



HOUSE BILL 252: Multijurisdictional Property.

2023-2024 General Assembly

Committee:	House Local Government - Land Use, Planning and Development. If favorable, refer to Rules, Calendar, and Operations of the House	Date:	March 23, 2023
Introduced by:	Reps. Winslow, Brody, Tyson, Zenger	Prepared by:	Billy R. Godwin Staff Attorney
Analysis of:	First Edition		

OVERVIEW: *House Bill 252 would allow landowners of land subject to the planning and development regulations of more than one local government to designate, in the absence of an agreement between those local governments, which local government's regulations apply.*

CURRENT LAW: Chapter 160D of the General Statutes contains the processes and procedures for development approvals by local governments for land within their jurisdiction. If a parcel of land lies within the planning and development jurisdiction of more than one local government, G.S. 160D-203 allows those local governments, with the written consent of the landowner, to enter into an interlocal agreement pursuant to Article 20 of Chapter 160A of the General Statutes whereby one of those local governments will be assigned the exclusive planning and development regulation jurisdiction for the entire parcel. The interlocal agreement is only applicable to development regulations and does not affect taxation or other nonregulatory matters. The interlocal agreement must be evidenced by a resolution formally adopted by each governing board and recorded with the register of deeds in the county where the property is located within 14 days of the adoption of the last required resolution.

BILL ANALYSIS: House Bill 252 would modify G.S. 160D-203 to do all of the following:

- Clarify that the assignment of land development jurisdiction under an interlocal agreement for lands in multiple jurisdictions would apply to all development phases on the land.
- Allow, in the absence of an interlocal agreement, a landowner of lands in lands in multiple jurisdictions to designate which local government's jurisdiction will apply.
- Allow a landowner, with the approval of the local government with designated jurisdiction, to enter into agreements with one or more other local governments for any part of the development (including utilities, annexation for utility access, development phases on the land, and other services). The landowner must record those agreements with the register of deeds in any county where the land is located, within 14 days of the agreement's execution.
- Define "landowner" to mean all titleholders of record owning an interest in the land.

EFFECTIVE DATE: The act would be effective when the bill becomes law.

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