

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 1035

Short Title: 3/4 Vote on "Down Zoning".

(Public)

Sponsors: Representatives Grimmer; Abernethy, Balmer, Bowie, Brubaker, Cooper, Craven, J. Crawford, Culp, Dawkins, Dickson, Diggs, Easterling, Flaherty, Foster, Grady, Hasty, Hege, Huffman, Kimsey, Ligon, Lilley, Lineberry, Loflin, McLaughlin, Miller, Mills, Nesbitt, Pope, Privette, Redwine, Rhyne, Robinson, and Sizemore.

Referred to: Government.

April 6, 1989

A BILL TO BE ENTITLED

AN ACT TO REQUIRE A THREE-FOURTHS MAJORITY VOTE ON ANY INVOLUNTARY "DOWN ZONING" OF PROPERTY.

The General Assembly of North Carolina enacts:

Section 1. G.S. 160A-385 is amended by adding a new subsection to read:

"(a1) All cities shall adopt rules providing that no action 'down zoning' or rezoning a property to a less intense use, to which the owner of the subject property does not consent, shall be effective unless three-fourths of all members of the city council vote in favor of the action."

Sec. 2. G.S. 153A-344 is amended by adding a new subsection to read:

"(c) All counties shall adopt rules providing that no action 'down zoning' or rezoning a property to a less intense use, to which the owner of the subject property does not consent, shall be effective unless three-fourths of all members of the board of county commissioners vote in favor of the action."

Sec. 3. This act is effective upon ratification.