

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

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HOUSE BILL 1724
Committee Substitute Favorable 6/17/04

Short Title: Harnett and Pitt Subdivisions.

(Local)

Sponsors:

Referred to:

May 27, 2004

A BILL TO BE ENTITLED

AN ACT RELATING TO THE DEFINITION OF SUBDIVISION IN HARNETT AND
PITT COUNTIES.

The General Assembly of North Carolina enacts:

SECTION 1. S.L. 1997-246 and S.L. 2001-50, as those acts amend
G.S. 153A-335 and G.S. 160A-376 as applicable to Harnett County and the
municipalities in Harnett County, are repealed.

SECTION 2. G.S. 153A-335, as it applies to Pitt County, 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 or for public transportation system corridors; ~~and~~
- (4) The division of a tract in single ownership the entire area of which is no greater than two acres into not more than three lots, if no street right-of-way dedication is involved and if the resultant lots are equal to or exceed the standards of the county as shown by its subdivision ~~regulations.~~regulations;

1 (5) The division of a tract among heirs of a deceased person as part of the
2 settlement of the deceased person's estate by action of a will or other
3 legal proceeding; and

4 (6) The division of land by any method of transfer from a grantor to a
5 grantee (or grantees) who is a member of the grantor's immediate
6 family, solely for the residential use of the grantee (or grantees). For
7 the purposes of this section, the term "immediate family" shall include
8 only direct lineal descendants (children and grandchildren) and direct
9 lineal ascendants (father, mother, grandfather, and grandmother)."

10 **SECTION 3.** Section 1 of this act applies to Harnett County and the
11 municipalities in Harnett County only. Section 2 of this act applies to Pitt County only.

12 **SECTION 4.** Section 1 of this act becomes effective January 1, 2005. The
13 remainder of this act is effective when it becomes law.