

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2023

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PRINCIPAL CLERK

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SENATE BILL DRS35088-MQ-54

Short Title: Town of Davidson-Expedited Review Exemption. (Local)

Sponsors: Senator Marcus (Primary Sponsor).

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO CLARIFY THAT THE TOWN OF DAVIDSON IS NOT REQUIRED TO  
3 PROVIDE EXPEDITED REVIEW OF CERTAIN SUBDIVISION APPROVALS.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. G.S. 160D-802 reads as rewritten:

6 "§ 160D-802. Applicability.

7 (a) For the purpose of this Article, subdivision regulations shall be applicable to all  
8 divisions of a tract or parcel of land into two or more lots, building sites, or other divisions when  
9 any one or more of those divisions is created for the purpose of sale or building development,  
10 whether immediate or future, and shall include all divisions of land involving the dedication of a  
11 new street or a change in existing streets; but the following shall not be included within this  
12 definition nor be subject to the regulations authorized by this Article:

13 (1) The combination or recombination of portions of previously subdivided and  
14 recorded lots where the total number of lots is not increased and the resultant  
15 lots are equal to or exceed the standards of the local government as shown in  
16 its subdivision regulations.

17 (2) The division of land into parcels greater than 10 acres where no street  
18 right-of-way dedication is involved.

19 (3) The public acquisition by purchase of strips of land for the widening or  
20 opening of streets or for public transportation system corridors.

21 (4) The division of a tract in single ownership whose entire area is no greater than  
22 2 acres into not more than three lots, where no street right-of-way dedication  
23 is involved and where the resultant lots are equal to or exceed the standards of  
24 the local government, as shown in its subdivision regulations.

25 (5) The division of a tract into parcels in accordance with the terms of a probated  
26 will or in accordance with intestate succession under Chapter 29 of the  
27 General Statutes.

28 (b) A local government ~~may~~ is not required to provide for expedited review of specified  
29 classes of subdivisions.

30 (c) A local government may require only a plat for recordation for the division of a tract  
31 or parcel of land in single ownership if all of the following criteria are met:

32 (1) The tract or parcel to be divided is not exempted under subdivision (2) of  
33 subsection (a) of this section.

34 (2) No part of the tract or parcel to be divided has been divided under this  
35 subsection in the 10 years prior to division.

36 (3) The entire area of the tract or parcel to be divided is greater than 5 acres.



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- 1           (4)    After division, no more than three lots result from the division.
- 2           (5)    After division, all resultant lots comply with all of the following:
- 3                a.    All lot dimension size requirements of the applicable land-use
- 4                regulations, if any.
- 5                b.    The use of the lots is in conformity with the applicable zoning
- 6                requirements, if any.
- 7                c.    A permanent means of ingress and egress is recorded for each lot."
- 8           **SECTION 2.(a)** This act applies only to the Town of Davidson.
- 9           **SECTION 2.(b)** This act is effective when it becomes law and applies to subdivision
- 10   approvals submitted on or after that date.