

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

FILED SENATE
Mar 15, 2017
S.B. 300
PRINCIPAL CLERK

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SENATE BILL DRS45222-MQ-76 (01/20)

Short Title: Inclusionary Zoning - Durham. (Local)

Sponsors: Senator McKissick (Primary Sponsor).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE FOR THE PRACTICE OF INCLUSIONARY ZONING IN THE
3 COUNTY OF DURHAM AND ITS MUNICIPALITIES.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. G.S. 153A-340 reads as rewritten:

6 "§ 153A-340. Grant of power.

7 (a) For the purpose of promoting health, safety, morals, or the general welfare, a county
8 may adopt zoning and development regulation ordinances. These ordinances may be adopted as
9 part of a unified development ordinance or as a separate ordinance. A zoning ordinance may
10 regulate and restrict the height, number of stories and size of buildings and other structures, the
11 percentage of lots that may be occupied, the size of yards, courts and other open spaces, the
12 density of population, and the location and use of buildings, structures, and land for trade,
13 industry, residence, or other purposes. The ordinance may provide density credits or severable
14 development rights for dedicated rights-of-way pursuant to G.S. 136-66.10 or G.S. 136-66.11.
15 The ordinance may also provide for inclusionary zoning intended to supplement the availability
16 of affordable housing.

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18 SECTION 2. G.S. 160A-381 reads as rewritten:

19 "§ 160A-381. Grant of power.

20 (a) For the purpose of promoting health, safety, morals, or the general welfare of the
21 community, any city may adopt zoning and development regulation ordinances. These
22 ordinances may be adopted as part of a unified development ordinance or as a separate
23 ordinance. A zoning ordinance may regulate and restrict the height, number of stories and size
24 of buildings and other structures, the percentage of lots that may be occupied, the size of yards,
25 courts and other open spaces, the density of population, the location and use of buildings,
26 structures and land. The ordinance shall provide density credits or severable development rights
27 for dedicated rights-of-way pursuant to G.S. 136-66.10 or G.S. 136-66.11. The ordinance may
28 also provide for inclusionary zoning intended to supplement the availability of affordable
29 housing.

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31 SECTION 3.(a) This act applies to Durham County and the municipalities within
32 Durham County.

33 SECTION 3.(b) This act is effective when it becomes law.

