

Warren County

We need county-wide zoning.

The issue came to light recently when a neighbor in the Afton area of Warren County opened up a drag strip for ATV and motorcycles. The business, Country Boys Racing, is in a residential area and the noise can be heard two miles away.

Lake property owners need to learn about this issue. Although most of the properties around the Lake are zoned Residential Lakeside or Lakeside Business, these zoned areas abut the un-zoned part of Warren County. Property owners in these un-zoned parts of the county can start up High Impact Land Use (HILU) operations with very little notice or opportunity for public comment.

High Impact Land Use operations, as in the ATV race track can be heard for two miles. HILU Operations in the un-zoned areas of the county near the lake could significantly decrease the peace and quiet, our enjoyment of the lake, and significantly reduce our property values.

See the attached pdf showing Lake are zoning. The white (or non-colored areas) are the un-zoned part of Warren County.

High Impact Land Use operations include drag strips, race tracks, swine operations, waste processing facilities, and landfills that can operate with no noise limitation from as early as 8:00 am until 11:00 pm. See more information below.

Please support and request county-wide zoning in Warren County. Requests should be sent to the Warren County Planner, Ken Krulik, at 257-7027 extension 30. email is: [kenkrulik@warrencountync.gov](mailto:kenkrulik@warrencountync.gov).

A special meeting of the Planning Board is scheduled for August 14. Once the Planning Board has received enough support for county-wide zoning, the Planning Board will schedule a public hearing. We will need as many people as possible to turn out for the hearings in support of county-wide zoning.

Here is a more detailed explanation of the issue:

The Warren County Noise Pollution Ordinance was adopted January 3, 2011. The ordinance is titled WARREN COUNTY ORDINANCE FOR THE REGULATON OF SOUND CROSSING REAL PROPERTY BOUNDARIES INCLUDING HIGH IMPACT LAND USES & POLLUTING INDUSTRIES.

This is the link to the Warren County, NC Noise Pollution ordinance. <https://www.warrencountync.com/DocumentCenter/View/2180/Noise-Ordinance-1-3-2011-PDF>

From the title of the document, one might assume that High Impact Land Uses and Polluting Industries are regulated and controlled by this ordinance. They are not. In fact they are exempt from noise limitations including “objectionable (and even unsafe) levels of noise, odors,…” during their business hours, due to the nature of their operations. Section 4, F states that High Impact Land Use facilities are not subject to Decibel Reading measurements during HILU Daytime Hours.

The definitions in Section 3, 9 -11 are critically important!  
The below screen shot is from the Noise Ordinance Definitions.

- 9) **High Impact Land Use (“HILU”).** Land use that may, by its very nature, produce objectionable (and even unsafe) levels of noise, odors, vibrations, fumes, light, smoke, and/or other impacts upon the lands adjacent to them. Such HILU shall include, but not be limited to the following:
- a) **Construction and Demolition Landfill.** A disposal site for solid waste resulting from construction, remodeling, repair, or demolition operations on pavement, buildings, other structures, or other structures, including but not limited to such as may be contributed by the County of Warren, the North Carolina Department of Environment and Natural Resources, and/or the North Carolina Department of Transportation.
  - b) **Drag strip and/or Race track.** A facility purposed for the conducting of races of human-operated machines (e.g. automobiles, go-carts, lawnmowers, motorcycles, etc.)
  - c) **Sanitary Landfill.** A disposal facility or part of a facility where waste is placed in or on land and that is not a land treatment facility, surface impoundment, an injection well, a hazardous waste long-term storage facility or a surface storage facility; a sanitary landfill facility is for solid waste disposal in a sanitary manner in accordance with the rules concerning sanitary landfills adopted pursuant to N.C.G.S. § 130A, Article 9.
  - d) **Swine Farm.** A tract of land devoted to raising 200 or more animals of the porcine species.
  - e) **Waste Processing Facilities.** Includes incinerator, composting facility, household hazardous waste facility, waste-to-energy facility, transfer stations, reclamation facility or any other locations where solid wastes are consolidated, temporarily stored, salvaged or otherwise processed prior to being transported to a final disposal site.
- 10) **HI LU Daytime Hours.** 8:00 a.m. until 10:00 p.m. from Monday through Thursday. For the days of Friday HILU daytime hours are defined as 8:00 a.m. until 11:00 p.m. For the days of Saturday, daytime hours are defined as 9:00 a.m. until 11:00 p.m. For the days of Sundays, HILU daytime hours are defined as 10:00 a.m. until 9:00 p.m.
- 11) **HILU Nighttime Hours.** 10:01 p.m. beginning Monday and ending 7:59 a.m. Friday. For Friday nights, nighttime is defined as 11:01 p.m. until 8:59 a.m. Saturday. For Saturday nights, nighttime is defined as 11:01 p.m. until 9:59 a.m. Sunday.

This means that businesses such as drag strips, race tracks, swine operations, waste processing facilities, and landfills can operate between the hours Monday through Thursday from 8:00 am until 10:00 pm, Fridays from 9:00 am until 11:00 pm, Saturday from 9:00 am until 11:00 pm and Sunday from 10:00 am until 9:00 pm. During that time they can “produce objectionable (and even unsafe) levels of noise, odors,...” without limitation.

The Warren County North Carolina Zoning Ordinance, adopted May 2, 2018 defines the businesses/operations that are permitted within zoned areas of the county. This document does NOT regulate operations within un-zoned areas of the county.

Noise from High Impact Land Use Operations may have a significant negative impact on the peace and quiet, enjoyment of our properties, and property values within a two (2) mile radius of the HILU operation.

Therefore, property owners within the zoned areas of Warren County have a vested interest in encouraging and supporting county wide zoning. Contact the Warren County Planning Office and voice your support for county-wide zoning.