

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001**

**SESSION LAW 2001-189
HOUSE BILL 817**

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

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 153A-335, as it applies to Richmond County pursuant to S.L. 2000-11, reads as rewritten:

"§ 153A-335. "Subdivision" defined.

(a) 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 five acres if no street right-of-way dedication is involved;
- (3) The public acquisition by purchase of strips of land for widening or opening streets; and
- (4) The division of a tract in single ownership the entire area of which is no greater than two acres into not more than three lots, if no street right-of-way dedication is involved and if the resultant lots are equal to or exceed the standards of the county as shown by its subdivision regulations.

(b) Notwithstanding subsection (a) of this section, the definition of "subdivision" may be further classified into subcategories defined as follows:

- (1) Family subdivision. – A division of a tract or parcel to be conveyed in accordance with all of the following:
 - a. All lots have access via a new or existing right-of-way or access easement of at least the State road sizes applicable at the time of the transfer.
 - b. The property is to be conveyed to a member of the grantor's lineal descendants, as defined by G.S. 29-2(4), or the grantor's father, mother, grandfather, grandmother, brother, sister, aunt, uncle, niece, or nephew.
 - c. No more than 10 new lots plus the residual may be created.
- (2) Minor subdivision. – A division of a tract or parcel of land that does not:
 - a. Create more than four lots plus the residual acreage from any one tract or parcel of land in any 24-month period.
 - b. Dedicate or improve any new public street.
 - c. Extend public water and or sanitary sewerage system other than laterals to serve individual lots.

(3) Major subdivision. – Any subdivision that is not a minor subdivision or a family subdivision."

SECTION 2. This act applies to Richmond County only.

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

In the General Assembly read three times and ratified this the 11th day of June, 2001.

s/ Beverly E. Perdue
President of the Senate

s/ James B. Black
Speaker of the House of Representatives