

**RESOLUTION IN OPPOSITION TO PROPOSED LEGISLATION REDUCING LOCAL  
GOVERNMENT AUTHORITY TO ADOPT AND ENFORCE DEVELOPMENT  
REGULATIONS**

**WHEREAS**, planning and zoning authority in the State of North Carolina is governed by Chapter 160D of the North Carolina General Statutes, which provides a comprehensive and updated statutory framework for local planning and development regulation; and

**WHEREAS**, Chapter 160D was adopted with bipartisan support in 2019 and fully implemented in 2021 after years of research and revision by members of the Zoning Planning and Land Use Section of the North Carolina Bar Association and extensive comment, collaboration, and refining by local government officials and development interest groups; and

**WHEREAS**, Chapter 160D provides counties and municipalities with the autonomy to implement land use regulations that maintain land compatibility, achieve desired density, and ensure orderly, systemic growth and development in conjunction with available infrastructure and service provision capacity; and

**WHEREAS**, local zoning authority is a fundamental function of county governance and represents the trust placed by the residents of Durham County in their elected officials to make decisions that reflect local priorities and needs; and

**WHEREAS**, Durham County's Unified Development Ordinance ("UDO") is the product of years of collaboration between the Durham County Board of Commissioners, the City of Durham, relevant boards, stakeholders, and members of the public; and

**WHEREAS**, the purpose of the UDO is to promote the health, safety, and general welfare of the people of Durham County; and

**WHEREAS**, the UDO manages growth responsibly, protects natural resources, and preserves the character of Durham County, while ensuring flexibility for ongoing review and adjustments; and

**WHEREAS**, multiple pieces of legislation, and especially House Bill 765 and Senate Bill 205, have been introduced in the 2025 session of the North Carolina General Assembly that will have a negative impact on community growth, property values, preserving community character, and sound community planning; and

**WHEREAS**, these bills were introduced without any consultation with county elected officials, planning staff, or local constituents; and

**WHEREAS**, House Bill 765 and Senate Bill 205 would significantly undermine the fundamental authority of all North Carolina local governments to serve the will of their citizens; and

**WHEREAS**, House Bill 765 and Senate Bill 205 would undo the extensive work only recently completed on Chapter 160D, resulting in a tremendous waste of time, energy, and resources; and

**WHEREAS**, House Bill 765 and Senate Bill 205 would create a patchwork of state mandates and ban common-sense local land-use practices leading to unregulated and incompatible development, decreased housing affordability, and reduced property values; and

**WHEREAS**, as expressed by the North Carolina Association of County Commissioners, House Bill 765 and Senate Bill 205 would severely hinder, or completely eliminate, the ability of local elected officials to make decisions that shape and manage community growth, development, and character, all being primary duties for which they were specifically chosen by its residents to fulfill; and

**WHEREAS**, House Bill 765 and Senate Bill 205 would remove the ability of Durham County residents and local officials to pursue our unique visions for Durham County, which are critical to attracting new residents, new businesses, and maintaining our quality of life; and

**WHEREAS**, House Bill 765 and Senate Bill 205 would eliminate the decision-making powers granted to all locally elected leaders by their voters, subjecting those officials to legal penalties during routine land-use planning decisions, and creating unprecedented conflict of interest rules; and

**WHEREAS**, House Bill 765 and Senate Bill 205 would subject elected officials, and possibly Planning Board members, to the threat of legal retribution which would discourage well-intentioned individuals from serving in public office; and,

**WHEREAS**, local governments, with input from their citizens, can best recognize and enforce local needs, including the need for planning and zoning ordinances.

**NOW, THEREFORE, BE IT RESOLVED THAT:**

1. The elected representatives for Durham County strongly oppose House Bill 765 and Senate Bill 205;
2. The elected representatives for Durham County and the entire Durham County Delegation in the North Carolina General Assembly are hereby urged to work diligently with bill sponsors and all others to stop House Bill 765 and Senate Bill 205 immediately;
3. The elected representatives for Durham County strongly urge all members of the North Carolina General Assembly to consult with counties and municipalities to develop legislation that respects local authority, reduces regulatory burdens, and promotes flexible, community-driven development strategies;
4. The Clerk to the Board of County Commissioners is hereby directed to provide a certified copy of this resolution to each member of the Durham County Delegation in the North Carolina General Assembly;
5. This resolution is effective upon adoption.

This the \_\_\_\_\_th Day of June, 2025.

Read, approved and adopted this \_\_\_\_\_day of \_\_\_\_\_2025