

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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HOUSE BILL 679

Short Title: Davie Subdivision Definition.

(Local)

Sponsors: Representative Howard.

Referred to: Local & Regional Government II.

March 30, 1995

A BILL TO BE ENTITLED

AN ACT AMENDING THE STATUTORY DEFINITION OF SUBDIVISION IN DAVIE COUNTY.

The General Assembly of North Carolina enacts:

Section 1. G.S. 153A-335 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 ~~40 acres if no street right-of-way dedication is involved;~~ five acres where the grantor or developer records a right-of-way agreement prior to or simultaneously with the recording of the deed, which said agreement provides for access to the parcel by right-of-way at least 50 feet in width and contains an agreement for construction and maintenance of the road;
- (3) The public acquisition by purchase of strips of land for widening or opening streets; and

- 1 (4) ~~The division of a tract in single ownership the entire area of which is~~
2 ~~no greater than two acres into not more than three lots, if no street~~
3 ~~right-of-way dedication is involved and if the resultant lots are equal to~~
4 ~~or exceed the standards of the county as shown by its subdivision~~
5 ~~regulations.~~ land pursuant to an order of the General Court of Justice;
6 (5) The conveyance of a lot or tract for the purpose of dividing land
7 among persons related within the third degree of lineal kinship if the
8 resultant lots are equal to or exceed the standards of the county as
9 shown in its ordinances and regulations; and
10 (6) The division of a tract in single ownership the entire area of which is
11 no greater than two acres into not more than three lots if no street
12 right-of-way dedication is involved and if the resultant lots are equal to
13 or exceed the standards of the county as shown by its subdivision
14 regulations."

15 Sec. 2. This act applies to Davie County only.

16 Sec. 3. This act is effective upon ratification and shall not have any effect on
17 subdivisions submitted for approval to the Davie County Planning Department prior to
18 that date.