

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

H.B. 1228
May 5, 2026
HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH10641-MQ-129

Short Title: Down-Zoning/Historic Districts-Mecklenburg Co. (Local)

Sponsors: Representative Carney.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO EXCLUDE THE DESIGNATION OF HISTORIC DISTRICTS AS
3 DOWN-ZONING IN MECKLENBURG COUNTY.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. G.S. 160D-601 reads as rewritten:

6 "§ 160D-601. Procedure for adopting, amending, or repealing development regulations.

7 ...

8 (d) Down-Zoning. – No amendment to zoning regulations or a zoning map that
9 down-zones property shall be initiated, enacted, or enforced without the written consent of all
10 property owners whose property is the subject of the down-zoning amendment. For purposes of
11 this section, "down-zoning" means a zoning ordinance that affects an area of land in one of the
12 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21 (e) Withdrawn or Denied Applications. – A development regulation or unified
22 development ordinance may not include waiting periods prohibiting a landowner, developer, or
23 applicant from refileing a denied or withdrawn application for a zoning map amendment, text
24 amendment, development application, or request for development approval.

25 (f) Historic Districts. – The designation of a historic district by zoning regulation
26 pursuant to G.S. 160D-944 shall not be deemed "down-zoning" for the purposes of this section."

27 SECTION 2.(a) This act applies only to Mecklenburg County.

28 SECTION 2.(b) This act is effective when it becomes law and applies retroactively
29 to December 11, 2024.

