

(B) that portion of the geographical area within the jurisdiction of a county, town, township, or similar governmental entity which contains no incorporated unit of general local government but has a population density of at least 1,500 inhabitants per square mile; and

(C) that portion of a geographical area having a population density of at least 1,500 inhabitants per square mile and situated adjacent to the boundary of an incorporated unit of general local government which has a population of at least 10,000.

(Pub. L. 107-217, Aug. 21, 2002, 116 Stat. 1128.)

HISTORICAL AND REVISION NOTES

| <i>Revised Section</i> | <i>Source (U.S. Code)</i> | <i>Source (Statutes at Large)</i>   |
|------------------------|---------------------------|---|
| 902 .....              | 40:535(a), (b).           | June 30, 1949, ch. 288, title VIII, §806(a), (b), as added Pub. L. 90-577, title V, §501, Oct. 16, 1968, 82 Stat. 1105. |

**§ 903. Acquisition and use**

(a) NOTICE TO LOCAL GOVERNMENT.—To the extent practicable, before making a commitment to acquire real property situated in an urban area, the Administrator of General Services shall give notice of the intended acquisition and the proposed use of the property to the unit of general local government exercising zoning and land use jurisdiction. If the Administrator determines that providing advance notice would adversely impact the acquisition, the Administrator shall give notice of the acquisition and the proposed use of the property immediately after the property is acquired.

(b) OBJECTIONS TO ACQUISITION OR CHANGE OF USE.—In the acquisition or change of use of real property situated in an urban area as a site for public building, if the unit of general local government exercising zoning and land use jurisdiction objects on grounds that the proposed acquisition or change of use conflicts with zoning regulations or planning objectives, the Administrator shall, to the extent the Administrator determines is practicable, consider all the objections and comply with the zoning regulations and planning objectives.

(Pub. L. 107-217, Aug. 21, 2002, 116 Stat. 1128.)

HISTORICAL AND REVISION NOTES

| <i>Revised Section</i> | <i>Source (U.S. Code)</i> | <i>Source (Statutes at Large)</i>   |
|------------------------|---------------------------|---|
| 903 .....              | 40:533.                   | June 30, 1949, ch. 288, title VIII, §804, as added Pub. L. 90-577, title V, §501, Oct. 16, 1968, 82 Stat. 1105. |

In subsection (b), the words “and conform to” are omitted as included in “comply with”.

**§ 904. Disposal**

(a) NOTICE TO LOCAL GOVERNMENT.—Before offering real property situated in an urban area for sale, the Administrator of General Services shall give reasonable notice to the unit of general local government exercising zoning and land use jurisdiction in order to provide an opportunity for zoning so that the property is used

in accordance with local comprehensive planning described in subsection (c).

(b) NOTICE TO PROSPECTIVE PURCHASERS.—To the greatest extent practicable, the Administrator shall furnish to all prospective purchasers of real property situated in an urban area complete information concerning—

(1) current zoning regulations, prospective zoning requirements, and objectives for property if it is unzoned; and

(2)(A) the current availability of streets, sidewalks, sewers, water, street lights, and other service facilities; and

(B) the prospective availability of those service facilities if the property is included in local comprehensive planning described in subsection (c).

(c) LOCAL COMPREHENSIVE PLANNING.—Local comprehensive planning referred to in subsections (a) and (b) includes any of the following activities, to the extent the activity is directly related to the needs of a unit of general local government:

(1) As a guide for government policy and action, preparing general plans related to—

(A) the pattern and intensity of land use;

(B) the provision of public facilities (including transportation facilities) and other government services; and

(C) the effective development and use of human and natural resources.

(2) Preparing long-range physical and fiscal plans for government action.

(3) Programming capital improvements and other major expenditures, based on a determination of relative urgency, together with definitive financial planning for expenditures in the earlier years of a program.

(4) Coordinating related plans and activities of state and local governments and agencies.

(5) Preparing regulatory and administrative measures to support activities described in this subsection.

(Pub. L. 107-217, Aug. 21, 2002, 116 Stat. 1128.)

HISTORICAL AND REVISION NOTES

| <i>Revised Section</i> | <i>Source (U.S. Code)</i> | <i>Source (Statutes at Large)</i>   |
|------------------------|---------------------------|---|
| 904(a), (b) ...        | 40:532.                   | June 30, 1949, ch. 288, title VIII, §§ 803, 806(c), as added Pub. L. 90-577, title V, §501, Oct. 16, 1968, 82 Stat. 1105. |
| 904(c) .....           | 40:535(c).                |   |

In subsection (a), the words “Whenever the Administrator contemplates the disposal for or on behalf of any Federal agency of” and “such land” are omitted as unnecessary. The words “the head of the governing body of” are omitted for consistency in the chapter. The words “exercising zoning and land-use jurisdiction” are substituted for “having jurisdiction over zoning and land-use regulation in the geographical area within which the land or lands are located” to eliminate unnecessary words and for consistency in the chapter.

In subsection (c)(2), the word “Preparing” is added for clarity.

**§ 905. Waiver**

The procedures prescribed in sections 903 and 904 of this title may be waived during a period of national emergency proclaimed by the President.