

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

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HOUSE BILL 1547
Committee Substitute Favorable 6/2/04
Senate Finance Committee Substitute Adopted 7/9/04

Short Title: Chapel Hill Open Space/Development Rights.

(Local)

Sponsors:

Referred to:

May 20, 2004

A BILL TO BE ENTITLED

AN ACT TO ALLOW THE TOWN OF CHAPEL HILL TO PURCHASE
ADDITIONAL LAND FOR OPEN SPACE OUTSIDE ITS JURISDICTION AND
TO GRANT SEVERABLE DEVELOPMENT RIGHTS WITHIN ITS
JURISDICTION.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 160A-403 reads as rewritten:

"§ 160A-403. **Counties or cities authorized to acquire and reconvey real property.**

(a) Any county or city in the State may acquire by purchase, gift, grant, bequest, devise, lease, or otherwise, the fee or any lesser interest, development right, easement, covenant, or other contractual right of or to real property within its respective jurisdiction, when it finds that the acquisition is necessary to achieve the purposes of this Part. Any county or city may also acquire the fee to any property for the purpose of conveying or leasing the property back to its original owner or other person under covenants or other contractual arrangements that will limit the future use of the property in accordance with the purposes of this Part, but when this is done, the property may be conveyed back to its original owner but to no other person by private sale.

(b) When a city finds that the acquisition of an interest in undeveloped real property located outside the city's jurisdiction but within the county where the city is located is necessary to achieve the purposes of this Part, the city may acquire the property by any of the means allowed under subsection (a) of this section.

SECTION 2. G.S. 160A-381 is amended by adding a new subsection to read:

"(a1) Notwithstanding the provisions of subsection (a) of this section, a city may grant severable development rights to be used within the city's jurisdiction in exchange for the acquisition or preservation of undeveloped real property in the nearby rural areas of the county in which the city is located."

1 **SECTION 3.** This act applies to the Town of Chapel Hill only and
2 G.S. 153A-15 does not apply to any actions taken by the Town of Chapel Hill under this
3 act.

4 **SECTION 4.** This act is effective when it becomes law.