

**AN ORDINANCE TO AMEND
THE SURRY COUNTY
ZONING ORDINANCE**

WHEREAS, pursuant to N.C Gen. Statute 153A-342, as amended and for the purpose of promoting the health, safety, morals, or general welfare of the inhabitants of the County by lessening congestion in and around the streets; securing safety; preventing the overcrowding of land; avoiding undue congestion; and facilitating the adequate provision of transportation,

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the County of Surry that the Surry County Zoning Ordinance be amended as follows:

1. Replace Section 6.A. of Article 17 with the following:

Section 6. Motor Vehicle Storage

A. Rural Agricultural, Residential, Conservation, and Mixed Use Districts

Only motor vehicles intended for personal use shall be parked or stored on any property zoned for residential use. Licensed personal motor vehicles in good running condition, and project motor vehicles inside permanent conforming structures, shall not be subject to the provisions of this Section. Project motor vehicles stored outdoors, or stored in any way other than inside permanent conforming structures, shall be treated as equal to junked motor vehicles as provided in (2) below.

The Zoning Administrator shall enforce the following, intended to maintain a pleasant neighborhood appearance; to discourage potential health and safety hazards; and to mitigate negative impact on property values and quality of life resulting from excessive or inappropriate motor vehicle storage in these districts:

1. No storage of commercial inventory whatsoever shall be permitted. However, commercial trucks or vans driven home from the workplace by employees shall be allowed to be parked or stored in these districts.
2. No more than one (1) junked motor vehicle per acre, up to a maximum of five (5) junked motor vehicles on larger properties, may be stored on any lot in these districts.
3. No junked vehicle may be parked or stored in these districts at a distance closer to any road than the distance from any dwelling to that road.
4. Junked motor vehicles may be parked or stored in these districts as limited in (2.) and (3.) above, provided that no part of a junked motor vehicle shall be visible from a publicly maintained road or right-of-way. In such cases the vehicles shall be screened year-round from public view in a manner consistent with the purpose and visual character of these districts. The following methods of screening may be utilized: Existing structures and appurtenances built or installed for customary residential use; topographic and other natural features; dense wooded areas; and/or other naturally occurring dense vegetation, excluding weeds and high grass. The Zoning Administrator or his/her designee may approve other similar means of screening the vehicles, if it is determined that the intent of this Section would not be violated.
5. On any residential lot in these districts, one (1) unlicensed motor vehicle in good running condition, per occupied dwelling, may be stored on a gravelled or paved driveway that is provided for customary residential use in the estimation of the Zoning Administrator or his/her designee. Otherwise, unlicensed motor vehicles may be stored in these districts only where they cannot be seen from any publicly maintained road or right-of-way.

2. Amend Article 30 as follows:

A. Delete existing definition for INOPERATIVE OR UNLICENSED VEHICLES.

B. Replace existing definition for MOTOR VEHICLE with the following:

MOTOR VEHICLE. Any machine propelled by power other than human power, requiring for use a license tag and registration by the NCDOT, Division of Motor Vehicles, and designed to travel upon the highways and public streets by the use of wheels, treads, self-laying tracks, runners, slides or skids; including but not limited to automobiles, trucks, motorcycles, motor scooters, campers, tractors, trailers, and any part of the same.

C. Add a definition for JUNKED MOTOR VEHICLE as follows:

MOTOR VEHICLE, JUNKED. An unlicensed motor vehicle of any age that is damaged or defective in any one or combination of any of the following ways that either makes the vehicle immediately inoperable, or would prohibit the vehicle from being operated in a reasonably safe manner upon the public streets and highways under its own power if self-propelled, or while

being towed or pushed, if not designed to be self-propelled:

- (1) Flat tires, missing tires, missing wheels, or missing or partially or totally disassembled tires and wheels;
- (2) Missing or partially or totally disassembled essential part or parts of the vehicle's drive train, including, but not limited to, engine, transmission, transaxle, drive shaft, differential, or axle.
- (3) Extensive exterior body damage or missing or partially or totally disassembled essential body parts, including, but not limited to, fenders, doors, engine hood, bumper or bumpers, windshield, or windows.
- (4) Missing or partially or totally disassembled essential interior parts, including, but not limited to, driver's seat, steering wheel, instrument panel, clutch, brake, gear shift lever.
- (5) Missing or partially or totally disassembled parts essential to the starting or running of the vehicle under its own power, including, but not limited to, starter, generator or alternator, battery, distributor, gas tank, carburetor or fuel injection system, spark plugs, or radiator.
- (6) Interior is a container for metal, glass, paper, rags or other cloth, wood, auto parts, machinery, waste or discarded materials in such quantity, quality and arrangement that a driver cannot be properly seated in the vehicle;
- (7) Lying on the ground (upside down, on its side, or at other extreme angle), sitting on block or suspended in the air by any other method.
- (8) General environment in which the vehicle sits, including, but not limited to, vegetation that has grown up around, in or through the vehicle, the collection of pools of water in the vehicle, and the accumulation of other garbage or debris around the vehicle.

D. Add a definition for PROJECT MOTOR VEHICLE AS FOLLOWS:

MOTOR VEHICLE, PROJECT. A project motor vehicle is an unlicensed motor vehicle that is temporarily inoperable and is stored on residential premises during an active process of restoration by the owner for personal use.

E. Add a definition for UNLICENSED MOTOR VEHICLE as follows:

MOTOR VEHICLE, UNLICENSED. A motor vehicle that does not display current and valid license information issued by the NCDOT, Division of Motor Vehicles, in the manner and form prescribed by that agency.

This ordinance shall become effective on the date of its adoption.

Adopted this Twentieth day of July, 2009.

ATTEST:

Craig Hunter, Chairman

Conchita Atkins, Clerk to the Board