HOUSE BILL 627:
Regulation of Accessory Dwelling Units.

2025-2026 General Assembly

Committee:	House Housing and Development. If favorable, re-refer to Regulatory Reform. If favorable, re-refer to Rules, Calendar, and Operations of the House	**Date:**	April 16, 2025
Introduced by:	Reps. Alston, Winslow	**Prepared by:**	Ike McRee
Analysis of:	First Edition		Committee Co-Counsel

OVERVIEW: House Bill 627 would require local governments to allow at least one accessory dwelling unit (ADU) for each single-family detached dwelling in areas zoned for residential use.

[As introduced, this bill was identical to S495, as introduced by Sens. Moffitt, Mayfield, which is currently in Senate Rules and Operations of the Senate.]

CURRENT LAW: Local governments are required to consider temporary family health care structures as a permitted accessory use under local zoning regulations. The structure must be used to provide care for and be occupied by a mentally or physically impaired person under the care of a family caregiver. The structure must also be assembled off-site, be less than 300 square feet, comply with the North Carolina State Building Code, and not be placed on a permanent foundation. Placement of the structure does not require a special use permit nor is it subject to any other zoning requirements beyond those imposed by the local government on other authorized accessory use structures except those enumerated above. The setback requirements are the same as for the primary structure and it may be required to connect to public utilities. The structure must be removed within 60 days of the date in which the mentally or physically impaired person is no longer receiving or in need of the caregiver's assistance. (G.S. 160D-915)

BILL ANALYSIS: House Bill 627 would require local governments to allow at least one ADU for each single-family detached dwelling in areas zoned for single-family residential use. An ADU would be defined as an attached or detached residential structure that is used in connection with or that is accessory to a primary single family detached dwelling and that has less total square footage than the primary single family detached dwelling. The ADU would have conform to the North Carolina Residential Code and could be built or sited before, during, or after the primary dwelling has been constructed.

In the permitting of ADUs, local governments would be prohibited from:

- Requiring owner-occupancy of the ADU.
- Requiring placement in a conditional zoning district.
- Establishing minimum parking requirements or other ADU parking restrictions.
- Prohibiting ADU connection to the primary dwelling unit's existing utilities, unless capacity is insufficient to serve both dwellings.
- Charging fees greater than those charged for single-family detached dwellings.
- Setting a maximum ADU size of less than 800 square feet.

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The local government could require the ADU to meet a setback that is the lesser of either 10 feet or the setback required for lots in the same zoning classification.

The requirement to allow ADU's would not apply to any of the following:

- The validity or enforceability of private covenants or other contractual agreements among property owners related to dwelling type restrictions.
- Properties located in a historic preservation district.
- Properties designated as a National Historic Landmark by the United States Department of Interior
- An ADU that is not connected to water and sewer.

EFFECTIVE DATE: Section 1 of the act would become effective October 1, 2025 and apply to applications for accessory dwelling unit permits submitted on or after that date.

Section 2 of the act would require local governments to adopt development regulations to implement the act no later than January 1, 2027. If a local government failed to adopt development regulations required by the act, accessory dwelling units would be allowed without limitation. A local government that has enacted an ordinance meeting the requirements of the act would not be required to adopt a new ordinance.

Except as otherwise provided, the act would become effective when it becomes law.

Erika Churchill, staff attorney for the Legislative Analysis Division, and Billy R. Godwin, former staff attorney for the Legislative Analysis Division, substantially contributed to this summary.