

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003**

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HOUSE BILL 1548

Short Title: Chapel Hill Special Uses.

(Local)

Sponsors: Representatives Insko and Hackney (Primary Sponsors).

Referred to: Local Government II.

May 20, 2004

A BILL TO BE ENTITLED

1 AN ACT AUTHORIZING THE TOWN OF CHAPEL HILL TO EXTEND THE
2 PERIOD OF TIME IN WHICH A SPECIAL USE PERMIT CAN BE DELAYED
3 WHEN PROPERTY IS IDENTIFIED AS A POTENTIAL SCHOOL SITE.
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5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 160A-381(d), as it applies to the Town of Chapel Hill
7 pursuant to Section 2 of S.L. 2003-237, reads as rewritten:

8 "(d) An ordinance enacted under the authority of this Part may provide for the
9 reservation of school sites in accordance with comprehensive land-use plans approved
10 by the council or the planning agency. In order for this authorization to become
11 effective, before approving such plans the council or planning agency and the board of
12 education with jurisdiction over the area shall jointly determine the specific location and
13 size of any school sites to be reserved, which information shall appear in the
14 comprehensive land-use plan. Prior to the adoption of such plans (or of any amendment
15 to such plans) affecting areas reserved for schools, the owner of that parcel of land
16 reserved for schools or proposed to be reserved for schools, or any portion thereof, as
17 shown on the county tax records, and the owners of all parcels of land abutting that
18 parcel, as shown on the county tax records, shall be mailed a notice of the proposed
19 plans or amendment to plans by first class mail at the addresses shown on such county
20 tax records. Whenever a special use permit or site plan development is submitted for
21 approval which includes part or all of a school site to be reserved under the plan, the
22 council or planning agency shall immediately notify the board of education and the
23 board shall promptly decide whether it still wishes the site to be reserved. If the board of
24 education does not wish to reserve the site, it shall so notify the council or planning
25 agency and no site shall be reserved. If the board does wish to reserve the site, the
26 special use permit or site plan development shall not be approved without such
27 reservation. The board of education shall then have ~~12~~18 months beginning on the date
28 of final approval of the special use permit or site plan development within which to
29 acquire the site by purchase or by initiating condemnation proceedings. If the board of

1 education has not purchased or begun proceedings to condemn the site within ~~12~~18
2 months, the owner and applicant for the special use permit or site plan development
3 may treat the land as freed of the reservation."

4 **SECTION 2.** This act applies to the Town of Chapel Hill only.

5 **SECTION 3.** This act is effective when it becomes law.