



HOUSE BILL 712: Preservation of Workforce Housing.

2021-2022 General Assembly

Committee:

Introduced by: Reps. B. Jones, Wray

Analysis of: Second Edition

Date:

May 11, 2021

Prepared by:

Billy R. Godwin
Staff Attorney

OVERVIEW: *House Bill 712 would prohibit local governments that use conditional districts from imposing any conditions or standards on permit approvals other than those specifically authorized if the development for which the permit is sought contains affordable housing units for families or individuals with incomes below eighty percent (80%) of the area median income.*

CURRENT LAW: Chapter 160D of the General Statutes contains procedures local governments utilize for development approvals under their planning and development regulations. Zoning is a type of development regulation and local governments are authorized to establish zoning districts in accordance with a comprehensive plan designed to promote the public health, safety, and general welfare. For these purposes, zoning regulations may address topics pertaining to adequacy of light and air; prevention of overcrowding; avoidance of undue population concentration; lessening street congestion; safety from fire, panic and dangers; efficient and adequate provision of transportation, water, sewerage, schools, parks, and other public requirements; and to promote the health, safety, morals, or general welfare of the community taking into consideration the district's character and peculiar suitability for particular uses.

Zoning regulations may generally regulate and restrict the height, number of stories, and size of buildings and other structures; the percentage of lots that may be occupied; the size of yards, courts, and other open spaces; the density of population; the location and use of buildings, structures, and land.

BILL ANALYSIS: House Bill 712 would prohibit local governments that use conditional districts in their zoning ordinances from imposing any conditions or standards on permit approvals other than those specifically authorized if the development for which the permit is sought contains affordable housing units for families or individuals with incomes below eighty percent (80%) of the area median income. The conditions or standards that may be imposed are limited to the following:

- Height, number of stories, and size of buildings and other structures.
- The percentage of lots that may be occupied.
- The size of yards, courts, and other open spaces.
- The density of population.
- The location and use of buildings, structures, and land.

EFFECTIVE DATE: The act effective when it becomes law and applies to permit applications submitted on or after that date.

Jeffrey Hudson
Director



Legislative Analysis
Division
919-733-2578