

A RESOLUTION IN OPPOSITION TO THE GENERAL ASSEMBLY'S REPEAL OF
STATUTORY AUTHORITY FOR QUALIFIED PROTEST PETITIONS TO TRIGGER A
SUPER MAJORITY VOTE FOR CERTAIN ZONING MAP AMENDMENTS

Resolution No. _____

WHEREAS, effective May 1, 2015, the General Assembly amended G.S. 160A-385 (per HB 201) to eliminate qualified protest petitions to require a favorable vote of three-fourths of all members of the Board of Aldermen for certain zoning map amendments;

WHEREAS, prior to this amendment, Section 15-326 of the Town of Carrboro Land Use Ordinance (attached hereto) provided for qualified protest petitions to require a favorable vote of three-fourths of all members of the Board of Aldermen for certain zoning map amendments;

WHEREAS, the Board of Aldermen opposes the General Assembly's amendment to G.S. 160A-385 that eliminated qualified protest petitions to require a favorable vote of three-fourths of all members of the Board for certain zoning map amendments;

WHEREAS, notwithstanding this opposition, the Board of Aldermen is obligated to conform the Town's Land Use Ordinance to G.S. 160A-385 as amended, and the Board has thus amended Section 15-326 of the Land Use Ordinance to conform to G.S. 160A-385 as amended, albeit under protest;

NOW, THEREFORE, the Board of Aldermen Resolves:

1. The Board registers its objection and opposition to the General Assembly's amendment to G.S. 160A-385 (per HB 201) to eliminate qualified protest petitions to require a favorable vote of three-fourths of all members of the Board for certain zoning map amendments;
2. The Board has amended Section 15-326 of the Town's Land Use Ordinance to conform to G.S. 160A-385 as amended, but the Board has done so under protest; and
3. In the event the General Assembly in the future reinstates the authority of the Board to provide for qualified protest petitions to require a favorable vote of three-fourths of all members of the Board for certain zoning map amendments, the Board favors reinstating the attached version of Section 15-326 of the Land Use Ordinance, which previously provided for qualified protest petitions to require a favorable vote of three-fourths of all members of the Board for certain zoning map amendments.

This the ____ day of _____, 2016.