

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 685

Short Title: Harnett Subdivision Definition.

(Local)

Sponsors: Representative Davis.

Referred to: Ways and Means, if favorable, Finance.

March 31, 1997

A BILL TO BE ENTITLED

AN ACT RELATING TO THE DEFINITION OF SUBDIVISION IN HARNETT COUNTY AND THE MUNICIPALITIES WITHIN THAT COUNTY.

The General Assembly of North Carolina enacts:

Section 1. G.S. 153A-335 reads as rewritten:

"§ 153A-335. 'Subdivision' defined.

For purposes of this Part, 'subdivision' means all divisions of a tract or parcel of land into two or more lots, building sites, or other divisions for the purpose of sale or building development (whether immediate or future) and includes all division of land involving the dedication of a new street or a change in existing streets; however, the following is not included within this definition and is not subject to any regulations enacted pursuant to this Part:

- (1) The combination or recombination of portions of previously subdivided and recorded lots if the total number of lots is not increased and the resultant lots are equal to or exceed the standards of the county as shown in its subdivision regulations;
- (2) The division of land into parcels greater than 10 acres if no street right-of-way dedication is involved;
- (3) The public acquisition by purchase of strips of land for widening or opening ~~streets; and streets;~~

- 1 (4) The division of a tract in single ownership the entire area of which is no
2 greater than two acres into not more than three lots, if no street right-of-
3 way dedication is involved and if the resultant lots are equal to or
4 exceed the standards of the county as shown by its subdivision
5 ~~regulations; regulations; and~~
- 6 (5) The division of a tract in single ownership the entire area of which is no
7 greater than 10 acres into not more than five lots where:
8 a. No street right-of-way dedication is involved;
9 b. The resultant lots are no greater than two acres; and
10 c. The division of land is by any method of transfer among
11 members of a lineal family, which shall include direct lineal
12 descendants (children, grandchildren, and great-grandchildren)
13 and direct lineal ascendants (father, mother, grandfather, and
14 grandmother) and brothers, sisters, nieces, and nephews."

15 Section 2. G.S. 160A-376 reads as rewritten:

16 "**§ 160A-376. Definition.**

17 For the purpose of this Part, 'subdivision' means all divisions of a tract or parcel of
18 land into two or more lots, building sites, or other divisions for the purpose of sale or
19 building development (whether immediate or future) and shall include all divisions of
20 land involving the dedication of a new street or a change in existing streets; but the
21 following shall not be included within this definition nor be subject to the regulations
22 authorized by this Part:

- 23 (1) The combination or recombination of portions of previously subdivided
24 and recorded lots where the total number of lots is not increased and the
25 resultant lots are equal to or exceed the standards of the municipality as
26 shown in its subdivision regulations;
- 27 (2) The division of land into parcels greater than 10 acres where no street
28 right-of-way dedication is involved;
- 29 (3) The public acquisition by purchase of strips of land for the widening or
30 opening of ~~streets; and streets;~~
- 31 (4) The division of a tract in single ownership whose entire area is no
32 greater than two acres into not more than three lots, where no street
33 right-of-way dedication is involved and where the resultant lots are
34 equal to or exceed the standards of the municipality, as shown in its
35 subdivision ~~regulations; regulations; and~~
- 36 (5) The division of a tract in single ownership the entire area of which is no
37 greater than 10 acres into not more than five lots where:
38 a. No street right-of-way dedication is involved;
39 b. The resultant lots are no greater than two acres; and
40 c. The division of land is by any method of transfer among
41 members of a lineal family, which shall include direct lineal
42 descendants (children, grandchildren, and great-grandchildren)

1 and direct lineal ascendants (father, mother, grandfather, and
2 grandmother) and brothers, sisters, nieces, and nephews."

3 Section 3. Section 1 of this act applies to Harnett County only. Section 2 of
4 this act applies only to the municipalities wholly within Harnett County.

5 Section 4. This act is effective when it becomes law.