



HOUSE BILL 218: Clayton Annexation

2015-2016 General Assembly

Committee: House Finance
Introduced by: Rep. Daughtry
Analysis of: Second Edition

Date: April 23, 2015
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SUMMARY: *House Bill 218 would annex a 489.24 acre parcel, constituting the North Carolina State University Central Crops Research Center, into the Town of Clayton. The bill also contains limitations on the Town's ability to impose land use regulation on the property.*

[As introduced, this bill was identical to S264, as introduced by Sen. Newton, which is currently in Senate Re-ref to State and Local Government. If fav, re-ref to Finance.]

CURRENT LAW: Under Section 1 of Article VII of the NC Constitution, the General Assembly is empowered to "provide for the organization and government and the fixing of boundaries of counties, cities and towns, and other governmental subdivisions, and, except as otherwise prohibited by this Constitution, may give such powers and duties to counties, cities and towns, and other governmental subdivisions as it may deem advisable."

BILL ANALYSIS:

Section 1 of the bill annexes a parcel of land, approximately 489.24 acres, constituting the North Carolina State University Central Crops Research Center, and adjoining US 70 and NC Railroad rights-of-way, into the corporate limits of the Town of Clayton.

Section 2 of the bill prohibits the Town from regulating the parcel under Article 19 of Chapter 160A (planning and regulation of development).

Section 3 restates the existing application of G.S. 106-701 to the parcel, which protects certain agricultural and forestry operations from nuisance claims.

Section 4 provides that the keeping of swine as part of a research or educational mission on the North Carolina State University Central Crops Research Station tract is exempt from any municipal ordinance governing the keeping of swine.

EFFECTIVE DATE: This act becomes effective June 30, 2015.

BACKGROUND: According to the Clayton Town Manager, the North Carolina State University Central Crops Research Center adjoins the Town's western boundary and creates a barrier to extension of services and economic development. The annexation and associated extension of services would allow development in the area towards the economic hub of Raleigh and RTP.

Giles S. Perry with the Research Division substantially contributed to this summary.

