

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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HOUSE BILL 692

Short Title: Wake Rezoning Notices.

(Local)

Sponsors: Representative Ellis.

Referred to: Local and Regional Government I.

March 30, 1995

A BILL TO BE ENTITLED

1 AN ACT ALLOWING WAKE COUNTY TO USE ALTERNATIVE METHODS OF
2 NOTIFICATION OF PROPERTY OWNERS OF PROPOSED ZONING NOTICE
3 CHANGES.
4

5 The General Assembly of North Carolina enacts:

6 Section 1. G.S. 153B-343(b) reads as rewritten:

7 "(b) The first class mail notice required under subsection (a) of this section shall not
8 be required in the following situations:

9 (1) The total rezoning of all property within the boundaries of a county or a
10 zoning area as defined in G.S. 153A-342 unless rezoning involves
11 zoning of parcels of land to less intense or more restrictive uses. If
12 rezoning involves zoning of parcels of land to less intense or more
13 restrictive uses, notification to owners of these parcels shall be made by
14 mail in accordance with subsection (a) of this section;

15 (2) The zoning is an initial zoning of the entire zoning jurisdiction area;

16 (3) The zoning reclassification action directly affects more than 50
17 properties, owned by a total of at least 50 different property owners;

18 (4) The reclassification is an amendment to the zoning text; or

19 (5) The county is adopting a water supply watershed protection program as
20 required by G.S. 143-214.5.

1 In any case where this subsection eliminates the notice required by subsection (a) of this
2 section, a county ~~shall~~ may, at its option, provide said notice or publish once a week for
3 four successive calendar weeks in a newspaper having general circulation in the area
4 maps showing the boundaries of the area affected by the proposed ordinance or
5 amendment. The map shall not be less than one-half of a newspaper page in size. The
6 notice shall only be effective for property owners who reside in the area of general
7 circulation of the newspaper which publishes the notice. Property owners who reside
8 outside of the county's jurisdiction or outside of the newspaper circulation area, according
9 to the address listed on the most recent property tax listing for the affected property, shall
10 be notified by mail pursuant to this section. The person or persons mailing the notices
11 shall certify to the board of commissioners that fact, and the certificates shall be deemed
12 conclusive in the absence of fraud. In addition to the ~~published~~ notice, a county shall post
13 one or more prominent signs immediately adjacent to the subject area reasonably
14 calculated to give public notice of the proposed rezoning."

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

16 Sec. 3. This act is effective upon ratification.