, safety and general welfare. Wherever the requirements of lawfully adopted rules, regulations, ordinance, deed restrictions, or covenants, the most restrictive, or that imposing the highest standards, shall govern.
2. This ordinance and the various, Sections, and clauses thereof, are hereby declared severable. If any Section, part, sentence, paragraph, or clause is adjudged unconstitutional or invalid, it is hereby provided that the remainder of the ordinance shall not be affected. If any part, Section, sentence, paragraph, subsection, Section or clause is adjudged unconstitutional or invalid as applied to a particular property, buildings or structures shall not be affected. Whenever any condition or limitation is included in an order authorizing a Conditional Use Permit, variance, zoning compliance permit, certificate of occupancy or site plan approval, it shall be conclusively presumed that the authorizing officer or body considered such condition of limitation necessary to carry out the spirit and purpose of this ordinance or the requirement of some provision hereof, and to protect the public health, safety and welfare, and that the officer or Board would not have granted the authorization to which the condition or limitation pertains except in the belief that the condition or limitation was lawful.
3. All actions challenging the validity of this ordinance or amendment adopted thereto shall be brought within nine (9) months after enactment.
4. The Zoning Ordinance of Warren County, North Carolina, duly adopted August 5, 1963, and amendments adopted thereto, are hereby repealed.
5. This ordinance, adopted June 3, 1985, by the Warren County Board of Commissioners, shall take effect and be in force from and after June 3, 1985.
6. The Zoning Ordinance of Warren County, North Carolina, duly adopted June 3, 1985, by the Warren County Board of Commissioners, amended as of February 2, 2004, September 11, 2006, June 22, 2009, January, 4, 2010, March 1, 2010, September 6, 2011, October 1, 2012, July 1, 2013, May 2, 2016, May 7, 2018 and November 4, 2019 shall take effect and be in force from and after November 4, 2019. The notation on the cover/title page of this ordinance shall read **"This Ordinance, as amended in its entirety, is approved by the Warren County Board of Commissioners and effective as of November 4, 4019"** and been recorded after following proper form/procedure in the minutes of the regular Board of Commissioners meeting for that date.
7. This Zoning Ordinance, amended as of **November 4, 2019** by the Warren County Board of Commissioners, replaces and supersedes the Zoning Ordinance prior to November 4, 2019**, with the January 16, 2019** Revised/Amended Official Zoning Map of Warren County still current and effective (inclusive of the August 5, 1963, June 3, 1985, February 2, 2004, September 11, 2006, June 22, 2009, January 4, 2010, March 1, 2010, September 6, 2011, October 1, 2012, July 1, 2013, May 2, 2016, May 7, 2018 and November 4, 2019 documents – **the January 16, 2019** Revised/Amended Official Zoning Map supersedes and replaces all Official Zoning Maps including January 7, 2019, June 4, 2018, February 6, 2017, October 6, 2015 January 5, 2015, March 12, 2012, September 6, 2011, May 2, 2011, March 14, 2011, September 7, 2010, November 2, 2009, December 1, 2008 updated Official Zoning Map-original Official Zoning Maps August 5, 1963 and June 3, 1985).

Revised and Adopted this 4th day of November, 2019 (last official Zoning Map revision-amendment January 16, 2019).

Tare "T" Davis, Chairman
Warren County Board of Commissioners

ATTEST:

Angelena Kearney-Dunlap, Clerk
Warren County Board of Commissioners

WARREN COUNTY, NC OFFICIAL ZONING MAP

ADOPTION DATE	EFFECTIVE DATE	DESCRIPTION OF CHANGE	BOOK AND PAGE OF ORDINANCE	COUNTY CLERK
12/1/2008	12/1/2008	Update official zoning map per approved and recorded rezonings 6-5 B5 to 11-3-08	Records available in approved meeting minutes of the Warren County Board of Commissioners	
11/2/2009	11/2/2009	Amended/revised per petition to rezone Tax Map 12A-4 and approved 11/2/2009 (R to AR)	Records available in approved meeting minutes of the Warren County Board of Commissioners	
9/7/2010	9/7/2010	Amended/revised per petition to rezone Tax Map 33A-2A and approved 9/7/2010 (LB to R)	Records available in approved meeting minutes of the Warren County Board of Commissioners	
3/14/2011	3/14/2011	Amended/revised per petition to rezone Tax Map 12B-8BC and approved 3/14/2011 (NB to R)	Records available in approved meeting minutes of the Warren County Board of Commissioners	
5/2/2011	5/2/2011	Amended/revised per petition to rezone Tax Maps 81-35, 81-37, 81-38 and approved 5/2/2011 (R to AR)	Records available in approved meeting minutes of the Warren County Board of Commissioners	
9/6/2011	9/6/2011	Amended/revised per Commissioners rezoning lakeside properties abutting Kerr Lake and Lake Gaston (R to RL)	Records available in approved meeting minutes of the Warren County Board of Commissioners	
3/12/2012	3/12/2012	Amended/revised per Staff for zoning correction on Tax Maps 12C-72, 12C-73 and 33A-1A and approved 3/12/12 (RL to LS)	Records available in approved meeting minutes of the Warren County Board of Commissioners	
1/5/15	1/5/15	Amended/revised per petition to rezone Tax Map 12B-8BC and approved 1/5/15 (R to NB)	Records available in approved meeting minutes of the Warren County Board of Commissioners	
10/5/15	10/6/15	Amended/revised per petition to rezone Tax Map 18C-5E and approved 10/6/15 (RL to AR)	Records available in approved meeting minutes of the Warren County Board of Commissioners	
2/6/17	2/6/17	Amended/revised per petition to rezone Tax Map 33A-2A1 and approved 2/6/17 (RL to LS)	Records available in approved meeting minutes of the Warren County Board of Commissioners	
6/4/18	6/4/18	Amended/revised per petition to rezone Tax Map 12C-72, 12C-73 and approved 6/4/18 (RL to LS)	Records available in approved meeting minutes of the Warren County Board of Commissioners	
1/7/19	1/7/19	Amended/revised per petition to rezone Tax Maps 33C-4, 33A-31, 33A-3A and approved 1/7/19 (R to LB)	Records available in approved meeting minutes of the Warren County Board of Commissioners	
1/16/19	1/16/19	Map Amended/revised to expand zoning countywide per unanimous vote at the Board of Commissioners - adopted and effective as of 1/16/19	Records available in approved meeting minutes of the Warren County Board of Commissioners	

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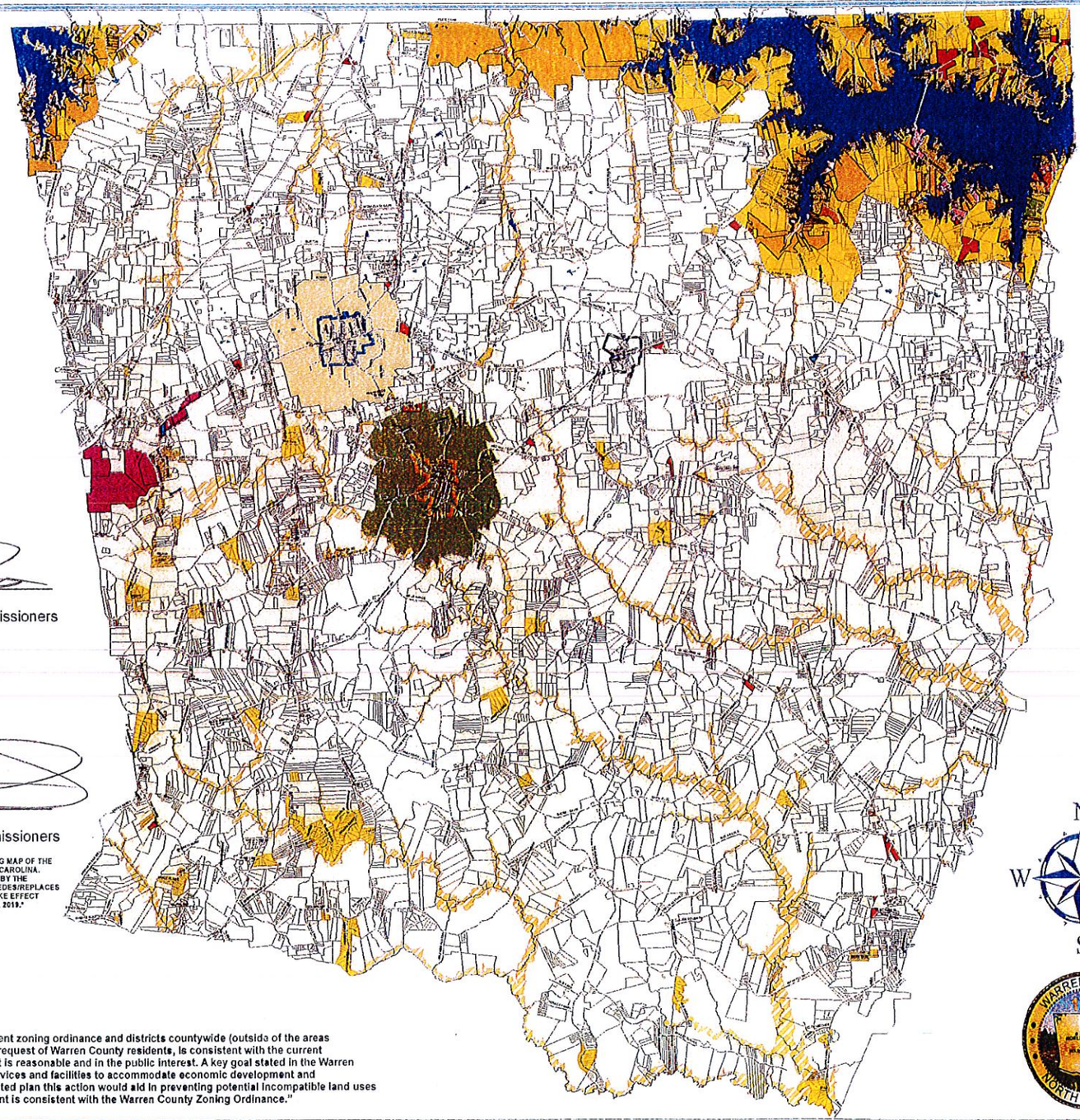
Map created per Warren County, NC GIS (Planning/Zoning and Code Enforcement Department).
Data source: Warren County, NC GIS (map scale and data reflects best available data).



Legend

- Primary/Secondary Roads (County-State-U.S.)
- Surface Waters
- L-B (Lakeside Business)
- N-B (Neighborhood Business)
- T-C (Tent-Trailer Camp)
- G-C (Group Camp)
- R-L (Residential Lakeside)
- R (Residential)
- R (Residential)
- L-I (Light Industrial)

Municipalities

Incorporated Limits

- Macon
- Norlina
- Warrenton
- Town of Norlina ETJ
- Town of Warrenton ETJ
- H-B (Heavy Business)
- A-R (Agricultural Residential)
- SFHA (Special Flood Hazard Areas)

Chairman
Warren County Board of Commissioners

ATTEST: _____
Clerk
Warren County Board of Commissioners

THIS IS TO CERTIFY THAT THIS IS THE OFFICIAL ZONING MAP OF THE ZONING ORDINANCE FOR WARREN COUNTY NORTH CAROLINA. THIS MAP REVISED/ADOPTED JANUARY 16, 2019 BY THE WARREN COUNTY BOARD OF COMMISSIONERS, SUPERSEDES/REPLACES ALL PRIOR OFFICIAL ZONING MAPS AND SHALL TAKE EFFECT AND BE IN FORCE ON AND AFTER JANUARY 16, 2019.

N W E S

WARREN COUNTY 1779 NORTH CAROLINA

Consistency Statement:

The Warren County Board of Commissioners has determined that the proposed map amendment to expand the current zoning ordinance and districts countywide (outside of the areas of Kerr-Lake, Lake Gaston and not including the Towns of Warrenton and Norlina and their respective ETJ's) at the request of Warren County residents, is consistent with the current Warren County Comprehensive Development Plan (adopted March 11, 2002) and that the proposed map amendment is reasonable and in the public interest. A key goal stated in the Warren County Comprehensive Development Plan (adopted Mach 11, 2002) is to provide and maintain, adequate county services and facilities to accommodate economic development and growth and to protect the public health and general welfare. In adopting zoning countywide, consistent with the stated plan this action would aid in preventing potential incompatible land uses from impacting communities in Warren County. Further, the Board of Commissioners finds that this map amendment is consistent with the Warren County Zoning Ordinance."

WARREN COUNTY, NC OFFICIAL ZONING MAP (Kerr Lake Area)

ADOPTION DATE	EFFECTIVE DATE	DESCRIPTION OF CHANGE	BOOK AND PAGE OF ORDINANCE	COUNTY CLERK
12/1/2008	12/1/2008	Update official zoning map per approved and recorded rezonings 6-9-05 to 11-3-08	Records available in approved meeting minutes of the Warren County Board of Commissioners	
11/2/2009	11/2/2009	Amended/revised per petition to rezone Tax Map 12A-4 and approved 11/2/2009 (R to NB)	Records available in approved meeting minutes of the Warren County Board of Commissioners	
9/7/2010	9/7/2010	Amended/revised per petition to rezone Tax Map 93A-2A and approved 9/7/2010 (R to R)	Records available in approved meeting minutes of the Warren County Board of Commissioners	
3/14/2011	3/14/2011	Amended/revised per petition to rezone Tax Map 12B-8C and approved 3/14/2011 (NB to R)	Records available in approved meeting minutes of the Warren County Board of Commissioners	
5/2/2011	5/2/2011	Amended/revised per petition to rezone Tax Maps 81-28, 81-27, 81-26 and approved 5/2/2011 (R to AR)	Records available in approved meeting minutes of the Warren County Board of Commissioners	
9/6/2011	9/6/2011	Amended/revised per Commissioners rezoning lakeside properties abutting Kerr Lake and Lake Gaston (R to RL)	Records available in approved meeting minutes of the Warren County Board of Commissioners	
3/12/2012	3/12/2012	Amended/revised per Staff for zoning correction on Tax Maps 12C-72, 12C-73 and 93A-1A and approved 3/12/12 (RL to LI)	Records available in approved meeting minutes of the Warren County Board of Commissioners	
1/5/15	1/5/15	Amended/revised per petition to rezone Tax Map 12B-8C and approved 1/5/15 (R to NB)	Records available in approved meeting minutes of the Warren County Board of Commissioners	
10/6/15	10/6/15	Amended/revised per petition to rezone Tax Map 81-5A and approved 10/6/15 (RL to AR)	Records available in approved meeting minutes of the Warren County Board of Commissioners	
2/6/17	2/6/17	Amended/revised per petition to rezone Tax Map 93A-2A1 and approved 2/6/17 (RL to LI)	Records available in approved meeting minutes of the Warren County Board of Commissioners	
6/4/18	6/4/18	Amended/revised per petition to rezone Tax Map 12C-72, 12C-73 and approved 6/4/18 (RL to LI)	Records available in approved meeting minutes of the Warren County Board of Commissioners	
1/7/19	1/7/19	Amended/revised per petition to rezone Tax Maps 93C-6, 93A-3L, 93A-3A and approved 1/7/19 (R to LI)	Records available in approved meeting minutes of the Warren County Board of Commissioners	
1/16/19	1/16/19	Map Amended/revised to expand zoning countywide per unanimous vote of the Board of Commissioners - adopted and effective as of 1/16/19	Records available in approved meeting minutes of the Warren County Board of Commissioners	

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Map created per Warren County, NC GIS (Planning/Zoning and Code Enforcement Department).
Data source: Warren County, NC GIS (map scale and data reflects best available data).

Legend

- Primary/Secondary Roads (County-State-U.S.)
- Surface Waters
- L-B (Lakeside Business)
- N-B (Neighborhood Business)
- T-C (Tent-Trailer Camp)
- G-C (Group Camp)
- R-L (Residential Lakeside)
- R (Residential)
- R (Residential)
- L-I (Light Industrial)

Municipalities

Incorporated Limits

- Macon
- Norlina
- Warrenton
- Town of Norlina ETJ
- Town of Warrenton ETJ
- H-B (Heavy Business)
- A-R (Agricultural Residential)
- SFHA (Special Flood Hazard Areas)

Chairman
Warren County Board of Commissioners

ATTEST: _____ Clerk
Warren County Board of Commissioners

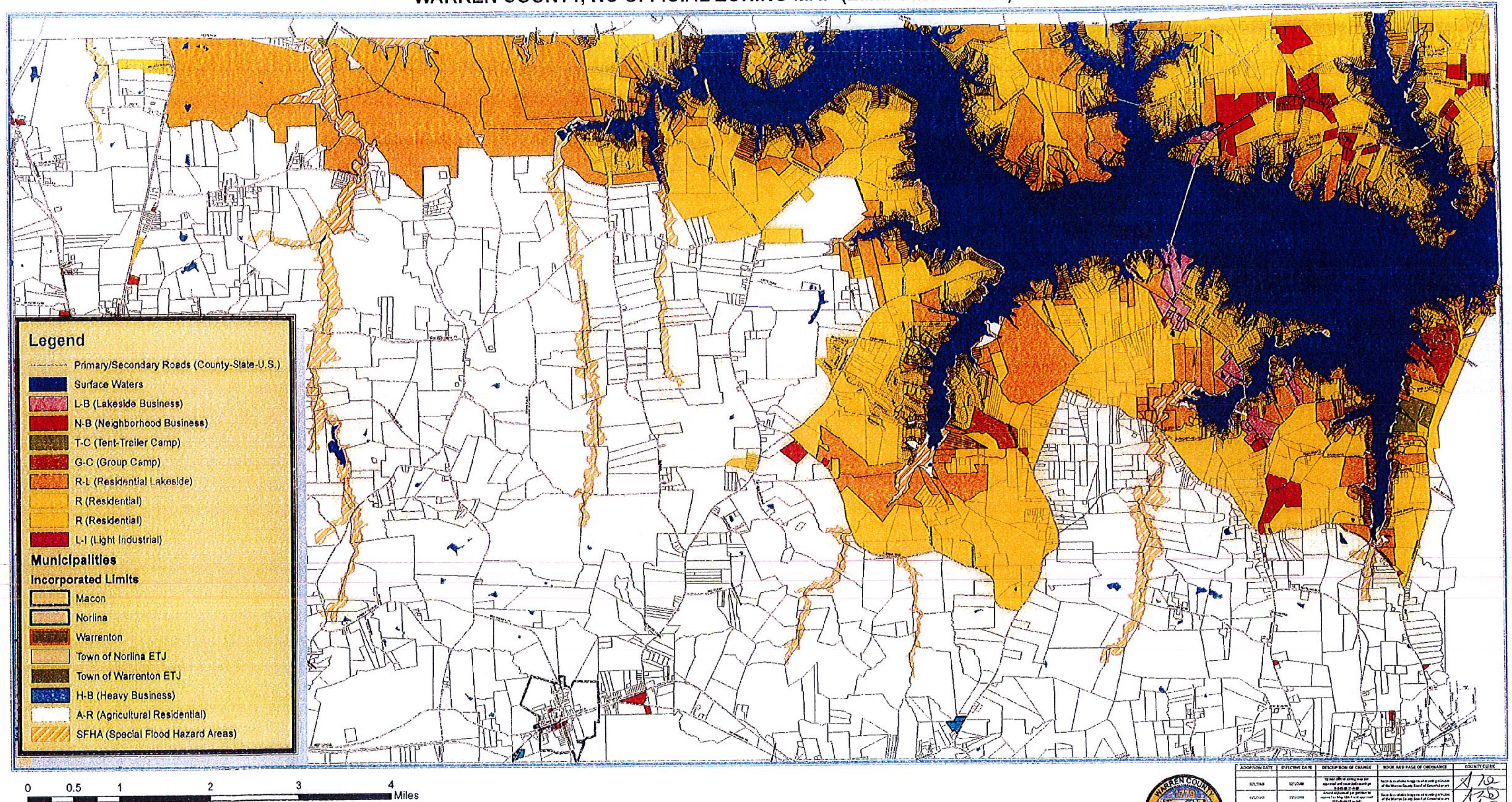
"THIS IS TO CERTIFY THAT THIS IS THE OFFICIAL ZONING MAP OF THE ZONING ORDINANCE FOR WARREN COUNTY NORTH CAROLINA. THIS MAP REVISED/ADOPTED JANUARY 16, 2019 BY THE WARREN COUNTY BOARD OF COMMISSIONERS, SUPERSEDES/REPLACES ALL PRIOR OFFICIAL ZONING MAPS AND SHALL TAKE EFFECT AND BE IN FORCE ON AND AFTER JANUARY 16, 2019."

N W E S

Consistency Statement:

The Warren County Board of Commissioners has determined that the proposed map amendment to expand the current zoning ordinance and districts countywide (outside of the areas of Kerr-Lake, Lake Gaston and not including the Towns of Warranton and Norlina and their respective ETJ's) at the request of Warren County residents, is consistent with the current Warren County Comprehensive Development Plan (adopted March 11, 2002) and that the proposed map amendment is reasonable and in the public interest. A key goal stated in the Warren County Comprehensive Development Plan (adopted March 11, 2002) is to provide and maintain, adequate county services and facilities to accommodate economic development and growth and to protect the public health and general welfare. In adopting zoning countywide, consistent with the stated plan this action would aid in preventing potential incompatible land uses from impacting communities in Warren County. Further, the Board of Commissioners finds that this map amendment is consistent with the Warren County Zoning Ordinance."

WARREN COUNTY, NC OFFICIAL ZONING MAP (Lake Gaston Area)



Map created per Warren County, NC GIS (Planning/Zoning and Code Enforcement Department).
Data source: Warren County, NC GIS (map scale and data reflects best available data).

Chairman
Warren County Board of Commissioners

ATTEST:
Clerk
Warren County Board of Commissioners

"THIS IS TO CERTIFY THAT THIS IS THE OFFICIAL ZONING MAP OF THE ZONING ORDINANCE FOR WARREN COUNTY NORTH CAROLINA. THIS MAP REVISED/ADOPTED JANUARY 16, 2019 BY THE WARREN COUNTY BOARD OF COMMISSIONERS, SUPERSEDES/REPLACES ALL PRIOR OFFICIAL ZONING MAPS AND SHALL TAKE EFFECT AND BE IN FORCE ON AND AFTER JANUARY 16, 2019."

WARREN COUNTY 1779 NORTH CAROLINA

N W E S

ADOPTION DATE	EFFECTIVE DATE	DESCRIPTION OF CHANGE	BOOK AND PAGE OF ORDINANCE	COUNTY CLERK
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[illegible]	[illegible]	[illegible]	[illegible]	[illegible]

Consistency Statement:

The Warren County Board of Commissioners has determined that the proposed map amendment to expand the current zoning ordinance and districts countywide (outside of the areas of Kerr-Lake, Lake Gaston and not including the Towns of Warrenton and Norlina and their respective ETJ's) at the request of Warren County residents, is consistent with the current Warren County Comprehensive Development Plan (adopted March 11, 2002) and that the proposed map amendment is reasonable and in the public interest. A key goal stated in the Warren County Comprehensive Development Plan (adopted March 11, 2002) is to provide and maintain, adequate county services and facilities to accommodate economic development and growth and to protect the public health and general welfare. In adopting zoning countywide, consistent with the stated plan this action would aid in preventing potential incompatible land uses from impacting communities in Warren County. Further, the Board of Commissioners finds that this map amendment is consistent with the Warren County Zoning Ordinance."