GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 685
Committee Substitute Favorable 4/30/97

Short Title: Harnett Subdivision Definition. (Local)

Sponsors:

Referred to:

March 31, 1997

1   A BILL TO BE ENTITLED
2 AN ACT RELATING TO THE DEFINITION OF SUBDIVISION IN HARNETT
3   COUNTY AND THE MUNICIPALITIES WITHIN THAT COUNTY.
4 The General Assembly of North Carolina enacts:
5   Section 1. G.S. 153A-335 reads as rewritten:
6 "**§ 153A-335. 'Subdivision' defined.**
7   For purposes of this Part, 'subdivision' means all divisions of a tract or parcel of land
8 into two or more lots, building sites, or other divisions for the purpose of sale or
9 building development (whether immediate or future) and includes all division of land
10 involving the dedication of a new street or a change in existing streets; however, the
11 following is not included within this definition and is not subject to any regulations
12 enacted pursuant to this Part:
13   (1)   The combination or recombination of portions of previously
14   subdivided and recorded lots if the total number of lots is not increased
15   and the resultant lots are equal to or exceed the standards of the county
16   as shown in its subdivision regulations;
17   (2)   The division of land into parcels greater than 10 acres if no street right-
18   of-way dedication is involved;
19   (3)   The public acquisition by purchase of strips of land for widening or
20   opening ~~streets; and~~ streets;
21   (4)   The division of a tract in single ownership the entire area of which is
22   no greater than two acres into not more than three lots, if no street
23   right-of-way dedication is involved and if the resultant lots are equal to

1   or exceed the standards of the county as shown by its subdivision
2   ~~regulations.~~ regulations; and
3   (5)   The division of land is by any method of transfer among members of a
4   lineal family, which shall include direct lineal descendants (children,
5   grandchildren, and great grandchildren) and direct lineal ascendants
6   (father, mother, grandfather, and grandmother) and brothers, sisters,
7   nieces, and nephews."
8   Section 2. G.S. 160A-376 reads as rewritten:
9 **"§ 160A-376. Definition.**
10   For the purpose of this Part, 'subdivision' means all divisions of a tract or parcel of
11 land into two or more lots, building sites, or other divisions for the purpose of sale or
12 building development (whether immediate or future) and shall include all divisions of
13 land involving the dedication of a new street or a change in existing streets; but the
14 following shall not be included within this definition nor be subject to the regulations
15 authorized by this Part:
16   (1)   The combination or recombination of portions of previously
17   subdivided and recorded lots where the total number of lots is not
18   increased and the resultant lots are equal to or exceed the standards of
19   the municipality as shown in its subdivision regulations;
20   (2)   The division of land into parcels greater than 10 acres where no street
21   right-of-way dedication is involved;
22   (3)   The public acquisition by purchase of strips of land for the widening
23   or opening of ~~streets; and~~ streets;
24   (4)   The division of a tract in single ownership whose entire area is no
25   greater than two acres into not more than three lots, where no street
26   right-of-way dedication is involved and where the resultant lots are
27   equal to or exceed the standards of the municipality, as shown in its
28   subdivision ~~regulations.~~ regulations; and
29   (5)   The division of land is by any method of transfer among members of a
30   lineal family, which shall include direct lineal descendants (children,
31   grandchildren, and great-grandchildren) and direct lineal ascendants
32   (father, mother, grandfather, and grandmother) and brothers, sisters,
33   nieces, and nephews."
34   Section 3. Section 1 of this act applies to Harnett County only. Section 2 of
35 this act applies only to the municipalities wholly within Harnett County.
36   Section 4. This act is effective when it becomes law.