

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017**

S

1

SENATE BILL 300

Short Title: Inclusionary Zoning - Durham. (Local)

Sponsors: Senator McKissick (Primary Sponsor).

Referred to: Rules and Operations of the Senate

March 16, 2017

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

The General Assembly of North Carolina enacts:

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

"§ 153A-340. Grant of power.

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

...."

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

"§ 160A-381. Grant of power.

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

...."

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

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

