

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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SENATE BILL 1027

Short Title: Zoning Change/Abutting Prop. Owner Notice. (Public)

Sponsors: Senator Rand.

Referred to: State and Local Government.

March 31, 2009

A BILL TO BE ENTITLED

AN ACT RELATING TO THE NOTIFICATION OF ABUTTING PROPERTY OWNERS
UPON THE FILING OF AN APPLICATION FOR A ZONING MAP AMENDMENT.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 153A-343 reads as rewritten:

"(a) The board of commissioners shall, in accordance with the provisions of this Article, provide for the manner in which zoning regulations and restrictions and the boundaries of zoning districts shall be determined, established, and enforced, and from time to time amended, supplemented, or changed. The procedures adopted pursuant to this section shall provide that whenever there is a zoning map amendment, the owner of that parcel of land as shown on the county tax listing, and the owners of all parcels of land abutting that parcel of land as shown on the county tax listing, shall be mailed a notice of a public hearing on the proposed amendment by first class ~~mail~~ certified mail, return receipt requested, at the last addresses listed for such owners on the county tax abstracts. This notice must be deposited in the mail at least 10 but not more than 25 days prior to the date of the public hearing. This notice must be made upon each abutting property owner. If an abutting property owner is not notified by certified mail with a returned receipt, then the abutting property owner must be served by the county sheriff. The person or persons ~~mailing such notices required to provide notice~~ shall certify to the Board of Commissioners that proper notice has been provided in fact, and such certificate shall be deemed conclusive in the absence of fraud."

SECTION 2. G.S. 160A-384(a) reads as rewritten:

"(a) The city council shall provide for the manner in which zoning regulations and restrictions and the boundaries of zoning districts shall be determined, established and enforced, and from time to time amended, supplemented or changed, in accordance with the provisions of this Article. The procedures adopted pursuant to this section shall provide that whenever there is a zoning map amendment, the owner of that parcel of land as shown on the county tax listing, and the owners of all parcels of land abutting that parcel of land as shown on the county tax listing, shall be mailed a notice of a public hearing on the proposed amendment by first class ~~mail~~ certified mail, return receipt requested, at the last addresses listed for such owners on the county tax abstracts. This notice must be deposited in the mail at least 10 but not more than 25 days prior to the date of the public hearing. This notice must be made upon each abutting property owner. If an abutting property owner is not notified by certified mail with a returned receipt, then the abutting property owner must be served by the county sheriff. The person or persons ~~mailing such notices required to provide notice~~ shall certify to the City Council that proper notice has been provided in fact, and such certificate shall be deemed conclusive in the absence of fraud."



1 **SECTION 3.** This act is effective when it becomes law and applies to any
2 application for a zoning map amendment made on or after that date.