



# HOUSE BILL 548: Zoning/Modernize & Reorganize

2015-2016 General Assembly

|   |   |
|---|---|
| <b>Committee:</b> House Judiciary IV                      | <b>Date:</b> April 15, 2015                           |
| <b>Introduced by:</b> Reps. Bishop, Stam, Bryan, Hamilton | <b>Prepared by:</b> Kelly Tornow and Erika Churchill, |
| <b>Analysis of:</b> First Edition                         | Committee Counsel                                     |

**SUMMARY:** *House Bill 548 would reorganize and consolidate the development regulation provisions for cities and counties.*

**CURRENT LAW:** Counties (Article 18 of Chapter 153A) and cities (Article 19 of Chapter 160A) are authorized to adopt land use regulation ordinances to govern the development of property within their jurisdiction. The authorities by the statutes are substantially the same in most instances, but do contain some variances. Land use regulations may include any of the following:

- Extraterritorial jurisdiction (cities only)
- Subdivision ordinances
- Zoning ordinances
- Zoning regulation for manufactured homes
- Historical districts
- Building inspections & minimum housing codes
- Blighted areas
- Development agreements
- Cell towers
- Acquisition of open space
- Stormwater management

**BILL ANALYSIS:** House Bill 548 would repeal the existing Article 18 of Chapter 153A and the existing Article 19 of Chapter 160A and enacts a new consolidated chapter to govern local planning and development regulation. The new Chapter 160D would consolidate and reorganize the local planning and development regulations that were previously found in Article 18 of G.S. Chapter 153A and Article 19 of G.S. Chapter 160A. The bill would also codify some case law on the subject and make other changes.

**EFFECTIVE DATE:** Effective July 1, 2016, and applies to local government development regulation decisions made on or after that date.

**BACKGROUND:** This bill comes at the recommendation of the North Carolina State Bar Association.

O. Walker Reagan  
Director



Research Division  
(919) 733-2578