



2025-2026 General Assembly

SENATE BILL 449: Continuing Budget Operations Part IV, Sec. 1.5: Modify Extensions of Certain Government Approvals Affecting the Development of Real Property in the Area Affected by Helene

Analysis of: S.L. 2025-97, Sec. 1.5

Date: November 19, 2025

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Section 1D.3 of S.L. 2024-57 (Senate Bill 382) extended certain development approvals in areas affected by Hurricane Helene.

Section 1.5 of S.L. 2025-97 (Senate Bill 449) makes the following changes to that section:

- Amends the definition of "development approval" to include special use and conditional use permits.
- Provides an automatic 12-month extension for any development approval that was current and valid on September 25, 2024. Local governments may, however, revoke or modify a development approval automatically extended by this section if, due to changed site conditions resulting from Hurricane Helene or subsequent related natural disasters, the local government determines that the site no longer meets State or federal safety, environmental, or engineering standards, or that the extension of the approval would present a material risk to life, health, or property.
- Clarifies that Section 1D.3 of S.L. 2024-57 does not (a) revive a development approval that expired prior to September 25, 2024 nor (b) affect any vested rights established under G.S. 160D-108 or other applicable law.

This section became effective retroactive to December 11, 2024, and applies only to development approvals issued by local governments located in the affected area that qualify, in whole or in part, for the Federal Emergency Management Agency (FEMA) Public Assistance Categories C through G.

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