

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

FILED SENATE
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S.B. 828
PRINCIPAL CLERK

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SENATE BILL DRS35364-NR-6

Short Title: Restore Down-Zoning Auth/Various Counties. (Local)

Sponsors: Senator Burgin (Primary Sponsor).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO RESTORE THE AUTHORITY FOR HARNETT, LEE, AND SAMPSON
3 COUNTIES TO INITIATE DOWN-ZONING.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. G.S. 160D-601(d), as amended by Section 3K.1 of S.L. 2024-57, reads
6 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
9 without the written consent of all property owners whose property is the subject of the
10 down-zoning ~~amendment~~ amendment, unless the down-zoning amendment is initiated by the
11 local government. For purposes of this section, "down-zoning" means a zoning ordinance that
12 affects 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 Harnett, Lee, and Sampson Counties.

22 SECTION 2.(b) This act is effective when it becomes law and applies retroactively
23 to December 11, 2024. Any adopted ordinance affected by Section 3K.1 of S.L. 2024-57 shall
24 be in effect as it was on or before December 11, 2024.

