

Types of Decisions

for Development Regulations in North Carolina

	Administrative	Quasi-Judicial	Legislative
Example	zoning permit, notice of violation	variance, special use permit, certificate of appropriateness	ordinance amendment, rezoning
Decision-maker	staff, typically	assigned board	governing board
Standards	objective	requires some judgment and discretion	based on what is in the public interest
Public Notice	none required, local option for notice of decision	mailed to neighbors and posted on the site	published in newspaper; if rezoning then also mailed to neighbors, and posted on the site
Hearing	none typically, but administrative hearing for certain decisions	evidentiary hearing	legislative hearing
Public Input	little or none for a particular decision; input up front to adopt the ordinance	limited to sworn, factual testimony at the hearing	broad public input
Discretion	very little	decisions must be based on the applicable standards and evidence in the record	broad discretion
Appeal	to the board of adjustment	to superior court	to superior court

For additional explanation, see Adam Lovelady, “Types of Decisions,” Coates’ Canons: NC Local Government Law (August 24, 2021) available at <https://canons.sog.unc.edu/types-of-development-decisions/>