

1 19A NCAC 02E .0301 is proposed for readoption without substantive changes as follows:

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3 **19A NCAC 02E .0301 UNZONED INDUSTRIAL AREA**

4 (a) For purposes of ~~this Section and the Junkyard Control Act, unzoned industrial area shall mean~~ “Unzoned industrial
5 area” means the land occupied by ~~the regularly used~~ an industrial activity, including its building, parking lot, storage
6 or ~~processing, processing area of an industrial activity,~~ and that land located within 1,000 feet thereof ~~which that~~ is:

- 7 (1) located on the same side of the highway as the principal part of ~~said~~ the industrial activity; and
8 (2) not ~~predominantly~~ used for residential or commercial purposes; and
9 (3) not zoned by ~~state~~ State or local law, ~~regulation~~ regulation, or ordinance.

10 (b) ~~For the purposes of this section and the Junkyard Control Act, "Industrial activity" activities, for purposes of this~~
11 ~~definition, shall mean those permitted only in industrial zones, or in less restrictive zones by means an activity that~~
12 ~~the nearest zoning authority within the state, or State permits in industrial zones or zones that are less restrictive. An~~
13 ~~activity is also industrial if the nearest zoning authority within the State has prohibited the activity by said authority~~
14 ~~but the activity is generally recognized as industrial by other zoning authorities within the State. state, except that none~~
15 None of the following shall be considered industrial activities:

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

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29 *History Note: Authority G.S. 136-151; 23 U.S.C. § 136;*
30 *Eff. July 1, 1978;*
31 *Amended Eff. December 1, 1993.*