



CHAPTER 160D  
ARTICLE 10 - DEVELOPMENT AGREEMENTS

N.C.G.S. § 160D-1008.

Breach and cure.

|                                                                                    |                                                               |                                           |                                                                                              |
|------------------------------------------------------------------------------------|---------------------------------------------------------------|-------------------------------------------|----------------------------------------------------------------------------------------------|
| SOURCE<br>General Statutes of North Carolina, as published by the General Assembly | LAST AMENDMENT IN THIS TEXT<br>No amendment history on record | RETRIEVED<br>21 September 2026, 04:21 UTC | SOURCE FINGERPRINT<br>1935c5eeefc00868d6160397 - df420d02b4c9d18bf7f7fc47 - b5d7e2209f572bee |
|------------------------------------------------------------------------------------|---------------------------------------------------------------|-------------------------------------------|----------------------------------------------------------------------------------------------|

- § 160D-1008(a)

Procedures established pursuant to G.S. 160D-1003 may include a provision requiring periodic review by the zoning administrator or other appropriate officer of the local government, at which time the developer shall demonstrate good-faith compliance with the terms of the development agreement.
- § 160D-1008(b)

If the local government finds and determines that the developer has committed a material breach of the agreement, the local government shall notify the developer in writing setting forth with reasonable particularity the nature of the breach and the evidence supporting the finding and determination and providing the developer a reasonable time in which to cure the material breach.
- § 160D-1008(c)

If the developer fails to cure the material breach within the time given, then the local government unilaterally may terminate or modify the development agreement, provided the notice of termination or modification may be appealed to the board of adjustment in the manner provided by G.S. 160D-405.
- § 160D-1008(d)

An ordinance adopted pursuant to G.S. 160D-1003 or the development agreement may specify other penalties for breach in lieu of termination, including, but not limited to, penalties allowed for violation of a development regulation. Nothing in this Article shall be construed to abrogate or impair the power of the local government to enforce applicable law.
- § 160D-1008(e)

A development agreement shall be enforceable by any party to the agreement notwithstanding any changes in the development regulations made subsequent to

the effective date of the development agreement. Any party to the agreement may file an action for injunctive relief to enforce the terms of a development agreement. (2019-111, s. 2.4; 2020-3, s. 4.33(a); 2020-25, s. 51(a), (b), (d).)

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

## APPARATUS II

### 2 AUTHORITIES

## Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

| REFERENCE      | APPEARS IN | OPERATIVE LANGUAGE IN THIS SECTION     |
|----------------|------------|----------------------------------------|
| G.S. 160D-1003 | (a)        | "Procedures established pursuant to"   |
| G.S. 160D-405  | (c)        | "adjustment in the manner provided by" |

## APPARATUS III

## Citation

### FULL SECTION

N.C. Gen. Stat. § 160D-1008 (2026).

### PINPOINT

N.C. Gen. Stat. § 160D-1008(a) (2026).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

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