

UDO-CC34

Request

- Petitioner: Planning and Development Services Staff
- Request: Modify Chapters 2, 3, and 4 of the UDO by removing resubmittal limits for withdrawn or denied applications, modifying provisions for development requests with split jurisdiction, and clarifying vested rights in compliance with NC House Bill 926.



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Background

- In October 2025, the NC General Assembly passed House Bill 926 (i.e., the Regulatory Reform Act of 2025), a broadly crafted bill limiting government regulation on varied topics. Only two sections of the Bill (Sections 11 and 29) address local planning and development regulations.
 - Section 11 prohibits waiting periods for refiling development applications in the event of withdrawal or denial.
 - Section 29 clarifies vested rights for previously approved development and amends standards for development petitions with split jurisdiction.

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Analysis

- Planning and Development Services staff and the City and County Attorney's Offices reviewed the UDO and determined the following sections would need to be modified:
 - UDO Section 2.7.2.C is amended to clarify provisions regarding vested rights and special use permits as outlined in the Bill.
 - Section 3.2.19.A.15 is deleted and marked as “reserved” to comply with the statutory prohibition on waiting periods for resubmittals.
 - Section 4.3.2.D is changed to mirror the split jurisdiction provisions in the Bill.



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Summary

- The aforementioned changes are necessary to ensure the UDO complies with current statutory language as outlined in NC House Bill 926.



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Recommendation

- At the March 12th public hearing, Planning Board recommended unanimously to approve this text amendment.
- Text Amendment: Approval