



CHAPTER 63
ARTICLE 4 - MODEL AIRPORT ZONING ACT

N.C.G.S. § 63-31.

Adoption of airport zoning regulations.

SOURCE General Statutes of North Carolina, as published by the General Assembly	LAST AMENDMENT IN THIS TEXT S.L. 2020-25, s. 51(a), (b), (d) — sixth act in the lineage	RETRIEVED 21 September 2026, 04:01 UTC	SOURCE FINGERPRINT eb10f385058114b0fabbd11a - 3b0230bbf7a0a0e62c2ff97c - 8bd1ae6c96cd8884
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§ 63-31(a) Every political subdivision may adopt, administer, and enforce, under the police power or as a land development regulation under Chapter 160D of the General Statutes, airport zoning regulations, which regulations shall divide the area surrounding any airport within the jurisdiction of said political subdivision into zones, and, within such zones, specify the land uses permitted, and regulate and restrict the height to which structures and trees may be erected or allowed to grow. In adopting or revising any such zoning regulations, the political subdivision shall consider, among other things, the character of the flying operations expected to be conducted at the airport, the nature of the terrain, the height of existing structures and trees above the level of the airport, the possibility of lowering or removing existing obstructions, and the views of the agency of the federal government charged with the fostering of civil aeronautics, as to the aerial approaches necessary to safe flying operations at the airport.

§ 63-31(b) In the event that a political subdivision has adopted, or hereafter adopts, a general zoning ordinance regulating, among other things, the height of buildings, any airport zoning regulations adopted for the same area or portion thereof under this Article may be incorporated in and made a part of such general zoning regulations, and be administered and enforced in connection therewith, but such general zoning regulations shall not limit the effectiveness or scope of the regulations adopted under this Article.

§ 63-31(c) Any two or more political subdivisions may agree, by ordinance duly adopted, to create a joint board and delegate to said board the powers herein conferred to promulgate, administer and enforce airport zoning regulations to protect the aerial approaches of

any airport located within the corporate limits of any one or more of said political subdivisions. Such joint board shall have as members two representatives appointed by the chief executive officer of each political subdivision participating in the creation of said board and a chairman elected by a majority of the members so appointed.

§ 63-31(d)

The jurisdiction of each political subdivision is hereby extended to the promulgating, adopting, administering and enforcement of airport zoning regulations to protect the approaches of any airport or landing field which is owned by said political subdivision, although the area affected by the zoning regulations may be located outside the corporate limits of said political subdivision. In case of conflict with any airport zoning or other regulations promulgated by any political subdivision, the regulations adopted pursuant to this section shall prevail.

§ 63-31(e)

All airport zoning regulations adopted under this Article shall be reasonable, and none shall require the removal, lowering, or other change or alteration of any structure or tree not conforming to the regulations when adopted or amended, or otherwise interfere with the continuance of any nonconforming use, except as provided in G.S. 63-32, subsection (a).

§ 63-31(f)

A political subdivision may not adopt an airport zoning regulation in violation of G.S. 63A-18.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
 6 ACTS

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.

	1941		1981		2020
	TICK HEIGHT = ACTS IN THAT YEAR DASHED = RECODIFICATION, NOT AMENDMENT				
Nº	YEAR	ACT	CHARACTER		
01	1941	c. 250, s. 3	ENACTED		
02	1945	cc. 300, 635	AMENDED		
03	1991	c. 749, s. 3	AMENDED		
04	2019	S.L. 2019-111, s. 2.5(c)	AMENDED		

05	2020	S.L. 2020-3, s. 4.33(a)	AMENDED
06	2020	S.L. 2020-25, s. 51(a), (b), (d)	AMENDED

APPARATUS II

2 AUTHORITIES

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

REFERENCE	APPEARS IN	OPERATIVE LANGUAGE IN THIS SECTION
G.S. 63-32	(e)	"nonconforming use, except as provided in"
G.S. 63A-18	(f)	"airport zoning regulation in violation of"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 63-31 (2020).

PINPOINT

N.C. Gen. Stat. § 63-31(a) (2020).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

Provenance

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This is not the official text. The official text is published by the General Assembly of North Carolina.

HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1941, c. 250, s. 3; 1945, cc. 300, 635; 1991, c. 749, s. 3; 2019-111, s. 2.5(c); 2020-3, s. 4.33(a); 2020-25, s. 51(a), (b), (d).)

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