

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

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SENATE DRS25109-ST-26 (01/29)

Short Title: Zoning Changes/Majority Rule.

(Public)

Sponsors: Senators Wells, Lee, and Smith (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO RESTORE MAJORITY RULE TO MUNICIPAL ZONING ORDINANCE  
3 AMENDMENTS BY REPEAL OF THE QUALIFIED PROTEST PETITION PROCESS.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 160A-385(a) is repealed.

6 **SECTION 2.** G.S. 160A-386 is repealed.

7 **SECTION 3.** G.S. 122C-403(3) reads as rewritten:

8 "(3) Regulate the development of the reservation in accordance with the powers  
9 granted in Article 19, Parts 2, 3, 3C, 5, 6, and 7, of Chapter 160A of the  
10 General Statutes. The Secretary may not, however, grant a special use  
11 permit, a conditional use permit, or a special exception under Part 3 of that  
12 Article. In addition, the Secretary is not required to notify landowners of  
13 zoning classification actions under G.S. 160A-384, ~~and the protest petition~~  
14 ~~requirements in G.S. 160A-385, and 160A-386 do not apply,~~ but the  
15 Secretary shall give the mayor of the Town of Butner at least 14 days'  
16 advance written notice of any proposed zoning change. The Secretary may  
17 designate Advisory establish a board to act like a Board of Adjustment to  
18 make recommendations to the Secretary concerning implementation of plans  
19 for the development of the reservation. When acting as a Board of  
20 Adjustment, Advisory that board shall be subject to subsections (b), (c), (d),  
21 (f), and (g) of G.S. 160A-388."

22 **SECTION 4.** This act also repeals any local act authority for submission, review,  
23 or action by any municipality upon any zoning protest petition, whether or not enacted as a  
24 provision in a municipal charter.

25 **SECTION 5.** This act becomes effective July 1, 2015, and applies to zoning  
26 ordinance changes adopted on or after that date.



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