

NORTH CAROLINA

CATAWBA COUNTY
BOARD OF ADJUSTMENT

CATAWBA COUNTY

IN re: CATAWBA COUNTY
SUBDIVISION REVIEW BOARD'S NON-
APPROVAL OF PORTION OF DREAM
FINDER HOMES, LLC'S PROJECT IN
LINCOLN COUNTY

**MEMORANDUM IN SUPPORT OF
DREAM FINDERS HOMES, LLC'S
APPEAL OF DECISION BY THE
CATAWBA COUNTY SUBDIVISION
REVIEW BOARD**

ISSUE PRESENTED

Does N.C. Gen. Stat. § 160D-203(b) allow Catawba County to approve plans for the portion of a parcel lying in Lincoln County when the majority of the parcel's acreage is in Catawba County?

FACTS

In early 2025, Dream Finders Homes, LLC (Dream Finders) began working with Catawba and Lincoln Counties' planning departments to develop the Campground Road subdivision on a parcel lying in both counties. The parties discussed having one jurisdiction's planning and development regulations apply to the entire parcel, but the counties were unable to reach a mutual agreement under N.C. Gen. Stat. § 160D-203. At that time, the statute had not yet been amended to include subsection (b). As a result, Dream Finders had to submit two parallel preliminary plat applications to receive approval in both counties. Dream Finders first submitted its preliminary plat application to Catawba County on April 10, 2025, and to Lincoln County on April 11, 2025.

After receiving feedback from Catawba planning staff on the plat submission, Dream Finders worked to address the comments and resubmitted the plat to Catawba County on July 1, 2025.

On July 7, 2025, Catawba planning staff informed Dream Finders that the North Carolina General Assembly had passed legislation shifting the Catawba/Lincoln County line. H.R. B. 173, 2025 Leg., 2025-2026 Session (N.C. 2025). Due to this change, Dream Finders paused its applications to redraw the subdivision to include the updated county line. Throughout this time, Dream Finders continued to integrate feedback from Lincoln County on its submission there. Dream Finders resubmitted the updated subdivision plat to Catawba County on October 16, 2025, but was informed on December 31, 2025 that the application was denied. Around this time, Catawba and Lincoln Counties' planning staffs had a joint call to discuss where each county was in the review process for the subdivision.

Addressing comments from its last submission, Dream Finders resubmitted its preliminary plat to Catawba County on February 4, 2026. Catawba County granted conditional approval to the plat on March 3, 2026. Included in the conditions were approval of the same project design by the Lincoln County Board of Commissioners, approval of the NCDEQ permitted wastewater facility by the Lincoln County Technical Review Committee, and joint approval of the subdivision name and road names by both Catawba and Lincoln Counties.

On March 27, 2026, Lincoln planning staff informed Dream Finders that Catawba's planning staff had made them aware of the conditional approval. Lincoln's planner noted the project required a significant amount of coordination between the counties, but that the counties were still unable to come to a mutual agreement to assign exclusive planning and development regulation to one of the jurisdictions. However, N.C. Gen. Stat. § 160D-203 had since been amended to include subsection (b). Given the counties' inability to reach an agreement, Lincoln

planning staff advised Dream Finders of its option under N.C. Gen. Stat. § 160D-203(b) to elect one jurisdiction's planning and development regulations to govern the entire parcel.

Dream Finders approached Catawba County's planning staff to revisit the conversation around the split jurisdiction on April 20, 2025. The two parties met on May 1, 2026 to discuss what the review process would look like moving forward should Dream Finders elect Catawba County under § 160D-203(b). The two agreed to circulate draft documents for the election and for Dream Finders to coordinate with Lincoln County's planning staff on who would be responsible for building permits and inspections.

On May 5, 2026, Dream Finders sent Catawba County the election under § 160D-203(b) for Catawba's planning and development regulations to apply to the entire parcel. In response, Catawba County's legal department questioned if, under the statute, planning and development regulation jurisdiction would accompany the elected planning and development regulations. Believing the answer to be yes, Dream Finders consulted Lincoln County's planning staff, who consulted their County Attorney. Lincoln County's Attorney confirmed Dream Finder's understanding, stating that the planning and development regulation jurisdiction of the elected county would cover the entire project.

Catawba County's legal department disagreed with Dream Finders and Lincoln County's legal department's interpretation of the statute. In subsequent discussions between all three parties, Catawba County's legal department maintained its stance that, even if its planning and development regulations were elected for the entire project, it would not have planning and development regulation jurisdiction over the portion in Lincoln County. Under its understanding, Catawba County could not approve any portion of the project lying in Lincoln County. Sharing

this concern, on June 30, 2026, the Catawba County Subdivision Review Board denied Dream Finders' application for approval of the entire preliminary plat. This appeal follows.

LEGISLATIVE HISTORY

North Carolina passed the first version of its split jurisdiction statute in Senate Bill 355 as N.C. Gen. Stat. § 160D-2-3 on July 11, 2019. 2019 N.C. Sess. Laws 451. It included a single section encapsulating the language of current subsections (a) and (c). *Id.* The bill did not contain any of the language included in the current subsection (b). *Id.*

The first iteration of subsection (b) appeared in House Bill 252. H.R. B. 252, 2023 Leg., 2023-2024 Session (N.C.). The bill amended N.C. Gen Stat. § 160D-203 (§ 160D-2-3) to include subsection (b), allowing for a landowner whose parcel was located in multiple jurisdictions, absent an agreement under the existing language (now subsection (a)), to elect either jurisdiction's planning and development regulations. *Id.* Prior to the bill's passage in the House of Representatives on March 30, 2023, the House floor was opened for debate. H.R. B. 252 Deb., 2023 Leg., 2023-2024 Sess. (N.C. 2023). During the debate Representative Jeff Zenger, the primary sponsor and author of the bill, answered questions from Representatives Butler, Price, and Jones. *Id.* Representatives Butler and Jones raised concerns with developers having free choice of which regulations applied, predicting that may encourage jurisdiction shopping for the most lenient regulations. *Id.* Representative Price noted she was on the committee that worked on the bill and supported the spirit of the bill, but wanted to see it fine-tuned to encourage cooperation amongst all parties. *Id.* No concern was raised over whether the elected local government would have planning and development regulation jurisdiction over the entire property. *Id.* The bill passed the House, passed first reading in the Senate, but no action was taken after that.

Subsection (b)'s language reappeared in Senate Bill 493 in 2025. S. B. 493, 2025 Leg., 2025-2026 Session (N.C.). This iteration addressed the concerns raised during the debate over House Bill 252, only allowing developers to elect the regulations of the local government where the majority of the parcel's total acreage was located. *Id.* The bill passed the Senate, passed first reading in the House, but no action was taken after that.

The amendment of § 160D-203 to include subsection (b) was ultimately passed within House Bill 926. H.R. B. 926, 2025 Leg., 2025-2026 Session (N.C. 2025). The amendment was added to the bill on September 22, 2025, passed the legislature the next day, and became law on October 6, 2025. *Id.* Prior to the House vote on September 23, 2025, the floor was opened to debate the bill. H.R. B. 926 Deb., 2025 Leg., 2025-2026 Sess. (N.C. 2025). No concerns were raised regarding subsection (b), and it received no negative feedback on the floor. *Id.* As with earlier iterations of the amendment, there was no question whether the elected local government would have planning and development regulation jurisdiction over the entire property. *Id.*

LEGAL ANALYSIS

“Any decision of the subdivision review board made in regard to this chapter may be appealed by the applicant, in writing, to the board of adjustment within 30 days following the date of the decision.” CATAWBA COUNTY, NC CODE OF ORDINANCES ch. 44, art. II, § 44-248 (2023). When hearing an appeal, the Board of Adjustment acts with “all the powers of the official who made the decision” and may “reverse or affirm, wholly or partly, or may modify the decision appealed from and shall make any order, requirement, decision, or determination that ought to be made.” N.C. Gen. Stat. § 160D-406 (j). “Every quasi-judicial decision shall be based upon competent, material, and substantial evidence in the record.” *Id.*

I. Reversal of the Subdivision Review Board’s decision is appropriate because the legislative intent of 160D-203(b) is to convey planning and development regulation jurisdiction to the local government whose regulations are elected.

N.C. Gen. Stat. § 160D-203 applies “[i]f a parcel of land lies within the planning and development regulation jurisdiction of more than one local government.” N.C. Gen. Stat. § 160D-203(a) (2025). In that scenario, “the local governments may, by mutual agreement pursuant to Article 20 of Chapter 160A of the General Statutes and with the written consent of the landowner, assign exclusive planning and development regulation jurisdiction under this Chapter for the land, including all development phases on the land, to any one of those local governments.” *Id.* Subsection (b) applies “[i]n the event no mutual agreement or written consent under subsection (a) exist” and allows the landowner to “elect the planning and development regulations of the local government where the majority of the total acreage of the parcel of land is situated.” N.C. Gen. Stat. § 160D-203(b) (2025). The statute applies only to “planning and development regulations and shall not affect taxation or other nonregulatory matters.” N.C. Gen. Stat. § 160D-203(c) (2025).

“The intent of the legislature controls the interpretation of a statute.” *Mazda Motors of Am., Inc. v. Sw. Motors, Inc.*, 296 N.C. 357, 361, (1979). To determine legislative intent, courts first look to the plain text of the statute and, if unambiguous, apply the statute as written. See *id.* “However, the court must reject literal statutory readings that contravene ‘the manifest purpose of the [l]egislature’ and ‘the reason and purpose of the law.’” *State v. Robinson*, 929 S.E.2d 533, 537 (N.C. 2026) (quoting *State v. Barksdale*, 181 N.C. 621, 625 (1921)). If the plain text is ambiguous or subject to multiple interpretations, the court may look to the “legislative history, the spirit of the act and what the act seeks to accomplish.” *N.C. Farm Bureau Mut. Ins. Co. v. Lunsford*, 378 N.C. 181, 188-189 (2021) (quoting *Lenox, Inc. v. Tolson*, 353 N.C. 659, 664 (2001)). Throughout any

statutory interpretation analysis, “legislative intent [remains] the guiding star.” *Fearrington v. City of Greenville*, 386 N.C. 38, 52, 900 S.E.2d 851 (2024). Because the plain text, legislative intent, and legislative history all support subsection (b) granting planning and development regulation jurisdiction to the elected local government, the Subdivision Review Board’s decision should be reversed.

In the present case, the plain meaning of the text is not ambiguous, conveying planning and development regulation jurisdiction to the local government whose planning and development regulations are elected. Subsection (b) allows that, in the absence of an agreement under subsection (a), “the landowner of land lying within the planning and development regulation jurisdiction of more than one local government may elect the planning and development regulations of the local government where the majority of the total acreage of the parcel of land is situated.” § 160D-203(b). The statute defines “development regulation” as “[a] unified development ordinance, zoning regulation, subdivision regulation, erosion and sedimentation control regulation, floodplain or flood damage prevention regulation, mountain ridge protection regulation, stormwater control regulation, wireless telecommunication facility regulation, historic preservation or landmark regulation, housing code, North Carolina State Building Code enforcement, or any other regulation adopted pursuant to this Chapter, or a local act or charter that regulates land use or development.” N.C. Gen. Stat. § 160D-102(14). The statute explicitly empowers the landowner to elect one local government’s unified development ordinance and land use acts to extend across county lines to the entire parcel. In doing so, the statute necessarily extends the elected government’s planning and development regulation jurisdiction to the entire parcel. Otherwise, the elected government would have no authority to administer its regulations in the portion of the parcel lying outside of its boundaries, rendering the statute unworkable.

Reading the plain text of the statute to not extend planning and development regulation jurisdiction alongside the elected regulations would directly contravene the “the manifest purpose of the [l]egislature” and “the reason and purpose of the law.” Subsection (b) serves as an alternative to subsection (a), providing landowners with the prerogative to avoid jurisdictional gridlock if the local governments are unable to reach an agreement. If subsection (b) is read to only convey the planning and development regulations of the elected local government, but not to provide that local government with the planning and development regulation jurisdiction to administer those regulations, subsection (b) becomes ineffective. Any local government whose regulations are elected could refuse to administer the regulations, claiming it lacked jurisdiction over the portion of the parcel outside its boundaries. The local government whose regulations are not elected would be unable to administer another local government’s regulations. The landowner, absent an agreement between the parties pursuant to subsection (a), would have a parcel governed by regulations with no regulator. This outcome completely undermines subsection (b)’s existence as an alternative path forward when no agreement under (a) is reached. Because Catawba County’s reading of subsection (b) would make the subsection impotent, the plain language of the statute conveys planning and development regulation jurisdiction to the County whose regulations are elected.

The legislative intent behind the statute further supports appellant’s interpretation of the statute. North Carolina Representative Jeff Zenger, Chairman of the House Regulatory Reform Committee and primary sponsor of House Bill 926 containing § 160D-203(b), confirms that the legislative intent of the statute is to give planning and development regulation jurisdiction to one local government. Rep. Zenger Aff. ¶ 3. In the present case, where the landowner has elected Catawba County’s regulations pursuant to subsection (b), the legislative intent would grant

Catawba County planning and development regulation jurisdiction over the entirety of the parcel. Rep. Zenger Aff. ¶ 5. As “[t]he intent of the legislature controls the interpretation of a statute,” *Mazda Motors*, 296 N.C. at 361, and no literal reading of the statute may contravene ‘the manifest purpose of the [l]egislature’ and ‘the reason and purpose of the law,’” *Robinson*, 929 S.E.2d 537 (quoting *Barksdale*, 181 N.C. at 625), Catawba County’s interpretation of § 160D-203(b) cannot be reconciled with the legislative intent of the statute. Thus, the legislative intent behind § 160D-203(b) supports the interpretation of the statute that conveys planning and development regulation jurisdiction to the local government whose regulations are elected.

The legislative history of the statute also corroborates appellant’s interpretation of the statute. Throughout the entire history of § 160D-203(b), from inception to passage, the legislature understood that planning and development regulation jurisdiction would accompany the elected local government’s regulations. Otherwise, the statute would have no effect. When the amendment to add subsection (b) first passed the House, the only concerns voiced in debate were focused on developers jurisdiction shopping, as the original language allowed the landowner to freely opt for either jurisdiction’s regulations to apply. H.R. B. 252 Deb., 2023 Leg., 2023-2024 Sess. (N.C. 2023). Whether the local government whose regulations were elected would have jurisdiction over the entirety of the land was not considered an issue. *See id.* The concerns that did exist were addressed by the final language only allowing the landowner to elect the local government where the majority of the acreage was located. With those concerns addressed, when the current language of subsection (b) was brought for vote and opened for debate within House Bill 926, the amendment received no negative feedback. H.R. B. 926 Deb., 2025 Leg., 2025-2026 Sess. (N.C. 2025). Again, there was no question if regulation jurisdiction accompanied the elected regulations. *Id.* As such, the legislative history of § 160D-203(b), from inception to the passage, supports the

interpretation that the elected local government has planning and development jurisdiction over the entire parcel.

Returning to the argument that will be made by Catawba County's legal department that Catawba County does not have the authority to approve the portion of this project in Lincoln County, their argument fails on the reading of their argument in the light most favorable to the appellant. Electing a local government's planning and development regulations to apply to the entire parcel of land subjects the entire parcel to that local government's unified development ordinance (UDO). If a parcel is governed under a local government's UDO, it necessarily falls within that UDO's planning and development regulation jurisdiction and procedures. Otherwise, the local government would have no authority to subject the entire parcel to its planning and development regulations, which § 160D-203(b) explicitly authorizes. That authorization is not granted in spite of jurisdictional authority; jurisdictional authority inherently accompanies the authorization. Catawba County's UDO articulates the procedure for subdivision approval, granting approval authority to the Catawba County Subdivision Review Board for preliminary plats, the Catawba County Planning Director for final plats, and the Catawba County Board of Commissioners for ultimate approval. *See CATAWBA COUNTY, NC CODE OF ORDINANCES* ch. 44, art. II, §§ 44-341 to 343 (2023) (laying out subdivision approval procedures for land governed under the UDO). If Catawba County is elected under § 160D-203(b), Catawba County has the planning and development regulation jurisdiction to approve a subdivision covering the entire parcel of land within its already approved UDO.

CONCLUSION

Given the plain language of the statute, legislative intent behind the statute, and legislative history of the statute, Catawba County's legal department's interpretation of § 160D-203(b) cannot

be correct. If the landowner elects Catawba County's planning and development regulations to apply to the entire parcel pursuant to subsection (b), Catawba County also has planning and development regulation jurisdiction over the entirety of the parcel and may approve the entire subdivision in both Catawba and Lincoln Counties. As such, appellant requests that the Catawba County Subdivision Review Board's decision regarding Dream Finder Homes LLC's plat approval be reversed.

(2) Community Wells

Community Package Plant with Community Spray-field

CATAWBA COUNTY DEVELOPMENT DATA:

PROJECT NAME: CAMPGROUND ROAD SUBDIVISION
PLANS PREPARED BY: BOLTON & MENK, INC.
ZONING: R-30
PROPOSED USE: RESIDENTIAL & CLUSTER SUBDIVISION
MIN. LOT SIZE: 7,500 S.F.
MIN. LOT WIDTH: 45'
MAX DENSITY: 1.5 LOTS PER ACRE PER CATAWBA COUNTY UDO SEC 44-544
SETBACKS: FRONT= 20'
SIDE= 10'
CORNER SIDE= 20'
REAR= 50'
PROPERTY AREA = 159.25 ACRES
PROPOSED LOTS = 149
PROPOSED DENSITY = 0.94 LOTS/ACRE
PARCEL = 460603418109, 4605197404 AND 4606030129

IMPERVIOUS CALCULATION:

ROADS = 7.14 ACRES
SIDEWALK = 1.47 ACRES
DRIVEWAYS = 1.66 ACRES
PADS = 40' W x 70' L x 149 LOTS = 9.58 ACRES
ADDITIONAL IMPERVIOUS PER LOT = 1000 SF * 149 LOTS= 3.42 ACRES
TOTAL IMPERVIOUS= 23.27 ACRES
IMPERVIOUS PERCENTAGE= 14.61%

OPEN SPACE:

OFFSITE DEDICATED ROW AREA= 0.47 ACRES
ONSITE DEDICATED ROW AREA= 11.27 ACRES
NET AREA= 159.25 - 11.27 - 0.47 = 147.51 ACRES
REQUIRED OPEN SPACE = 25% x 147.51 = 36.88 ACRES
PROPOSED OPEN SPACE = 40.06% (59.1 ACRES)

UTILITY NOTE:

LOTS TO BE SERVICED BY COMMUNITY WELL AND COMMUNITY SEPTIC WELL AND SEPTIC TO BE PERMITTED THROUGH NCDEQ AND THEN TURNED OVER TO AQUA WHICH IS A PUBLIC ENTITY THEREFORE ALL WATER AND SEWER COLLECTION INFRASTRUCTURE WILL BE LOCATED IN THE STREET RIGHT OF WAY.

LOW DENSITY NOTE:

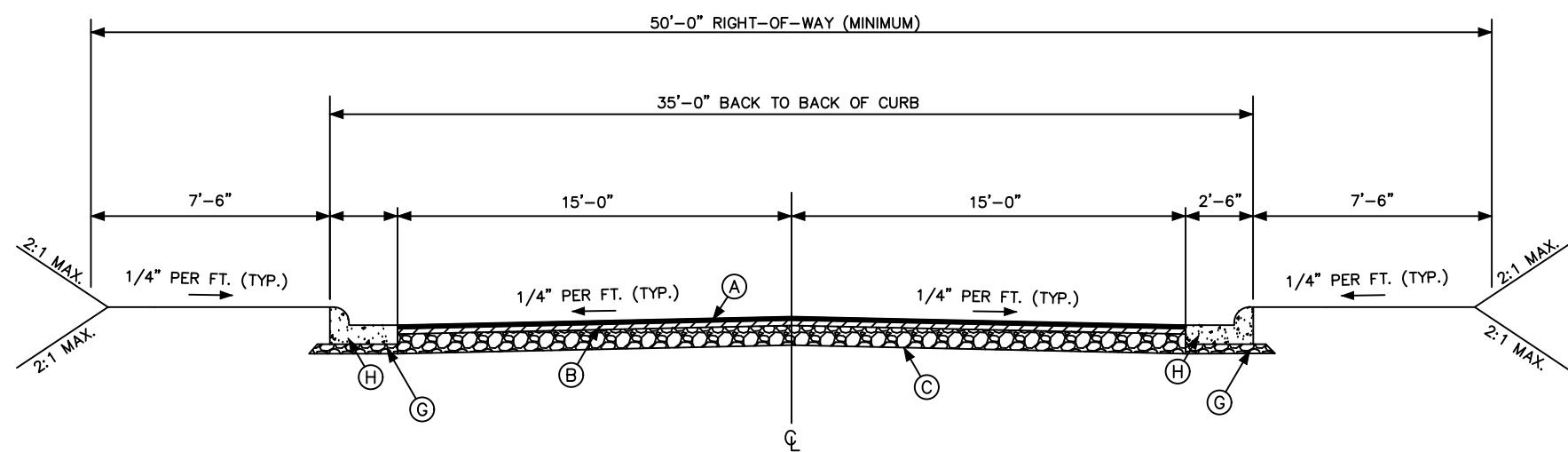
PROJECT FALLS IN THE WS-IV WATERSHED 34% MAXIMUM IMPERVIOUS ALLOWED OTHER LOW IMPACT MEASURES IN PLACE PER NC 15A NCAC 028.0624 CURB AND GUTTER PROVIDED WITH SWALE CONVEYANCES OF AT LEAST 100' DESIGNED PER NCDEQ LID GUIDELINES.

INTERSECTION DESIGN:

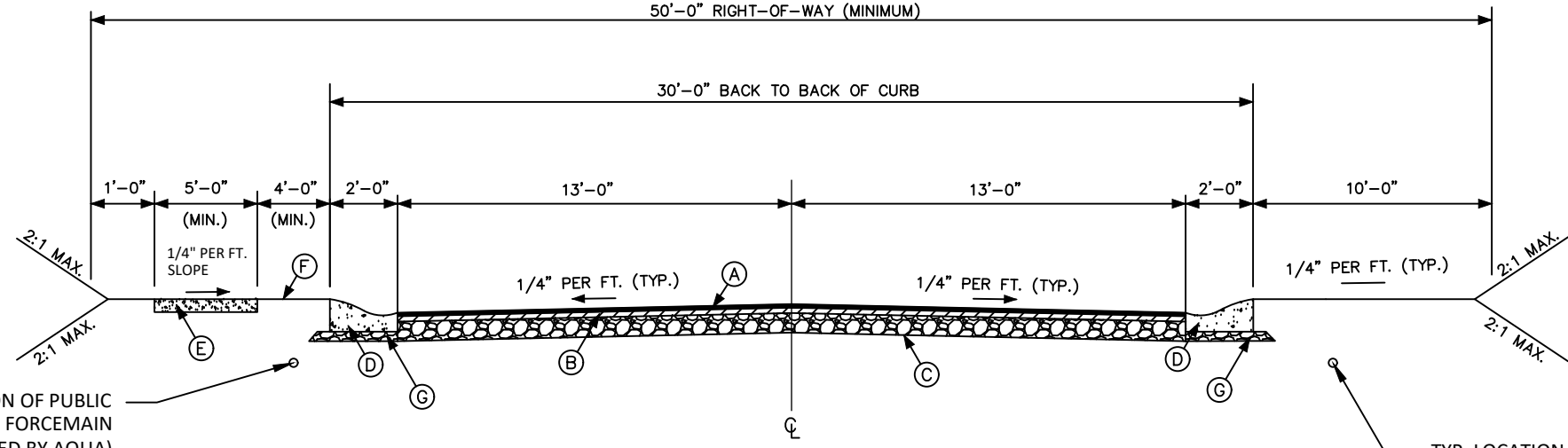
RADI AT INTERSECTIONS SHALL BE 30'

STAKING AND MATERIALS NOTES

- ALL DIMENSIONS ARE TO BACK OF CURB, FACE OF BUILDING, OR CENTERLINE UNLESS OTHERWISE NOTED.
- ALL DIMENSIONS ARE AT 90 DEGREES UNLESS OTHERWISE NOTED.
- ALL BACK OF CURB RADI AT PARKING LOT ISLANDS ARE 4.5- FEET UNLESS OTHERWISE NOTED.
- PARKING STALL DIMENSIONS ARE 18.0' (TO FACE OF CURB) X 9.0' WIDE UNLESS OTHERWISE NOTED.
- ALL BACK OF CURB RADI AT ROADWAY INTERSECTIONS SHALL BE 30- FEET UNLESS OTHERWISE NOTED.
- REFER TO ARCHITECTURAL PLANS FOR ACTUAL BUILDING DIMENSIONS.
- ANY DISCREPANCIES BETWEEN THE CONTRACT DOCUMENTS AND ACTUAL FIELD CONDITIONS SHALL BE CALLED TO THE ATTENTION OF THE OWNER AND ENGINEER PRIOR TO PROCEEDING WITH THE WORK.
- THE CONTRACTOR SHALL CONTACT ALL OWNERS OF UTILITIES, EASEMENTS, AND RIGHTS-OF-WAY, PUBLIC AND PRIVATE, PRIOR TO WORKING IN THESE AREAS.
- ALL ASPHALT PAVING SHALL CONFORM TO THE APPLICABLE PROVISIONS OF THE NCDOT STANDARD SPECIFICATIONS FOR ROADS AND STRUCTURES, LATEST EDITION.
- CONTRACTOR SHALL FURNISH AND INSTALL ALL PAVEMENT MARKINGS AS SHOWN ON THE PLANS.
- ALL SIGNS, PAVEMENT MARKINGS, AND OTHER TRAFFIC CONTROL DEVICES SHALL CONFORM TO THE LATEST EDITION OF THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD).
- ALL PARKING STALL STRIPING SHALL BE 4- INCH WHITE LINES, UNLESS OTHERWISE NOTED.
- STOP SIGNS SHALL BE R1-1, 30"x30".
- SIGHT TRIANGLES SHOWN ARE THE MINIMUM REQUIRED.
- NO DEMOLITION LANDFILLS ALLOWED ON SITE.
- CURB AND GUTTER VARIES AT CATCH BASIN LOCATION. SEE DETAIL 10/C-801 FOR CATCH BASIN PLACEMENT AND CURB TRANSITIONS.



COLLECTOR ROAD TYPICAL X-SECTION
ROLLING MEADOWS LANE, WILDFLOWER ROAD, OAK HOLLOW ROAD
(3 DRIVEWAY STEMS)

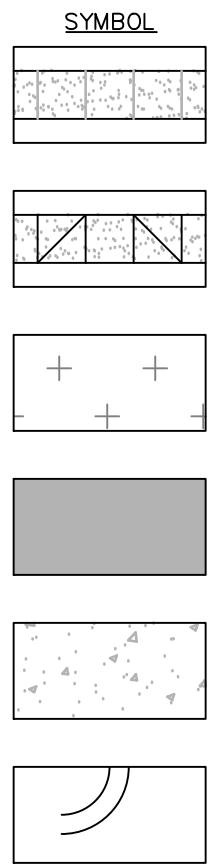


LOCAL ROAD TYPICAL X-SECTION
ROLLING MEADOWS LANE, EVERGREEN LANE
PINE VALLEY ROAD, MAPLE LILY LANE
WEST HAVEN STREET, WILLOW CREEK ROAD

STREET NOTE:

ALL ROADS TO BE PUBLIC TO NCDOT STANDARD. THE THREE ACCESS DRIVES ARE COLLECTORS AND THE REMAINING STREETS ARE LOCAL STREETS.

LEGEND



PROPOSED SIDEWALK
PROPOSED ACCESSIBLE RAMP
PROPOSED OPEN SPACE
PROPOSED SEPTIC FIELD
CONCRETE DRIVEWAY
PROPOSED 2' CONCRETE VALLEY GUTTER

DETAIL
1/C-802
-/-
-/-
-/-
3/C-802
9/C-801

CLIENT CONTACT:

CHRIS ROBUSTO
DREAM FINDERS HOMES
301 MCCULLOUGH DRIVE
SUITE 109
CHARLOTTE, NC 28262
704-574-0316
CHRIS.ROBUSTO@DREAMFINDERSHOMES.COM

ENGINEERING CONTACT:

WILL SWARINGEN, PE
BOLTON & MENK, INC.
1801 N GRAHAM ST - SUITE 320
CHARLOTTE, NC 28206
984-352-3162
WILL.SWARINGEN@BOLTON-MENK.COM



**BOLTON
& MENK**

1801 N. GRAHAM ST SUITE 320
CHARLOTTE, NC 28206
Phone: (704) 376-1555
Email: Charlotte@bolton-menk.com
www.bolton-menk.com

DREAM FINDERS
HOMES

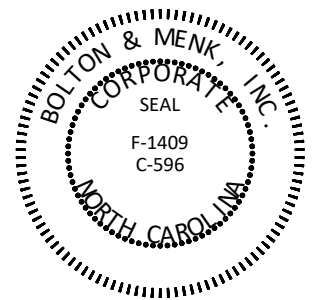
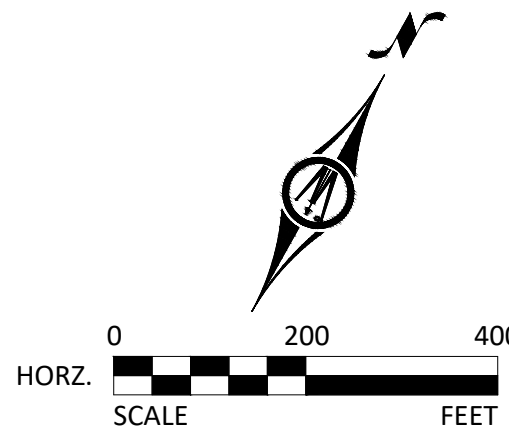
301 MCCULLOUGH DRIVE
SUITE 109
CHARLOTTE, NC 28262

CAMPGROUND ROAD
SUBDIVISION

OVERALL DIMENSION
CONTROL PLAN

PROJECT NO:
25XS0048700

REVISIONS:
2025-09-30 - CATAWBA COUNTY RESUBMITTAL
2025-10-06 - LINCOLN COUNTY RESUBMITTAL
2025-11-14 - CATWABA COUNTY RESUBMITTAL
2026-01-07 - CATAWBA COUNTY RESUBMITTAL
2026-03-10 - NCDOT 2ND SUBMITTAL
2026-05-11 - NCDOT 3RD SUBMITTAL
2026-05-13 - CATAWBA COUNTY RESUBMITTAL



**NOT
FOR
CONSTRUCTION**

DATE: 01/07/26
DESIGNED BY: TLB
DRAWN BY: JAB
CHECKED BY: WES

C-200

NORTH CAROLINA

CATAWBA COUNTY
BOARD OF ADJUSTMENT

CATAWBA COUNTY

IN re: DREAM FINDERS HOMES, LLC
SUBMISSION OF SUBDIVISION PLAT

**AFFIDAVIT of NC House of
Representatives Member Jeff Zenger**

Before the undersigned Notary Public, personally appeared Representative Jeff Zenger, who is being duly sworn, says: He has been a Representative in the North Carolina House of Representatives since 2021 and was a primary sponsor and primary author of House Bill 252 during the 2023-2024 General Assembly Session and House Bill 926 during the 2025-2026 session.

That both House Bill 252 and House Bill 926 sought to amend N.C. Gen. Stat. § 160D-203 to include subsection (b) pertaining to the development of land lying in multiple jurisdictions when no mutual agreement between the local governments is reached pursuant to § 160D-203(a).

That, from the introduction of the language in House Bill 252 in 2023 to the subsection's passage within House Bill 926 in 2025, the legislative intent of § 160D-203(b) has remained unchanged. This intent and the effect of the statute was to give approval authority and planning and development regulation jurisdiction to one local government.

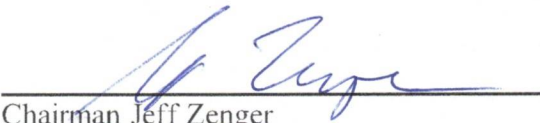
That the legislative intent of § 160D-203(b) was to allow the landowner, absent a mutual agreement between themselves and the local governments as described in § 160D-203(a), to elect one local government's planning and development regulations and for that elected local government to have planning and development regulation jurisdiction to apply its planning and development regulations to the entirety of the subject land, within or outside of its county boundaries.

That the legislative intent of § 160D-203(b) as applied to the present matter, where no agreement has been reached under § 160D-203(a) and the landowner seeks to elect the planning and development regulations of Catawba County wherein the majority of the total acreage of the parcel is situated, is for Catawba County to have planning and development regulation jurisdiction to apply and administer those regulations to the entire parcel of land, within and outside of its county boundaries.

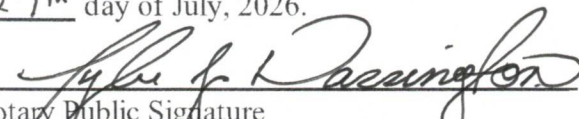
That the legislative intent of § 160D-203(b) as applied to the fact pattern under my

interpretation of the statute is that Catawba County, under the statute, has the authority to approve the subdivision plat for the entire project of Dream Finders Homes, LLC in Catawba and Lincoln Counties.

This the 27 Day of July, 2026

 [SEAL]
Chairman Jeff Zenger
Chairman of Regulatory Reform Committee
Representative, North Carolina House of Representatives

Sworn to and subscribed before me this
27th day of July, 2026.


Notary Public Signature
My Commission Expires: 1-1-2030

