

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

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HOUSE BILL 765

Short Title: Chowan Subdivision Definition.

(Local)

Sponsors: Representative Culpepper.

Referred to: Local Government II.

March 27, 2003

A BILL TO BE ENTITLED

AN ACT RELATING TO THE DEFINITION OF SUBDIVISION IN CHOWAN
COUNTY.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 160A-376 reads as rewritten:

"§ 160A-376. Definition.

For the purpose 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 shall include all divisions of land involving the dedication of a new street or a change in existing streets; but the following shall not be included within this definition nor be subject to the regulations authorized by this Part:

- (1) The combination or recombination of portions of previously subdivided and recorded lots where the total number of lots is not increased and the resultant lots are equal to or exceed the standards of the ~~municipality~~county as shown in its ~~subdivision regulations;~~regulations.
- (2) The division of land into parcels greater than 10 acres where no street right-of-way dedication is ~~involved;~~involved.
- (3) The public acquisition by purchase of strips of land for the widening or opening of ~~streets; and~~streets.
- (4) The division of a tract in single ownership whose entire area is no greater than two acres into not more than three lots, where no street right-of-way dedication is involved and where the resultant lots are equal to or exceed the standards of the ~~municipality,~~ county, as shown in its subdivision regulations.
- (5) The gift of a parent of a single lot to his or her child or each of his or her children where no new road is involved, if (i) each lot has dedicated right-of-way access to the State-maintained road serving the

- 1 principal parcel or direct access to an approved private road as defined
2 by ordinance and (ii) there are no more than three conveyances.
3 (6) The division of land by will; however, the resultant lots may not be
4 eligible for a compliance permit or building permit if the lots do not
5 meet the minimum lot size requirements of the zoning ordinance,
6 septic tank regulations, or the building setback ordinance."
7 **SECTION 2.** This act applies to Chowan County only.
8 **SECTION 3.** This act is effective when it becomes law.