

May 20, 2008

H 2313. EXPRESS PERMITTING REVIEW PROGRAM (=S 1698). Filed 5/20/08. *TO PROVIDE AN EXPRESS PERMITTING REVIEW PROGRAM FOR CONNECTIONS TO THE STATE HIGHWAY SYSTEM, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.*

Identical to S 1698, filed 5/20/08.

Intro. by Cole.

GS 136

July 8, 2008

H 2313. PERMITTING AND BUILDING CODE CHANGES (NEW). Filed 5/20/08. Senate committee substitute makes the following changes to 1st edition. Makes organizational changes to create new subsections with captions, within proposed new GS 136-93.1, and arranges existing text accordingly. Requires the Department of Transportation (DOT) to develop an express permit review program (was, DOT may develop). Clarifies that participation in the express review program by applicants is voluntary. Also provides that individual highway division participation is voluntary if all special commercial permits are routinely reviewed and issued within 45 days in that division.

Requires the Department of Transportation to return an application and associated fees if it determines the application is *not complete* (was, return of fees if the application is not issued or denied within 30 days of receipt). Requires that if the Department determines an application is complete, then the Department must issue or deny the application within 45 days. Provides that the Department's failure to take action within that time frame will be considered a denial. Provides for staffing of the program. Requires that if a contracted engineering firm is used in implementing the program, any fees received under the program will be credited towards the cost of the Department utilizing these firms, with additional costs associated with engaging the firm agreed to by the applicant prior to incurring costs, which must be paid by the applicant. Creates an exception to the \$4,000 fee limit for utilization of a contracted engineering firm. Makes technical changes. Changes effective date from July 1, 2008, to when the act becomes law.

Amends GS 143-138(b) (contents of the NC State Building Code) by adding that building rules do not apply to greenhouses located inside the building-rules jurisdiction of any municipality. Provides a definition for *greenhouse* to mean a structure that has a glass or plastic roof, has one or more glass or plastic walls, has an area over 95% of which is used to grow or cultivate plants, is built in accordance with the National Greenhouse Manufacturers Association Structural Design manual, and is not used for retail sales.

Amends GS 153A-340(h)(1) (related to county zoning power) by prohibiting a county from adopting an ordinance imposing a development moratorium on the sole basis that an existing ordinance is outdated or in need of amendment. Makes a conforming change to GS 160A-381(e)(1) (related to city zoning power) and includes an additional provision to also prohibit adopting an ordinance on the basis that there is a need for a new ordinance.

Changes title to *AN ACT TO PROVIDE AN EXPRESS PERMITTING REVIEW PROGRAM FOR CONNECTIONS TO THE STATE HIGHWAY SYSTEM, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE; TO EXEMPT CERTAIN GREENHOUSES LOCATED INSIDE THE BUILDING-RULES JURISDICTION OF ANY MUNICIPALITY FROM THE BUILDING CODE; AND TO LIMIT THE GROUNDS UPON WHICH A LOCAL GOVERNMENT MAY ENACT A TEMPORARY DEVELOPMENT MORATORIUM.*

July 14, 2008

H 2313. PERMITTING AND BUILDING CODE CHANGES. Filed 5/20/08. Senate amendment makes the following changes to 2nd edition.

Amends GS 143-138(b) (regarding contents of the NC State Building Code), designating that additional provisions addressing distinct life safety hazards must be approved by the local building-rules jurisdiction.

Deletes proposed amendments to GS 153A-340(h)(1) and GS 160A-381(e)(1) that would limit the grounds upon which a local government could enact a temporary moratorium on development.

Makes conforming changes to the title and renumbers the sections of the act accordingly.

August 8, 2008

SL 2008-176 (H 2313). PERMITTING AND BUILDING CODE CHANGES. AN ACT TO PROVIDE AN EXPRESS PERMITTING REVIEW PROGRAM FOR CONNECTIONS TO THE STATE HIGHWAY SYSTEM, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE; AND TO EXEMPT CERTAIN GREENHOUSES LOCATED INSIDE THE BUILDING-RULES JURISDICTION OF ANY MUNICIPALITY FROM THE BUILDING CODE. Summarized in *Daily Bulletin* 5/20/08, 7/8/08, and 7/14/08. Enacted August 4, 2008. Effective August 4, 2008.