



CHATHAM COUNTY COMMISSIONERS

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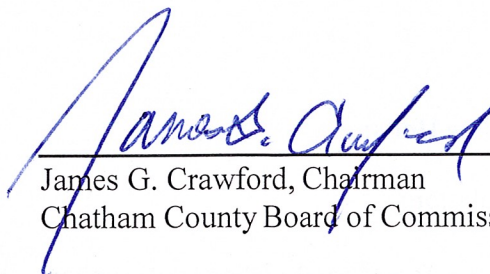
AN ORDINANCE AMENDING THE SUBDIVISION REGULATIONS OF CHATHAM COUNTY

WHEREAS, the Chatham County Board of Commissioners has considered amendments to the Chatham County Subdivision Regulations, as described in Attachment A, and finds that it is reasonable and public interests are furthered; and

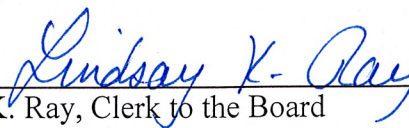
BE IT ORDAINED, by the Board of Commissioners of Chatham County as follows:

1. The amendment to the Chatham County Subdivision Regulations described in Attachment A are approved.
2. This ordinance shall become effective upon its adoption.

Adopted, this the 15th day of December, 2014.


James G. Crawford, Chairman
Chatham County Board of Commissioners

ATTEST:


Lindsay K. Ray, Clerk to the Board
Chatham County Board of Commissioners



ATTACHMENT A

Subdivision Regulations

Utility Lots:

1. Add definition for Minor Utilities and Major Utilities to Section 2, Definitions

Minor Utility: Any above-ground structures or facilities owned by a governmental entity, a nonprofit organization or corporation used in connection with the transmission, delivery, collection, or storage of water, sewage, electricity, gas, oil, or electronic signals. Minor utilities are necessary to support development within the immediate vicinity and involve only minor structures. Examples include, but are not limited to, pump stations, community well houses and above ground utility cabinets. Excepted from this definition are Major Utilities.

Major Utility: All utility facilities other than minor utilities. Includes public utilities serving regional areas and public utility service and storage yards. Examples include, but are not limited to, electrical substations and wastewater treatment plants. This definition excludes public utility transmission lines.

2. Add subsection (5) to Section 7.4 Lots (C) Minimum Lot Dimensions and Areas

(5) Lots to be created for the express purpose of minor utilities are exempted from the Required Minimum Lot Area.

3. Add plat note for the utility lot exception to Section 11 Appendix A: Certification Forms for Initial and Final Approvals, Final Plat.

Form 15

Lots to be created for the express purpose of minor utilities are exempted from the Required Minimum Lot Area per Section 7.4 Lots (C) (5).

Accessory Dwelling Units:

Subdivision Regulations

Add a definition for Accessory Dwelling Unit, similar to the Zoning Ordinance to Section 2, Definitions.

Accessory Dwelling Unit (i.e. guest house, pool house, garage apartment, in-house apartment) - An accessory dwelling unit that is smaller than the principal residential dwelling. The accessory dwelling unit is situated on the same lot as the principal residence and may be located within the principal residence or in a separate building with a separate access. The accessory dwelling unit is restricted to 1,500 square feet of heated living space. The use is to conform to the character of the

existing structures and neighborhood, i.e. mobile homes are not allowed as an accessory dwelling unit on lots smaller than 80,000 square feet.

Miscellaneous Amendments:

Subdivision Regulations

1. Add the following forms to Section 11 Appendix A: Certification Forms for Initial and Final Approvals.

Stream Buffers

Form 16

Field location to locate perennial, intermittent and ephemeral streams, perennial water bodies, and wetlands has been completed by Chatham County. This property does not have any water features subject to Chatham County riparian buffer requirements.

Form 17

Jurisdictional and permanence of the features shown has been determined by Chatham County. Required buffers were measured landward from the outer limit of jurisdiction. Chatham County Watershed Protection Ordinance provides descriptions of allowable uses within protected buffer areas. This property is subject to Chatham County buffer requirements.

Form 18

This property is subject to the Chatham County Watershed Protection Ordinance and all applicable provisions thereof. Site verification of all surface waters must be conducted by a qualified environmental professional, as described in Section 304(B) of the ordinance, prior to any ground-disturbing activities. Regulated surface waters and protected buffer areas must be depicted on all future development plans.

Form 19

Jurisdiction and permanence of the features shown has been determined by (insert name of environmental professional). Required buffers were measured landward from the outer limit of jurisdiction. Chatham County Watershed Protection Ordinance provides descriptions of allowable uses within protected areas. This property is subject to Chatham County buffer requirements.

Stormwater

Form 20

Development or redevelopment of a Minor Subdivision or an individual residential lot cumulatively exceeding 20,000 square feet of land disturbance shall comply with Section 165.045 (E) (d) and (e) [formerly Section 400 (5) (d) and (e)] of the Chatham County Stormwater Ordinance].

2. Amend Section 5 Procedure for Subdivisions, 5.2 Major Subdivisions, C. First Plat, 2. Review of Environmental, Historical Structures and Cemeteries to require applicants produce copies of preliminary federal reports regarding wetlands and streams as well as the required riparian

buffer delineations. Add subsection (d), which outlines the submittal requirements for the above mentioned items.

(2) Review of Environmental, Historical Structures and Cemeteries Information

Prior to submittal of the First Plat to the Planning Department, the applicant shall submit the required environmental information to the Environmental Quality Department for review. Depending on the number of proposed lots, the applicant is required to submit either general environmental documentation or an Environmental Impact Assessment. *In addition, the applicant is required to submit copies of State, Federal and County reports regarding wetlands, streams and riparian buffer delineations to the Environmental Quality Department if natural water resources and riparian buffers are existing on the property.* At this time the applicant shall also notify the Chatham County Historical Association of the presence of any historical structures or cemeteries on or adjacent to the property.

d. Existing Natural Water Resources and Riparian Buffers Reports

(1) The applicant shall submit a copy of the State and Federal reports regarding wetlands and stream delineations.

(2) The applicant shall submit a copy of the County report regarding riparian buffer delineations.

3. Amend Section 6.2 Additional First Plat Information B. Environmental Impact Assessment subsections 4 and 10 to provide consistency with the environmental submittal requirements of First Plat.

4) Existing Natural Water Resources ~~Wetlands~~

- Show on a map riparian buffers (locations and widths), wetlands, and ponds and watercourses (with name and direction of flow). Also show the special flood hazard areas. ~~Indicate whether wetlands are present, describe the basis for this determination and the identity of the person who made the determination.~~

- Provide a copy of the State and Federal reports regarding wetlands and stream delineations. ~~Show identified wetlands on a map, and describe all relevant details, such as acreage, types, delineation, function, etc.).~~

- Provide a copy of the County report regarding riparian buffer delineations. ~~If wetlands are to be filled, specify the number of acres that will be affected.~~

- Provide a table of all anticipated temporary and permanent impacts to existing natural water resources and riparian buffers and discuss how the potential impacts will be avoided and minimized through alternative selection design strategies, construction methods, and long-term maintenance procedures. For unavoidable impacts, describe proposed mitigation. ~~List all required permits and permitting agencies.~~

~~-If any diversions/additions/withdrawals of surface water will affect wetlands, describe those activities.~~

10) Surface and Groundwater Resources *and Watershed Area (discuss separately)*

~~- Identify and provide a map of surface waters in the project area.~~ Describe groundwater (aquifers) in the project area.

- Discuss any known groundwater quality issues.

~~-Include names, locations, classifications, and use support ratings for surface waters.~~

- Specify and show on a map the river basin in which the project is located.

~~-Discuss any known groundwater quality issues.~~

~~- List the type(s) of Watershed Area(s) on the property and show on a map.~~

- Discuss drinking water sources.

4. Amend Section 3.1B Adequate Security and Section 3.2B Inspection of Improvements to include Registered Landscape Architect.

B. Adequate Security

(1) When seventy-five (75) percent of the improvements based on the total estimated cost of the improvements to be installed have been completed, all weather access for emergency vehicles has been provided, and waterlines are completed and ready for acceptance by the County if public water is available; upon request the County may enter into a contract with the applicant under which the applicant agrees to complete all required improvements. Once the contract has been executed by the County and the applicant and the security required herein is provided, the final plat may be signed and recorded if all requirements of this Ordinance, except the completion of the improvements, have been met. To secure the obligation under the contract, the applicant shall provide any one or a combination of the guarantees set forth below to cover the costs of the uncompleted improvements. The amount of the security shall not be less than 150% of an amount determined by a licensed architect, *registered landscape architect*, registered engineer, surveyor, or licensed contractor acceptable to the County as sufficient to secure to the County the satisfactory construction, installation, and dedication of the incomplete portion of required improvements including labor and material payments. The security shall also assure all lot improvements on the individual lots of the subdivision as required in these regulations.

B. Certificate of Satisfactory Completion

(1) The County will not accept the required improvements, nor will an authorized agent of the County release or reduce said security, until the District Engineer of the North Carolina Department of Transportation (NCDOT), or other appropriate authority, has submitted a certificate stating that all required public street improvements have been satisfactorily completed, or until an engineer, surveyor, *licensed* architect, *registered landscape architect*, or contractor acceptable to the County has certified that all other required improvements have been completed in conformity with the requirements of this ordinance. Upon such certification, the County may thereafter accept the improvements in accordance with the established procedure and release the financial guarantee.