

March 28, 2007

**H 1168. PITT COUNTY PROTEST PETITIONS.** Filed 3/28/07. *AN ACT ADOPTING A PROTEST PETITION REQUIREMENT FOR PITT COUNTY.*

Provides that when a petition is filed protesting a proposed change in zoning regulations, restrictions, and boundaries, that has been signed by the owners of 20% or more of the lots included in the affected area or adjacent to those areas, the change does not become effective unless there is a favorable vote by three-fourths of the county commissioners. Provides that the requirement does not apply to amendments that initially zone property added to the territorial coverage of the ordinance or to amendments to an adopted special use or conditional use district if the amendment makes specified changes. Petitions must be received by the Board of Commissioners Clerk at least four workdays before the public hearing on the proposed change. Applies to Pitt County only.

**Intro. by E. Warren.**

PITT

April 26, 2007

**H 1168. PITT COUNTY PROTEST PETITIONS.** Filed 3/28/07. House committee substitute makes the following changes to 1st edition. Enacts new GS 153A-343.1, applicable to Pitt County only, modifying provisions of first edition to specify that the protest against a zoning map amendment must be a qualified protest. Specifies that owners of 5% of the 100-foot-wide buffer extending along the entire boundary of the area proposed to be rezoned may sign a petition to qualify as a protest. Retains provision that owners of 20% or more of the area included in the proposed rezoning may sign a qualified protest petition. Maintains the provision that the change does not become effective unless there is a favorable vote by three-fourths of the county commissioners but specifies that vacant board positions and members who are excused from voting are not to be considered board members for the purpose of calculating the requisite three-fourths majority. Provides criteria governing when amendments in zoning ordinances are not applicable or enforceable without the consent of the building owner. Provides that petitions must be received by the Board of Commissioners Clerk at least five workdays before the public hearing on the proposed change, and allows the county commissioners to require that all protest petitions be on a form prescribed by the county. Allows an individual who has signed a protest petition withdraw the individual's name at any time prior to the vote on the proposed zoning amendment. Applies to Pitt County only