



2023-2024 General Assembly

# HOUSE BILL 600: Regulatory Reform Act of 2023, Sec. 5: Modify Certain Rules Related to Development Density in Water Supply Watersheds, as Applicable in Iredell County and the Town of Mooresville

**Committee:**  
**Introduced by:**  
**Analysis of:** Sec. 5 of S.L. 2023-137

**Date:** December 11, 2023  
**Prepared by:** Kyle Evans  
Staff Attorney

**OVERVIEW:** Section 5 of S.L. 2023-137 directs the Environmental Management Commission to implement 15A NCAC 02B .0624 to authorize Iredell County and the Town of Mooresville to regulate development in water supply watersheds within their planning jurisdiction so that a maximum of 20% of the land area of a water supply watershed outside of the critical areas can be developed up to 70% built upon area.

*This bill was vetoed by the Governor on October 2, 2023, and that veto was overridden by the General Assembly on October 10, 2023. These sections became effective October 10, 2023.*

## CURRENT LAW & BILL ANALYSIS:

Pursuant to [State law](#), the Environmental Management Commission (EMC) is required to assign each water supply watershed in the State an appropriate classification and applicable minimum management requirements. In addition, every local government that has within its jurisdiction all or a portion of a water supply watershed must adopt and implement a water supply watershed protection program that complies with the minimum standards adopted by the EMC (see applicable [rule](#)) that: (i) controls development density within the watershed and (ii) provides for performance-based alternatives to development density controls that are based on sound engineering principles.

15A NCAC 02B .0624(7) authorizes local governments to exercise the "10/70 option" whereby a maximum of 10% of the land area of a water supply watershed outside of the critical areas can be developed up to 70% built-upon area.

**Section 5** directs the EMC to implement 15A NCAC 02B .0624 to authorize Iredell County and the Town of Mooresville to regulate development in water supply watersheds within their planning jurisdiction so that a maximum of 20% of the land area of a water supply watershed outside of the critical areas can be developed up to 70% built-upon area.

**EFFECTIVE DATE:** This bill was vetoed by the Governor on October 2, 2023, and that veto was overridden by the General Assembly on October 10, 2023. This section became law October 10, 2023.

*Aaron McGlothlin, LAD, substantially contributed to this summary.*

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