

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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SENATE BILL 1454

Short Title: Orange Open Space.

(Local)

Sponsors: Senators Lee, Walker; and Hunt.

Referred to: Local Government and Regional Affairs.

June 4, 1990

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE ORANGE COUNTY TO ACQUIRE REAL PROPERTY
IN ORDER TO PRESERVE OPEN SPACE AND OPEN AREAS FOR THE
PRESERVATION, PROTECTION AND CONSERVATION OF FARMLAND,
WATERSHED AREAS AND DRINKING WATER SUPPLIES, AND TO
ACQUIRE THE FEE OR ANY LESSER INTEREST.

The General Assembly of North Carolina enacts:

Section 1. G.S. 160A-407 reads as rewritten:

"§ 160A-407. Definitions.

(a) For the purpose of this Part an 'open space' or 'open area' is any space or area
(i) characterized by great natural scenic beauty or (ii) whose existing openness, natural
condition, or present state of use, including farm use, if retained, would enhance the
present or potential value of abutting or surrounding urban development, or would
maintain or enhance the conservation of natural or scenic ~~resources~~ resources or (iii)
that would assure, preserve and protect watershed areas as a basic asset and natural
resource so as to prevent the impairment for drinking water supplies, or (iv) would
assure, preserve, protect and maintain the purity and the quality of reservoir waters and
would promote the health, safety and general welfare of the people of this State.

(b) For the purposes of this Part 'open space' or 'open area' and the 'public use
and enjoyment' of interests or rights in real property shall also include open space land
and open space uses. The term 'open space land' means any undeveloped or
predominantly undeveloped land ~~in an urban area~~ that has value for one or more of the
following purposes: (i) park and recreational purposes, (ii) conservation of land and
other natural resources, ~~or (iii) historic or scenic purposes~~ purposes, (iv) farmland, or (v)

1 conservation of watershed areas and drinking water supplies to prevent the impairment
2 thereof and assure, preserve, protect and maintain the purity and quality of reservoir
3 waters. The term 'open space uses' means any use of open space land for (i) park and
4 recreational purposes, (ii) conservation of land and other natural resources, ~~or~~ (iii)
5 historic or scenic ~~purposes.~~ purposes, (iv) farmland, or (v) conservation of watershed
6 areas and drinking water supplies to prevent the impairment thereof and assure,
7 preserve, protect and maintain the purity and quality of reservoir waters."

8 Sec. 2. This act applies to Orange County only.

9 Sec. 3. This act is effective upon ratification.