

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

H.B. 425
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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH40266-MQ-70

Short Title: Development Regulations/Multijurisdiction. (Public)

Sponsors: Representative Brody.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO ESTABLISH A DEFAULT JURISDICTION FOR A PARCEL OF LAND THAT
3 LIES WITHIN THE PLANNING AND DEVELOPMENT REGULATION
4 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~~-parcel, including additional phases identified
13 or proposed future phases, to any one of those local governments. Such a mutual agreement shall
14 only be applicable to development regulations and shall not affect taxation or other nonregulatory
15 matters. The mutual agreement shall be evidenced by a resolution formally adopted by each
16 governing board and recorded with the register of deeds in the county where the property is
17 located within 14 days of the adoption of the last required resolution.

18 (b) In the event no mutual agreement exists, the decision as to which jurisdiction shall
19 control an entire project, including utilities; annexation for utility access; if applicable, all
20 proposed and future phases; and other services offered by the controlling jurisdiction shall be
21 made by the developer. The developer or petitioner may enter into an agreement with multiple
22 jurisdictions for any part of the development subject to the permission of the controlling
23 jurisdiction. This subsection shall only be applicable to development regulations and shall not
24 affect taxation or other nonregulatory matters."

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

