

**Table Attachment #1 – Legislative Changes**

<u>Legislative Change</u>	<u>Affected Section of County Ordinance</u>
S.L. 2015-187 – Financial guarantees are now limited to 125% of the remaining cost of completing improvements.	Subdivision Regulations – Sec. 3.1 (B) (1) Current regulation allows for a 150% amount of remaining improvements to be bonded. Major subdivisions that began prior to 2008 allowed for 140%. (pg. 19)
<p>S.L. 2015-187 - The menu of acceptable financial guarantees is defined by the new legislation. This menu includes the following financial instruments:</p> <p>A. “surety bond issued by any company authorized to do business in this state,  B. letter of credit issued by any financial institution licensed to do business in this state,  C. other form of guarantee that provides equivalent security to a surety bond or letter of credit.”</p>	<p>Subdivision Regulations – Sec. 3.1 (B) (2) (a) and (b)  Chatham County cannot expand or narrow this menu of options. (pg. 19)</p>
S.L. 2015-187 - “Performance guarantee[s] shall only be used for completion of the required improvements and not for repairs or maintenance after completion.”	Subdivision Regulations – Sec. 3.4 Maintenance guarantees are no longer permitted. (pg. 22)
S.L. 2015-90 – “Development projects must now be at least ten acres in size to trigger an environmental impact statement.”	Subdivision Regulations – Sec. 6.2 (B) The threshold for development projects to trigger an environmental impact statement is currently two acres. (pg. 45)
S.L. 2015-187 – Extensions of financial guarantees are now required to be permitted, as long as the developer “demonstrates reasonable, good faith progress toward completion of the required improvements”. Also, “the form of any extension shall remain at the election of the developer.”	Subdivision Regulations – Sec. 3.1 (B)(2) This requirement for extension is not currently in the Subdivision Regulations. (pg. 19)
S.L. 2015-246 – Limits on local riparian buffer regulations	<p>Subdivision Regulations – Sec. 7.1 (D), Sec. 7.4(C)(1), Sec. 7.7 (I). (pg. 61)</p> <p>Zoning Ordinance – Sec. 10.12 (D), Sec. 17.5 (C)(50)(e). (pgs. 44 &amp; 96)</p>

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	<p>From the December 2015 UNC SOG Planning and Zoning Law Bulletin:</p> <p>“Riparian buffers are to be shown on the recorded plat, and the area of a riparian buffer must count toward lot dimensional standards even if the buffer is held as common area. Under the new rules...county subdivision ordinances shall require a riparian buffer within a lot to be shown on the recorded plat, and the area of a lot within the riparian buffer must still count toward any dimensional requirements for lot size. If a riparian buffer is designated as a privately owned common area (e.g., owned by a property owners association), ‘the local government shall attribute to each lot abutting the riparian buffer area a proportionate share based on the area of all lots abutting the riparian buffer area for purposes of development-related regulatory requirements based on property size.’</p> <p>Dimensional lot requirements include calculations for, among other things, residential density standards, tree conservation area, open space or conservation area, setbacks, perimeter buffers, and lot area.”</p>
S.L. 2017-10 – Creates “expedited review” classification for certain minor subdivisions	<p>Subdivision Regulations – Section 4 (D)</p> <p>The County may require only a plat for recordation for the division of a tract or parcel of land in single ownership if certain criteria are met. No recreation fees may be charged on new lots created via this process. (pg. 24)</p>
S.L. 2017-27 – Alters and clarifies certain standards for subdivision plats.	<p>Subdivision Regulations – Section 6.4</p> <p>Control corners are banned on plats, and replaced by grid control. Map legends are required, dimension requirements are tweaked, and surveyor certifications options are clarified. (pg. 50)</p>
S.L. 2017-10 – Alters requirement for Comprehensive Plan Consistency Statements	<p>Zoning Ordinance – Section 19.9</p> <p>If BOC approves a rezoning that is contrary to the Comp Plan, the BOC must state reasons why and the Comp Plan is automatically amended. (pg. 107)</p>

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S.L. 2017-108 – Defines “Agritourism”, “Farm”, and “Farm Activity”	Zoning Ordinance – Section 3 and Section 7.2 Agritourism is defined in relation to the Bona Fide Farm Exemption. A Farm ID number is longer usable to establish Bona Fide Farm status. The definition of “Agriculture” is changed. (pgs. 2 & 16)
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