

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 2014

Short Title: Stanly Subdivision Definition.

(Local)

Sponsors: Representative Barbee.

Referred to: Local and Regional Government II.

June 6, 1994

A BILL TO BE ENTITLED

AN ACT RELATING TO THE DEFINITION OF "SUBDIVISION" FOR THE
PURPOSE OF SUBDIVISION REGULATION IN STANLY COUNTY.

The General Assembly of North Carolina enacts:

Section 1. Chapter 930 of the 1987 Session Laws, as amended by Chapter
504 of the 1991 Session Laws, reads as rewritten:

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

For purposes of this Part, 'subdivision' means all divisions of a ~~residentially zoned~~
~~original parcel or lot of record existing as of January 1, 1989, where 10 or more lots or~~
~~parcels (not including residual land of the original parcel or lot of record) have been or~~
~~will be created. Any subsequent conveyance of residentially zoned land from an~~
~~original parcel or lot of record effective January 1, 1989, by a recorded deed, whether~~
~~recorded prior to or subsequent to the ratification of this section, conveying more than~~
~~10 acres of land shall also be deemed an original parcel or lot of record as hereinbefore~~
~~defined.~~ tract or parcel of land into two or more lots, building sites, or other divisions
for the purpose, whether immediate or future, of sale or building development, and shall
include all divisions of land involving the dedication of a new street or change in
existing streets. The following shall not be included within this definition nor be
subject to any regulations enacted pursuant to this Part:

(1) The combination or recombination of portions of previously subdivided and
recorded lots ~~where 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;~~ by
the regulations prescribed by this act;

1 (2) The division of land into parcels greater than ~~10~~ five acres where ~~no street~~
2 ~~right-of-way dedication is involved;~~ the grantor or developer records a right-of-way
3 agreement prior to or simultaneously with the recording of the deed, which said
4 agreement provides for access to the parcel by right-of-way at least 60 feet in width and
5 contains an agreement for construction and maintenance of the road;

6 (3) The public acquisition by purchase of strips of land for widening or opening
7 streets; and

8 (4) ~~Divisions of any land to be sold, leased or used for commercial or industrial~~
9 ~~purposes, which is commercially or industrially zoned by the county zoning ordinance~~
10 ~~at the time of division. The conveyance of a tract or parcel of land with a minimum of~~
11 ~~20,000 square feet exclusive of the State right-of-way for a road with at least 100 feet~~
12 ~~frontage upon a State-maintained road;~~

13 (5) The division of land pursuant to an order of the General Court of Justice;

14 (6) The conveyance of a lot or tract for the purpose of dividing land among
15 tenants in common, all of whom inherited, by intestacy or by will, the land from a
16 common ancestor; and

17 (7) The division of a tract in single ownership whose entire area is no greater
18 than two acres into no more than three lots, where no street right-of-way dedication is
19 involved, and where the resultant lots are equal to or exceed the standards of the county,
20 as shown by the subdivision regulations contained in this act."

21 Sec. 2. This act applies to Stanly County only.

22 Sec. 3. This act is effective upon ratification and shall not have any effect on
23 subdivisions submitted for approval to the Stanly County Planning Department prior to
24 the effective date of this act.