

GENERAL ASSEMBLY OF NORTH CAROLINA
1989 SESSION

CHAPTER 626
SENATE BILL 627

AN ACT TO ELIMINATE HOSPITAL LEASE AUTHORITY IN GASTON COUNTY, AND AMENDING THE STATUTORY DEFINITION OF A SUBDIVISION IN LINCOLN COUNTY.

The General Assembly of North Carolina enacts:

Section 1. Chapter 796, Session Laws of 1983, is repealed.

Sec. 1.1. G.S. 153A-335 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 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 ~~10~~ seven 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 of land into five or fewer lots (including the residual land included in the original tract) where:~~
 - a. All lots created equal or exceed the minimum dimensional standards contained in the county subdivision regulations;
 - b. All lots are residentially zoned in areas where zoning has been adopted, this sub-subdivision b. to apply only in areas which are zoned; and
 - c. No new roads are proposed to provide access to any of the lots created.

This subdivision (4) applies only to owners of real property as of the effective date of the initial enactment of the county subdivision regulation; and

- (5) The division of land by any method of transfer solely among members of a linear family which shall include only direct lineal descendants (children, grandchildren, and great grandchildren) and direct lineal ascendants (father, mother, grandfather, and grandmother); and brothers, sisters, nieces, and nephews."

Sec. 2. Section 1.1 of this act applies only to Lincoln County.

Sec. 3. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 12th day of July, 1989.