

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 1704

Short Title: Historic Waterfront Town Revitalization.

(Public)

Sponsors: Representatives Hardy, Preston, Mitchell; and H. Hunter.

Referred to: Appropriations.

June 1, 1998

A BILL TO BE ENTITLED

AN ACT TO ENCOURAGE REVITALIZATION OF HISTORIC WATERFRONT TOWNS.

The General Assembly of North Carolina enacts:

Section 1. Part 2 of Article 10 of Chapter 143B of the General Statutes is amended by adding a new section to read:

"§ 143B-434.3. Historic waterfront revitalization initiative.

(a) Planning Stage. – A municipality is eligible for planning grants for a proposed revitalization project as provided in this section if it meets both of the following conditions:

(1) The proposed revitalization project is located in a National Register Historic District or includes the rehabilitation of a certified historic structure as defined in G.S. 105-130.42.

(2) The area of the proposed revitalization project is either contiguous to a navigable waterway or connected to a navigable waterway by a pedestrian walkway or alternative vehicular access trail that is natural, historically significant, or both.

(b) Final Stage. – A municipality that meets the planning stage conditions becomes eligible for the remaining benefits provided in this section if it also meets all of the following conditions:

- 1 (1) The municipality has adopted a strategic plan and conducted a
2 feasibility study for the proposed revitalization project and has allowed
3 community participation in the development of the strategic plan.
- 4 (2) The municipality has identified a lead developer who will develop a
5 business plan to implement at least sixty-five percent (65%) of the
6 strategic plan and who will provide an economic impact study of the
7 proposed revitalization project.
- 8 (3) The lead developer's business plan reflects at least two million dollars
9 (\$2,000,000) in capital investment and demonstrates that it will result in
10 all of the following:
- 11 a. Entrepreneurial opportunities.
12 b. Opportunity for local vested interest.
13 c. Employment opportunities for recipients of Work First Program
14 assistance as defined in Chapter 108A of the General Statutes.
15 d. Opportunities for minority participation.
16 e. Cooperation and coordination with community organizations and
17 government agencies.
18 f. Regional benefits.
19 g. Heritage related tourism or eco-tourism.
- 20 (c) Application. – A municipality may apply to the Department of Commerce for
21 certification of planning stage eligibility or of final stage eligibility for the benefits
22 provided in this section with respect to a revitalization project. The application must
23 include all information required by the Department to determine the eligibility of the
24 municipality and be accompanied by a fee of one hundred dollars (\$100.00). The
25 Department of Commerce shall determine the municipality's eligibility within 60 days
26 after the application is submitted.
- 27 (d) Planning Grants. – The Department of Commerce shall assist an eligible
28 planning stage municipality in obtaining planning grants in order to meet the conditions
29 of subsection (b) of this section. The Department of Commerce shall give priority
30 consideration to applications submitted by eligible planning stage municipalities with
31 respect to proposed revitalization projects for planning grants and loans administered by
32 or through the Department of Commerce.
- 33 (e) Clearinghouse. – The Department of Commerce shall act as a clearinghouse
34 and advocate for eligible municipalities with respect to proposed revitalization projects.
35 The Department shall receive and coordinate each eligible municipality's applications for
36 grants, loans, and permits from all State and federal agencies. The Department shall
37 forward each application to the appropriate agency and notify the agency whether the
38 eligible municipality qualifies for priority consideration.
- 39 (f) Technical Assistance. – The Department of Commerce shall provide technical
40 assistance to eligible municipalities in preparing State and federal grant and loan
41 applications with respect to the proposed revitalization project.
- 42 (g) Priority. – The Department of Commerce shall give priority consideration to
43 applications submitted by eligible municipalities with respect to proposed revitalization

1 projects for grants and loans administered by or through the Department of Commerce,
2 including Community Empowerment Funds. In addition, the Department of Commerce
3 shall assure that the Microenterprise Loan Program administered by the Rural Economic
4 Development Center, Inc., assigns priority to applications from entrepreneurs within an
5 eligible municipality who would own businesses that enhance the municipality's appeal
6 as a tourist destination."

7 Section 2. Part 1 of Article 2 of Chapter 143B of the General Statutes is
8 amended by adding a new section to read:

9 **"§ 143B-53.1. Priority for historic waterfront projects.**

10 In awarding grants and loans, the Department of Cultural Resources shall give priority
11 consideration to qualifying applications submitted by eligible municipalities with respect
12 to proposed historic waterfront revitalization projects, as defined in G.S. 143B-434.3."

13 Section 3. G.S. 138-18 is amended by adding a new subdivision to read:

14 "(35) The Department of Transportation in the exercise of its powers granted
15 in subdivisions (12), (12a), and (15) of this subsection shall give priority
16 consideration for grants and loans administered through the Department
17 of Transportation, including all applicable federal funds, to applications
18 submitted by eligible municipalities with respect to proposed historic
19 waterfront revitalization projects as defined in G.S. 143B-434.3."

20 Section 4. G.S. 158-8.2 is amended by adding a new subsection to read:

21 "(i) The Commission shall set aside twenty percent (20%) of the funds
22 appropriated to it each fiscal year for planning grants to eligible planning stage
23 municipalities for planning proposed historic waterfront revitalization projects, as defined
24 in G.S. 143B-434.3. Planning grants to eligible municipalities may not exceed thirty
25 thousand dollars (\$30,000) and must be matched by the municipality on the basis of one
26 dollar (\$1.00) of local funds for every five dollars (\$5.00) of Commission funds. If, after
27 the expiration of two years after funds were set aside under this subsection for a fiscal
28 year, the funds have not been used as required by this section because of a lack of
29 applications from eligible municipalities, the Commission may use those funds for other
30 purposes authorized by this section. The Commission shall, however, continue to set
31 aside twenty percent (20%) of its appropriations each fiscal year as required by this
32 subsection."

33 Section 5. G.S. 158-8.3 is amended by adding a new subsection to read:

34 "(g) The Commission shall set aside twenty percent (20%) of the funds
35 appropriated to it each fiscal year for planning grants to eligible planning stage
36 municipalities for planning proposed historic waterfront revitalization projects, as defined
37 in G.S. 143B-434.3. Planning grants to eligible municipalities may not exceed thirty
38 thousand dollars (\$30,000) and must be matched by the municipality on the basis of one
39 dollar (\$1.00) of local funds for every five dollars (\$5.00) of Commission funds. If, after
40 the expiration of two years after funds were set aside under this subsection for a fiscal
41 year, the funds have not been used as required by this section because of a lack of
42 applications from eligible municipalities, the Commission may use those funds for other
43 purposes authorized by this section. The Commission shall, however, continue to set

1 aside twenty percent (20%) of its appropriations each fiscal year as required by this
2 subsection."

3 Section 6. There is appropriated from the General Fund to the Department of
4 Commerce, Division of Community Assistance, the sum of seven hundred fifty thousand
5 dollars (\$750,000) to be used for grants to eligible municipalities for historic waterfront
6 town revitalization projects and related planning, as provided in G.S. 143B-434.3 and
7 G.S. 143B-434.4, as enacted by this act.

8 The Division of Community Assistance shall administer these funds as
9 planning grants to eligible planning stage municipalities under G.S. 143B-434.3 and as
10 project grants and loans for eligible municipalities with respect to proposed revitalization
11 projects under G.S. 143B-434.3. The Division shall award grants based on substantive
12 criteria and guidelines consistent with G.S. 143B-434.3, administered objectively. The
13 Division of Community Assistance shall report to the Joint Legislative Commission on
14 Governmental Operations and to the Fiscal Research Division on its awards of planning
15 grants and project loans and grants under this section.

16 Section 7. This act becomes effective July 1, 1998.