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Legislators Override Veto, Enact New Zoning Prohibition

The state House this week joined the Senate in voting to override Gov. Roy Cooper's veto of an omnibus end-of year bill that includes a detrimental zoning provision, meaning that the bill becomes law. [SB 382 Disaster Relief-3/Budget/Various Law Changes](#) set aside additional money for the western disaster relief but was criticized for numerous provisions stripping the governor of additional powers. More importantly for cities and towns, the final provision in the 131-page bill prohibits local governments from enacting certain "down-zoning" changes without first obtaining the written consent of all property owners in the new zone. Along with the new prohibition, legislators expanded a pre-existing definition of "down-zoning" to include commercial and industrial non-conformities that result from any new zoning.

Due to the breadth of the provision, numerous rezoning efforts currently in progress will likely halt, as well as future rezoning efforts. Planners expect some proposed development to be stopped in its tracks as a result. Because this provision was first introduced as part of a conference report and legislative rules do not allow for changes to conference reports, there was no opportunity to modify the provision.

We encourage you to continue sharing stories of the real-life impact the down-zoning provision will have in your communities so that legislators reconsider the provision next year. Feel free to share those stories with NCLM staff and your local legislators. It is imperative that legislators understand how this provision will hinder the ability of municipalities to address growth and development in their communities.

Federal Disaster Assistance

Congress appears to be nearing an agreement on federal disaster assistance before leaving next week for their holiday break, a move that would help storm-ravaged western North Carolina while providing more clarity on how much federal assistance will be directed to various needs. While President Biden has requested \$98 billion in disaster assistance for all areas of the country affected by recent natural disasters, Congress is believed to be considering a total just slightly under that amount. Read more about the negotiations for a federal disaster assistance package [here](#).



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