

..TITLE

Vote on a request to approve the Chatham County Watershed Ordinance to include Sections 302, Watershed Areas Described, to exempt minor utilities from minimum lot size requirements; Section 109, General Definitions, adding a definition for accessory dwelling unit.

..ABSTRACT

Action Requested:

A request to amend the Chatham County Watershed Ordinance to include Sections 302, Watershed Areas Described, to exempt minor utilities from minimum lot size requirements; Section 109, General Definitions, adding a definition for accessory dwelling unit.

Introduction & Background:

Currently, multiple ordinances are in the process of amendment to increase ordinance consistency. The areas of focus are the accessory dwelling unit definitions and definitions for utility lots. Ordinances impacted include the Zoning Ordinance, Impact Fee Ordinance and Subdivision Regulations in addition to the Watershed Ordinance. The goal of these amendments is for ordinance consistency. An additional “housekeeping” amendment is included as well regarding minimum lot size for those lots served solely by septic and wells. These amendments are described in detail below and provided in Attachment 1.

The amendments were brought for discussion with the Board of Commissioners in April 2014 with a staff follow up August 18th. A public hearing on these items was held September 15th and no input from the public was received.

The Watershed Review Board considered these amendments during their September 11th, 2014 meeting, but were unable to make a formal recommendation due to lack of quorum. The unanimous, positive recommendation for approval was made at the Board’s October 9th meeting.

The Technical Review Committee also reviewed these amendments with no additional comments October 15th. Staff has also received preliminary approval from the Stormwater Permitting Program contact at the state, indicating the proposed amendments were acceptable.

Discussion & Analysis:

Utility Lots: The Watershed Ordinance currently does not have a definition for utility lots. This amendment proposes to add a definition for minor and major utility lots, the same as other ordinances currently in amendment process. The definitions define major utility lots, such as electrical substations and minor utility lots such as pump stations. Section 302 is amended as well to exempt minor utility lots from minimum lot size. There is a provision within this exemption that requires these exempt lots to be subject to a 50 foot

setback from any property line or public right of way for any noise producing equipment or generators.

Accessory Dwelling Units: The Watershed Ordinance currently does not have a definition for accessory dwelling unit. For clarity and consistency between ordinances, a definition for accessory dwelling unit is included. It is the same definition as the other ordinances previously mentioned and includes a maximum size of 1,500 heated square feet.

Section 302 Minimum Lot Size- Also for consistency between ordinances, specifically the Subdivision Regulations, Section 302 is proposed for amendment, increasing the minimum lot size to 63,340, or 1.5 acres, for lots with individual wells and individual wastewater disposal systems. This requirements stems from the Subdivision Regulations, but will be reflected across the Zoning and Watershed Ordinances as well.

Recommendation:

The Watershed Review Board unanimously recommends approval of the proposed amendments.