A BILL TO BE ENTITLED
AN ACT TO ELIMINATE THE EXTRATERRITORIAL JURISDICTION AUTHORITY OF
THE TOWN OF MAGGIE VALLEY, TO PROHIBIT THE TOWN OF MAGGIE VALLEY
FROM ADOPTING OR RENEWING OR EXTENDING ANY MORATORIA ON ANY
DEVELOPMENT APPROVAL, AND TO EXPAND THE PROHIBITIONS ON
DOWN-ZONING PROPERTY IN MAGGIE VALLEY.

The General Assembly of North Carolina enacts:

SECTION 1. Notwithstanding the provisions of Article 2 of Chapter 160D of the
General Statutes, the Town of Maggie Valley shall not exercise any powers of extraterritorial
jurisdiction.

SECTION 2. Notwithstanding the provisions of G.S. 160D-107, the Town of
Maggie Valley shall have no authority to adopt or renew or extend any temporary moratoria on
any development approval.

SECTION 3.(a) G.S. 160D-601(d) reads as rewritten:
"(d) Down-Zoning. – No amendment to zoning regulations or a zoning map that
down-zones property shall be initiated nor is it enforceable without the written consent of all
property owners whose property is the subject of the down-zoning 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 limiting the options available or adding additional requirements to develop
an area of land as specified in a zoning ordinance or land development
regulation to depress or hinder development to the same extent allowed under
its previous usage."

SECTION 3.(b) This section applies only to the Town of Maggie Valley.

SECTION 4. This act is effective when it becomes law and expires on January 1,