

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2013

H.B. 254  
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HOUSE PRINCIPAL CLERK

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HOUSE DRH70091-LR-38A (01/28)

Short Title: Zoning Changes/Notice to Military Bases. (Public)

Sponsors: Representatives Glazier and Lewis (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT AMENDING THE REQUIREMENTS RELATED TO NOTICE OF LAND USE  
3 PLANNING AND ZONING CHANGES TO BE GIVEN TO A MILITARY BASE BY  
4 COUNTIES OR CITIES NEAR THE MILITARY BASE.

5 The General Assembly of North Carolina enacts:

6 SECTION 1. G.S. 153A-323(b) reads as rewritten:

7 "(b) If the adoption or modification of the ordinance would result in changes to the  
8 zoning ~~map-map; or changes relating to proposed subdivisions, telecommunications towers, or~~  
9 windmills; or would change or affect the permitted uses of land located five miles or less from  
10 the perimeter boundary of a military base, the board of commissioners shall provide written  
11 notice of the proposed changes by certified mail, ~~return receipt requested~~ or by any other means  
12 reasonably designed to provide actual notice to the commander of the military base or the  
13 commander's designee not less than 10 days nor more than 25 days before the date fixed for the  
14 public hearing. If the military provides comments or analysis regarding the compatibility of the  
15 proposed ordinance or amendment with military operations at the base, the board of  
16 commissioners shall take the comments and analysis into consideration before making a final  
17 determination on the ordinance."

18 SECTION 2. G.S. 160A-364(b) reads as rewritten:

19 "(b) If the adoption or modification of the ordinance would result in changes to the  
20 zoning ~~map-map; or changes relating to proposed subdivisions, telecommunications towers, or~~  
21 windmills; or would change or affect the permitted uses of land located five miles or less from  
22 the perimeter boundary of a military base, the governing body of the local government shall  
23 provide written notice of the proposed changes by certified mail, ~~return receipt requested,~~ or by  
24 any other means reasonably designed to provide actual notice to the commander of the military  
25 base or the commander's designee not less than 10 days nor more than 25 days before the date  
26 fixed for the public hearing. If the military provides comments or analysis regarding the  
27 compatibility of the proposed ordinance or amendment with military operations at the base, the  
28 governing body of the local government shall take the comments and analysis into  
29 consideration before making a final determination on the ordinance."

30 SECTION 3. This act is effective when it becomes law and applies to planning and  
31 zoning changes initiated on or after that date.

