

Date:	December 9, 2024
To:	Mayor, Mayor Pro Tempore, and Members of the City Council
From:	Angela I. Carmon, City Attorney, T. Camille French, Sr. Assistant City Attorney and Angel Wright-Lanier, Assistant City Manager

Consideration of the City's Legislative Priorities for 2025

The North Carolina General Assembly is due to convene on or about January 29, 2025 for the upcoming Long Session. The attached bills and resolutions are recommended for inclusion in the City's 2025 Legislative Priorities package. The bills are as follows:

1. A Bill to Be Entitled an Act Granting Additional Authority to Local Governments to Assist or Incentivize Developers of Affordable Housing. System development fees (“SDFs”) are a one-time charge assessed against new development to pay for facilities needed to support growth or to recoup costs for existing stormwater and water facilities. Essentially, SDFs are used to pay annual debt service or to fund future expansion related water and stormwater projects. Fees are based on a comprehensive financial study and are updated every five years. This bill, if enacted, will authorize cities to exempt certain properties from or provide a reduction in SDFs for properties developed for affordable housing purposes. The UNC School of Government (“SOG”) has opined that cities, without this legislation, do not have the authority to convey such a benefit to private developers of affordable housing, which benefit varies depending upon the meter size and

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For		Against	
Remarks:			

number of lots. For single family lots, the benefit, on average, is about \$2,000-\$3,000 per lot; however, the benefit is much higher for multifamily lots.

2. A Bill to Be Entitled an Act to Amend the Enabling Laws Relating to City-County Planning and Zoning in Forsyth County and the City of Winston-Salem. This bill, if enacted, will allow the Winston-Salem City Council to authorize the Planning Board to make final decisions regarding certain rezoning matters, such as those that are noncontroversial, which such expedite the approval process for developers.
3. A Bill to Be Entitled an Act to Amend the Enabling Laws Relating to the Civil Service Board of the City of Winston-Salem. In August 2023, the North Carolina General Assembly enacted legislation requiring the cities of Greensboro and Winston-Salem to create a civil service board (“CSB”) for employees in the classified service in the police and fire departments, except the Chief of Police, the Deputy Chief of Police, Assistant Chiefs of Police, the Fire Chief, the Deputy Fire Chief, and Assistant Fire Chiefs. The CSB is a five-member board with two people elected by the employees in the classified service in the police and fire departments (one per department), one person appointed by mutual agreement of the police and fire chiefs, one person appointed by city council and the last person appointed by the CSB. The failure of one or more of the aforementioned bodies to make such an appointment shall result in city council making the appointment by default. The current legislation allows for the election /appointment/selection of former employees to said CSB, provided they have been separated from city employment for a period of not less than seven consecutive years prior to service on the CBS. This bill, if enacted, would include the additional requirement that the former city employee must have been separated in good standing from city employment, and without a sustained conduct violation(s) or disciplinary action(s), especially one that would make the former employee ineligible for rehire by the city. Given the authority of this board to overturn the decisions of the police chief, fire chief and even the city manager, it is imperative the integrity of the board and the impartiality of its membership be maintained free from undue influence and bias, or at least the perception of such, that might result from a former employee with a sustained conduct violation(s) or disciplinary action(s), especially one relating to truthfulness, honesty, excessive use of force, and the like. The bill, if enacted, would help guard against such.

In addition to the three bills, the legislative package includes four resolutions. One resolution seeks the repeal of Section 160D-912.1 enacted by Senate Bill 607, which would require the city to essentially compensate, twice, sign owners for signs that must be removed in accordance with the sign ordinance adopted by the Winston-Salem City Council in 2007, although through the 17-year amortization period has allowed such owners to recoup their investment. Another resolution seeks the repeal of language recently added to Section 160D-601(d) via Senate Bill 382 regarding downzoning in nonresidential areas which essentially removes any future zoning authority in such areas. The third resolution requests funding for affordable housing, the purchase of a ladder truck for Fire Station 19, and to address significant stormwater issues. The fourth resolution requesting the repeal of the Funding Limitation set forth in G.S.

136.189.11(d)(3)(c) as they pertain to bicycle and pedestrian funding, which would allow for the development of safer and more accessible transportation options for bicycles, pedestrians, and users of personal mobility devices in our city and across the state.