

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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SENATE BILL 187*

Short Title: Zoning Notices as to State Lands.

(Public)

Sponsors: Senators Goldston, Ezzell, Hunt of Durham, and Plyler.

Referred to: State Government.

February 16, 1989

A BILL TO BE ENTITLED

AN ACT TO REQUIRE THAT THE STATE DEPARTMENT OF ADMINISTRATION RECEIVE NOTICES OF LOCAL PLANNING ACTIONS AS TO ANY TERRITORY COVERED BY THE CAPITAL PLANNING COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 143B-373 reads as rewritten:

"§ 143B-373. North Carolina Capital Planning Commission – creation; powers and duties.

(a) There is hereby recreated the North Carolina Capital Planning Commission of the Department of Administration.

(1) The Commission shall have the following powers and duties:

- a. To obtain and maintain up-to-date building requirements for State governmental agencies in Wake County;
- b. To formulate a long-range capital improvement program as required for State central governmental agencies in Wake County and maintain this program up-to-date;
- c. To recommend the acquisition of land as required;
- d. To recommend to the Governor the locations for State government buildings, monuments, memorials and improvements in Wake County, except for buildings occupied by the General Assembly; and
- e. To recommend to the Governor the name for any new State government building or any building hereafter acquired by the

1 State of North Carolina in Wake County, with the exception of
2 buildings comprising a part of the North Carolina State
3 University, the Dorothea Dix Hospital, the General Assembly
4 or the Governor Morehead School;

5 (2) The Commission is authorized and empowered to adopt such rules and
6 regulations, not inconsistent with the laws of this State, as may be
7 required by the federal government for grants-in-aid for capital
8 improvement purposes which may be made available to the State by
9 the federal government. This section is to be liberally construed in
10 order that the State and its citizens may benefit from such grants-in-
11 aid.

12 (3) The Commission shall adopt rules and regulations consistent with the
13 provisions of this Chapter. All rules and regulations not inconsistent
14 with the provisions of this Chapter heretofore adopted by the existing
15 North Carolina Capital Planning Commission shall remain in full force
16 and effect unless and until repealed or superseded by action of the
17 recreated Commission. All rules and regulations adopted by the
18 Commission shall be enforced by the Department of Administration.

19 (b) Any:

20 (1) City exercising any jurisdiction in Wake County under Article 19 of
21 Chapter 160A of the General Statutes (or under any local act of similar
22 nature); and

23 (2) County exercising any jurisdiction in Wake County under Article 18 of
24 Chapter 153A of the General Statutes (or under any local act of similar
25 nature)

26 shall provide to the North Carolina Capital Planning Commission no later than August
27 1, 1989, a copy of any ordinance adopted under that Article and in effect on July 1,
28 1989, and shall provide a copy of any additional ordinance adopted or amended under
29 such Article or similar local act after July 1, 1989, within 30 days of adoption; provided
30 that no ordinance adopted under G.S. 160A-441 shall be so provided unless it applies to
31 a structure owned by the State.

32 (c) Any:

33 (1) City exercising any jurisdiction in Wake County under Article 19 of
34 Chapter 160A of the General Statutes (or under any local act of similar
35 nature); and

36 (2) County exercising any jurisdiction in Wake County under Article 18 of
37 Chapter 153A of the General Statutes (or under any local act of similar
38 nature)

39 shall provide to the North Carolina Capital Planning Commission within seven days of
40 first consideration by the governing body any proposal under either of those Articles or
41 local acts which, if adopted would affect property within Wake County owned by the
42 State.

43 (d) The North Carolina Capital Planning Commission may, by resolution, further
44 define what types of proposals are required to be submitted under subsection (c) of this

1 section, and may define the meaning of 'first consideration' differently as to different
2 types of actions, and may require similar notice of proposals before planning boards,
3 boards of adjustment, and planning commissions. The North Carolina Capital Planning
4 Commission may, in lieu of the specific requirements of subsection (c) and this
5 subsection, adopt a different schedule for submission of proposals and ordinances, and
6 the schedule may be different for different jurisdictions, so as to carry out the intent of
7 this section."

8 Sec. 2. This act shall become effective July 1, 1989.