



SENATE BILL 876: Rowan County Local Modifications.

2025-2026 General Assembly

Committee:	Senate Rules and Operations of the Senate	Date:	May 21, 2026
Introduced by:	Sen. Ford	Prepared by:	Michael Whitfield
Analysis of:	Second Edition		Staff Attorney

OVERVIEW: *Senate Bill 876 would (i) change the method of filling vacancies for the Rowan County Board of Commissioners and (ii) allow Rowan County to adopt development regulations in the area of the City of Kannapolis' relinquished ETJ located in Rowan County notwithstanding the prohibition on down-zoning within 90 days of the relinquishment by Kannapolis.*

CURRENT LAW AND BILL ANALYSIS:

Section 1

When a vacancy on a county board of commissioners occurs, generally that vacancy is filled in accordance with G.S. 153A-27 or G.S. 153A-27.1. Currently, the Rowan County Board of Commissioners fills vacancies in accordance with G.S. 153A-27. Under both statutory processes, the remaining members of the board appoint a new member to fill that vacancy. G.S. 153A-27 requires consultation with the executive committee of the political party of the vacating member but the board is not bound by that political party's recommendation. G.S. 153A-27.1 requires consultation with the executive committee of the political party of the vacating member and provides that the board must appoint the political party's recommendation, if that recommendation is made within 30 days of the vacancy.

Section 1 would add Rowan County to the list of counties in which G.S. 153A-27.1 applies; therefore, the Rowan County Board of Commissioners would be bound by the recommendation of the political party of the vacating member when filling a vacancy on the board, if the recommendation is made within 30 days of the vacancy.

Section 2

Local governments are prohibited from initiating, enforcing, or enacting amendments to a zoning regulation or zoning map that would constitute a down-zoning in accordance with G.S. 160D-601(d). "Down-zoning" includes amendments that would decrease the permitted density or uses of a property or create any nonconformity on land not in a residential zoning district. Additionally, G.S. 160D-202(h) provides that when a municipality relinquishes jurisdiction over land it regulates to a county, the municipality's development regulations and enforcement authority remains in effect until (i) the county adopts development regulations in the area or (ii) a period of 60 days has elapsed, whichever is sooner.

Section 2 would authorize Rowan County to adopt zoning regulations in the City of Kannapolis' relinquished extraterritorial jurisdiction (ETJ) located in Rowan County, including regulations that would constitute a down-zoning under G.S. 160D-601(d). It would also provide that Kannapolis' zoning regulations would remain in effect in the relinquished ETJ until (i) Rowan County adopts development regulations in the area or (ii) a period of 90 days has elapsed following the effective date of Kannapolis' relinquishment of its ETJ located in Rowan County.

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EFFECTIVE DATE: **Section 1** of Senate Bill 876 would be effective when it becomes law and apply to vacancies filled on or after that date. **Section 2** would be effective when it becomes law and would expire after a period of 90 days has elapsed following the effective date of the relinquishment of the City of Kannapolis' extraterritorial jurisdiction located in Rowan County. Except as otherwise provided, the bill is effective when it becomes law.