

# NCAZO Legal Update

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UNC  
SCHOOL OF GOVERNMENT

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# LEGISLATION

# Bill List Handout

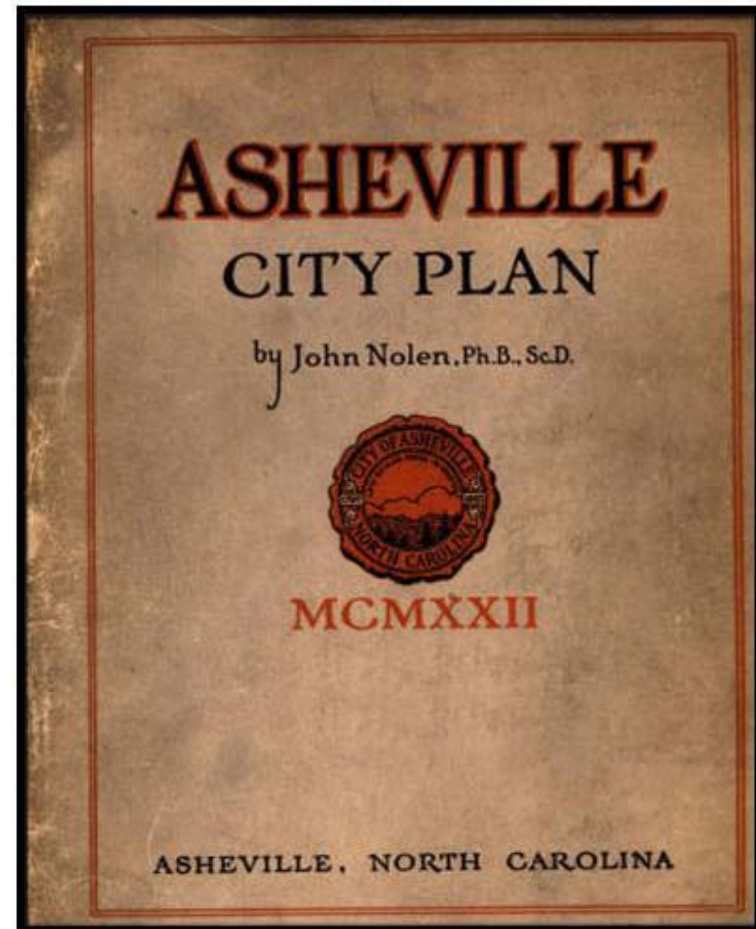
# Online Updates



# LEGISLATION ENACTED

# Moratoria – H. 332

Not on  
residential if  
purpose is  
to prepare  
plan or  
ordinance



# Statute of Limitations – H. 806

- Two months – zoning map amendments
- One year – validity of zoning text amendment, from time standing acquired
- Three years – maximum time from adoption, regardless of when standing acquired
- Can raise validity of ordinance as defense to NOV (three year max)

# Jurisdiction

- Annexation – H. 845
- ETJ – H. 168



# Attorney Fees - H. 687

Constitutional violation

NEW --  
Exceeds authority  
and  
abuse of  
discretion



# LEGISLATION PENDING FOR 2012

# Elizabeth City v. Aydlett (1931)



## In re Parker (1938)



# A-S-P Assoc. v. City of Raleigh (1979)



# State v. Jones (1982)





# Design Standards – S. 731

- Limit for single-family residences in districts with density of 5 units/acre or less
- Exceptions for historic districts, landmarks, manufactured housing, density bonuses

# Family Health Facilities – H. 887

- Mandated to be permissible accessory use in all single-family zoning districts
- Occupied by relative who is care-giver
- Must be modular, 300 sq. ft. max, one inhabitant, meet setbacks

# LEGISLATION NO ACTION



**SWEEPSTAKES**  
**Internet Cafe**

TILLEY'S  
AUTO SALES

AU  
5

# LITIGATION

# A Tale of Four Letters

It was the best of news, it was  
the worst of news . . .

1. Is this house too tall?



## 2. Can I put a car lot here?



### 3. Pardon my asphalt?



## 4. Where's the buffer?

