

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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SENATE BILL 872

Short Title: Family Care Home/Residential Use.

(Public)

Sponsors: Senators Carpenter, Conder; Lee, Codington, Walker, Ward, Harris, and Martin of Pitt.

Referred to: Children and Human Resources.

April 15, 1993

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT FAMILY CARE HOMES SHALL BE TREATED AS RESIDENCES FOR PURPOSES IN ADDITION TO ZONING.

The General Assembly of North Carolina enacts:

Section 1. G.S. 168-22 reads as rewritten:

"§ 168-22. ~~Zoning; family care home.~~ **Family care home; zoning and other purposes.**

(a) A family care home shall be deemed a residential use of property for zoning purposes and shall be a permissible use in all residential districts of all political subdivisions. No political subdivision may require that a family care home, its owner, or operator obtain, because of the use, a conditional use permit, special use permit, special exception or variance from any such zoning ordinance or plan; provided, however, that a political subdivision may prohibit a family care home from being located within a one-half mile radius of an existing family care home.

(b) A family care home shall be deemed a residential use of property for the purposes of determining charges or assessments imposed by political subdivisions or businesses for water, sewer, power, telephone service, cable television, garbage and trash collection, repairs or improvements to roads, streets, and sidewalks, and other services, utilities, and improvements, and for purposes of classification for insurance."

Sec. 2. This act is effective upon ratification.