

GENERAL ASSEMBLY OF NORTH CAROLINA
1995 SESSION

CHAPTER 261
HOUSE BILL 692

AN ACT ALLOWING COUNTIES TO USE ALTERNATIVE METHODS OF
NOTIFICATION OF PROPERTY OWNERS OF PROPOSED ZONING NOTICE
CHANGES.

The General Assembly of North Carolina enacts:

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

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

- (1) The total rezoning of all property within the boundaries of a county or a zoning area as defined in G.S. 153A-342 unless rezoning involves zoning of parcels of land to less intense or more restrictive uses. If rezoning involves zoning of parcels of land to less intense or more restrictive uses, notification to owners of these parcels shall be made by mail in accordance with subsection (a) of this section;
- (2) The zoning is an initial zoning of the entire zoning jurisdiction area;
- (3) The zoning reclassification action directly affects more than 50 properties, owned by a total of at least 50 different property owners;
- (4) The reclassification is an amendment to the zoning text; or
- (5) The county is adopting a water supply watershed protection program as required by G.S. 143-214.5.

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

Sec. 2. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 15th day of June, 1995.

Dennis A. Wicker
President of the Senate

Harold J. Brubaker
Speaker of the House of Representatives