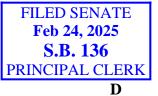
GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2025



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SENATE BILL DRS45075-MQ-48

Short Title:	Restore Down-Zoning Auth./Rutherford Co.	(Local)
Sponsors:	Senator Moffitt (Primary Sponsor).	
Referred to:		

1	A BILL TO BE ENTITLED		
2	AN ACT TO RESTORE THE AUTHORITY TO INITIATE DOWN-ZONING IN		
3	RUTHERFORD COUNTY AND MUNICIPALITIES IN RUTHERFORD COUNTY.		
4	The General Assembly of North Carolina enacts:		
5	SECTION 1. G.S. 160D-601(d), as amended by Section 3K.1(a) of S.L. 2024-57,		
6	reads as rewritten:		
7	"(d) Down-Zoning No amendment to zoning regulations or a zoning map that		
8	down-zones property shall be initiated, enacted, or enforced initiated nor is it enforceable without		
9	the written consent of all property owners whose property is the subject of the down-zoning		
10	amendment. amendment, unless the down-zoning amendment is initiated by the local		
11	government. For purposes of this section, "down-zoning" means a zoning ordinance that affects		
12	an area of land in one of the following ways:		
13	(1) By decreasing the development density of the land to be less dense than was		
14	allowed under its previous usage.		
15	(2) By reducing the permitted uses of the land that are specified in a zoning		
16	ordinance or land development regulation to fewer uses than were allowed		
17	under its previous usage.		
18	(3) By creating any type of nonconformity on land not in a residential zoning		
19	district, including a nonconforming use, nonconforming lot, nonconforming		
20	structure, nonconforming improvement, or nonconforming site element."		
21	SECTION 2.(a) This act applies only to Rutherford County and municipalities		
22	located in Rutherford County.		
23	SECTION 2.(b) This act is effective when it becomes law and applies retroactively		
24	to December 11, 2024. Any adopted ordinance affected by Section 3K.1 of S.L. 2024-57 shall		
25	be in effect as it was on or before December 11, 2024.		

