REQUEST FOR BOARD ACTION

Date of Meeting: May 5, 2025

10.C. Resolution of Opposition for House Bill 765

To: Mayor and Board of Commissioners

From: Wayne Herron, Deputy Manager

Action Requested:
Last week, the House Housing and Development Committee passed HB765 Local Gov. Development Regulations Omnibus, a sweeping measure poised to dismantle local land-use planning and regulations.

HB 765 will:

- Create a patchwork of state mandates and ban common sense local land-use practices leading to unregulated and incompatible development, undermining housing affordability, and damaging existing property values.
- Eliminate the decision making powers granted to local elected leaders by their voters, subjecting those officials to legal penalties during routine land-use planning decisions, and create unprecedented conflict of interest rules.
- Remove the ability of residents and local officials to pursue their unique visions for their communities, which are critical to attracting new residents and new businesses while maintaining their quality of life.
- Undermines meaningful public engagement and community involvement in shaping policies that address specific housing needs.

Examples of how Cornelius will be impacted by this proposed legislation:

- Cornelius currently has its own street standards for new development. The legislation requires all local governments to utilize NCDOT standards which may be smaller cross sections and may not require sidewalks and/or bike lanes.
- Cornelius currently has zoning districts based on lot size. The new legislation requires lots based on density, not lot size.
- Cities below 124,999 must allow subdivisions equal to 5 units per acre as by right and not by conditional zoning for subdivisions over 4 lots, as Cornelius does now.
- Legislation will require Cornelius to allow multi-family in any non-agricultural zoning district as long as it does not exceed 4 units per acre and does not exceed 60 feet in height.
- Cornelius may be required to review all conditional zoning cases within 90 days or they will be deemed approved.

Manager's Recommendation:
Approve a Resolution opposing HB765 as presented.

ATTACHMENTS:
RES-Opposing HB765.pdf