GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

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SENATE BILL 165

Short Title:	Restore Down-Zoning/Union & Iredell Cos.	(Public)
Sponsors:	Senators Johnson and Sawyer (Primary Sponsors).	
Referred to:	Rules and Operations of the Senate	

February 26, 2025

A BILL TO BE ENTITLED

AN ACT TO RESTORE THE AUTHORITY TO INITIATE DOWN-ZONING IN UNION AND IREDELL COUNTIES AND MUNICIPALITIES WITHIN UNION AND IREDELL COUNTIES.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 160D-601(d), as amended by Section 3K.1(a) of S.L. 2024-57, reads as rewritten:

"(d) Down-Zoning. – No amendment to zoning regulations or a zoning map that down-zones property shall be ~~initiated, enacted, or enforced~~ initiated nor is it enforceable without the written consent of all property owners whose property is the subject of the down-zoning ~~amendment.~~ amendment, unless the down-zoning amendment is initiated by the local government. For purposes of this section, "down-zoning" means a zoning ordinance that affects an area of land in one of the following ways:

(1) By decreasing the development density of the land to be less dense than was allowed under its previous usage.

(2) By reducing the permitted uses of the land that are specified in a zoning ordinance or land development regulation to fewer uses than were allowed under its previous usage.

~~(3) By creating any type of nonconformity on land not in a residential zoning district, including a nonconforming use, nonconforming lot, nonconforming structure, nonconforming improvement, or nonconforming site element.~~"

SECTION 2.(a) This act applies only to Union and Iredell Counties and the municipalities located therein.

SECTION 2.(b) This act is effective when it becomes law and applies retroactively to December 11, 2024. Any adopted ordinance affected by Section 3K.1 of S.L. 2024-57 shall be in effect as it was on or before December 11, 2024.