

NORTH CAROLINA GENERAL ASSEMBLY  
1959 SESSION

CHAPTER 642  
HOUSE BILL 590

AN ACT CREATING THE RESEARCH TRIANGLE REGIONAL PLANNING  
COMMISSION.

The General Assembly of North Carolina do enact:

Section 1. Research Triangle Regional Planning Commission Created. There is hereby created the Research Triangle Regional Planning Commission. The Commission shall have the duty of studying total development in the counties surrounding the Research Triangle Park, to prepare, in collaboration with counties and municipalities in the area, plans which will promote the orderly and economical development of the area, to submit such plans to county, municipal, State and Federal agencies having jurisdiction in the area, and to encourage the execution of such plans.

Sec. 2. Membership; Terms. (a) The Counties of Wake, Durham and Orange and the Cities of Durham, Raleigh and Chapel Hill shall have membership on the Planning Commission, as set forth in this Section.

The Board of County Commissioners of the Counties of Durham, Orange, and Wake shall appoint one member each to the Planning Commission and the governing boards of the Cities of Chapel Hill, Durham and Raleigh shall appoint one member each to the Commission. In addition, the Chairman of the Board of County Commissioners of the Counties of Durham, Orange, and Wake, and the Mayors of the Cities of Chapel Hill, Durham, and Raleigh shall serve as members of the Commission in addition to their other duties. If any chairman or a mayor is, for some reason, unable to serve, he may designate another member of his governing board, or the county or city manager, or the chairman of the county or city planning commission or other county or city official to serve in his stead. Service on the Research Triangle Regional Planning Commission shall be in addition to such official's normal duties.

In making initial appointments, the Board of County Commissioners of Durham, Orange, and Wake Counties shall appoint their members for four-year terms and the governing boards of Chapel Hill, Durham, and Raleigh shall appoint their members for two-year terms. Thereafter, all appointments to the Commission by any county or city governing board shall be for a term of four years, except that the appropriate governing board may fill any vacancy occurring during the term for the period of the unexpired term. Initial terms of office shall be effective on July 1 of 1959.

The Governor of North Carolina shall appoint three members, each for a four-year term, to the Research Triangle Regional Planning Commission. Such members appointed by the Governor shall be residents of the three-county area, one

from each county, who have an interest in the planning and development of the three-county area.

(b) Members of the Research Triangle Regional Planning Commission shall serve without compensation, except that they shall be entitled to reimbursement of necessary traveling and other expenses while engaged in the work of or for the Commission. The Commission shall fix the amount of reimbursement for ordinary traveling expenses.

Sec. 3. Organization of the Commission. (a) On or before July 1, 1959, each city and county having representation on the Planning Commission shall make its appointments and shall report its appointments to the Governor of North Carolina. As soon as possible following July 1, 1959, the Governor of North Carolina shall call a meeting of the Research Triangle Regional Planning Commission in the City of Raleigh for the purpose of organization. The Commission shall elect from among its members a chairman and such other officers as it may deem necessary, for such terms as it may prescribe in its rules and regulations. The Commission may adopt such rules and regulations not inconsistent with this Act as it may deem necessary for the proper discharge of its duties. The chairman may appoint an executive committee which shall be authorized to exercise such powers and duties as the Commission shall delegate to it, and he may appoint such other committees as the work of the Commission may require.

(b) The Commission shall hold regular meetings at places and dates to be determined by the Commission, but in any event the Commission shall meet at least once every three months. Special meetings may be called by the chairman on his own initiative and must be called by him at the request of three or more members of the Commission. All members of the Commission shall be notified by the chairman in writing of the time and place of special meetings at least seven days in advance of such meetings. All meetings shall be open to the public.

(c) The Commission shall have the power: (1) to employ a planning director and such other employees and staff as may be necessary for performance of its duties; (2) to fix the compensation and regulations affecting the working conditions of its employees; (3) to contract with persons, firms or corporations for special and technical services; (4) to contract with the State of North Carolina or the Federal Government, or any agency or department thereof, or any city or county, or any agency or department thereof, for such services which may be available from such agencies, and to carry out the provisions of such contracts.

(d) The Research Triangle Regional Planning Commission shall have the power to establish its headquarters at any place within the Counties of Wake, Durham or Orange which shall be found by the Commission to be the most convenient for the performance of its duties.

(e) The Commission may accept, receive and disburse in the performance of its functions any funds, grants and services made available by the Federal Government and any of its agencies, the State Government and any of its agencies, any municipalities or counties, and any private or civic sources.

Each county and municipality having membership on the Research Triangle Regional Planning Commission shall have authority to appropriate funds to the

Commission out of surplus funds or funds derived from nontax sources and, in addition, may levy annually taxes for the payment of such appropriation as a special purpose in addition to any allowed by the Constitution.

Upon notification of appropriations which can be expected from each county and municipality holding membership on the Commission, the Commission shall prepare a budget for the fiscal year beginning on July 1, 1959. Copies of such budget shall be distributed to member counties and municipalities. The budget may be amended from time to time during the year by a vote of a majority of all the members of the Commission.

In 1960 and thereafter, the Commission shall distribute a tentative budget during the month of May to determine the willingness of each member county or municipality to contribute to the work of the Commission. A final budget shall be prepared in June of each year based on the appropriations to be expected from member counties and municipalities.

The Commission shall prepare an annual report of its activities, including a properly audited financial statement, and shall distribute this report to all member counties and municipalities during the month of April.

(f) The Research Triangle Regional Planning Commission shall appoint one of its members as treasurer with authority to collect, deposit, and disburse funds made available to the Commission from any source whatsoever. The treasurer of the Commission shall, before entering upon his duties, post a surety bond conditioned upon the faithful discharge of his duties in an amount and form fixed by the Commission. All monies received for the Commission shall be deposited into a separate bank account, shall be earmarked for the use of the Commission, and shall be paid out on warrants signed by the treasurer and countersigned by the chairman of the Commission: Provided, the countersigning officer shall countersign such warrants only when they are within the amount of appropriations made according to the budget of the Commission.

Sec. 4. Powers and Duties. The Research Triangle Regional Planning Commission shall have authority to: (a) prepare and from time to time revise, amend, extend or add to a plan or plans for the development of the three-county area. Such plans shall be based on studies of physical, social, economic and governmental conditions and trends and shall aim at the coordinated development of the three-county area in order to promote the general welfare and prosperity of its people. In preparing such plans, the Commission shall take account of, and shall seek to harmonize, the planning activities of Federal, State, county, municipal, or other local or private agencies within the area. Plans embodying the policy recommendations of the Commission in regard to the development of the region may contain:

(1) A statement of the objectives, standards and principles which underlie each plan or plans submitted by the Commission.

(2) Recommendations for the most desirable pattern of land use within the three-county area in the light of the best available information concerning topography, climate, soil and underground conditions, water courses and bodies of water, other natural and environmental factors, the present and prospective economic bases of the region, trends of industrial and commercial development, trends in population growth,

the habits and standards of life of the people of the area, and the relation of land use within the area to land use in adjoining areas. Such recommendation shall, insofar as appropriate, indicate areas for recommended residential uses and maximum recommended densities therein; areas for manufacturing and industrial uses with classification of such areas in accordance with their compatibility with land use in adjoining areas; areas for the concentration of wholesale, retail, and other commercial uses; areas for recreational uses and for open spaces; and for areas for mixed uses.

(3) The transportation pattern recommended for the region, including routes and terminals for transit, transportation and communications facilities, whether to be used for movement within the area or adjoining areas.

(4) Recommendations concerning the need for, and the proposed general location of, public and private works and facilities, such as utilities, water reservoirs and water pollution control facilities, flood control works, military or defense installations, which works or facilities for any cause are appropriate subjects for inclusion in the regional development plan.

(5) Such other recommendations concerning current and impending problems affecting the development of the region, and particularly of the area adjacent to the Research Triangle Park, as the Commission deems appropriate, including recommendations concerning economic development, housing, local government organization and services, and education.

(b) Cooperate with and provide planning assistance to counties, municipalities, and other local governmental instrumentalities and planning agencies in the three-county area. Such planning assistance shall include but not be limited to surveys, land use studies, urban renewal plans, technical services and other planning assistance. Whenever cooperation and assistance includes the rendering of technical services, such services may be rendered free or in accordance with an agreement for reimbursement.

(c) Provide information to officials of departments, agencies and instrumentalities of State and local government, and to the public at large, in order to foster public awareness and understanding of the objectives of the Commission's plans, and in order to stimulate public interest and participation in the orderly development of the area.

(d) Hold public or private hearings and sponsor public meetings in any part of this area whenever it deems such hearings or meetings necessary or useful in the execution of its functions.

(e) Exercise all other powers necessary and proper for the discharge of its duties.

Sec. 5. Specific Studies. The Research Triangle Regional Planning Commission shall, as soon as possible following its organization, make specific studies of the need for regional water supply facilities, regional water pollution control facilities, regional recreation and open space facilities, and other governmental facilities and services which may be effectively and economically provided on a regional basis. If the Commission finds that there is a need for such regional facilities for the the better development of the three-county area, it shall make recommendations to member

counties and municipalities concerning the planning, financing, governing, construction, and operation of such facilities. Such recommendations shall be prepared biennially and submitted to the governing boards of member counties and municipalities on or before December 1 of even-numbered years.

Sec. 6. Cooperation with Local Governments and Planning Agencies. The Research Triangle Regional Planning Commission shall on the basis of its plans submit, from time to time, its suggestions to member counties and municipalities for changes in county or municipal financial or development policies and ordinances which would, in the opinion of the Commission, produce sound development in the three-county area.

Sec. 7. Cooperation from Local Governments and Planning Agencies. To facilitate effective planning for the three-county area, all county and municipal legislative bodies in the region, and all county and municipal or other local planning agencies in the region, may file with the Commission for its information all county and municipal plans, zoning ordinances, official maps, building codes, subdivision regulations, amendments or revisions of any of them, as well as copies of the regular and special reports dealing wholly or in part with planning matters. County or municipal legislative bodies, and county or municipal or other local planning agencies, may also submit proposed plans, ordinances, maps, codes, regulations, amendments or revisions prior to their adoption in order to afford an opportunity to the Commission or its staff to study such proposals and render its advice thereon.

Sec. 8. Advisory Committees. The Research Triangle Regional Planning Commission shall have power and authority to appoint advisory committees from among the citizens and city and county officials of the three-county area to study any problems or to advise on any problems submitted to such committees by the Commission. The Commission shall have the power in its discretion, to provide for reimbursement of travel expenses incurred by members of such committees in work requested by the Commission.

Sec. 9. All laws and clauses of laws in conflict with this Act are hereby repealed.

Sec. 10. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 27th day of May, 1959.