

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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HOUSE BILL 252

Short Title: Multijurisdictional Property. (Public)

Sponsors: Representatives Winslow, Brody, Tyson, and Zenger (Primary Sponsors).
For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Local Government - Land Use, Planning and Development, if favorable, Rules, Calendar, and Operations of the House

March 2, 2023

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH JURISDICTION FOR PLANNING AND DEVELOPMENT REGULATIONS FOR LAND THAT LIES WITHIN THE PLANNING AND DEVELOPMENT JURISDICTION OF MORE THAN ONE LOCAL GOVERNMENT.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 160D-203 reads as rewritten:

"§ 160D-203. **Split jurisdiction.**

(a) ~~If a parcel of land~~ lies within the planning and development regulation jurisdiction of more than one local government, for the purposes of this Chapter, the local governments may, by mutual agreement pursuant to Article 20 of Chapter 160A of the General Statutes and with the written consent of the landowner, assign exclusive planning and development regulation jurisdiction under this Chapter for the ~~entire parcel land~~, including all development phases on the land, to any one of those local governments.

(b) In the event no mutual agreement under subsection (a) of this section exists, the landowner of land lying within the planning and development regulation jurisdiction of more than one local government may designate which local government's planning and development regulations shall apply to the land. After that designation is made, and with the approval of the designated local government, the landowner may enter into an agreement with one or more other local governments for any part of the development, including utilities; annexation for utility access; if applicable, all development phases on the land; and other services offered.

~~Such a mutual agreement~~ This section shall only be applicable to planning and development regulations and shall not affect taxation or other nonregulatory matters. The mutual agreement under subsection (a) of this section shall be evidenced by a resolution formally adopted by each governing board and recorded with the register of deeds in the any county where the property land is located within 14 days of the adoption of the last required resolution. The landowner shall record all agreements entered into under subsection (b) of this section with the register of deeds in any county where the land is located within 14 days of the execution of the agreement.

(d) For purposes of this section, "landowner" means all titleholders of record owning an interest in the land.

SECTION 2. This act is effective when it becomes law.



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