



Chatham County, NC

Legislation Text

File #: 21-4138, **Version:** 2

Vote on a legislative request to approve by the Chatham County Board of Commissioners to consider amendments to the Chatham County Subdivision Regulations: amend Sections 2, Definitions, to modify the definitions for major and minor subdivision and 4(C), Exempt Subdivision, to add an exemption for the division of property for public right-of-way dedication for road widenings.

Action Requested:

Vote on a legislative request to approve by the Chatham County Board of Commissioners to consider amendments to the Chatham County Subdivision Regulations: amend Sections 2, Definitions, to modify the definitions for major and minor subdivision and 4(C), Exempt Subdivision, to add an exemption for the division of property for public right-of-way dedication for road widenings.

Introduction & Background:

The current wording of the Chatham County Subdivision Regulations requires that when public right of way is added or extended onto a parcel, even if no additional lots are being created, that it is considered a Major Subdivision. This creates a burden on staff and applicants to follow the Major Subdivision guidelines and process for a simple addition or extension of a road or right-of-way. Currently, the public acquisition by purchase of strips of land for widening or opening streets or other public transportation corridors or greenways is an exempt division of property. It is staffs proposition that simple rights-of-way additions and extensions that do not create additional lots should be considered as an exempt subdivision as well and approved administratively at the discretion of the Planning Director. There is precedent for this request in the current regulations which allow the Planning Director to sign plats dedicating public rights-of-way for conservation subdivision up to 15 lots which has been used.

Discussion & Analysis:

Several sections of the Subdivision Regulations will be amended as part of this process change. Section 2 Definitions will be amended, specifically, the definitions of Minor and Major Subdivision. Section 4 (C) Exempt Subdivisions will be amended to add an additional exempt subdivision. This will be a sixth option allowing for the division of a tract of land resulting solely from dedication of land to be used for public road right-of-way not involving the creation of new lots. Section 7.2 (3) Rural Roads will add language stating the Planning Department may accept rights-of-way in any subdivision in which no additional lots are being created.

The Board of commissioners held the public hearing at the January 18th meeting. The commissioners confirmed this procedural change was intended to aid developers of the TIP site. Staff explained that yes, the intention of the change was for the benefit of potential TIP site developers. There were no public comments. The Planning Board discussed the proposed amendments at their February 1st

meeting. The board decided to make some changes that are reflected in the updated redline. The board thought that the proposed changes to the Major Subdivision definition were redundant and planning staff updated the redline. The Planning Board approved the amendments unanimously.

How does this relate to the Comprehensive Plan:

Goal 4: Diversify the tax base and generate more high-quality, in-county jobs to reduce dependence on residential property taxes, create economic opportunity and reduce out commuting. Objective 7: Provide infrastructure to support desired development and support economic and environment objectives.

Recommendation:

The planning board by unanimous vote (11-0) recommend adoption of the amendments to the Chatham County Subdivision Regulations. Specifically, sections 2, Definitions, to modify the definitions for minor subdivision and 4(C), Exempt Subdivision, to add an exemption for the division of property for public right-of-way dedication for road widenings. The recommended changes have been incorporated into an updated redlined draft that is available online.