

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013**

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HOUSE BILL 254

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

Sponsors: Representatives Glazier, Lewis, Szoka, and Lucas (Primary Sponsors).
For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.

Referred to: Homeland Security, Military, and Veterans Affairs, if favorable, Finance.

March 11, 2013

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

The General Assembly of North Carolina enacts:

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

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

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

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

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

