

106

Public Hearing

Date October 20, 2008

Item # 20

Proposed Text Amendments to the **Chatham County Subdivision Regulations**. The amendments include the following: amend the major subdivision process from three steps to four steps. The four steps are concept plan, first plat, construction plan, and final plat.

The major subdivision process is proposed to include a community meeting, review by the Planning Board, Environmental Review Board, Appearance Commission, and School Board and the incorporation of environmental standards for development. The amendments also include a voluntary conservation subdivision option to allow for open space conservation and density bonuses, road network connectivity standards, viewshed and buffering standards, and increasing the percentage of work that must be completed before acceptance of a financial guarantee.

LEGISLATIVE HEARING

Each speaker must sign up in advance of the hearing and his/her comments shall be limited to not more than three minutes. No speaker may yield unused time to any other speaker.

	Check One		Name	Complete Address with Zip Code	Phone Number
	For	Against			
8:21:58			Loyse Hurley	16 Matchwood, Pittsboro Ch. Hill	967-3449
8:23:57	✓		Gretchen Smith	598 Jones Branch Rd 186 John Emerson Rd.	966-7145
			Tommy Emerson	Siler City 27344	742-3401
8:27:14			Nick Robinson	P.O. Box 607 Floro	542-2400
8:30:07			Judith Ester	275 Carolina Woodrow Village Ct - 27517 688	929-6648
			Estia Cohen	Van Thomas Rd 9Hboro	742-4433
8:31:42			Frank Thomas	20 W. Coburn Place Durham, NC 27605	493-8899



October 20, 2008

Chatham County Board of Commissioners

Re: Item 20 Chatham County Subdivision Ordinance

Commissioners:

Once again, good evening. I'm Loyse Hurley, President of CCEC. We have reviewed the proposed subdivision ordinance and are offering the following comments:

First of all, CCEC applauds the addition of more details and communication at the beginning of the process as this ultimately should smooth the development process for all involved. We also like the incentive of the voluntary conservation subdivision option which can preserve our valuable resources and protect our environment while allowing for more density within a development.

Section 5 includes a mandatory meeting with neighbors/community during the concept process. CCEC has advocated for this requirement for the past 5 years. Within this section, we suggest a new point 4c be included requiring the posting on the County web site of the notice of this mandatory meeting, including its date, time and location. This posting should be made at the same time as the letters to the neighbors are mailed out from the Planning Department. There are several community groups in the County who have valuable knowledge and expertise and who may be able to contribute positively to such a meeting. Without such a posting, these groups will have no way to be aware of this required meeting, unless they see a sign or are contacted by a neighbor.

As I indicated earlier, we are attaching our comments on sections of the Subdivision Ordinance. Since many of these comments are technical in nature, reading them aloud would only prolong this hearing unnecessarily.

Thank you;

Loyse Hurley - President
Attachment

PO Box 412 Pittsboro, NC 27312

Subdivision Ordinance - CCEC Suggested Changes

Under **Section 2** definitions - we suggest that a definition of "significant" or "substantial" changes and "major deviations" be included. These terms are used in Section 5 E but are not defined.

Similarly, section 7.7 G under Management of Open Space refers to the "Subdivision Administrator", but that title isn't defined.

We would suggest that an addition to the examples listed under "Open Spaces" include farmland. Farmland appears to be a Secondary Conservation Area.

Section 5 includes a mandatory meeting with neighbors/ community during the concept process. CCEC applauds making this a requirement. We suggest that a "/community" be added to section 5.2 B 4 so line 2 reads "between applicant and neighbors/community for better communication ..."

Within **Section 5** we also suggest a new 4 c. requiring the posting of the notice of this mandatory meeting noting the specific details of when and where it will be held on the Chatham County web site. This posting should be made at the time the Planning Department mails out the letters to the neighbors. Chatham County has several community groups that have information and can contribute productively to such a meeting. Without this posting any community groups will have to drive around the county to find the posted signs.

Section 6 - 6.1 D relating to the features that must be included on the first plat, **item 15** mentions that a notation that public water is not available must be included. We suggest that a mention of the proposed water supply be made here.

Similarly, **Section 6.2** provides for additional First Plat information. We suggest that some mention of any mitigation measures taken during construction or reference be made to compliance with the soil and erosion requirements. Considerable damage to the environment by poor construction practices has been documented and this matter deserves additional emphasis. The ordinance does require a drainage and an erosion control plan for developments containing new roads, but we question whether this, in itself, is sufficient.

Section 6.3 Final Plat Requirements, under section B item 15 requires a note stating that a public or community water system is not available. We suggest that this section also indicate what source of water is planned.

Section 7, under 7.2 D item v says that a private road should be constructed according to state standards but it doesn't have to be designed to state standards. Perhaps some nuance is being missed here, but doesn't it have to be designed before it can be built?

Section 7.4 B (2) appears to be too restrictive in that a developer would have to wait one year before creating a subdivision in the same immediate location that has frontage or a perpetual easement on a private road that extends to meet a public road. On rare occasions, for efficiency sake, this might be desirable. Perhaps this section should be reworded.

Section 7.7 J which refers to the Agricultural Density Bonus, mentions that prime farmland should be reserved as open space. This section is somewhat unclear. While it is implied that farming is encouraged, since it is considered "open space" how do we keep the tennis court out of the corn fields? Perhaps this section should be reworded.

Section 8.1 D under Sanitary Sewers appears to refer to individual lot septic systems. Perhaps this section should include private sewer systems as well as communal septic systems.

The distinction within the guidelines between Option A and Option B is unclear. Option A appears to explain the difference between open and natural space and Option B appears to copy sections of the ordinance itself. Perhaps these options could be better explained.

Respectfully submitted,
Chatham Citizens for Effective Communities
10/20/08

**Public Hearing for Text Amendments to Chatham County Subdivision
Regulations**

October 20, 2008

Comments by Gretchen Smith

My name is Gretchen Smith. I live at 598 Jones Branch Road, Chapel Hill and have been a resident of Chatham County for 23 years.

I would like to thank the members of the Planning Board, other advisory boards, and county staff for the time and effort spent on the ordinances under consideration tonight. I would especially like to express my appreciation of the Planning Board for their consideration of citizen input over the past year and for holding the Community Forum on September 30.

I would like to preface my comments with a brief quote by Aldo Leopold from his 1949 essay, titled *A Sand County Almanac*:

"A thing is right when it tends to preserve the integrity, stability, and beauty of the biotic [of or relating to life] community. It is wrong when it tends otherwise. We abuse land because we regard it as a commodity belonging to us. When we see land as a community to which we belong, we may begin to use it with love and respect."

I support the proposed amendments to the Subdivision Regulations, as well as the other ordinances under consideration tonight, because they embody the spirit of this quote.

North Carolina statute gives our county government authority for promoting the public health, safety, and general welfare of our county. I believe our county government has the responsibility to fulfill this duty for the common good of our community. The changes under consideration tonight will help enable our leaders to exercise this authority, and help protect us from people who are in a hurry to make the quick buck at the expense of our environment, our community's quality of life, and the taxpayers of Chatham County.

With ownership of land should come the responsibility to care for the land in a way that contributes to the common good of the community, not detract from it. Development should be a privilege, not an inherent right. The food we eat, the water we drink, the air we breathe, the stress we are subjected to in our everyday lives – these are all affected by the interconnections among plants, animals, soils, water, and people. The public's interest in water, air, and wildlife gives us, the Public, the right to protect our water, our air, our wildlife, and our community's land use for now and future generations.