

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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HOUSE DRH30307-LY-245 (4/26)

Short Title: Extend Development Zones.

(Public)

Sponsors: Representative Miller.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO MODIFY AND EXTEND THE SUNSET ON DEVELOPMENT ZONES.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 105-129.3A is recodified as G.S. 143B-434.5 and reads as rewritten:

"§ 143B-434.5. Development zone designation.

(a) Development Zone Defined. – A development zone is an area comprised of one or more contiguous census tracts, census block groups, or both in the most recent federal decennial census that meets all of the following conditions:

(1) Every census tract and census block group in the zone is located in whole or in part within the primary corporate limits of a city with a population of more than 5,000 according to the most recent annual population estimates certified by the State Budget Officer.

(2) It has a population of ~~1,000~~ 950 or more according to the most recent annual population estimates certified by the State Budget Officer.

(3) More than twenty percent (20%) of its population is below the poverty level according to the most recent federal decennial census.

(4) Every census tract and census block group in the zone meets at least one of the following conditions:

a. More than ten percent (10%) of its population is below the poverty level according to the most recent federal decennial census.

b. It is immediately adjacent to another census tract or census block group that is in the same zone and has more than twenty percent (20%) of its population below the poverty level according to the most recent federal decennial census.

1 (5) None of the census tracts or census block groups in the zone is located
2 in another development zone designated by the Secretary of
3 Commerce.

4 (b) Designation. – Upon request of a taxpayer or a local government, the
5 Secretary of Commerce shall designate whether an area is a development zone that
6 meets the conditions of subsection (a) of this section. If the applicant is a taxpayer, it
7 must notify each city in which part of the zone is located. A development zone
8 designation is effective for 24 months following the designation. The Department of
9 Commerce must publish annually a list of all development zones with a description of
10 their boundaries.

11 (c) Relationship With Enterprise Tiers. – For the purpose of the wage standard
12 requirement of G.S. 105-129.4, the credit for investing in machinery and equipment
13 allowed in G.S. 105-129.9, and the credit for worker training allowed in
14 G.S. 105-129.11, a development zone is considered an enterprise tier one area. For all
15 other purposes, a development zone has the same enterprise tier designation as the
16 county in which it is located.

17 (d) Parcel of Property Partially in a Development Zone. – For the purposes of this
18 section, a parcel of property that is located partially within a development zone is
19 considered entirely within the development zone if all of the following conditions are
20 satisfied:

21 (1) At least fifty percent (50%) of the parcel is located within the
22 development zone.

23 (2) The parcel was in existence and under common ownership prior to the
24 most recent federal decennial census.

25 (3) The parcel is a portion of land made up of one or more tracts or tax
26 parcels of land that is surrounded by a continuous perimeter
27 boundary."

28 **SECTION 2.** G.S. 105-129.2(7) reads as rewritten:

29 **"§ 105-129.2. Definitions.**

30 The following definitions apply in this Article:

31 ...

32 (7) Development zone. – An area designated as a development zone
33 pursuant to G.S. ~~105-129.3A, 143B-434.5.~~"

34 **SECTION 3.** G.S. 143B-437.04(b) reads as rewritten:

35 "(b) In order to qualify for the benefits of this section, after an area is designated a
36 development zone under G.S. ~~105-129.3A, 143B-434.5,~~ the governing body of the city
37 in which the zone is located must adopt a strategy to improve the zone and establish a
38 development zone committee to oversee the strategy. The strategy and the committee
39 must conform with requirements established by the Secretary of Commerce."

40 **SECTION 4.** G.S. 160A-425.1(c) reads as rewritten:

41 "(c) If an inspector declares a residential building or nonresidential building or
42 structure to be unsafe under subsection (b) of this section, the inspector must affix a
43 notice of the unsafe character of the structure to a conspicuous place on the exterior wall
44 of the building. For the purposes of this section, the term 'community development

1 target area' means an area that has characteristics of a development zone under
2 G.S. ~~105-129.3A,143B-434.5~~, a 'nonresidential redevelopment area' under
3 G.S. 160A-503(10), or an area with similar characteristics designated by the city council
4 as being in special need of revitalization for the benefit and welfare of its citizens."

5 **SECTION 5.** G.S. 160A-426(c) reads as rewritten:

6 "(c) If an inspector declares a nonresidential building or structure to be unsafe
7 under subsection (b) of this section, the inspector must affix a notice of the unsafe
8 character of the structure to a conspicuous place on the exterior wall of the building. For
9 the purposes of this section, the term 'community development target area' means an
10 area that has characteristics of a development zone under G.S. ~~105-129.3A,143B-434.5~~,
11 a 'nonresidential redevelopment area' under G.S. 160A-503(10), or an area with similar
12 characteristics designated by the city council as being in special need of revitalization
13 for the benefit and welfare of its citizens."

14 **SECTION 6.** This act is effective when it becomes law.