

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

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HOUSE BILL 682

Short Title: Harnett Co. Subdivision Definition.

(Local)

Sponsors: Representative Davis.

Referred to: Local Government I.

March 19, 2001

A BILL TO BE ENTITLED

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

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 153A-335, as it applies to Harnett County pursuant to S.L. 1997-246, 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;
- (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; and
- (5) ~~The A one-time division of land is by any method of transfer among members of a lineal family, which from a grantor to an individual~~

1 grantee who is a member of the grantor's immediate family, solely for
2 the residential use of the grantee, where the entire area of the land
3 divided is not more than an acre as shown on a recorded map prepared
4 by a registered land surveyor currently licensed by the North Carolina
5 State Board of Registration for Professional Engineers and Land
6 Surveyors. for the purposes of this subdivision, the term "immediate
7 family" shall include direct lineal descendants (~~children,~~
8 ~~grandchildren, and great grandchildren~~children and grandchildren) and
9 direct lineal ascendants (father, mother, grandfather, and grandmother)
10 and brothers, sisters, nieces, and nephews-only."

11 **SECTION 2.** G.S. 160A-376, as it applies to Harnett County municipalities
12 pursuant to S.L. 1997-246, reads as rewritten:

13 **"§ 160A-376. Definition.**

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

- 20 (1) The combination or recombination of portions of previously
21 subdivided and recorded lots if the total number of lots is not increased
22 and the resultant lots are equal to or exceed the standards of the county
23 as shown in its subdivision regulations;
- 24 (2) The division of land into parcels greater than 10 acres if no street
25 right-of-way dedication is involved;
- 26 (3) The public acquisition by purchase of strips of land for widening or
27 opening streets;
- 28 (4) The division of a tract in single ownership the entire area of which is
29 no greater than two acres into not more than three lots, if no street
30 right-of-way dedication is involved and if the resultant lots are equal to
31 or exceed the standards of the county as shown by its subdivision
32 regulations; and
- 33 (5) ~~The A one-time division of land is by any method of transfer among~~
34 ~~members of a lineal family, which from a grantor to an individual~~
35 grantee who is a member of the grantor's immediate family, solely for
36 the residential use of the grantee, where the entire area of the land
37 divided is not more than an acre as shown on a recorded map prepared
38 by a registered land surveyor currently licensed by the North Carolina
39 State Board of Registration for Professional Engineers and Land
40 Surveyors. For the purposes of this subdivision, the term "immediate
41 family" shall include direct lineal descendants (~~children,~~
42 ~~grandchildren, and great grandchildren~~children and grandchildren) and
43 direct lineal ascendants (father, mother, grandfather, and grandmother)
44 and brothers, sisters, nieces, and nephews-only."

- 1 **SECTION 3.** Section 1 of this act applies to Harnett County only. Section 2
2 of this act applies to the municipalities in Harnett County only.
3 **SECTION 4.** This act is effective when it becomes law.