

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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HOUSE BILL 1651

Short Title: Statewide Subdivision Changes.

(Public)

Sponsors: Representative Ross.

Referred to: Commerce, Small Business and Entrepreneurship, if favorable, Judiciary I.

April 19, 2007

A BILL TO BE ENTITLED

AN ACT AMENDING THE DEFINITION OF A SUBDIVISION TO PROVIDE THAT THE EXEMPTION APPLICABLE TO THE COMBINATION OR RECOMBINATION OF PORTIONS OF PREVIOUSLY SUBDIVIDED AND RECORDED LOTS SHALL NOT APPLY TO THOSE LOTS THAT HAVE EXISTED ONLY ON PAPER OR THAT HAVE PREVIOUSLY BEEN EFFECTIVELY COMBINED INTO A SINGLE PARCEL.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 153A-335(a)(1) reads as rewritten:

"(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~~-regulations, except that an ordinance adopted under this Part may provide that this exemption shall not apply to previously subdivided and recorded lots under either of the following circumstances:

- a. No improvements (such as streets, sidewalks, or utilities) designed to allow the lots to function as individual lots have been installed within that subdivision and no buildings have been constructed on the lots, except this subdivision does not apply until the plat has been recorded for 10 years.
- b. Where the recorded lots or portions of those lots have manifestly been developed as evidenced by the fact that on that parcel one or more buildings or other substantial structures have been constructed over the common lot lines of those previously subdivided and recorded lots."

SECTION 2. G.S. 160A-376(a)(1) reads as rewritten:

"(1) The combination or recombination of portions of previously subdivided and recorded lots where the total number of lots is not

1 increased and the resultant lots are equal to or exceed the standards of
2 the municipality as shown in its subdivision ~~regulations.~~ regulations,
3 except that an ordinance adopted under this Part may provide that this
4 exemption shall not apply to previously subdivided and recorded lots
5 under either of the following circumstances:

6 a. No improvements (such as streets, sidewalks, or utilities)
7 designed to allow the lots to function as individual lots have
8 been installed within that subdivision and no buildings have
9 been constructed on the lots, except that this subdivision does
10 not apply until the plat has been recorded for 10 years.

11 b. Where the recorded lots or portions of those lots have
12 manifestly been developed as evidenced by the fact that on that
13 parcel one or more buildings or other substantial structures have
14 been constructed over the common lot lines of those previously
15 subdivided and recorded lots."

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