

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2001**

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**SENATE BILL 643**

Short Title: Durham County Zoning Changes.

(Local)

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Sponsors: Senators Lucas; and Gulley.

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Referred to: State and Local Government.

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March 22, 2001

A BILL TO BE ENTITLED

AN ACT MAKING MISCELLANEOUS CHANGES IN THE ZONING AUTHORITY  
OF DURHAM COUNTY.

The General Assembly of North Carolina enacts:

**SECTION 1.** Section 2 of S.L. 1999-70 reads as rewritten:

"Section 1. (a) Development Plans and Site Plans. In exercising the zoning power granted to counties by G.S. 153A-340, G.S. 153A-341, and G.S. 153A-342, the Durham County Board of Commissioners may require a development plan showing the proposed development of property be submitted along with any request for the rezoning of that property. The Board may consider the development plan in its deliberations on the rezoning action. The Board may require that any site plan submitted after the rezoning action conform with the previously approved development plans for the same property. The Board may adopt procedures and guidelines for the preparation and presentation of these development plans. The Board may also consider any limitations an applicant who submits a development plan may propose on the number, range, or type of uses to be made of the property and may limit its consideration of uses to those proposed uses. Such use proposals, where approved, shall be binding as part of the zoning of the property. In considering development plans and developer-proposed use limitations, the Board shall use the legislative public hearing procedures applicable to general use district rezonings.

(b) The Durham County Board of Commissioners may require that a site plan be submitted and approved prior to the issuance of any building permit. The Board may specify the information to be included in a site plan and may require that the site plan be prepared by a professional engineer, architect, surveyor, or landscape architect licensed to practice in North Carolina. The Board may adopt procedures for the preparation and review of the site plans to ensure that development of property shall conform to applicable zoning and building laws and regulations. The Board may require that site plans conform with previously approved development plans for the same property. In

1 approving development plans, site plans, ~~and~~ subdivision plats, and other zoning and  
2 development approvals, the Board may require that on-site and off-site street and utility  
3 rights-of-way be dedicated to the public, that necessary street and utility improvements  
4 be constructed, and that provision be made for recreational and educational space and  
5 ~~facilities~~ facilities, and other necessary public facilities, where appropriate."

6 **SECTION 2.** This act applies to Durham County only.

7 **SECTION 3.** This act is effective when it becomes law.