

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

H

2

HOUSE BILL 765
Senate State Government, Local Government, and Veterans' Affairs Committee
Substitute Adopted 5/14/03

Short Title: Chowan Subdivision Definition.

(Local)

Sponsors:

Referred to:

March 27, 2003

A BILL TO BE ENTITLED

1 AN ACT RELATING TO THE DEFINITION OF SUBDIVISION IN CHOWAN
2 COUNTY.
3

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 153A-335, as amended by Section 8 of S.L. 2002-141,
6 reads as rewritten:

7 **"§ 153A-335. "Subdivision" defined.**

8 For purposes of this Part, "subdivision" means all divisions of a tract or parcel of
9 land into ~~three~~two or more lots, building sites, or other divisions for the purpose of sale
10 or building development (whether immediate or future) and includes all division of land
11 involving the dedication of a new street or a change in existing streets; however, the
12 following is not included within this definition and is not subject to any regulations
13 enacted pursuant to this Part:

- 14 (1) The combination or recombination of portions of previously
15 subdivided and recorded lots if the total number of lots is not increased
16 and the resultant lots are equal to or exceed the standards of the county
17 as shown in its subdivision regulations;
- 18 (2) The division of land into parcels greater than 10 acres if no street
19 right-of-way dedication is involved;
- 20 (3) The public acquisition by purchase of strips of land for widening or
21 opening streets;
- 22 (4) The division of a tract in single ownership the entire area of which is
23 no greater than two acres into not more than three lots, if no street
24 right-of-way dedication is involved and if the resultant lots are equal to
25 or exceed the standards of the county as shown by its subdivision
26 ~~regulations; and~~ regulations;
- 27 (5) The gift of a parent of a single lot to the parent's child or each of the
28 parent's children where no new road is involved, provided:

- 1 a. That each and every lot has dedicated right-of-way access to the
2 State-maintained road serving the principal parcel or direct
3 access to an approved private road as defined in the ordinance;
4 and
5 b. There are no more than three conveyances under this
6 ~~subdivision~~-subdivision; and
7 (6) The division of land by will; however, the resultant lots may not be
8 eligible for a compliance permit or building permit if the lots do not
9 meet the minimum lot size requirements of the zoning ordinance,
10 septic tank regulations or the building setback ordinance."

11 **SECTION 2.** This act applies to Chowan County only.

12 **SECTION 3.** This act is effective when it becomes law.