

GENERAL ASSEMBLY OF NORTH CAROLINA
1985 SESSION

CHAPTER 333
HOUSE BILL 449

AN ACT RELATING TO ZONING BY WAKE COUNTY.

The General Assembly of North Carolina enacts:

Section 1. In addition to the authority conferred upon it by general and local law, the County of Wake may create by legislative process general use districts, in which a variety of general and special uses are permitted; special use zoning districts, in which limited uses are permitted only as special uses; and overlay zoning districts which may be applied coincidentally with general or special use districts and which may impose additional regulations on all or part of the underlying district or districts. The County of Wake may promulgate transitional zoning regulations to minimize the effect of potential or proposed development upon dissimilar adjoining districts or uses.

A person petitioning for rezoning of a tract of land where special use districts are authorized by ordinance may elect to request a general use district, a special use district, or an overlay district for the tract. If the petitioner requests a general use or an overlay district zoning and if the petition is approved, the rezoned property may be used for any of the uses permitted in the applicable general use or overlay district. If the petitioner requests special use district zoning, the petition must specify the proposed use or uses for all property specified in the petition and must specify all State and local development regulations which will apply to the property if developed as proposed. The use or uses proposed for a special use district must be permitted uses in the corresponding general use district.

It is the further intent of this section to authorize the creation of districts for specific uses and the imposition of reasonable conditions in order to secure the public health, safety and welfare, and to ensure that substantial justice be done.

Sec. 2. This act applies to Wake County only.

Sec. 3. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 6th day of June, 1985.