

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2025

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HOUSE BILL 914

Short Title: Higher Ed./Religious Inst. Affordable Housing. (Public)

Sponsors: Representative Dew.

*For a complete list of sponsors, refer to the North Carolina General Assembly web site.*

Referred to: Rules, Calendar, and Operations of the House

April 14, 2025

A BILL TO BE ENTITLED  
AN ACT TO ALLOW BY RIGHT DEVELOPMENT IN CERTAIN MUNICIPALITIES OF  
LAND OWNED BY AN INDEPENDENT INSTITUTION OF HIGHER EDUCATION OR  
A RELIGIOUS INSTITUTION FOR THE PURPOSES OF CREATING AFFORDABLE  
HOUSING.

The General Assembly of North Carolina enacts:

**SECTION 1.** Part 1 of Article 9 of Chapter 160D of the General Statutes is amended  
by adding a new section to read:

**"§ 160D-917. Higher education and religious institutions residential use.**

(a) Notwithstanding any provision of this Chapter to the contrary, a municipality (i) with a population of greater than 50,000 as of the most recent decennial census and (ii) that is designated in whole or in part as an urban area by the United States Census Bureau shall allow by right, and no amendment to zoning regulations or conditional use permit shall be required, residential development to the same extent and density as allowed in any areas and districts zoned for residential use in the jurisdiction all land meeting the following criteria:

- (1) The development is located on land owned on or before January 1, 2026, by an independent institution of higher education or a religious institution.
- (2) The development is not located in an area designated as a local historic district (i) pursuant to Part 4 of Article 9 of this Chapter or (ii) on the National Register of Historic Places.
- (3) The development is not adjoined to any site where more than one-third of the square footage on the site is dedicated to light industrial use. For purposes of this subdivision, a site is "dedicated to light industrial use" if all of the following criteria are met:
  - a. The square footage is currently being put to a light industrial use.
  - b. The most recently permitted use of the square footage is a light industrial use.
  - c. The latest version of the municipality's comprehensive plan, adopted before January 1, 2023, designates the property for light industrial use.
- (4) The housing units on the development site are not located within 1,200 feet of a site that is currently a heavy industrial use or where the most recent permitted use was a heavy industrial use.
- (5) At least eighty percent (80%) of the units must be reserved for low-income residents, with the exception of no more than five percent (5%) of the units reserved for a manager or staff of the independent institution of higher



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education or religious institution. For the purposes of this subdivision, "low-income residents" are those residents with a family income that is eighty percent (80%) or less of median family income.

(6) The development complies with all other development standards and building codes not in conflict with this section.

(b) A development project that is eligible for approval as a use by right pursuant to this section may include the following ancillary uses; provided that the uses are limited to the ground floor of the development:

(1) In an area zoned for single-family residential use, ancillary uses shall be limited to child care centers and facilities operated by community-based organizations for the provision of recreational, social, or educational services for use by the residents of the development and members of the local community where the development is located.

(2) In all other zones, the development may include commercial uses that are permitted without the requirement of a conditional use permit or planned unit development permit.

(c) A development project that is eligible for approval as a use by right pursuant to this section includes any use that was previously existing and legally permitted by the local government with jurisdiction, if all of the following criteria are met:

(1) The total square footage of nonresidential space on the site does not exceed the amount previously existing or permitted in a conditional use permit.

(2) The total parking requirement for nonresidential space on the site does not exceed the lesser of the amount existing or of the amount required by a conditional use permit.

(3) The new uses follow the same conditions as contained in the previous conditional use permit.

(d) If the development project is located in an area not zoned for residential use, the development project shall be allowed a density of 40 units per acre and a height of one story above the maximum height otherwise applicable to the parcel. If the municipality allows greater density or building height on any adjoining parcel, the greater density or building height shall apply to the development project.

(e) The proposed development shall provide off-street parking of up to one space per unit, unless another law or ordinance provides for a lower standard of parking, in which case the lower standard shall apply; however, no parking requirement shall be imposed if the parcel is located within 1/2 mile of a transit stop or is within a transit-oriented development district or similar designation.

(f) For the purposes of this section, an "independent higher education institution" has the same meaning as an "eligible private postsecondary institution" in G.S. 116-280(3) and a "religious institution" has the same meaning as G.S. 131F-2(17)."

**SECTION 2.** This act becomes effective October 1, 2025.