

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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SENATE BILL 1518

Short Title: Stanly Co. Subdivision Definition.

(Local)

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Sponsors: Senators Plyler and Purcell.

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Referred to: State Government, Local Government, and Personnel.

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May 28, 1998

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 and Chapter 574 of the 1993 Session Laws, 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, 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 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 by the regulations prescribed by this act;

(2) The division of land into parcels greater than ~~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~~

1 ~~least 60 feet in width and contains an agreement for construction and maintenance of the~~  
2 ~~road; 10 acres where no street right-of-way dedication is involved;~~

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

5 (4) The conveyance of a tract or parcel of land with a minimum of 20,000 square  
6 feet exclusive of the State right-of-way for a road with at least 100 feet frontage upon a  
7 State-maintained road;

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

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

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

16 Section 2. This act applies to Stanly County only.

17 Section 3. This act is effective when it becomes law and shall not have any  
18 effect on subdivisions submitted for approval to the Stanly County Planning Department  
19 prior to the effective date of this act.