

for unsightly and unhealthy collections of refuse. *Junk car* and abandoned car ordinances limit keeping inoperable vehicles on a site.

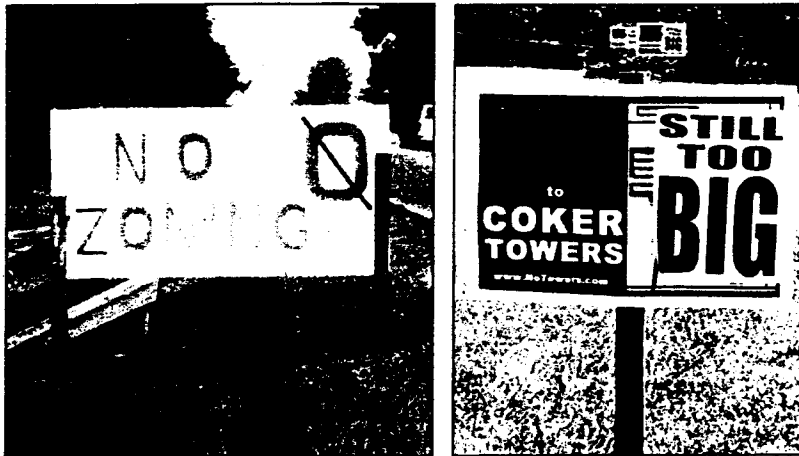
Other ordinances set standards for typical land uses (and are particularly common in unzoned areas). *Mobile home park* ordinances often set standards for lot size, density, and internal street width and paving where there are a specified number of adjacent manufactured home sites under common ownership or management. *Sign* ordinances set specifications on what types of signs are allowed and may include standards on their size, height, or illumination. *Junkyard* ordinances often set standards for fencing and security and limit large collections of junk or junked cars in inappropriate locations. *Adult entertainment* ordinances often set both location standards (typically minimum separations from each other and from sensitive land uses) and operational standards (such as limits on hours of operation, open-booth requirements, lighting standards, and licensing of employees and owners).

Still other ordinances protect natural resources. *Sedimentation control* ordinances regulate construction sites to keep soil from eroding. *Stormwater control* ordinances set minimum standards for retention of stormwater on site and its controlled release to avoid contamination of surface waters. *Flood hazard* ordinances limit construction in floodways and set minimum construction standards for structures in the wider floodplain (such as elevation of the lowest habitable floor above the 100-year flood level). *Tree protection* ordinances limit the removal of large trees and set standards for landscaping cut-over areas.

In recent years, some local governments have attempted to simplify development regulation by consolidating zoning and other related ordinances into a single, *unified development* ordinance. There has also been a move to develop common development regulations among neighboring jurisdictions, such as having several contiguous cities and the county in which they are located all adopt a common zoning and development ordinance.

### **Restrictive Covenants**

In addition to land use restrictions imposed by government, private agreements such as restrictive covenants or deed restrictions can limit how land is used. For example, the developer of a new residential subdivision may establish restrictive covenants that set a minimum size for houses, limit architectural styles, or restrict where recreational vehicles may be stored on a lot. Such covenants are often more strict than local zoning requirements.



**Figure 22** Zoning is often controversial. The sign at left objects to extension of zoning to rural portions of Watauga County. The sign at right urges the Raleigh city council to use zoning to stop a proposed mixed use development.

For the most part these restrictive covenants are legal and enforceable. There are limits to restrictive covenants, as they must not violate state law or public policy. An example of an illegal covenant would be one that restricts sale of a house to buyers of a certain race.

The enforcement of restrictive covenants is a private matter and the zoning officer is not involved. If a landowner feels someone is violating the covenants, he or she can sue that person to compel compliance. The government, however, does not cite that person for a violation of city or county ordinances. If the zoning ordinance and restrictive covenants conflict, the rule is that the more restrictive provision is controlling (but again, the government only enforces the ordinance requirement and the private owners enforce the covenant requirements).