



Chatham County Planning Board Agenda Notes

Date: August 2, 2011

Agenda Item: VII. 5.

Attachment #: 6

☐ Subdivision

☐ Conditional Use Permit

☐ Rezoning Request

☒ Other: Text Amendment – Subdivision Regulations

Subject:	<p>Request by the Chatham County Board of Commissioners for text amendments to the Subdivision Regulations to modify the following sections as described below:</p> <p><u>Section 2</u>, Definitions – include new definitions, delete definitions, and modify definitions.</p> <p><u>Section 3</u>, Security for Completion of Maintenance of Improvements – modify standards for financial guarantees and add requirements for road maintenance guarantees.</p> <p><u>Section 4</u>, Types of Subdivisions – change title in subsection D.</p> <p><u>Section 5</u>, Procedure for Subdivisions – modify process for review of major subdivisions and clarify appeal process for minor subdivisions</p> <p><u>Section 6</u>, Specifications for Documents to be Submitted – modify standards for first plats, construction plans, and final plats.</p> <p><u>Section 7</u>, Requirements and Minimum Standards for Improvements, Reservations, and Design – correct references to transportation plans, modify requirements for commercial, institutional and industrial subdivisions and modify requirements for recreation exaction fee payments.</p> <p><u>Section 11</u>, Appendix A: Certification forms for initial and final approvals – add staff certification for plats exempt from Subdivision Regulations.</p>
Action Requested:	See Recommendations
Attachments:	<ol style="list-style-type: none">1. Table outlining major changes to Subdivision Regulations by Chapter and Topic2. Red-lined version of Subdivision Regulations showing proposed amendments (also available online: http://www.chathamnc.org/RezoningSubdivisionCases/2011/2011_items.htm)

Introduction & Background

Staff presented an overview of the major subdivision process at the Board of Commissioners' Retreat on February 8th, at which time the Board requested staff to prepare options to streamline the process for major subdivisions to reduce the amount of time from submittal to approval. Staff presented options to the Board at their March 7th Work Session and received direction to prepare the text amendments to the Subdivision Regulations. At the June 20th Work Session, the Board reviewed the proposed amendments and set the public hearing. A public hearing on the proposed amendments was held on July 18, 2011.

Discussion & Analysis

The proposed amendments include changes to the major subdivision review process, modifications to the requirements for review of environmental information for proposed subdivisions, addition of a requirement for public road maintenance bonds for proposed subdivisions, as well as changes to other sections as proposed by staff.

At the public hearing held on July 18th, seven citizens spoke about the proposed amendments. One citizen was in favor of all of the proposed changes, while other citizens spoke in favor of some of the proposed changes and in opposition to other changes. Some changes that another citizen spoke in favor of include the proposed changes to the Definitions, inclusion of review by the Historical Association at First Plat, requirement of a Road Maintenance financial guarantee and the changes in Chapter 6. Other changes citizens spoke in opposition to included shortening the time of review for staff and boards, increasing the threshold for requirement of an Environmental Impact Assessment (EIA), removing the Environmental Review Board from the EIA review process, allowing nonresidential subdivisions to be reviewed as minor subdivisions if they meet the requirements for such, and allowing administrative review and approval of Final Plats for major subdivisions. One citizen was also concerned about road widths for emergency vehicle access, the proposed changes to the enforcement provisions, and whether the amount of security required for financial guarantees was enough to cover clean-up of any environmental damage that may occur.

Staff is also recommending some additional changes based on discussions with the County Attorney after the public hearing. These minor changes include specifying the documents that will be accepted as evidence of bona fide farm operations in the bona fide farm definition in Section 2 and requiring that any lots created for nonresidential uses (including bona fide farm activities) pay the Recreation Fee if said lots are ever converted back to residential use. These additional changes are highlighted in the red-lined version of the Subdivision Regulations.

Recommendation

Planning staff recommend approval of the proposed amendments to the Chatham County Subdivision Regulations based on the direction provided by the Board of Commissioners.