

§ 63-33. Procedure.

(a) Adoption of Zoning Regulations. – No airport zoning regulations shall be adopted, amended, or changed under this Article except by action of the legislative body of the political subdivision in question, or the joint board provided for in G.S. 63-31, subsection (c), following the procedures set for adoption of development regulations in Article 6 of Chapter 160D of the General Statutes.

(b) Administration of Zoning Regulations – Administrative Agency. – The legislative body of any political subdivision adopting airport zoning regulations under this Article may delegate the duty of administering and enforcing such regulations to any administrative agency under its jurisdiction, or may create a new administrative agency to perform such duty, but such administrative agency shall not be or include any member of the board of appeals. The duties of such administrative agency shall include that of hearing and deciding all permits under G.S. 63-32, subsection (a), but such agency shall not have or exercise any of the powers delegated to the board of appeals.

(c) Administration of Airport Zoning Regulations – Board of Appeals. – Airport zoning regulations adopted under this Article shall provide for a board of appeals to have and exercise the following powers:

- (1) To hear and decide appeals from any order, requirement, decision, or determination made by the administrative agency in the enforcement of this Article.
- (2) To hear and decide special use permits upon which such board may be required to pass under such ordinance.
- (3) To hear and decide specific variances.

A zoning board of adjustment may be appointed as the board of appeals. Otherwise, the board of appeals shall consist of five members, each to be appointed for a term of three years and to be removable for cause by the appointing authority upon written charges and after public hearing. G.S. 160D-405 and G.S. 160D-406 shall be applicable to appeals, special use permits, and variance petitions made pursuant to this section. (1941, c. 250, s. 5; 1981, c. 891, s. 11; 2019-111, s. 2.5(e); 2020-3, s. 4.33(a); 2020-25, s. 51(a), (b), (d).)