

GENERAL ASSEMBLY OF NORTH CAROLINA  
1989 SESSION

CHAPTER 32  
SENATE BILL 187

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 State of North Carolina in Wake County, with the exception of buildings comprising a part of the North Carolina State University, the Dorothea Dix Hospital, the General Assembly or the Governor Morehead School;
- (2) The Commission is authorized and empowered to adopt such rules and regulations, not inconsistent with the laws of this State, as may be required by the federal government for grants-in-aid for capital improvement purposes which may be made available to the State by the federal government. This section is to be liberally construed in order that the State and its citizens may benefit from such grants-in-aid.

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by the existing North Carolina Capital Planning Commission shall remain in full force and effect unless and until repealed or superseded by action of the recreated Commission.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

(b) Any:

- (1) City exercising any jurisdiction in Wake County under Article 19 of Chapter 160A of the General Statutes (or under any local act of similar nature); and
- (2) County exercising any jurisdiction in Wake County under Article 18 of Chapter 153A of the General Statutes (or under any local act of similar nature)

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

(c) Any:

- (1) City exercising any jurisdiction in Wake County under Article 19 of Chapter 160A of the General Statutes (or under any local act of similar nature); and
- (2) County exercising any jurisdiction in Wake County under Article 18 of Chapter 153A of the General Statutes (or under any local act of similar nature)

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

(d) The North Carolina Capital Planning Commission may, by resolution, further define what types of proposals are required to be submitted under subsection (c) of this section, and may define the meaning of 'first consideration' differently as to different types of actions, and may require similar notice of proposals before planning boards, boards of adjustment, and planning commissions. The North Carolina Capital Planning Commission may, in lieu of the specific requirements of subsection (c) and this subsection, adopt a different schedule for submission of proposals and ordinances, and the schedule may be different for different jurisdictions, so as to carry out the intent of this section."

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

In the General Assembly read three times and ratified this the 29th day of March, 1989.