GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

HOUSE BILL 1043

A BILL TO BE ENTITLED
AN ACT TO SUPPLEMENT THE AVAILABILITY OF AFFORDABLE HOUSING BY
ALLOWING LOCAL GOVERNMENTS TO PROVIDE FOR INCLUSIONARY ZONING
AND TO APPROPRIATE FUNDS TO THE NORTH CAROLINA HOUSING FINANCE
AGENCY FOR THE WORKFORCE HOUSING LOAN PROGRAM.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 160D-702 reads as rewritten:
"§ 160D-702. Grant of power.
(a) A local government may adopt zoning regulations. Except as provided in subsections
(b) and (c) of this section, a zoning regulation may 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. A local government may regulate development, including
floating homes, over estuarine waters and over lands covered by navigable waters owned by the
State pursuant to G.S. 146-12. A zoning regulation shall provide density credits or severable
development rights for dedicated rights-of-way pursuant to G.S. 136-66.10 or G.S. 136-66.11.
To supplement the availability of affordable housing, the regulation may also provide for
inclusionary zoning. Where appropriate, a zoning regulation may include requirements that street
and utility rights-of-way be dedicated to the public, that provision be made of recreational space
and facilities, and that performance guarantees be provided, all to the same extent and with the
same limitations as provided for in G.S. 160D-804 and G.S. 160D-804.1.

..."

SECTION 2. Notwithstanding G.S. 143C-5-2, there is appropriated from the
General Fund to the Housing Finance Agency the sum of ten million dollars ($10,000,000) in
recurring funds for the 2022-2023 fiscal year to be used for the Workforce Housing Loan
Program, established under G.S. 122A-5.15.

SECTION 3. This act becomes effective July 1, 2022.