



Chatham County Planning Board Agenda Notes

Date: August 6, 2013

Agenda Item: VII. 5 Attachment #: 1-3

- Subdivision**
 Conditional Use Permit
 Rezoning Request
 Other:

Subject:	A request by the Chatham County Board of Commissioners to amend various sections of the Subdivision Regulations regulating travel way requirements regarding North Carolina Fire Code standards, specify waterline completion prior to acceptance of a financial guarantee, change the Board of Commissioner time for approval of plats from four meetings to 60 days, clarify the approval period for Construction Plans as 24 months, clarify that Environmental Impact Assessments do not apply to bona fide farm activities, and clarify site distance easement requirements.
Action Requested:	See Recommendation
Attachments:	<p>Attachment 1: Office State Fire Marshal Fire Code Interpretation Letter, February 2012</p> <p>Attachment 2: Summary Table of Proposed Subdivision Regulation Amendments</p> <p>Attachment 3: Subdivision Regulations with Proposed Amendments</p>

Introduction & Background

In February 2012, the North Carolina Office of the State Fire Marshal issued a formal interpretation of Sections 102.10 and 503 the 2009 Fire Code (Attachment 1) which defined the minimum design criteria such as width and load capacity of travel ways as it applies to residential subdivisions. The regulations state that an unobstructed width of 20' is required for fire apparatus access roads. This interpretation represented an impact on the county's currently adopted private road standards.

The office issued a determination in February 2012 that the county's fire code official may accept road widths of less than 20 feet as an alternate material, design or method provided the standards provide the same level of functionality and technical equivalency as intended by Section 503 of the North Carolina Fire Code. The determination also affirmed that roads that were established prior to the 2009 North Carolina Fire Code that are less than 20 feet in width are considered preexisting and do not need to conform to the standards put forth in the recent interpretation.

Staff brought this proposed amended subdivision regulations to the Board of Commissioners work session meeting June 17th for preliminary discussion and input. Comments from the elected board included concerns for the cost of road improvements for those seeking minor subdivisions. Additionally, it was noted that these amendments would not affect existing developments.

A public hearing was held on this item July 15th, 2012. Planning staff presented the request and there was no discussion or concerns noted from the public.

Discussion & Analysis

Working closely with the Chatham Fire Marshal and other county staff to resolve the multiple conflicts within the subdivision ordinance as it pertains to the 2009 North Carolina Fire Code interpretation, staff is introducing an amendment to the subdivision regulations that encompasses updates to private road travel way design standards. Staff has also included additional miscellaneous amendments that clarify existing regulations and support a streamlined review process for plat review based on prior board direction. A detailed summary of the proposed amendments is provided as Attachment 2. The subdivision ordinance in its entirety, along with the proposed red-lined amendments, is provided as Attachment 3.

Recommendation

Planning staff recommends approval of the proposed Subdivision Regulations with the following provision that, if adopted, the amendments become effective January 1, 2014 for ordinance application purposes.