

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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HOUSE BILL 531
Committee Substitute Favorable 4/15/13
PROPOSED COMMITTEE SUBSTITUTE H531-PCS30485-LB-17

Short Title: ETJ/Zoning-Weaverville & Buncombe/Correction.

(Local)

Sponsors:

Referred to:

April 4, 2013

1 A BILL TO BE ENTITLED
2 AN ACT TO AMEND THE EXTRATERRITORIAL JURISDICTION AUTHORITY OF THE
3 TOWN OF WEAVERVILLE, TO MAKE A SIMILAR TECHNICAL CORRECTION AS
4 TO THE CITY OF ASHEVILLE, AND TO ALLOW THE COUNTY OF BUNCOMBE
5 TO ZONE CERTAIN DONUT HOLES.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.(a)** G.S. 160A-360 is amended by adding a new subsection to read:

8 "(n) The Town of Weaverville shall have no authority to exercise any power under this
9 section outside its corporate limits."

10 **SECTION 1.(b)** Upon relinquishment of the jurisdiction over an area that the
11 Town of Weaverville is regulating under Article 19 of Chapter 160A of the General Statutes,
12 the city regulations and powers of enforcement shall remain in effect until (i) Buncombe
13 County has adopted the regulation or (ii) a period of 120 days has elapsed following the
14 effective date of this act, whichever is sooner. During this period, Buncombe County may hold
15 hearings and take other measures that may be required in order to adopt county regulations for
16 the area.

17 **SECTION 1.(c)** Notwithstanding this section of this act, Buncombe County shall
18 have the authority to continue to appoint residents of the County who reside within one mile of
19 the municipal limits of the Town of Weaverville, as if G.S. 160A-362 applied.

20 **SECTION 1.(d)** This section applies to the Town of Weaverville only.

21 **SECTION 2.** G.S. 160A-360(m), as it applies to the City of Asheville under S.L.
22 2013-30, reads as rewritten:

23 "(m) The City of Asheville shall have no authority to exercise any power under this
24 ~~section.~~section outside its corporate limits."

25 **SECTION 3.(a)** G.S. 153A-342(d) reads as rewritten:

26 "(d) A county may determine that the public interest does not require that the entire
27 territorial jurisdiction of the county be zoned and may designate one or more portions of that
28 jurisdiction as a zoning area or areas. ~~A zoning area must originally contain at least 640 acres~~
29 ~~and at least 10 separate tracts of land in separate ownership and may thereafter be expanded by~~
30 ~~the addition of any amount of territory.~~ A zoning area may be regulated in the same manner as
31 if the entire county were zoned, and the remainder of the county need not be regulated."

32 **SECTION 3.(b)** This section applies to the County of Buncombe only.

33 **SECTION 4.** This act becomes effective July 1, 2013.



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