

GENERAL ASSEMBLY OF NORTH CAROLINA  
1985 SESSION

CHAPTER 49  
HOUSE BILL 217

AN ACT TO AMEND THE RALEIGH CITY CHARTER CONCERNING ZONING.

The General Assembly of North Carolina enacts:

Section 1. The Charter of the City of Raleigh, Chapter 1184 of the Session Laws of 1949 is amended by substituting a semicolon for the period after the last sentence of Section 100(b) and adding the following language to that section:

"however, the city council may provide for the creation of conditional use zoning districts, and overlay zoning districts and transitional zoning regulations, in addition to general use districts.

It is the purpose and intent of this section to permit the City to create, through the legislative process, general use districts, in which a variety of uses are permitted; conditional use districts, in which limited uses are permitted only upon approval by the City; and overlay zoning districts, which are applied coincidental with a general or conditional use district. Said overlay zoning districts may impose additional regulations on some property within the underlying general or conditional use district and not on all properties within those districts.

A person petitioning for rezoning of a tract of land where conditional use districts or overlay districts are authorized by ordinance, may elect to request a general use district, a conditional use district, or an overlay district for the tract.

If the petitioner elects to petition for the general use or 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 elects to petition for conditional use district zoning, the petition must specify the actual use or uses, and all other development regulations authorized by State law, which are intended for the property specified in the petition. The intended use or uses and development regulations must be permitted in the corresponding general use district. If the petition is for conditional use district zoning, the city council is to approve or disapprove the petition on the basis of the specific use or uses and development regulations requested."

Sec. 2. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 1st day of April, 1985.