

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

H.B. 281
Mar 4, 2025
HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH10121-MQ-31

Short Title: Restore Down-Zoning/Multiple Municipalities. (Local)

Sponsors: Representative Cairns.

Referred to:

A BILL TO BE ENTITLED
AN ACT TO RESTORE THE AUTHORITY TO INITIATE DOWN-ZONING IN
MOREHEAD CITY, THE TOWN OF BEAUFORT, THE TOWN OF BOGUE, THE
TOWN OF CAPE CARTERET, THE TOWN OF CEDAR POINT, AND THE TOWN OF
NEWPORT.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 160D-601(d), as amended by Section 3K.1(a) of S.L. 2024-57,
reads as rewritten:

"(d) Down-Zoning. – No amendment to zoning regulations or a zoning map that
down-zones property shall be ~~initiated, enacted, or enforced~~ initiated nor is it enforceable without
the written consent of all property owners whose property is the subject of the down-zoning
~~amendment.~~ 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 creating any type of nonconformity on land not in a residential zoning
district, including a nonconforming use, nonconforming lot, nonconforming
structure, nonconforming improvement, or nonconforming site element."~~

SECTION 2.(a) This act applies only to the municipality of Morehead City and the
Towns of Beaufort, Bogue, Cape Carteret, Cedar Point, and Newport.

SECTION 2.(b) This act is effective when it becomes law and applies retroactively
to December 11, 2024. Any adopted ordinance affected by Section 3K.1 of S.L. 2024-57 shall
be in effect as it was on or before December 11, 2024.



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