

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

H

D

HOUSE BILL 425
PROPOSED COMMITTEE SUBSTITUTE H425-PCS40361-BV-12

Short Title: Development Regulations/Multijurisdiction.

(Public)

Sponsors:

Referred to:

March 29, 2021

1 A BILL TO BE ENTITLED
2 AN ACT TO ESTABLISH JURISDICTION FOR PLANNING AND DEVELOPMENT
3 REGULATIONS FOR LAND THAT LIES WITHIN THE PLANNING AND
4 DEVELOPMENT JURISDICTION OF MORE THAN ONE LOCAL GOVERNMENT.

5 The General Assembly of North Carolina enacts:

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

7 "§ 160D-203. Split jurisdiction.

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

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

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

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

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



* H 4 2 5 - P C S 4 0 3 6 1 - B V - 1 2 *