



This APA-NC Legislative Committee Policy Guidance Document explains the Committee’s approach to ranking or prioritizing planning-related draft, pending, and final legislation from the North Carolina General Assembly. This document also explains the process the Committee will follow moving forward in determining if and how the Legislative Committee will take appropriate advocacy action(s) on legislation. This document has been prepared by the APA-NC Legislative Committee and has been ratified by the APA-NC Executive Committee on January 19, 2024. Changes to the methodology or procedures described in this document will require re-ratification by the APA-NC Executive Committee.

When a planning-related bill is introduced in the General Assembly, the Legislative Committee will add it to the Committee’s tracking form, prepare an interpretive summary of the bill’s language, and reach out to the bill’s primary and co-sponsors to request their talking points or rationale for the bill. The Committee will also assign the bill an initial priority ranking (either a 1, 2, and 3) based on its attributes. The table below identifies some of the most common attributes to be used by the Committee to identify a bill’s initial priority ranking.

The priority ranking system is proposed to help Chapter members and the Legislative Committee organize pending planning-related legislation and as a means to help the Legislative Committee focus its attention and resources on the most impactful or significant potential legislation. The Legislative Committee will assign a preliminary ranking to all planning-related legislation we track. That initial priority ranking is subject to change based on discussions with Chapter members during our on-going legislative status calls (conducted twice monthly during each legislative session). To be clear, the Legislative Committee does not identify and track all bills proposed by the General Assembly over the course of a legislative session - rather, we track and report only on those proposed bills that are planning-related. Planning-related bills include pending legislation that relates to State or local land use controls, zoning, subdivision of land, development review, environmental protection, transportation, and similar aspects. We also track some bills related to studies or appropriations related to these topics. Identification of planning-related bills can be an art as much as it is a science. Some pending legislation blends planning-related aspects into completely unrelated matters, and in other cases, pending bills may start life as a matter completely unrelated to planning only to be revised through the Legislature’s process into pending bills that do impact planning-related concerns. In summary, it can sometimes be a challenge identifying and tracking planning-related bills during a legislative session that can see as many as 800 to 1,000 pieces of proposed legislation from each of the two chambers. Nevertheless, when the Legislative Committee identifies a pending bill as planning-related, it will be reviewed and summarized for tracking purposes and given a priority ranking.

Bills given a priority ranking of a “3” mean that the pending bill is believed to have a low or negligible impact upon planning practitioners and the planning efforts undertaken by North Carolina local governments. These bills are tracked because they are planning-related, but they are not expected to have much impact on the day-to-day planning functions across the State.¹

Bills given a Priority 2 ranking are bills that are believed to have a moderate or noticeable impact on planning practitioners and the planning related activities undertaken by local governments. In some cases, bills with a priority 2 ranking may have been so-designated because the Legislative Committee is unsure of the potential degree of impact, and may want to elevate discussion of the bill in pursuit of a deeper shared understanding about a proposed bill’s anticipated impacts.

¹ NOTE: The Legislative Committee’s 2023 Strategic Plan incorrectly classifies the least impactful bills as “Priority 1” bills. The Strategic Plan text will be revised for consistency with this Policy Guidance document with respect to the meaning of bill priority rankings.



Priority 1 bills are bills expected to have a significant impact on planners and planning-related activities. These are the most significant planning-related bills that merit the largest amount of discussion and could illicit a coordinated advocacy response from the Legislative Committee and/or the Chapter.

The table below is a brief summary of how the Legislative Committee anticipates assigning a bill's initial priority ranking. A bill's ranking can always change based on discussion with the Chapter, changes to the bill's contents as it evolves, shifting priorities or conditions in the State, or shifting priorities among the Chapter membership. The table includes three columns; one for each priority ranking. The cells below each column heading show examples of the kinds of pending legislation likely to receive that initial priority ranking number.

DRAFT PLANNING-RELATED BILL ATTRIBUTES AND POTENTIAL RANKING		
PRIORITY 3 – Least Impactful Features Likely to Result in a Priority 3 Bill Ranking:	PRIORITY 2 - Moderate Impact Features Likely to Result in a Priority 2 Bill Ranking:	PRIORITY 1 – Most Impactful Features Likely to Result in a Priority 1 Bill Ranking:
<ul style="list-style-type: none">• Special study or study-commission bills	<ul style="list-style-type: none">• New or novel un-funded mandates to local governments	<ul style="list-style-type: none">• Pre-emption of current regulatory authority
<ul style="list-style-type: none">• Bills where the Committee can not agree on a priority ranking	<ul style="list-style-type: none">• Bills that are structured or worded in ways that make their impacts difficult to predict	<ul style="list-style-type: none">• Bills affecting (or potentially affecting) the employment status of planners or persons employed in planning -related fields
<ul style="list-style-type: none">• Bills with limited impacts across the State	<ul style="list-style-type: none">• Bills seeking to expand authority for outdoor advertising or limit aspects of planning oversight of industries or economic activities	<ul style="list-style-type: none">• Bills affecting annexation, extraterritorial jurisdiction, or geographic authority
<ul style="list-style-type: none">• Local bills with unique characteristics	<ul style="list-style-type: none">• Bills creating/ eliminating regulatory schemes, resources, or funding for planning-related matters	<ul style="list-style-type: none">• Bills placing limits on application review authority or review timeframes
		<ul style="list-style-type: none">• Bills supporting/advancing or in contradiction to established APA policies, applicable codes of ethics, or contrary to the public interest

Classification as Priority 3 legislation (the least-concerning status) means that a draft bill will be discussed with Chapter membership during the course of a typical twice-monthly status update call (these calls are typically conducted at noon on the 1st and 3rd Fridays of the month during the legislative session) and tracked as it progresses.

Classification as Priority 2 legislation (intermediate status) bills warrant special or focused discussion with Chapter members either during a designated portion of a regular legislative update call or during a special call with Chapter membership organized specifically for the purpose of discussing Priority 2 bills.

If there is consensus among the Chapter members participating in a particular call to change a bill's priority ranking, the Committee will change it accordingly. It is also possible for a particular bill's priority ranking to be



changed by the Legislative Committee based on proposed changes from the General Assembly or the express will of a plurality of the Chapter membership.

Bills that receive a Priority 1 ranking are considered to be the most impactful bills that warrant special discussion by the Membership and potentially, advocacy action by the Committee (with the support of the APANC-Executive Committee).

Following identification of a Priority 1 bill by the Legislative Committee, the Committee will prepare a detailed analysis of the bill, including planning-related concerns or anticipated outcomes of the bill. The bill and its analysis will be scheduled for discussion with the membership during the course of a typical twice-monthly status update call. Call participants will be queried on if they agree the draft bill merits a Priority 1 ranking. If so, the Legislative Committee will take the next step, which is to promptly schedule a discussion of the bill, associated talking points, and potential advocacy responses with the NC-APA Executive Committee.

During discussion of the Priority 1 bill with the APA-NC Executive Committee, the Legislative Committee will share its research, analysis, and suggestions for if and how to pursue advocacy action. Following discussion with the Executive Committee, the Legislative Committee shall take the actions agreed upon with the APA-NC Executive Committee during discussion. Such actions could include collection of resolutions of support or opposition from local governments and transmittal to the appropriate legislative committee. It could also include transmittal of Executive Committee-endorsed talking points, questions, or suggestions for modification to the proposed legislation. Or, provision of testimony, or other relevant action. The APA-NC Executive Committee could also choose a different response or decline to support advocacy action by the Legislative Committee.

The Legislative Committee will share the results of the discussion with the Chapter membership prior to taking any actions endorsed by the Executive Committee.

In cases where time of the essence in responding to pending proposed legislation associated with a Priority 1 bill, the Executive Committee may use shared, written documentation and utilize written responses from Executive Committee members in lieu of a face-to-face discussion. In these instances, the Executive Committee will rely on all applicable guidance in the bylaws regarding provision of comments and establishment of consensus regarding the Chapter's response to pending legislation.

This policy guidance is subject to period review and may be updated or revised, as appropriate, by the Legislative Committee. Any revisions will also be forwarded to the APA-NC Executive Committee for endorsement.