

CITY-COUNTY PLANNING BOARD STAFF REPORT

DOCKET: UDO-CC34
STAFF: [Veronica Romero](#)

REQUEST

This text amendment is proposed by Planning and Development Services staff, in consultation with the City and County Attorney’s Offices, to implement changes to the *Unified Development Ordinances* (UDO) required by NC House Bill 926. Proposed changes include removing resubmittal limits for withdrawn or denied applications, modifying provisions for development petitions which include split jurisdiction, and clarifying language regarding vested rights.

BACKGROUND

In October 2025, the North Carolina General Assembly passed House Bill 926, also known as the Regulatory Reform Act of 2025. This broadly crafted bill limits the scope of government regulation on topics as varied as advanced teaching roles, culinary ABC permits, and licensure requirements for audiologists. Only two sections of the Bill address local planning and development regulations: Section 11 prohibits waiting periods for refile development applications in the event of withdrawal or denial. Section 29 clarifies rights for previously approved development (commonly known as “vested rights”) and amends standards for development petitions with split jurisdiction.

ANALYSIS

Planning and Development Services staff and the Attorneys’ Offices reviewed the UDO to determine which sections would need to be amended to conform to the revised Statutes.

Language was added to Section 2.7.2.C to clarify that vested rights obtained by the issuance of a permit or other local government approval shall not preclude or extinguish the use of any other vested right or “use by right” allowed on the property. This Section was also revised to state that if a Special Use Permit expires and loses its vesting, the current zoning regulations for the property shall apply.

Section 3.2.19.A.15 of the UDO currently requires applicants to wait a certain amount of time before they may resubmit an application for a property which a rezoning request was recently denied for. Specifically, the UDO requires applicants to wait one year from denial of the previous rezoning application for the property to submit *any* zoning petition, and two years prior to the submittal of a zoning petition for the same classification of land previously denied. This entire Section has been removed and marked as “reserved” to comply with the statutory prohibition of such waiting periods.

The split jurisdiction provisions of Section 4.3.2.D have been revised to mirror the provisions of House Bill 926 Section 29.(c). Specifically, the amended language states that development on a parcel within multiple jurisdictions may, by mutual agreement and with consent from the landowner, be reviewed and permitted under the regulations of a single, agreed-upon jurisdiction.

In the event an agreement between the property owner and affected jurisdictions *is not* reached, the applicant may choose to have their development reviewed under the regulations of the local government where the majority of the parcel's acreage is located. Language has also been added to this Section explaining that these provisions do not apply to taxation or other regulatory matters.

As previously stated, the aforementioned changes are necessary to ensure our UDO complies with current Statutory language. Staff recommends approval of the proposed amendment.

RECOMMENDATION: Approval

**CITY-COUNTY PLANNING BOARD
PUBLIC HEARING
MINUTES FOR UDO-CC34
MARCH 12, 2026**

Veronica Romero presented the staff report.

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

MOTION: Walter Farabee recommended that the Planning Board find that the request is consistent with the comprehensive plan.

SECOND: Salvador Patiño

VOTE:

FOR: Walter Farabee, Haley Gingles, Jason Grubbs, Clarence Lambe, Salvador Patiño, Dixon Pitt, Brenda Smith, Jack Steelman

AGAINST: None

EXCUSED: None

MOTION: Walter Farabee recommended approval of the zoning amendment.

SECOND: Salvador Patiño

VOTE:

FOR: Walter Farabee, Haley Gingles, Jason Grubbs, Clarence Lambe, Salvador Patiño, Dixon Pitt, Brenda Smith, Jack Steelman

AGAINST: None

EXCUSED: None

Chris Murphy, AICP/CZO
Director of Planning and Development Services