



**TOWN OF CARTHAGE
PLANNING BOARD
February 5th, 2026
6:00 P.M.**

AGENDA

- 1. CALL TO ORDER**
- 2. INVOCATION**
- 3. PLEDGE OF ALLEGIANCE**
- 4. APPROVAL OF AGENDA** - Members of the board may remove or add items to the agenda prior to commencing the meeting. Motions/votes are not required to approve the agenda but there must be unanimous consent before proceeding.
- 5. CONSENT AGENDA** - All items listed below are considered routine and will be enacted by one motion. No separate discussion will be held except on request of a member of the Planning Board to remove an item from the consent agenda and place it on the regular agenda.
 - a. Approval of minutes from January 6th, 2025, Regular Meeting Minutes.
- 6. PUBLIC COMMENT** - Members of the public may use this time to address the Planning Board with any presentations, questions or concerns. Those who wish to speak should fill out the sign-up sheet in the building's entryway to be recognized during the public comment session or raise their hand and wait to be recognized by the presiding member. All public comment made as part of a public hearing should be withheld until the public hearing has begun and the floor is given to public comments. The chairperson may place time limits on speakers prior to the start of the public comment session.
- 7. OLD BUSINESS**
 - a. No old business.
- 8. NEW BUSINESS**
 - a. R-01-26: Rezoning from TBD (Thoroughfare Business District) to I (Industrial) for PARID: 20170229; Petitioner: Gattis Construction Inc.
 - b. S-01-26: Site Plan Review for Stealth Wireless Telecommunications located at 5553 US 15-501, PARID: 94000055, Zone: HCD, Petitioner: Anthony Bologna.
 - c. Training for Legislative Changes made by the General Assembly. Presented by Jamie Sandoval, Management Analyst.
- 9. OTHER BUSINESS OF THE BOARD**
 - a. No other business.
- 10. ADJOURNMENT**

Town of Carthage Planning Board Meeting

Meeting minutes

Attendance

In attendance was David Norris, Antoniette Kelly, Victoria Riddle, John Ferrari, Mark Lawler, and Corey Deibel. Absent were Ian Lumgair, Bill Smyth, and Christopher Denfeld.

Call To Order

The Planning Board meeting was called to order at 6:00 PM.

Invocation

The invocation was offered, followed by the Pledge of Allegiance.

Pledge Of Allegiance

The Pledge of Allegiance was recited by all present.

Approval Of Agenda

The agenda was presented to the board for approval. All members voted in favor of approving the agenda as presented, with unanimous consent.

Consent Agenda

The board considered the Consent Agenda, which included the approval of minutes from the November 6th, 2025, Regular Meeting. The Consent Agenda was approved.

Public Comment

There were no public comments made during this portion of the meeting.

Old Business

There was no old business to discuss.

New Business

R-01-26: Rezoning from RA-40-CZ (Conditional Residential Agricultural) to RA-40-CZ (Conditional Residential Agricultural) for PARID: 857700704307; Petitioner: TEP Group on behalf of Duke Energy Progress, LLC.

Lindsey Whitson, Interim Planner, presented the rezoning request. She explained that TEP Group on behalf of Duke Energy Progress, LLC was requesting to rezone approximately 25.87 acres located northeast of the intersection of South McNeil Street and US 15-501. The purpose was to amend conditions for a previously approved conditional rezoning from 2024 to permit an electrical substation with modified security fencing.

The specific request was to allow a telecommunications pole to be 124 feet in height rather than the 100 feet permitted under the Unified Development Ordinance, without meeting the 1,000-foot setback requirement from adjacent properties. The tower would be set back 500 feet from adjacent properties. Ms. Whitson noted that Duke Energy requested this additional height because the tower needed to be tall enough to communicate in a direct line of sight to other existing tower structures. The tower would be within a fall zone from adjacent properties, meaning if it fell over, it would not impact neighboring properties.

Ms. Whitson stated that the 2040 Land Use Plan designates this parcel as "Town Residential," but noted that the area is still fairly rural with the parcel being 25 acres. Staff determined the conditional rezoning application was generally consistent with the land use plan.

Amy Craft, attorney for Duke Energy, provided additional details about the request. She explained that the telecommunication pole is critical to Duke Energy's grid modernization program, enabling the implementation of smart grid technology that allows for real-time monitoring and remote operation of electrical equipment. This technology would improve safety and outage recovery times during storms. She confirmed the pole would be located entirely within the fenced substation area and set back at least 414 feet from the nearest property lines.

Board Member Victoria Riddle, who identified herself as an adjacent property owner who had sold the land to Duke Energy, expressed significant concerns. She stated that when they sold the property, Duke Energy representatives had specifically told them there would not be a telecommunications tower on the site because there was already one in Carthage. Ms. Riddle noted this was a key factor in their decision to sell the property, as they did not want to see a tower from their farm.

Board Member Mark Lawler asked whether Duke foresaw any technology changes requiring further height extensions in the future, and whether there was any intention to add commercial equipment from other providers to the pole. The Duke Energy representative confirmed they did not anticipate needing additional height in the future and that the pole would be used exclusively for Duke Energy's communications with no co-location of other providers.

Board Member John Ferrari raised technical questions about the wind load calculations and tower specifications. He also expressed strong concerns about Duke Energy's failure to communicate with Ms. Riddle as an adjacent property owner who had sold them the land. He characterized this as a lack of "common sense and decency."

Victoria Riddle requested to abstain from the vote due to her involvement with selling the property. Bill Smyth made a motion to abstain Victoria Riddle from the vote. Corey Deibel seconded the motion. All ayes. Motion passed 5-0.

After considerable discussion, the board voted to approve the rezoning request.

Motion: Mark Lawler moved to approve the rezoning request and describe its consistency with the adopted land use plan. Second: John Ferrari. Vote: Approved unanimously, 5-0.

Motion: Corey Deibel moved to approve option 1 for R-01-26. Second: Mark Lawler. Vote: Approved unanimously, 5-0.

Other Business Of The Board

There was no other business to discuss.

Adjournment

Corey Deibel motioned to adjourn. Victoria Riddle second the motion. All ayes, 6-0. The meeting was adjourned at 6:39 p.m.



MEMORANDUM

Date: February 5, 2026

To: Planning Board

From: Jennifer Locklear, Town Planner

Subject: R-01-26: Rezoning from TBD (Thoroughfare Business District) to I (Industrial) for PARID: 20170229; Petitioner: Gattis Construction Inc.

I. SUMMARY OF APPLICATION REQUEST:

The applicant, Gattis Construction Inc., on behalf of the owner, Jeff Leenheer, is requesting a rezoning for parcel 20170229. This parcel is approximately 1.64 acres off US 15-501, adjacent to 3760 US 15-501. The applicant requests to be zoned Industrial (I) from Thoroughfare Business District (TBD). The applicant would like to construct mini storage buildings. This is aligned with the abutting property to the north and west which is currently zoned in Industrial.

II. PROJECT INFORMATION:

1. PARID: 20170229 PIN: 858800206766

2. Applicant: Gattis Construction Inc.

3. Owner: Jeffrey Leenheer

4. Long-Range Plan Designation:

This future area of this land appears to be Industrial, per the adopted 2040 Land Use Plan.

5. Current Zoning:

The current zoning is TBD (Thoroughfare Business District) according to Moore County GIS online.

6. Site outlined in blue below.



III. APPLICATION REVIEW:

When reviewing an application for rezoning, the Planning Board shall consider and be guided by Article 3. Below is highlighted Section 100.32, Section 100.42 and Section 100.44 (4) as set forth in UDO:

Sec. 100.32 Planning Board – Powers and Duties

In addition to its specific duties set forth in this and other Town Ordinances and policies, the Planning Board shall have the following powers and duties:

- 1. To make studies of the Town and surrounding areas;*
- 2. To determine objectives to be sought in the development of the Town;*
- 3. To propose and recommend plans for achieving these objectives;*
- 4. To develop and recommend to the Board of Commissioners policies, ordinances, administrative procedures and other means for carrying out plans in a coordinated and efficient manner;*
- 5. To advise the Board of Commissioners concerning the use and amendment of means for carrying out plans;*
- 6. To exercise such functions in the administration and enforcement of various means for carrying out plans as may be assigned by this article or other ordinances of the Town; and*
- 7. To perform other related duties as may be assigned by this article or other ordinances.*

Section 100.42 Types of Amendments:

Amendments may be to the text of the ordinance or take the form of map amendments, often known as rezoning. The Town of Carthage recognizes three types of amendments.

- 1. Text Amendments. This type of amendment is used when a party chooses to modify the actual text of the ordinance. This is a legislative decision by the Board of Commissioners.*
- 2. Map Amendments. This type of amendment is used when a party chooses to change a zoning district from one type to another. Often known as a straight rezoning, it recognizes that the change in district allows for all uses allowed within a given zoning district. It cannot be conditioned in any way. This is a legislative decision by the Board of Commissioners.*

3. *Conditional Zoning. Conditional Zoning is an amendment process that is both a map amendment and a text amendment. It is a legislative decision by the Board of Commissioners, but it allows for the placement of conditions and/or limits on the approval.*

Section 100.44 (4) Planning Board

All proposed Development Ordinance amendments must be given review by the Planning Board for a recommendation to the Board of Commissioners. They are not required to conduct a public hearing, but they are encouraged to accept public input. The Planning Board shall evaluate all proposals for consistency with any adopted long-range plans and adopt a statement of consistency with said plans before voting to recommend approval or denial of the request.

A. Staff Comments:

Staff have found that the applicant meets the rezoning requirements and is not encouraging spot zoning with their request. This is a straight rezoning. The I district is primarily designed to accommodate those industrial, wholesaling, mixed industrial, warehousing, and other uses which by their nature do not create an excessive amount of noise, odor, smoke, dust, airborne debris or other impacts which might be detrimental to the health, safety, or welfare of surrounding areas.

IV. PLANNING BOARD ACTION:

The Planning Board shall evaluate all proposals for consistency with any adopted long-range plans and adopt a statement of consistency with said plans before voting to recommend approval or denial of the request. All proposed Development Ordinance amendments must be given review by the Planning Board for a recommendation to the Board of Commissioners. They are not required to conduct a public hearing, but they are encouraged to accept public input, per UDO Section 100.42 and 100.44.

The Planning Board shall first adopt a Resolution of Consistency with the adopted Land Use Plan and other long-range plans then the Planning Board shall vote on the petition (**two motions required**). The Resolution of Consistency may take one of three forms consistent with N.C.G.S 160D-604(d); 605(a); 701.

LUP CONSISTENCY MOTION (1st Required Motion)

I move to:

OPTION 1

Approve the rezoning request and describe its consistency with the adopted Land Use Plan.

or

OPTION 2

Reject the rezoning request and describe its inconsistency with the adopted Land Use Plan.

or

OPTION 3

Approve the rezoning request and deem it a modification of the adopted Land Use Plan. The Planning Board believes this action taken is reasonable and in the public interest because.....

PETITION MOTION (2ND Required Motion)

And, therefore, I move to:

OPTION 1

Approve R-01-26 as written and presented.

or

OPTION 2

Approve R-01-26 with the following conditions.....

OPTION 3

Deny R-01-26 for the following reasons.....

**TOWN OF CARTHAGE
PLANNING BOARD
STATEMENT OF LAND USE PLAN CONSISTENCY
FOR PROPOSED CONDITIONAL REZONING OF PARCEL ID #20170229 FROM TBD TO
INDUSTRIAL; PETITIONER: GATTIS CONSTRUCTION INC.**

WHEREAS, amendments to the Town of Carthage Unified Development Ordinance have been proposed, which amendments are identified as follows:

Rezoning from TBD to Industrial for PARID: 20170229

NOW THEREFORE, the Planning Board of the Town of Carthage resolves as follows:

Section 1. The Planning Board concludes that the above-described amendment(s) **are/are not** consistent with the Town of Carthage 2040 Land Use Plan, as amended based on the following:

Goal 1: Preserve and celebrated small-town community roots.

Goal 2: Coordinated, intentional, and well-planned growth and development.

Goal 3: Protection of open space and critical natural features.

Goal 4: Ample employment opportunities and support for business development.

Goal 5: Vibrant commercial areas that provide a variety of goods, services, entertainment options, and amenities.

Goal 6: A well-connected multi-modal transportation system.

Goal 7: High-quality parks and recreational facilities that are accessible to all.

Goal 8: Protected and preserve historic and cultural resources.

Goal 9: Adequate supply and high quality of housing.

Goal 10: Informed, engaged, and active residents that represent a variety of neighborhoods and citizen groups.

Goal 11: Regulations that are consistent with the Town's vision.

Goal 12: Cultural, educational, recreational, and other amenities that contribute to the quality of life of Carthage's citizens.

The applicant, Gattis Construction Inc., on behalf of the owner, Jeff Leenheer, is requesting a rezoning for parcel 20170229. This parcel is approximately 1.64 acres off US 15-501, adjacent to 3760 US 15-501. The applicant requests to be zoned Industrial (I) from Thoroughfare Business District (TBD). The applicant would like to construct mini storage buildings. This is aligned with the abutting property to the north and west which is currently zoned in Industrial.

Section 2. Please state the Planning Board's reasonings/findings for the approval or disapproval of this consistency statement based on the above selected goals.

Section 2. The Planning Board concludes that the above-described amendment(s) **are/are not** reasonable and in the public interest as they **do/do not** fulfill a direct objective of the Land Use Plan.

This statement adopted the _____ day of _____, 2026.

David Norris, Chair

Jamie Sandoval, Clerk to the Planning Board



MEMORANDUM

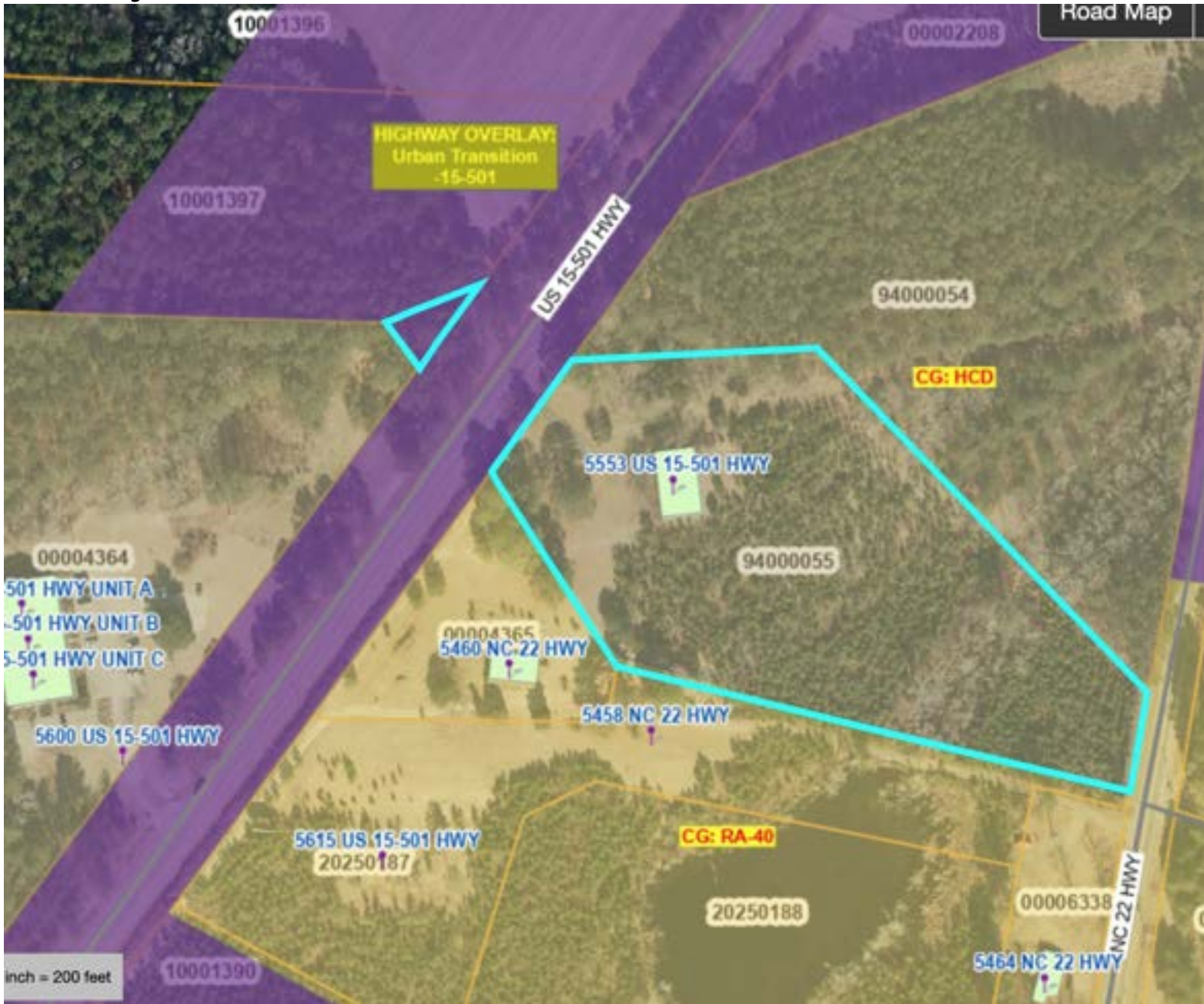
Date: February 5, 2026
To: Planning Board
From: Jennifer Locklear, Town Planner
Subject: S-01-26: Site Plan Review for Stealth Wireless Telecommunications located at 5553 US 15-501, Parcel 94000055, Zone: Highway Commercial District; Petitioner: Anthony Bologna

I. SUMMARY OF APPLICATION REQUEST:

The applicant Anthony J Bologna, on behalf of the owner Pamela Rosemary McKinnon, is applying for a site plan review for construction of a stealth wireless telecommunication facility on parcel 94000055 located between US 15-501 and NC 22. The address of this parcel is 5553 US 15-501 Carthage. The parcel is approximately 5.79 acres in size, according to Moore County GIS.

The request for the tower is per the Unified Development Ordinance (UDO) standards listed in Section 100.56A* Special Requirement 37, Wireless Telecommunication Facilities. Please view **Attachment 1 for the Site Plan.**

Figure 1: Site Location outlined in blue.



II. PROJECT INFORMATION:

1. PARID: 94000055 (PIN: 857600445032)
2. Applicant/Owner: Anthony J Bologna
3. Owner: Pamela Rosemary McKinnon
4. Long-Range Plan Designation:
This future area of this land appears to be commercial or planned mixed use per the adopted 2040 Land Use Plan.
5. Current Zoning:
The current zoning is HCD (Highway Commercial District).

III. APPLICATION REVIEW:

A. Review Process:

Applications for site plan review are pursuant to UDO Section 100.32, Section 100.44 and Section 100.64 "Site-Specific Vesting Plan."

Sec. 100.32 Planning Board – Powers and Duties

In addition to its specific duties set forth in this and other Town Ordinances and policies, the Planning Board shall have the following powers and duties:

1. *To make studies of the Town and surrounding areas;*
2. *To determine objectives to be sought in the development of the Town;*
3. *To propose and recommend plans for achieving these objectives;*
4. *To develop and recommend to the Board of Commissions policies, ordinances, administrative procedures and other means for carrying out plans in a coordinated and efficient manner;*
5. *To advise the Board of Commissioners concerning the use and amendment of means for carrying out plans;*
6. *To exercise such functions in the administration and enforcement of various means for carrying out plans as may be assigned by this article or other ordinances of the Town; and*
7. *To perform other related duties as may be assigned by this article or other ordinances.*

Section 100.44 (4) Planning Board

All proposed Development Ordinance amendments must be given review by the Planning Board for a recommendation to the Board of Commissioners. They are not required to conduct a public hearing, but they are encouraged to accept public input. The Planning Board shall evaluate all proposals for consistency with any adopted long-range plans and adopt a statement of consistency with said plans before voting to recommend approval or denial of the request.

C. Staff Comments:

This is a by right use based on UDO Section 100.56* Special Requirement (SR) 37. It is a concealed tower of 165 feet in height which is under the maximum of 195 feet. The applicant meets all setback requirements for the zoning district. Please view Attachment 1 for the site plan.

IV. PLANNING ATTACHMENTS PROVIDED BY THE APPLICANT:

1. Attachment 1: Site Plan

V. PLANNING BOARD ACTION:

The Planning Board shall evaluate all proposals for consistency with any adopted long-range plans and adopt a statement of consistency with said plans before voting to recommend approval or denial of the request. All proposed Development Ordinance amendments must be given review by the Planning Board for a recommendation to the Board of Commissioners. They are not required to conduct a public hearing, but they are encouraged to accept public input, per UDO Section 100.42 and 100.44.

The Planning Board shall first adopt a Resolution of Consistency with the adopted Land Use Plan and other long-range plans then the Planning Board shall vote on the petition (**two motions required**). The Resolution of Consistency may take one of three forms consistent with N.C.G.S 160D-604(d); 605(a); 701.

LUP CONSISTENCY MOTION (1st Required Motion)

I move to:

OPTION 1

Approve the site plan and describe its consistency with the adopted Land Use Plan.

or

OPTION 2

Reject the site plan and describe its inconsistency with the adopted Land Use Plan.

or

OPTION 3

Approve the site plan and deem it a modification of the adopted Land Use Plan. The Planning Board believes this action taken is reasonable and in the public interest because.....

PETITION MOTION (2ND Required Motion)

And, therefore, I move to:

OPTION 1

Approve S-01-26 as written and presented.

or

OPTION 2

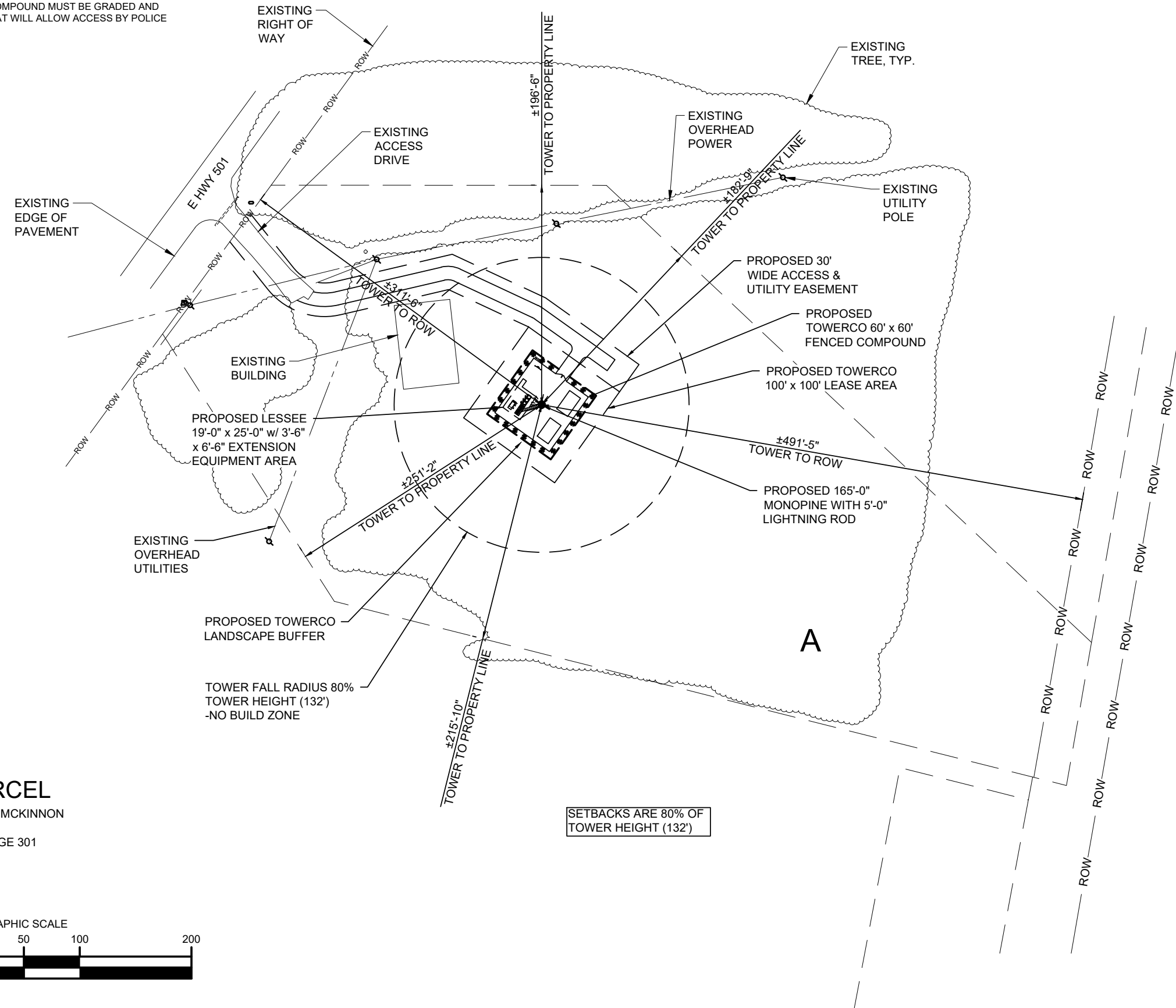
Approve S-01-26 with the following conditions.....

OPTION 3

Deny S-01-26 for the following reasons.....

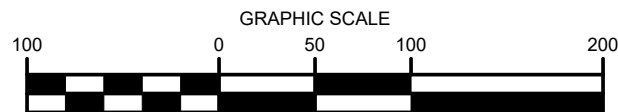
NOTES:

1. THIS DRAWING IS BASED ON A SURVEY BY POINT TO POINT LAND SURVEYORS DATED 08-26-2025.
2. THE PROPOSED USE DOES NOT REQUIRE FULL OR PART TIME EMPLOYEES AT THE SITE.
3. ALL NORTH ARROWS ON SITE PLANS ARE TRUE NORTH, UNLESS OTHERWISE SPECIFIED.
4. ACCESS TO THE WIRELESS TELECOMMUNICATIONS FACILITIES EQUIPMENT COMPOUND MUST BE GRADED AND STONED IN A MANNER THAT WILL ALLOW ACCESS BY POLICE AND FIRE/RESCUE UNITS.



PARENT PARCEL

A PAMELA ROSEMARY MCKINNON
 PARCEL #: 94000055
 DEED BOOK 3488 PAGE 301



SETBACKS ARE 80% OF
 TOWER HEIGHT (132')



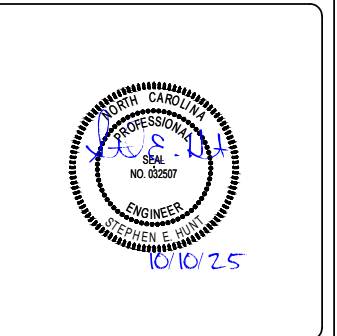
1961 NORTHPOINT BLVD. SUITE 130
 HIXSON, TN 37343
 PH : 423-843-9500
 FAX : 423-843-9509



THE INFORMATION CONTAINED IN THIS SET OF DOCUMENTS IS PROPRIETARY BY NATURE. ANY USE OR DISCLOSURE OTHER THAN THAT WHICH RELATES TO THE CLIENT IS STRICTLY PROHIBITED.

DRAWN BY: JAE
 CHECKED BY: DWS

| REVISIONS | | | |
|-----------|----------|-----|--------------------|
| # | DATE | BY | DESCRIPTION |
| 0 | 10/10/25 | DMB | ISSUED FINAL |
| C | 10/03/25 | MDR | PRELIMINARY REVIEW |
| B | 09/22/25 | WAM | PRELIMINARY REVIEW |
| A | 09/10/25 | JAE | PRELIMINARY REVIEW |



TOWERCO SITE NAME :
 BELLVIEW 501

TOWERCO SITE # :
 NC0317

SITE ADDRESS :
 5553 US 15-501 HWY
 CARTHAGE, NC 28327

SITE TYPE :
 RAWLAND

LATITUDE :
 35° 17' 56.78" N

LONGITUDE :
 79° 25' 14.26" W

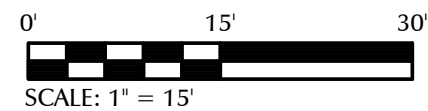
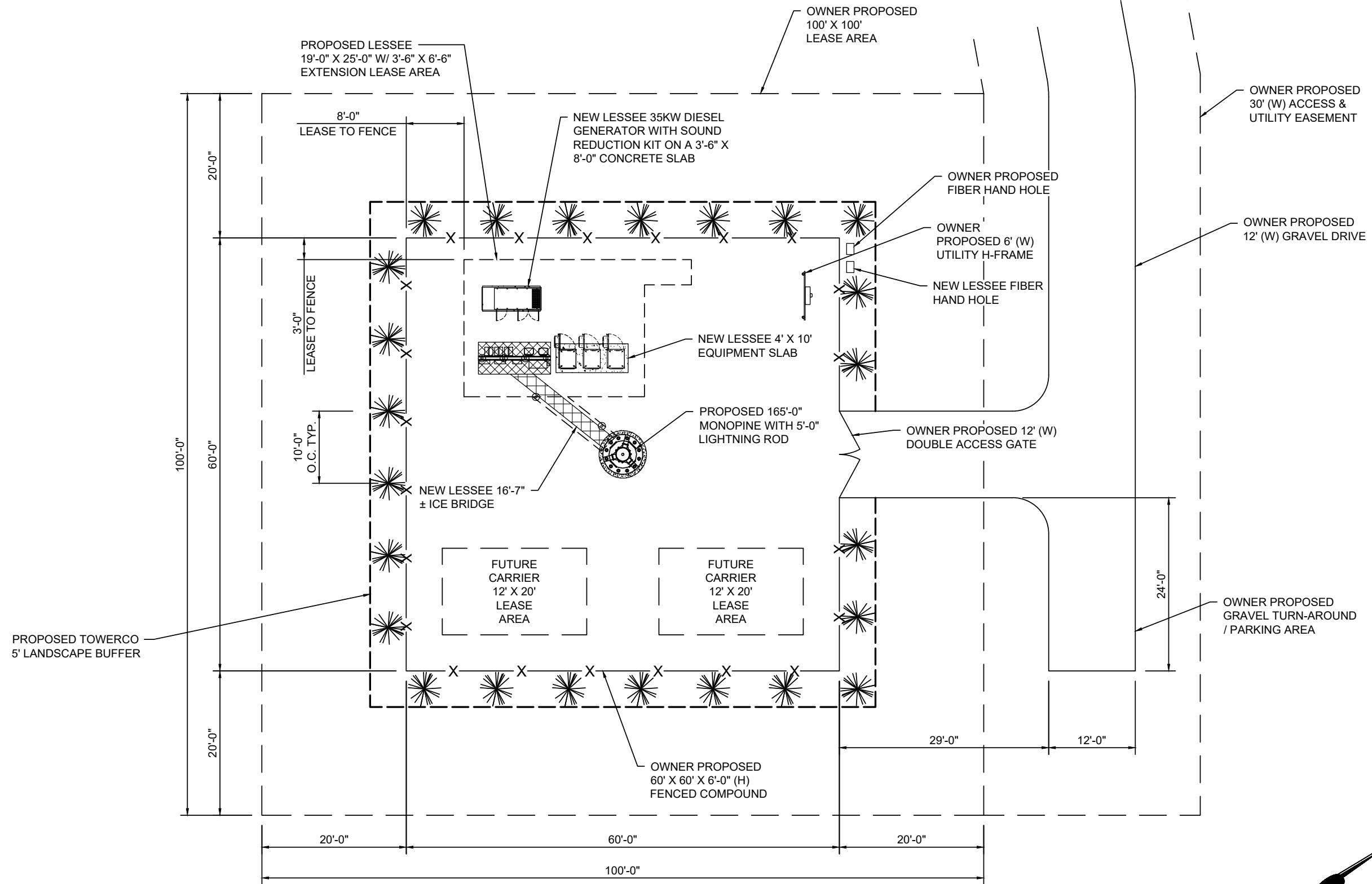
SHEET TITLE :
 OVERALL SITE LAYOUT PLAN

DRAWING # :
Z3

REVISION :
0

NOTES:

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2. ALL NORTH ARROWS ON SITE PLANS ARE TRUE NORTH, UNLESS OTHERWISE SPECIFIED.



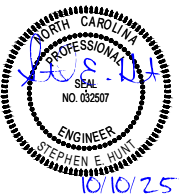
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| DRAWN BY | JAE |
| CHECKED BY | DWS |

| REVISIONS | | | |
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| A | 09/10/25 | JAE | PRELIMINARY REVIEW |



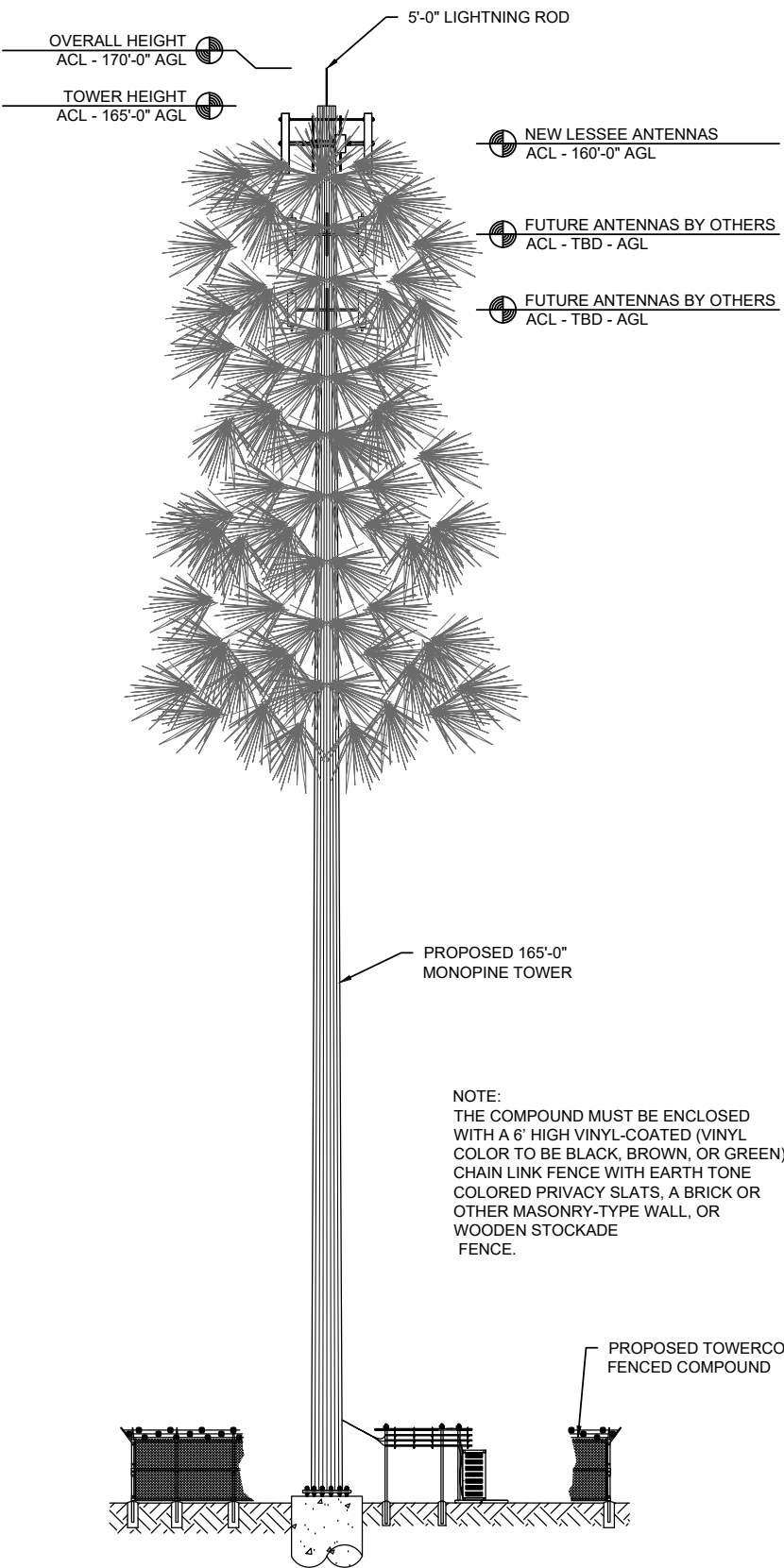
| | |
|---------------------|--|
| TOWERCO SITE NAME : | BELLVIEW 501 |
| TOWERCO SITE # : | NC0317 |
| SITE ADDRESS : | 5553 US 15-501 HWY CARTHAGE, NC 28327 |
| SITE TYPE : | RAWLAND |
| LATITUDE : | 35° 17' 56.78" N |
| LONGITUDE : | 79° 25' 14.26" W |

SHEET TITLE :
 SITE LAYOUT PLAN

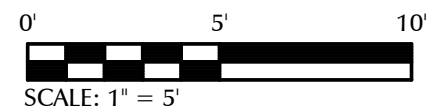
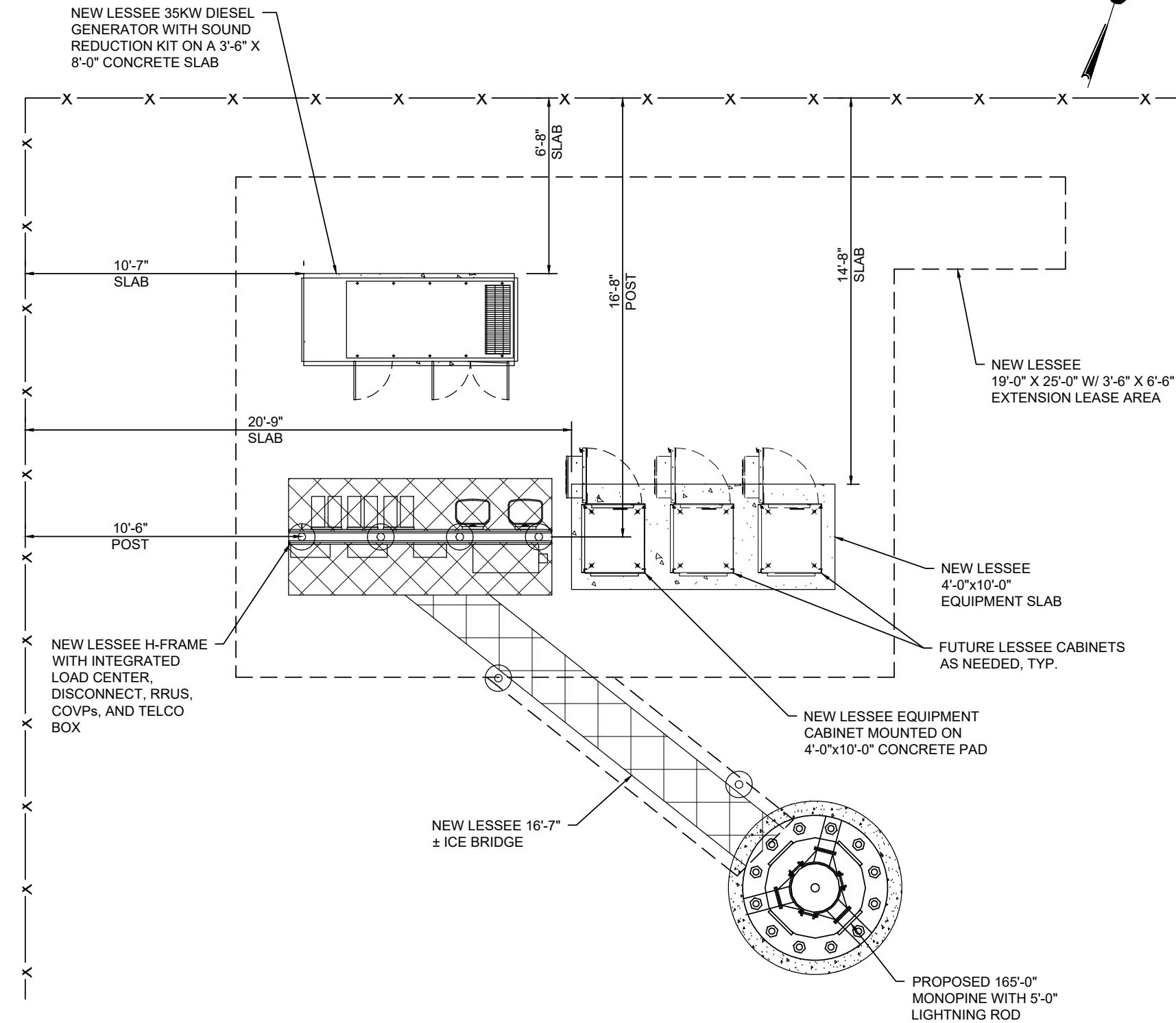
| | |
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| DRAWING # : | REVISION : |
| Z4 | 0 |

NOTES:

1. TOWER DOES NOT REQUIRE LIGHTNING PER FAA.



TOWER ELEVATION
NTS



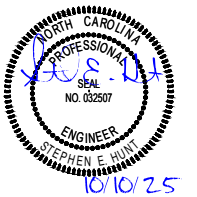
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DRAWN BY: JAE
CHECKED BY: DWS

| REVISIONS | | | |
|-----------|----------|-----|--------------------|
| # | DATE | BY | DESCRIPTION |
| 0 | 10/10/25 | DMB | ISSUED FINAL |
| C | 10/03/25 | MDR | PRELIMINARY REVIEW |
| B | 09/22/25 | WAM | PRELIMINARY REVIEW |
| A | 09/10/25 | JAE | PRELIMINARY REVIEW |



TOWERCO SITE NAME :
BELLVIEW 501

TOWERCO SITE # :
NC0317

SITE ADDRESS :
5553 US 15-501 HWY
CARTHAGE, NC 28327

SITE TYPE :
RAWLAND

LATITUDE :
35° 17' 56.78" N

LONGITUDE :
79° 25' 14.26" W

SHEET TITLE :
TOWER ELEVATION &
EQUIPMENT LAYOUT PLAN

DRAWING # :
Z5

REVISION :
0



MEMORANDUM

Date: February 16, 2026

To: The Board of Commissioners

From: Jamie Sandoval, Management Analyst

Subject: Training for Legislative Changes made by the General Assembly

The North Carolina General Assembly signed into law “An Act to Provide Further Regulatory Relief to the Citizens of North Carolina”. This law act was signed into law on October 6, 2025. The following memo briefly outlines what changes have been made and how they will affect the jobs and duties of town staff for implementation. This training is important for both the Planning Board and the Board of Commissioners to understand what authority the Town has as given by the state.

The topics that will be covered in this training session include:

1. Surveyor Right of Entry
2. Inspection Fee Changes
3. Street Design and Parking Standards
4. No Waiting Period for Refiling Development Applications
5. Flag Display Restrictions
6. Vested Rights Clarification
7. Quasi-Judicial Decisions
8. Split Jurisdiction Rules

Included is a two-page brief that discusses what was included in the law and what role we have in abiding by the law.

Overview of S.L. 2025-94 – “An Act to Provide Further Regulatory Relief to the Citizens of North Carolina”

S.L. 2025-94 was approved and signed into law on October 6, 2026. Below are brief explanations of what changes this law made for the items listed below.

1. Surveyor Right of Entry
 2. Inspection Fee Changes
 3. Street Design and Parking Standards
 4. No Waiting Period for Refiling Development Applications
 5. Flag Display Restrictions
 6. Vested Rights Clarification
 7. Quasi-Judicial Decisions
 8. Split Jurisdiction Rules
-

1. Surveyor Right of Entry.

The law states that which circumstances a land surveyor may enter on private property. States that a land surveyor cannot be denied access for the purpose of surveying. A land surveyor may not sue a property owner for personal injury or property damage. A surveyor may not destroy, injure, or damage anything on a private property without written permission by the landowner.

2. Inspection Fee Changes

The law states that an inspection department shall not charge an applicant a fee or fail an inspection if the applicant cancels the scheduled inspection more than one business day before the scheduled inspection.

3. Street Design and Parking Standards

No zoning regulations have any control on the following:

- 1) Set a minimum square footage of any structure.
- 2) Require parking spaces larger than 9 feet wide by 20 feet long other than ADA parking.
- 3) Require additional fire apparatus access roads in developments.
- 4) Require pavement design standards for public or private roads that are more stringent than standards set forth by the NCDOT.

4. No Waiting Period for Refiling Development Applications

The law now prohibits waiting periods for a denied or withdrawn applications by an applicant. Legally, a municipality cannot have a waiting period for the Board of Commissioners or Planning Board to review an application for an application.

5. Flag Display Restrictions

A local government cannot limit the size, placement, number of flags or the height of flagpoles of United State flags or the State of North Carolina flags.

6. Vested Rights Clarification

The law states that a new vested right that is obtained by an applicant may not affect the vested rights obtained by any other vested rights that have been obtained. A “vested right” is a right to complete a project based on how it was originally approved.

7. Quasi-Judicial Decisions

The law states that with quasi-judicial zoning decisions, if a Special Use Permit expires and does not “vest”, the current zoning regulations apply.

8. Split Jurisdiction Rules

The law states that if land lies between two local government jurisdictions, there must be a mutual agreement between the two jurisdictions to which the land falls under which zoning regulations. If no mutual agreement is made or reached, with the consent of the landowner, then the landowner can elect to apply the regulations of the jurisdiction with the majority of the acreage.