

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2013

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HOUSE BILL 254  
PROPOSED COMMITTEE SUBSTITUTE H254-PCS30275-SV-10

Short Title: Zoning Changes/Notice to Military Bases.

(Public)

Sponsors:

Referred to:

March 11, 2013

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 any of the changes  
8 to the zoning map or would change or affect the permitted uses of land listed in this subsection  
9 and those changes would be located five miles or less from the perimeter boundary of a military  
10 base, the board of commissioners shall provide written notice of the proposed changes by  
11 certified mail, return receipt requested, or by any other written means reasonably designed to  
12 provide actual notice, to the commander of the military base or the commander's designee not  
13 less than 10 days nor more than 25 days before the date fixed for the public hearing. Prior to the  
14 date of the public hearing, the military may provide comments or analysis to the board  
15 regarding the compatibility of the proposed changes with military operations at the base. If the  
16 board does not receive a response within 30 days of the notice, the military is deemed to waive  
17 the comment period. If the military provides comments or analysis regarding the compatibility  
18 of the proposed ordinance or amendment with military operations at the base, the board of  
19 commissioners shall take the comments and analysis into consideration before making a final  
20 determination on the ordinance. The proposed changes requiring notice are:

- 21 (1) Changes to the zoning map.  
22 (2) Changes that affect the permitted uses of land.  
23 (3) Changes relating to telecommunications towers or windmills.  
24 (4) Changes to proposed new major subdivision preliminary plats.  
25 (5) An increase in the size of an approved subdivision by more than fifty percent  
26 (50%) of the subdivision's total land area."

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

28 "(b) If the adoption or modification of the ordinance would result in any of the changes  
29 to the zoning map or would change or affect the permitted uses of land listed in this subsection  
30 and those changes would be located five miles or less from the perimeter boundary of a military  
31 base, the board of commissioners shall provide written notice of the proposed changes by  
32 certified mail, return receipt requested, or by any other written means reasonably designed to  
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11 (50%) of the subdivision's total land area."

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