

PLANNING & ZONING REVIEW NOTES

VIII. E.

SUBJECT: Consider proposed text amendments to the Chatham County Subdivision Regulations to comply with 2005 NC General Statute updates, make technical corrections, and extend sketch design approval from six (6) to twelve (12) months.

ATTACHMENTS: The following was previously distributed prior to the May 15, 2006 public hearing. A revised copy of the first page has been attached.

1. Text of the proposed Subdivision Regulation amendments.

INTRODUCTION AND BACKGROUND: The attached draft amendment to the Subdivision Regulations includes a revision that is required due to a change to the NC General Statutes during the 2005 Legislative session. Other amendments include technical corrections and minor updates to various sections.

DISCUSSION AND ANALYSIS: The amendments in attachment 1 cover a variety of issues that include revisions by the Legislature in one of the most comprehensive updates to land use regulations in North Carolina, technical corrections, and other amendments. The appropriate General Statute reference and explanations have been included in the margins for each of the amendments.

The only amendment to the Subdivision Regulations that is a result of the 2005 Legislative session is the revision to the definition of subdivision. There is no practical implication to current subdivision practices.

There are several technical corrections, with most of them focusing on Section 4.4. At various times in the past, several steps were added to Section 4.4, which impacted other sections of the regulations that were not simultaneously amended. Several inconsistencies resulted from these previous revisions, which are reconciled with this amendment. There are several amendments recognizing that several permitting agencies no longer sign plats for approval, but will provide other forms of documentation. References to State approval for Soil Erosion and Sediment Control Plans and plan requirements have been deleted, since the County now has a program in place for permitting and enforcement.

There are two specific changes that need to be noted. The definition of Lot Area (Useable) is recommended to be amended to include areas that are not contiguous to a parcel. There have been several instances where non-contiguous septic areas with easements to the primary parcel have been permitted. This change in definition will reflect current subdivision practices. The other change is to extend sketch design approval for subdivisions under 50 lots from six (6) to twelve (12) months. Several developers have indicated that it is difficult to obtain all required regulatory permits within 6 months, particularly when one permit approval is contingent on another permits approval. This extension should give a developer ample time to obtain all regulatory permits and avoid having to reapply for approval.

Re: Proposed text amendments – Subdivision Regulations

DISCUSSION AND ANALYSIS – con't

No comments were received at the public hearing on this item. One additional change that needs to be included in the proposed amendments is to revise the definition for Flood Hazard Area. The definition currently references the Flood Insurance Rate Maps from May 19, 1978 and needs to be revised based on recent changes in the Maps similar to the changes in Section 6.1(B)(1) on page 44 of attachment 1.

RECOMMENDATION:

The Planning Department recommends granting approval of the proposed amendments to the Subdivision Regulations with the additional changes to the definition for Flood Hazard Area.