

Multiple bipartisan housing bills were just filed in North Carolina's legislature.

## **SB 497 – Expand Middle Housing.**

### **Purpose:**

Senate Bill 497 is a proposed North Carolina bill that aims to increase the housing supply by allowing middle housing types in **all residential zones**, including those traditionally reserved for single-family homes.

### **Key Definitions:**

- **Duplex, Triplex, Fourplex, Fiveplex, Sixplex** – 2 to 6-unit residential buildings.
- **Townhouses** – attached units with individual entrances.
- **Middle housing** – refers collectively to buildings with 2+ units compatible in form and scale with single-family homes.

### **Where It Applies:**

- Applies **statewide** to *any* area zoned for **residential use**.
  - Must be served (or be serviceable) by a **public or municipal water/sewer system**.
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### **What Local Governments Must Do:**

- Allow **all types of middle housing** as **permitted uses** in residential zones.
- Use the **same permit and review processes** as for single-family homes.
- Avoid imposing regulations that **unreasonably restrict** middle housing (e.g., limits on stories or floor area ratios under 1.0).

### **What Local Governments Cannot Do:**

- Ban middle housing from being used as **long-term rentals** (30+ days).
- Require **commercial building codes** or **fire sprinklers**.
- Mandate private **HOAs, condo associations, or shared amenities**.
- Require construction of **private roads** not accepted into a public system.
- Enforce any newly recorded deed restriction or covenant (post-effective date) that **prohibits middle housing or accessory dwelling units** while allowing single-family homes.

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### Historic & Private Exemptions:

- The bill **does not override**:
  - **Private covenants** and HOA rules already in place.
  - Areas designated as **local or national historic districts**.

### Incentives Encouraged (Not Required):

Local governments are encouraged to consider ways to **increase affordability**, such as:

- Waiving/deferring **development fees**,
- Reducing **open space/recreation** dedications,
- Easing **transportation or infrastructure** obligations.

### Effective Date:

- The law takes effect **18 months after passage**.
- If a local government fails to update its zoning laws by then, **middle housing will automatically be permitted** in all residential zones by default.

## SB 499 – Housing Near Jobs

### What the Bill Does:

This bill would **require all North Carolina local governments to allow residential development "by right" in areas zoned for commercial, office, or retail use.**

### Key Provisions:

- Residential development must be allowed "by right" in all commercial zones—meaning no rezonings, special use permits, or conditional approvals are required.
- Applies to:
  - New construction of residential buildings.
  - Conversions of existing commercial buildings (or parts of them) into housing.
- Residential uses must be allowed to the same extent as they are in comparable residential zones.

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#### What the Bill Does Not Do:

- It does not override:
    - Building codes
    - Fire codes
    - Public health and safety regulations
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#### Purpose:

This legislation aims to boost the housing supply near jobs, services, and transit, making better use of underutilized commercial areas and promoting mixed-use development.

## SB 492 – Single Stair Building Code Reform

#### What the Bill Does:

This bill **amends North Carolina's Building Code** to allow **certain residential (R-2) buildings** to be constructed with a **single-exit stairway**, rather than multiple stairwells, **under strict safety and design conditions**.

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#### Where It Applies:

- Applies only to **Group R-2 multifamily buildings** (not triplexes or quadplexes covered by the Residential Code).
  - Buildings must:
    - Have **5 to 32 units**
    - Be **75 feet or less** in height
    - Be located on a **single lot**
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#### What's Allowed:

A **single-exit stairway** is allowed **in lieu of multiple exits** if the building meets one of two categories:

##### 1. Mid-Rise Buildings:

- Up to **8 stories total, 7 above grade**
- No more than **4 units per floor**
- Must have **2-hour fire-rated construction** and full **NFPA 13 sprinkler system**

## 2. Low-Rise Buildings:

- Up to **3 stories total, 2 above grade**
- No more than **6 units per floor**
- Must have **1-hour fire-rated construction** or full **NFPA 13 sprinkler system**

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### Universal Safety Requirements for Both Types:

All qualifying buildings must:

- Have **pressurized interior stairwells** or approved alternatives
- Ensure **no unit opens directly into interior stairwells**
- Maintain **20 feet max** from unit door to stairwell entrance
- Keep **total egress path under 125 feet**
- Avoid **dead-end egress courts**
- Pressurize **elevators** or use vented alternatives
- Prohibit **discharge through other occupancies**
- Prevent **unprotected openings** within 10 feet of stairwells

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### Code Adoption Process:

- These temporary rules go into effect **immediately** for enforcement.
- The **NC Building Code Council** is required to **permanently adopt** rules mirroring these provisions.
- Once permanent rules are adopted and in effect, the **temporary rules expire**.

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### Why It Matters:

This bill aligns NC with growing national trends that encourage **design flexibility**, promote **affordable urban housing**, and remove outdated requirements that **raise costs or restrict innovation**—while still **ensuring life safety**.

## SB 495 – ADU's

### Purpose:

This bill aims to **increase affordable housing options** by requiring all North Carolina local governments to **allow Accessory Dwelling Units (ADUs)** in residential zones where single-family detached homes are permitted.

### Key Provisions:

#### What Must Be Allowed:

- At least **one ADU per single-family detached dwelling** must be allowed “by right.”
- ADUs may be **attached or detached** and **can be built simultaneously or after** the main home.
- ADUs must comply with the **NC Residential Code for One- and Two-Family Dwellings**.

#### What Local Governments Cannot Do:

- Prohibit **long-term rentals** of either the main home or the ADU.
- Require **conditional zoning** or special permitting.
- Impose **minimum parking requirements** or new parking restrictions.
- Deny connection to existing **utilities**, if capacity exists.
- Charge **higher permitting fees** than for a typical single-family home.
- Limit ADU size to **less than 800 square feet**.

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#### What Local Governments May Do:

- Impose **setbacks** no greater than **10 feet**, or the zone's standard setback—whichever is less.
  - Require that the ADU be located to the **side or rear** of the primary home.
  - Require the ADU to be **smaller** than the main house.
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### Where This Law Does *Not* Apply:

- Areas with **private covenants** or HOA rules that restrict dwelling types.
  - **Historic preservation districts** or **National Historic Landmarks**.
  - ADUs that are **not connected to water and sewer** systems.
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### Implementation Timeline:

- **October 1, 2025:** Law takes effect; applies to permit applications submitted on or after this date.
  - **By January 1, 2027:** All local governments must adopt compliant regulations.
  - **If not adopted by that date,** ADUs will be allowed **automatically without restrictions** in that jurisdiction.
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### Definition:

- **Accessory Dwelling Unit (ADU):** A smaller, independent residential structure (attached or detached) that is **accessory to** and **smaller than** the main single-family home on the same lot.