

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

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HOUSE BILL 483
Committee Substitute Favorable 4/28/15
Third Edition Engrossed 4/29/15
Senate Judiciary I Committee Substitute Adopted 6/21/16
PROPOSED SENATE COMMITTEE SUBSTITUTE H483-PCS40695-RN-59

Short Title: Land-Use Regulatory Changes.

(Public)

Sponsors:

Referred to:

April 2, 2015

1 A BILL TO BE ENTITLED
2 AN ACT TO MAKE CHANGES TO THE LAND-USE REGULATORY LAWS OF THE
3 STATE.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. G.S. 160A-385 is amended by adding a new subsection to read:

6 "(b1) Amendments in zoning ordinances, subdivision ordinances, and unified development
7 ordinances shall not be applicable or enforceable without the written consent of the owner with
8 regard to a multi-phased development as defined in G.S. 160A-385.1(b)(7). A multi-phased
9 development shall be vested for the entire development with the zoning ordinances, subdivision
10 ordinances, and unified development ordinances then in place at the time a site plan approval is
11 granted for the initial phase of the multi-phased development. A right which has been vested as
12 provided for in this subsection shall remain vested for a period of seven years from the time a site
13 plan approval is granted for the initial phase of the multi-phased development."

14 SECTION 2. G.S. 160A-385.1(b) reads as rewritten:

15 "(b) Definitions.

16 ...

17 (7) "Multi-phased development" means a development containing 100 acres or
18 more that (i) is submitted for site plan approval for construction to occur in
19 more than one phase and (ii) is subject to a master development plan with
20 committed elements, including a requirement to offer land for public use as a
21 condition of its master development plan approval."

22 SECTION 3. G.S. 153A-344 is amended by adding a new subsection to read:

23 "(b1) Amendments in zoning ordinances, subdivision ordinances, and unified development
24 ordinances shall not be applicable or enforceable without the written consent of the owner with
25 regard to a multi-phased development as defined in G.S. 153A-344.1(b)(7). A multi-phased
26 development shall be vested for the entire development with the zoning ordinances, subdivision
27 ordinances, and unified development ordinances then in place at the time a site plan approval is
28 granted for the initial phase of the multi-phased development. A right which has been vested as
29 provided for in this subsection shall remain vested for a period of seven years from the time a site
30 plan approval is granted for the initial phase of the multi-phased development."

31 SECTION 4. G.S. 153A-344.1(b) reads as rewritten:

32 "(b) Definitions.

33 ...



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1 (7) "Multi-phased development" means a development containing 100 acres or
2 more that (i) is submitted for site plan approval for construction to occur in
3 more than one phase and (ii) is subject to a master development plan with
4 committed elements, including a requirement to offer land for public use as a
5 condition of its master development plan approval."

6 **SECTION 5.** This act is effective when it becomes law and applies to multi-phased
7 developments with approved site plans which are valid and unexpired on the effective date of this
8 section and to multi-phased developments approved on or after the effective date of this act.