

Withdrawn



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 727

AMENDMENT NO. A1
(to be filled in by
Principal Clerk)

H727-ATP-45 [v.6]

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Comm. Sub. [YES]
Amends Title [NO]
Second Edition

Date _____, 2013

Senator Rabon

1 moves to amend the bill on page 1, line 6, by rewriting that line to read:
2 "THE OWNER OF THE MOTOR VEHICLE, TO ALLOW LOCAL GOVERNMENTS TO
3 ENTER INTO DEVELOPMENT AGREEMENTS FOR PROPERTY OF ANY SIZE IF
4 THE PROPERTY IS SUBJECT TO AN EXECUTED BROWNFIELDS AGREEMENT,
5 AND TO AMEND THE STATUTE OF LIMITATIONS FOR THE ENFORCEMENT OF
6 ZONING VIOLATIONS BY MUNICIPALITIES.";

7
8 and on page 1, line 22, by rewriting that line to read:
9 "of title to the insurer within 30 days of the payment of the claim in accordance with
10 subdivision (b)(1) of this section, the insurer,";
11

12 and on page 3, line 10, by rewriting that line to read:
13 "(g) Fee. – G.S. 20-85 sets the fee for issuing a salvage certificate of title.
14 (h) Immunity. – A person damaged by the cancellation of a certificate of title pursuant
15 to subdivision (b)(2) of this section or subsection (e1) of this section does not have a cause of
16 action against the Division.";

17
18 and on page 4, line 40, by rewriting that line to read:
19 "pursuant to subdivision (b)(2) or subsection (e1) of
20 G.S. 20-109.1 15.00"
21

22 and on page 4, line 49, by rewriting that line to read:
23 "**SECTION 7.(a) G.S. 153A-349.4 reads as rewritten:**
24 **'§ 153A-349.4. Developed property must contain certain number of acres; permissible**
25 **durations of agreements.**

26 (a) A local government may enter into a development agreement with a developer for
27 the development of property as provided in this Part, provided the property contains 25 acres or
28 more of developable property (exclusive of wetlands, mandatory buffers, unbuildable slopes,
29 and other portions of the property which may be precluded from development at the time of
30 application). Development agreements shall be of a term specified in the agreement, provided
31 they may not be for a term exceeding 20 years.



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1 (b) Notwithstanding the acreage requirements set forth by subsection (a) of this section,
2 a local government may enter into a development agreement with a developer for the
3 development of property as provided in this Part, for developable property of any size
4 (exclusive of wetlands, mandatory buffers, unbuildable slopes, and other portions of the
5 property which may be precluded from development at the time of application), if the property
6 that would be subject to the development agreement is subject to an executed brownfields
7 agreement as provided in Part 5 of Article 9 of Chapter 130A of the General Statutes.
8 Development agreements shall be of a term specified in the agreement, provided they may not
9 be for a term exceeding 20 years.'

10 **SECTION 7.(b)** G.S. 160A-400.23 reads as rewritten:

11 **'§ 160A-400.23. Developed property must contain certain number of acres; permissible**
12 **durations of agreements.**

13 (a) A local government may enter into a development agreement with a developer for
14 the development of property as provided in this Part, provided the property contains 25 acres or
15 more of developable property (exclusive of wetlands, mandatory buffers, unbuildable slopes,
16 and other portions of the property which may be precluded from development at the time of
17 application). Development agreements shall be of a term specified in the agreement, provided
18 they may not be for a term exceeding 20 years.

19 (b) Notwithstanding the acreage requirements set forth by subsection (a) of this section,
20 a local government may enter into a development agreement with a developer for the
21 development of property as provided in this Part, for developable property of any size
22 (exclusive of wetlands, mandatory buffers, unbuildable slopes, and other portions of the
23 property which may be precluded from development at the time of application), if the property
24 that would be subject to the development agreement is subject to an executed brownfields
25 agreement as provided in Part 5 of Article 9 of Chapter 130A of the General Statutes.
26 Development agreements shall be of a term specified in the agreement, provided they may not
27 be for a term exceeding 20 years.'

28 **SECTION 8.(a)** G.S. 153A-348 is amended by adding a new subsection to read:

29 (d) A county shall bring an enforcement action based on a zoning or unified
30 development ordinance within ten years of the commencement of the condition that constitutes
31 a violation of the ordinance, unless the violation poses an imminent hazard to health or public
32 safety.'

33 **SECTION 8.(b)** G.S. 160A-364.1 is amended by adding a new subsection to read:

34 (d) A city shall bring an enforcement action based on a zoning or unified development
35 ordinance within ten years of the commencement of the condition that constitutes a violation of
36 the ordinance, unless the violation poses an imminent hazard to health or public safety.'

37 **SECTION 9.** Section 7 of this act is effective when it becomes law, and applies to
38 development agreements executed on or after that date. Section 8 of this act applies to zoning
39 and unified development ordinances adopted before, on, or after the effective date of this act.
40 The remainder of this act becomes effective October 1, 2013."

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SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____