R-25-05
RESOLUTION – REPEAL OF DOWN-ZONING STATUTE

WHEREAS, the current North Carolina law under GS 160D-601 (d) states that no amendment to zoning regulations or a zoning map that down-zones property shall be initiated nor is it enforceable without written consent of all property owners whose property is the subject of the down-zoning amendment unless the down-zoning amendment is initiated by the local government; and

WHEREAS, the limitation of down-zoning authority under GS 160D-601(d) significantly hinders the Town of Flether's ability to keep pace with community growth and to respond to emerging property use issues; and

WHEREAS, the right of citizens to determine future growth through their elected local representatives should be maintained; and

WHEREAS, various amendments to GS 160D-601 (d) have been proposed in the current session of the General Assembly, many on a local basis; and

WHEREAS, the current law and amendment impacts the ability of the Town of Fletcher Town council to be in compliance with the comprehensive planning requirements of GS 160D Article 5, and in doing so limits the voice of the citizens of the Town of Fletcher; and

WHEREAS, there is currently in the General Assembly House Bill 24, which would repeal the limitations on local government initiated down-zonings statewide; and

WHEREAS, it is the Mayor and Town Council's opinion that a statewide resolution to this issue would better avoid issues of differing standards in adjoining jurisdictions, while permitting this Council to better express the will of the citizens of the Town of Fletcher.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Town council do hereby support a statewide restoration of the ability of local governments to initiate and legislate down-zonings without the requirement of the direct consent of the affected property owners.

Adopted this the 12th day of May 2025.

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Mayor Preston Blakely

ATTEST:

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Christine Thompson, MMC, NCCMC
Town Clerk