H   D

HOUSE BILL DRH10146-MQ-62

Short Title:	Down-Zoning/Cornelius/Davidson/Huntersville. (Local)
Sponsors:	Representative Helfrich.
Referred to:	

1   A BILL TO BE ENTITLED
2   AN ACT TO RESTORE THE AUTHORITY TO INITIATE DOWN-ZONING IN THE
3   TOWNS OF CORNELIUS, DAVIDSON, AND HUNTERSVILLE.
4   The General Assembly of North Carolina enacts:
5   **SECTION 1.** G.S. 160D-601(d), as amended by Section 3K.1(a) of S.L. 2024-57,
6   reads as rewritten:
7   "(d)   Down-Zoning. – No amendment to zoning regulations or a zoning map that
8   down-zones property shall be ~~initiated, enacted, or enforced~~ initiated nor is it enforceable without
9   the written consent of all property owners whose property is the subject of the down-zoning
10   ~~amendment.~~ amendment, unless the down-zoning amendment is initiated by the local
11   government. For purposes of this section, "down-zoning" means a zoning ordinance that affects
12   an area of land in one of the following ways:
13   (1)   By decreasing the development density of the land to be less dense than was
14   allowed under its previous usage.
15   (2)   By reducing the permitted uses of the land that are specified in a zoning
16   ordinance or land development regulation to fewer uses than were allowed
17   under its previous usage.
18   ~~(3)   By creating any type of nonconformity on land not in a residential zoning~~
19   ~~district, including a nonconforming use, nonconforming lot, nonconforming~~
20   ~~structure, nonconforming improvement, or nonconforming site element.~~"
21   **SECTION 2.(a)** This act applies only to the Town of Cornelius, the Town of
22   Davidson, and the Town of Huntersville and includes the extraterritorial jurisdiction exercised
23   by those municipalities as established pursuant to G.S. 160D-201.
24   **SECTION 2.(b)** This act is effective when it becomes law and applies retroactively
25   to December 11, 2024. Any adopted ordinance affected by Section 3K.1 of S.L. 2024-57 shall
26   be in effect as it was on or before December 11, 2024.

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