



# SENATE BILL 707: Development Regulations & Airport Authorities.

2021-2022 General Assembly

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<b>Committee:</b> Senate Rules and Operations of the Senate	<b>Date:</b> May 4, 2021
<b>Introduced by:</b> Sen. Lee	<b>Prepared by:</b> Billy R. Godwin
<b>Analysis of:</b> Second Edition	Staff Attorney

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**OVERVIEW:** *Senate Bill 707 would require local governments to provide written notice to airport operators of proposed development regulations that would change or affect uses of land located within five miles of publicly owned, commercial service airports that board more than 10,000 passengers.*

**CURRENT LAW:** Article 6 of Chapter 160D of the General Statutes contains procedures local governments utilize for development approvals under their planning and development regulations. *Development regulations* include unified development ordinances, zoning, subdivision, erosion and sedimentation control, floodplain or flood damage prevention, and other similar regulations. Before adopting, amending, or repealing development regulations, local governing boards must hold a public hearing after publishing notice of that hearing in a newspaper. For zoning amendments, notice of the hearing must be posted on the proposed site and must also be given by first class mail to owners of the affected parcels and of the abutting parcels. Notice of proposed zoning or land use changes affecting land within five miles or less from the perimeter of a military base must also be sent by certified mail to the base commander.

**BILL ANALYSIS:** Senate Bill 707 would do all of the following:

- Require local governments to send, by certified mail, notice to an airport authority or operator of any proposal to adopt, modify, or repeal a development regulation changing the zoning map or permitted uses of land located five miles or less from the perimeter boundary of that airport.
- Require the notice to be sent not less than 10 nor more than 25 days before the public hearing.
- Provide the airport authority or operator an opportunity to comment upon the proposal and require the local government to take the comments into consideration before making a final decision.
- Define "airport" to mean any publicly owned, commercial service airport with more than 10,000 passenger boardings during the previous two calendar years.
- Apply this notice requirement to planning boards.

**EFFECTIVE DATE:** The act would be effective October 1, 2021, and apply to ordinances adopted, amended, or repealed after that date.

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