SESSION LAW	TOPIC	DESCRIPTION	NOTES
2019 NC SESSION LAW			
SL2019-111	3rd Party Downzoning	No 3rd party downzoning applications permitted.	No limit on government-initiated downzoning
SL2019-111	Conditions of Approval	Applicant must consent, in writing to proposed conditions of approval.	
SL2019-174	Min. House Size	No minimum housing unit sizes may be adopted.	May still apply Building Code min. room sizes
SL2019-79	Performance Guarantees	Limited to completion (not maintenance), developer selects type, Max. of 125%, Multiple or single decided by applicant, Duration of 1 year unless applicant wants longer, extensions limited to value of remaining work, release required.	
SL2019-174	Power Line Burial	Bars local governments from requiring existing power lines to be buried as part of a subdivision approval.	Could require this as part of conditional rezoning
SL2019-111	Permit Choice	The issuance of an initial development permit means the development is protected by permit choice for all subsequent, related permits.	The rules in place at the time of the initial permit issuance continue to apply for all subsequent permits unless more than 18 months lapse or the applicant fails to actively pursue completion of the original application.
SL2019-111	Vested Rights	Duration by permit type: Development Permit: 1 year; Site-Specific Vesting Plan 2-5 years; Development Agreement: open; Multi-phased development: 7 years. Applicant may request determination for vested rights status (appealable to BOA)	Building Permit: 6 months -unless work starts, and then 24 months

SESSION LAW	TOPIC	DESCRIPTION	NOTES
SL2019-111	Definitions	Building, Dwelling, Dwelling Unit, Bedroom, Sleeping Unit, Development, Development Permit, Development Regulation may not be inconsistent with Building Code.	See SOG 2019 Bulletin for listing from Building Code
SL2019-73	Short Term Rentals	Limits inspections, may not require owner registration, no special taxes or fees. May define the short term rental use, may limit allowable districts, may apply dimensional standards, may require a permit, may establish occupancy limits.	Defines short term rental - less than 90 days and for leisure purposes
SL2019-119	Removal of Political Signs	Recognizes that political signs within a road ROW still in place 30 days or more after the election may be removed lawfully by anyone.	
SL2019-174	One- and two-family Building Plans	May not require seal by PE or architect, and must complete initial plan reviews within 15 days of submittal.	Except in special flood hazard areas
SL2019-111	Civil Penalties During Appeals	Accumulation of fines for a violation is stayed during appeal.	
SL2019-111	Original Civil Action	Applicant may skip filing an appeal in cases where applicant claims that the ordinance is unconstitutional, ultra vires, preempted, or beyond statutory authority, or when the applicant claims that the ordinance constitutes a taking.	Also sets out rules for standing to bring an original civil action
SL2019-111	Mandatory Attorney Fees	Compels the court to award attorney fees to appellants in cases where local governments are found to have taken actions in violation of permit choice or vesting rules.	
SL2019-111	Lay Testimony	Opinion testimony from a lay witness is not considered competent when dealing with property value impacts, projected traffic impacts, or other matters requiring technical expertise.	Consider including in public notice of hearing
2020 SESSION LAW			
SL2020-3	State/Federal Map Adoption	Allows immediate incorporation of State and federal maps (FEMA, etc.) without doing a text amendment.	

SESSION LAW	TOPIC	DESCRIPTION	NOTES
SL2020-25	Zoning Jurisdiction	City zoning or subdivision regulations must be applied throughout the city's planning jurisdiction. Counties may apply zoning or subdivision only to parts of the county that are at least 640AC in size or include 10 separate owners.	
SL2020-61	System Development Fees	Fee may be collected at time of final plat recordation or at time of building permit or at the time of committing water or sewer service.	Water/sewer
SL2020-74	2020 Farm Bill	Hunting, fishing, equestrian activities are bona fide farm exemptions. Sport shooting ranges are exempted as agritourism. Farm signs can be 3'x3'. May not require a permit for a catering operation on a bona fide farm.	May still require Health Department permit
2021 SESSION LAW			
SL2021-138	Decriminalization	Removes the ability to enforce most zoning-related (adopted under 160D) regulations with criminal penalties. The following violations may still be enforced with criminal penalties: unsafe building, sedimentation and erosion control, flood damage prevention, mountain ridge protection, WSW rules, airport zoning, and stormwater.	
SL2021-169	Permit Choice & Vesting	Application of permit choice does not limit the prior-established vesting status of other related permits.	
SL2021-168	Settlement	A governing body may settle an appeal in cases where the governing body is a party to the appeal.	
SL2021-117	Manufactured Homes	A local government may not require masonry curtain walls or masonry skirting for manufactured homes on land that is leased (in a park).	Note that the law requires manufactured homes to be permitted somewhere in every jurisdiction, and may not be regulated based on the age of the home
SL2021-180	Affordable Housing – No Harmony Required	Local governments may not impose a harmony requirement on development including 2 or more affordable units for occupancy by persons with incomes below 80% of the area median income.	Applied to special use permits, rezonings, or quasi-judicial site plan review

SESSION LAW	TOPIC	DESCRIPTION	NOTES
SL2021-180	Outdoor Advertising	NCDOT may not require new or revoke existing outdoor advertising permits if the sign is moved on the same parcel or to an adjoining conforming parcel. No sign may be moved more frequently than once every 10 years. New requirements for relocation based on condemnation for roadway land or obstruction due to sound wall construction.	See the 7 unique requirements for relocation due to condemnation or obstruction in the statutes
SL2021-180	Water/Sewer Capacity for New Schools	The local board of education must enquire to the local government about available water and sewer capacity as part of new school construction. If capacity is available in either system, it must be reserved for the school for 24 months	Must reserve for public and charter schools. No mention for other private schools
SL2021-121	Sight Distance Triangles	Sight distance triangles must be measured from the edge of pavement, not the edge of right-of-way.	
SL2021-78	VAD	Allows uses incidental to a farm (like a residence) or agritourism uses to be included within a VAD. Local governments must specify a minimum size for a VAD.	
SL2021-164	Water Supply Watershed Redevelopment	Allows an applicant to exceed maximum allowable density if the property was initially developed before the WSW rules applied, the property has not been recombined after 1/1/21, the land is not subject toa density averaging transaction, the current use is non-residential, the stormwater runoff from all existing and new construction is voluntarily treated by the owner, and all remaining vegetated buffers are preserved in accordance with applicable requirements.	

SESSION LAW	TOPIC	DESCRIPTION	NOTES
SL2021-121	Erosion & Sedimentation Control	Erosion control fees capped at no more than $100 per lot for single-family lots smaller than 1 acre. Fees for other developments must be based on a calculation of the number of acres disturbed. Limits the ability of local governments to require individual erosion control plans for lots of less than one acre of disturbance if there is already an approved erosion control plan for the entire development. In the case of residential development on more than one lot, the entity may submit one single erosion control plan for all the disturbed lots or may submit erosion control measures for each lot individually.	
SL2021-121	Erosion and Sedimentation Control	Local governments may not require periodic self-inspection on residential lots where less than one acre is disturbed.	
SL2021-121	Erosion and Sedimentation Control	Prohibits requirements for silt fencing or other erosion control measure , or requirements for silt fencing to be wire-backed where such fencing or other measure "would not substantially and materially retain the sediment generated by the land disturbing activity within the boundaries of the tract during construction".	
SL2021-121	Erosion and Sedimentation Control	No civil penalties may be assessed for damage/destruction of a silt fence if it is repaired/replaced within the time limit specified in the notice of violation.	
SL2021-158	Annual Stormwater Permit Certification	Stormwater permits must require annual certification of the project's conformance with permit conditions.	
SL2021-121	Re-inspection Charges	Local governments may not charge re-inspection fees for building code violations found on building inspections conducted subsequent to when the offending construction was approved.	
2022 SESSION LAW			
SL2022-11	Parking Space Size	Max parking space set at 9' wide by 20' long unless accessible (handicapped), parallel, or diagonal	

SESSION LAW	TOPIC	DESCRIPTION	NOTES
SL2022-62	Zoning Consistency	Clarifies that when a zoning regulation and any other state or local regulation both address yard size, height of structures, or maximum lot coverage, the stricter of the two regulations applies.	
SL2022-55	Farm Exemptions	Exempts buildings used for farm commodity storage from building code compliance. Any building used solely for storage of cotton, peanuts, sweet potatoes, or any by-product.	
SL2022-11	Fire Access	The Building Code Council shall not require two or more separate fire apparatus roads to 1- and 2-family development of fewer than 100 units.	Note, this is a building permit standard, not a zoning standard
SL2022-62	Appeal of Subdivision Decision	Administrative decisions by staff go to Board of Adjustment, all other decisions go to Superior Court.	
SL2022-43	CAMA Plan Review Notice	Changes published notice of CAMA plan review hearings to 10 & 25 like other ordinance changes.	
SL2022-11	On-Site Wastewater Review	Local health departments must review and issue permits or denials or requests for more information within 10 days of the date of filing of an on-site wastewater permit from a qualifying soil specialist.	
SL2022-49	Social Districts	Can create a social district, and rules for people travelling from establishment to establishment within the district.	
SL2022-49	Relief from Annexation Agreement	If a landowner subject to an annexation agreement asks for and is declined connection to public water or sewer facilities, the landowner may seek water or sewer service from any other unit of local government.	
2023 SESSION LAW			
SL2023-55	Public wastewater system capacity	Requires local governments operating sewer systems to prepare system evaluations and plans for future capacity when their systems are operating at 80% and 90% utilization of total capacity.	

SESSION LAW	TOPIC	DESCRIPTION	NOTES
SL2023-58	Solar Farm Decommissioning	Requires industrial scale developments to include a decommissioning plan and post a performance guarantee with the State.	
SL2023-63	Farm Signs	Allows bona fide farms to post signs in State road rights-of-way advertising sales of farms products subject to standards similar to political signs during "farm season."	
SL2023-77	ADU Septic	ADUs are not considered separate dwelling units for the purpose of determining on-site wastewater treatment capacity.	
SL2023-90	On-Site Wastewater Review	Local health departments must review and issue permits or denials or requests for more information within 5 days of the date of filing of an on-site wastewater permit from a qualifying soil specialist. Caps application fees.	Still exploring the degree to which this bill inhibits mandatory public infrastructure connection requirements
SL2023-108	Residential Building Code	Establishes a new separate residential building code and Residential Building Code Council. Removes the ability to regulate design of triplex and quadplex dwellings. Bars local governments from requiring driveway/parking lot paving requirements that are more restrictive than NCDOT. Caps stormwater control measure maintenance warranties at 10% (down from 25%).	Local governments may not require more than one building permit for simultaneous projects at the same address
SL2023-134	Appropriations Bill	Increases the maximum number of children in a family child care home from 9 to 10 children. Requires DEQ to approve or deny a stormwater permit within 70 days of submittal; failure to do so shall constitute an approval.	
SL2023-137	2023 Regulatory Reform Act	Requires response to a charter school Board inquiry as to water and sewer capacity within 30 days and to reserve water and sewer capacity for charter schools for 24 months from the date of inquiry if capacity is available. Prohibits cities and counties from prohibiting battery-charged security fences on non-residential property or from requiring any sort of special use permit for the installation of a battery-charged security fence, and adds basic standards for these facilities.	

SESSION LAW	TOPIC	DESCRIPTION	NOTES
SL2023-142	Expedite Plan Review/At-Risk Permitting	Requires local governments to review and decide commercial building plans within 45 days. Allows applicants to utilize private plan review for commercial development. Creates the ability for an applicant to commence construction "at-risk" without securing other local, state, or federal permits. Local governments may not deny draft soil erosion control plans on the basis of the need for the applicant to secure other approvals first.	
2024 SESSION LAW			
SL2024-1	Airport uses in the floodplain	Modifies NCGS§143-215.57A to allow airports to locate within a special flood hazard area with no need for a floodplain development permit provided the airport can furnish a no-rise certificate that has been accepted by NCDEQ.	
SL2024-15	Vegetation clearing for outdoor advertising	Modifies NCGS§136-133.1 to increase the distance within which existing vegetation may be cleared in front of outdoor advertising based on the design speed of the roadway. Removes prohibition against thinning redbud trees.	Essentially doubles the area that may be cleared of vegetation
SL2024-45	Public water/sewer system rules;	Modifies NCGS§162A-900 to bar local governments from requiring or accepting conditions not authorized by law (such as compliance with design standards) from applicants for serving residential development with water or sewer service. Also bars use of design provisions, min. unit sizes, larger parking spaces, or more access roads from being used as part of a scoring system for water or sewer allocation systems.	This language is identical to language included in SL2024-49
	CAMA permit rules for docks & piers, aquaculture;	Changes CAMA rules in NCAC to allow existing docks, piers, and walkways (of less than 800 sf or 6 feet in width) to be repaired or replaced without need of a CAMA minor permit and allows such replacement to increase width by the lesser of 5 feet or 5% and allows the structure to be higher above the water. Modifies NCGS§113A-103 to exclude aquaculture from the definition of development as pertaining to CAMA permits.	CAMA rules for increasing height remain unfettered

SESSION LAW	TOPIC	DESCRIPTION	NOTES
SL2024-45 (con't)	Creates Rail Transportation Corridor Authority;	Modifies NCGS§160A-880-895 to create a new Rail Corridor Authority with the power to propose and approve development within rail corridors.	
	Delivery of permits;	Modifies NCGS§143-162.6, NCGS§153A-461, and NCGS§160A-499.6 to require state, county, and city agencies to mail or email permits to permittees rather than requiring in-person permit pick up.	
	Limitations on regulating battery-charged security fences;	Modifies NCGS§153A-134.1 and NCGS§160A-194.1 to bar cities and counties from requiring permits for or prohibiting battery-charged security fences on lots in solely nonresidential districts, subject to 7 additional standards.	Battery-charged security fences must be surrounded by another non-electric fence of at least 5 feet in height and battery-powered fence cannot exceed 7-10 feet in height
	Establishes standards for drone radar system uses;	Modifies NCGS§160D-970 to establish new definitions and standards for unmanned aircraft traffic control devices (drones).	
	Ability to reconstruct on-premise advertising signs	Modifies NCGS§160D-912.1 to permit the reconstruction of nonconforming signage on the same lot in cases where it must be moved as a result of roadway construction. The replacement sign must maintain the same or smaller face area, and is subject to the other signage rules in place at the time the sign was constructed. Requires payment of just compensation in cases where a local government requires removal of a lawfully-established sign.	
SL2024-47	Preemption of rental control	Modifies NCGS§42-14.1 to bar a city of county from regulating the amount of rent to be charged for privately-owned dwelling units.	
SL2024-49	Backflow preventer rules;	Modifies NCGS§130A-330 to prohibit local governments from requiring the installation of a backflow preventer on an existing public water supply line unless the local government pays all costs, including installation (also prohibits requirements for testing more than once every three years).	

SESSION LAW	TOPIC	DESCRIPTION	NOTES
SL2024-49 (con't)	Use of building permit fees;	Modifies NCGS§160D-402(d) to mandate that all building permit fees and building code enforcement fees collected must be used solely for the administration and operations of the building inspection department.	
	Residential plan fees, timing;	Modifies NCGS§160D-1110(b) to require local governments reviewing residential building plans to complete their initial review within 20 business days or rebate 10% of the permit fee to the applicant for each business day that passes after the 20th day for the initial review to be completed.	
	Withholding building permits or COs;	Modifies NCGS§160D-1110(h) to prohibit a local government from withholding a building permit or CO for reasons of public safety on a separate property for an applicant's failure to complete landscaping around dwellings on a lot, landscaping within common areas, or streetlights on a different site.	Note: this is intended to apply to situations where a permit on one site is held for failure to complete required features on a different site
	Inspection access;	Modifies NCGS§160D-403(e) to clarify that local governments may not require applicants to consent to unrestricted access by inspections staff to areas not open to the public as part of a development approval.	
	Requiring affidavit of compliance prohibited	Modifies NCGS§160D-1104(c) to bar a building inspector from requiring affidavits of compliance with the Residential Code in lieu of conducting an inspection.	
	Curb and gutter standards in residential subdivisions	Modifies NCGS160D§160D-804(k) to prevent local governments from limiting or prohibiting the use of NCDOT curb and gutter design standards for subdivision roads serving dwellings subject to the Residential Code.	Unclear if the developer may choose what kind of curb and gutter to provide
	Sidewalks on public streets in an ETJ	Modifies NCGS§160D-804(c)(5) to require local governments to accept maintenance responsibility for any sidewalks required along public streets located within subdivisions of 20 or fewer individual lots in an ETJ.	Unclear if this applies to public streets maintained by the city or only to those streets planned for maintenance by NCDOT

SESSION LAW	TOPIC	DESCRIPTION	NOTES
SL2024-49 (con't)	Private driveway/ driving area configuration	REMINDER- NCGS§160D-804(j) bars local governments from applying more restrictive pavement design standards for private driveways than those in use by NCDOT, and that the local government must accept a pavement design that does not meet NCDOT requirements if it is stamped by a professional engineer.	Applies to new driveways, parking lots, and driving areas associated with a parking lot; it does NOT apply to private streets
	Model homes in subdivisions	Modifies NCGS§160D-1501 to define what a model home is and clarifies that a portion of the structure may be used for business purposes, and that these areas may be designated for and regulated as "Business Group B" occupancy. Clarifies that portions of model homes designated by the applicant as Business Group B occupancy may request a temporary certificate of occupancy. Such areas must meet State access requirements. The standards also clarify that in cases where a structure is intended for use as a model home, it may only be used as a model home and may not be used for residential purposes unless and until the model home purposes are discontinued.	
	Performance guarantees	Modifies NCGS§160D-804.1 to require local governments to conduct inspections of facilities subject to a guarantee within 30 days. In cases where the local government and the developer disagree as to whether or not the guaranteed facilities meet required specification, the developer may secure a sealed certification from a professional engineer that the facilities meet required specifications. Local governments must return or release guarantees within 30 days from the date the facilities are complete or from the date of receipt of a certification of completeness from a professional engineer. Clarifies that no performance guarantees may be required for maintenance after required facilities are completed to specifications.	It is unclear what remedies a local government may have in cases when an applicant's professional engineer erroneously declares the facilities in question meet the required specifications NOTE: the last clause pertaining to maintenance lacks clarity regarding the ability to require stormwater control measure warranty guarantees, which remain permitted

SESSION LAW	TOPIC	DESCRIPTION	NOTES
SL2024-49 (con't)	Limitations on fire prevention codes	Modifies NCGS§143-138(e) to prevent local governments from adopting fire codes that apply standards to residential development that exceed the standards in the NC Residential Code.	
	Triplex & quadplex dwellings	Clarifies that triplexes and quadplexes are considered subject to the Residential building code (thus exempted from design control requirements) in cases when the triplex or quadplex is two stories or less.	Local governments may apply design standards to triplexes and quadplexes that exceed two stories in height
	Building code permit technician certification requirements	Modifies NCGS§143-151.12 to create a State Building Code permit technician certification program that requires such professionals to be certified in accordance with State rules.	
	Scope of work subject to professional seal	Modifies NCGS§160D-111 to bar local government employees from determining the scope or aspects found on a set of plans that are subject to a professional seal by an architect or engineer.	Unclear what this means and if there is a potential for misunderstandings between a local government and a design professional regarding which aspects of a plan are or are not "covered" by a design professional's seal
	Limitations on requiring payments for future stormwater control measure maintenance	Modifies NCGS§160D-925(d1) to require any local government which collected money for private SCM maintenance from the SCM's owner shall make a refund available upon request.	This bill does not prevent local governments from mandating maintenance guarantees for SCMs
	Potable well setbacks	REMINDER - The horizontal separation between a water supply well and potential sources of groundwater contamination that exist at the time the well is constructed shall be no less than 50 feet for any single-family dwelling with a septic tank and drainfield, including the drainfield repair area.	

SESSION LAW	TOPIC	DESCRIPTION	NOTES
SL2024-49 (con't)	Wastewater documentation	Modifies NCGS§130A-336.1(k)(1) to require the owner to submit a soils report and a release to use it to a local health department prior to applying to a local government for a CO on a use that relies on on-site wastewater facilities.	
	Changes to built-upon area standards	Modifies NCGS§143-214.7(b2) and NCGS§143-214.7D to add landscaping materials (including gravel, mulch, sand) for areas receiving bike and pedestrian traffic and portions of parking areas and driveways that will not be compacted by vehicles as well as astroturf installed above a pervious surface to the list of features not considered built-upon area. Also pre-empts any local government from treating State-exempted areas as built upon areas or as impervious surface.	
	Public water/sewer system rules;	Modifies NCGS§162A-900 to bar local governments from requiring or accepting conditions not authorized by law (such as compliance with design standards) from applicants for serving residential development with water or sewer service. Also bars use of design provisions, min. unit sizes, larger parking spaces, or more access roads from being used as part of a scoring system for water or sewer allocation systems.	This language is identical to language included in SL2024-45
	Private pools offered for rent	Modifies NCGS§130A-280 to clarify that private pools serving a single-family dwelling that is offered for occasional rent separately from the home does not have to meet the standards applied to public pools.	
SL2024-57	No down-zoning	Modifies NCGS§160D-601(d) to bar local governments from downzoning land or adopting development standards that render existing development on nonresidential lots as nonconforming.	

END OF TABLE