

GENERAL ASSEMBLY OF NORTH CAROLINA
1993 SESSION

CHAPTER 264
HOUSE BILL 687

AN ACT TO AMEND THE CHARTER OF THE CITY OF DURHAM TO AUTHORIZE THE CITY COUNCIL TO DELEGATE TO THE PLANNING COMMISSION AUTHORITY TO REZONE PROPERTY SUBJECT TO CERTAIN RIGHTS OF APPEAL.

The General Assembly of North Carolina enacts:

Section 1. The Charter of the City of Durham, being Chapter 671 of the 1975 Session Laws, as amended, is amended by adding a new section to read as follows:

"Sec. 94.4. **Planning Commission Rezoning Authority.** The City Council may, by ordinance, delegate to the Durham Planning Commission, a commission established by the County of Durham and City of Durham pursuant to Article 20 of Chapter 160A of the General Statutes, or to any successor commission, board, or agency created by the City pursuant to G.S. 160A-361, the power and authority to rezone property. Such an ordinance shall provide for rights of appeal to the City Council or review by the City Council. Appeal may be taken by: (i) the person who petitioned for the rezoning; (ii) any resident of the City of Durham; or (iii) any person who the zoning ordinance required to be provided notice of the rezoning. Any authority so granted to the Durham Planning Commission, or its successor, shall be exercised under such rules and regulations as may be established by the City Council."

Sec. 2. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 1st day of July, 1993.

Dennis A. Wicker
President of the Senate

Daniel Blue, Jr.
Speaker of the House of Representatives