

Chatham-Cary Joint Land Use Plan

**Chatham-Cary Joint Issues Committee
Meeting #22**

May 8, 2012

Agenda

- I. Call to Order
- II. Approval of Agenda
- III. Approval of Minutes of April 12, 2012

Plan Discussion

- IV. Staff Presentation – Revised Plan Draft
- V. Committee Discussion

Inter-Local Agreement (ILA)

- VI. Staff Presentation – ILA Framework
- VII. Committee Discussion

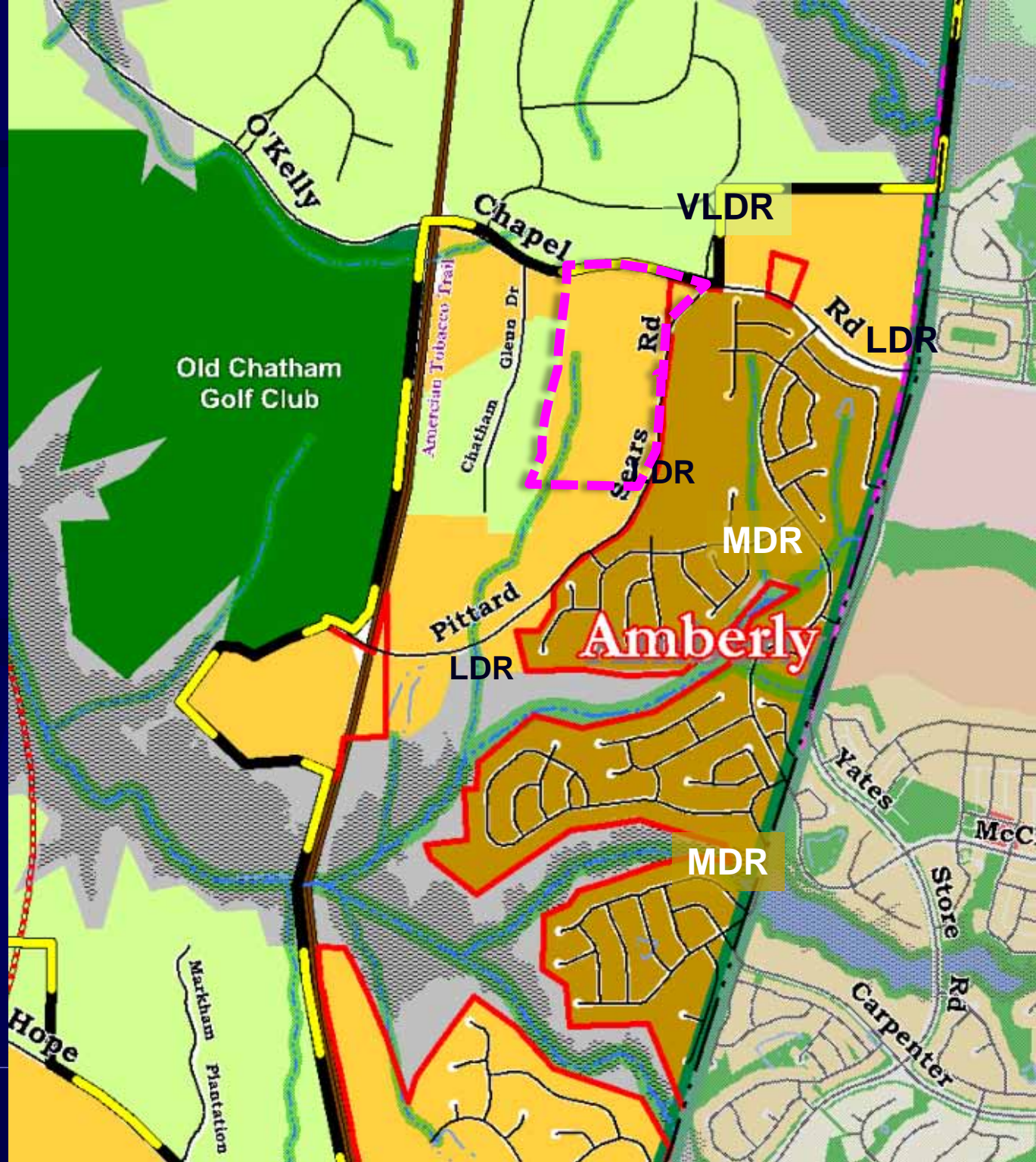
Other Issues

- VI. Steps for Final Adoption
- VII. Future Committee Meetings (If Needed)
- VIII. Adjournment

Revised Plan Draft

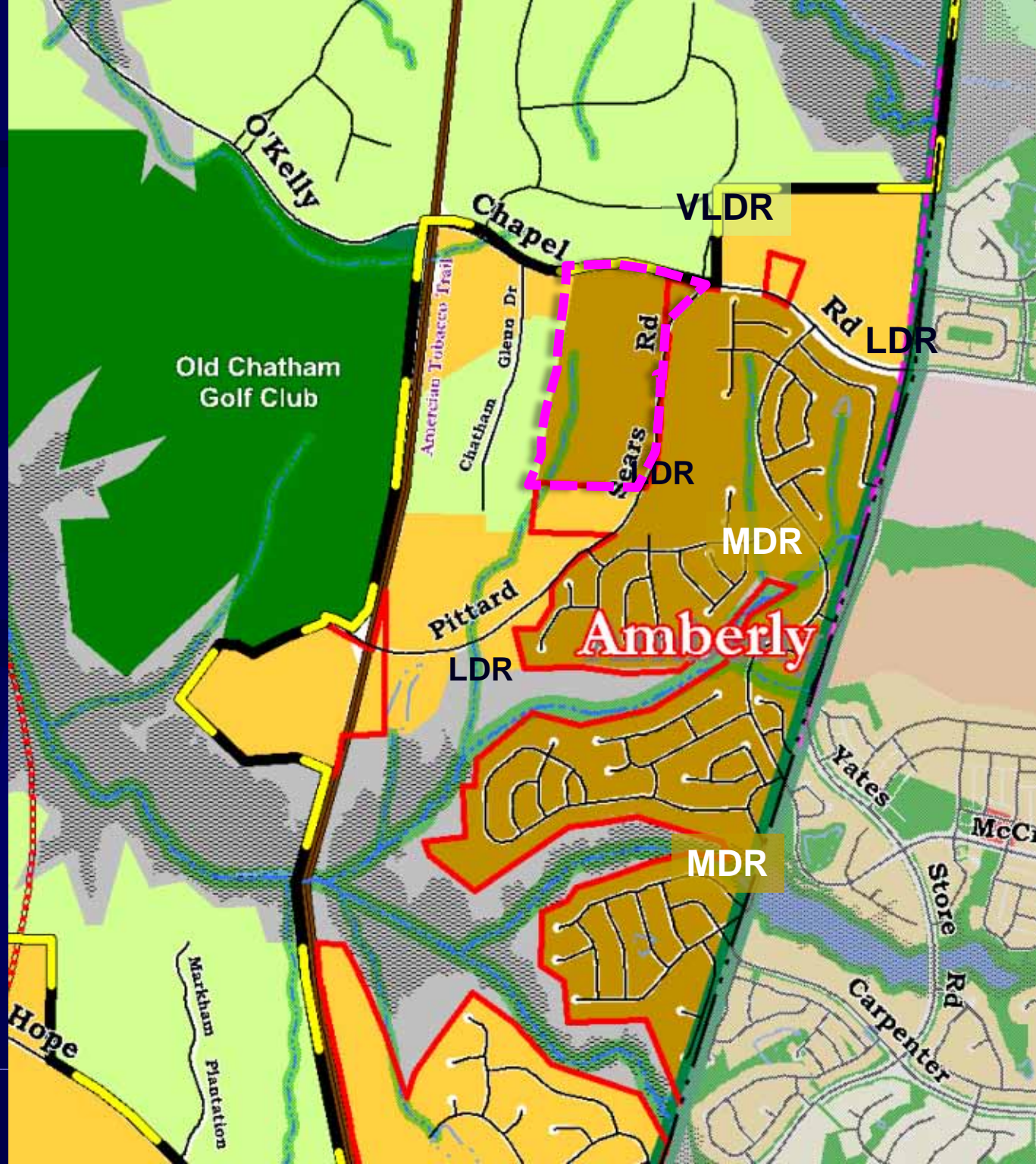
Pittard Sears Road Area

- LDR In Public Hearing Draft



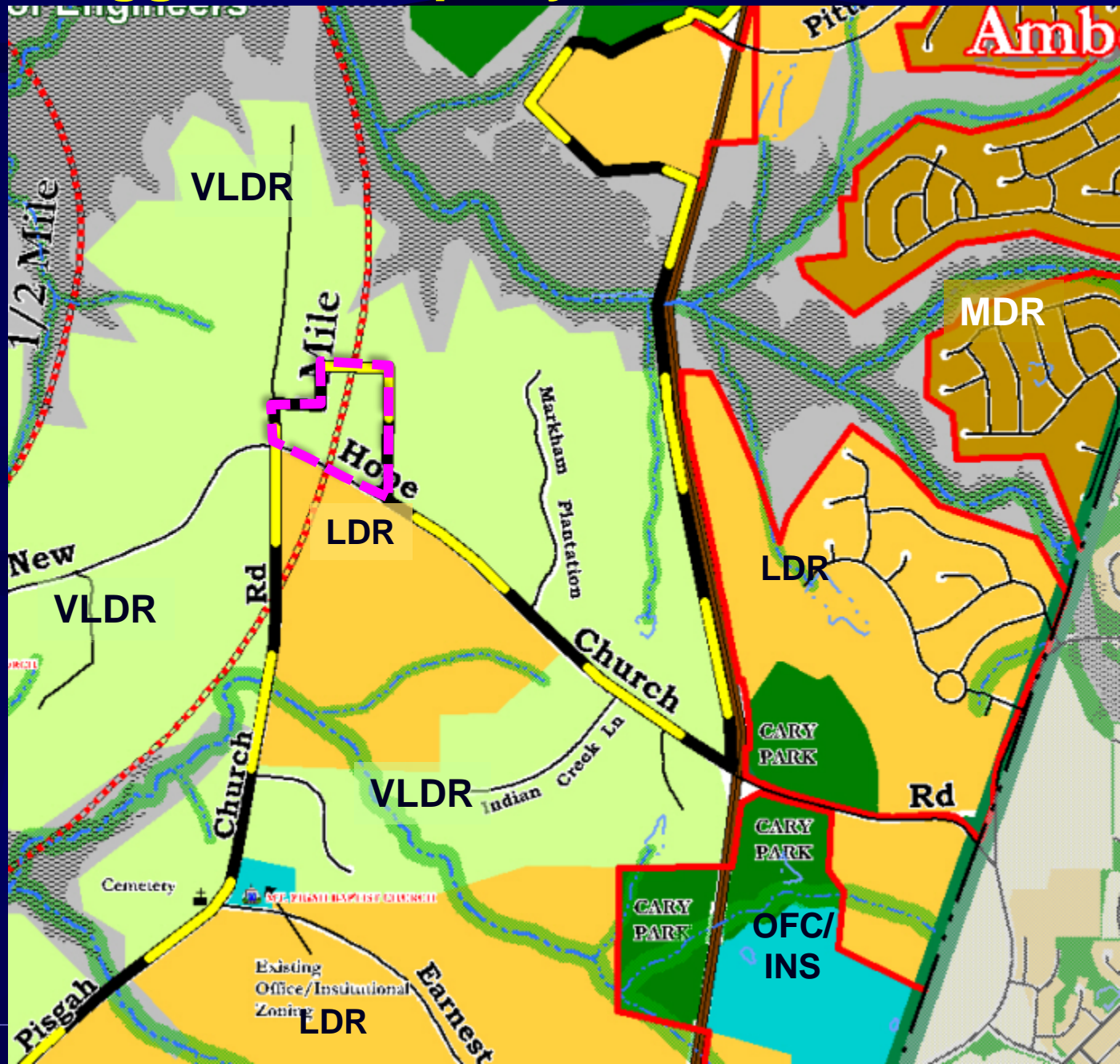
Pittard Sears Road Area

- LDR In Public Hearing Draft
- Changed To MDR At April 12 Meeting



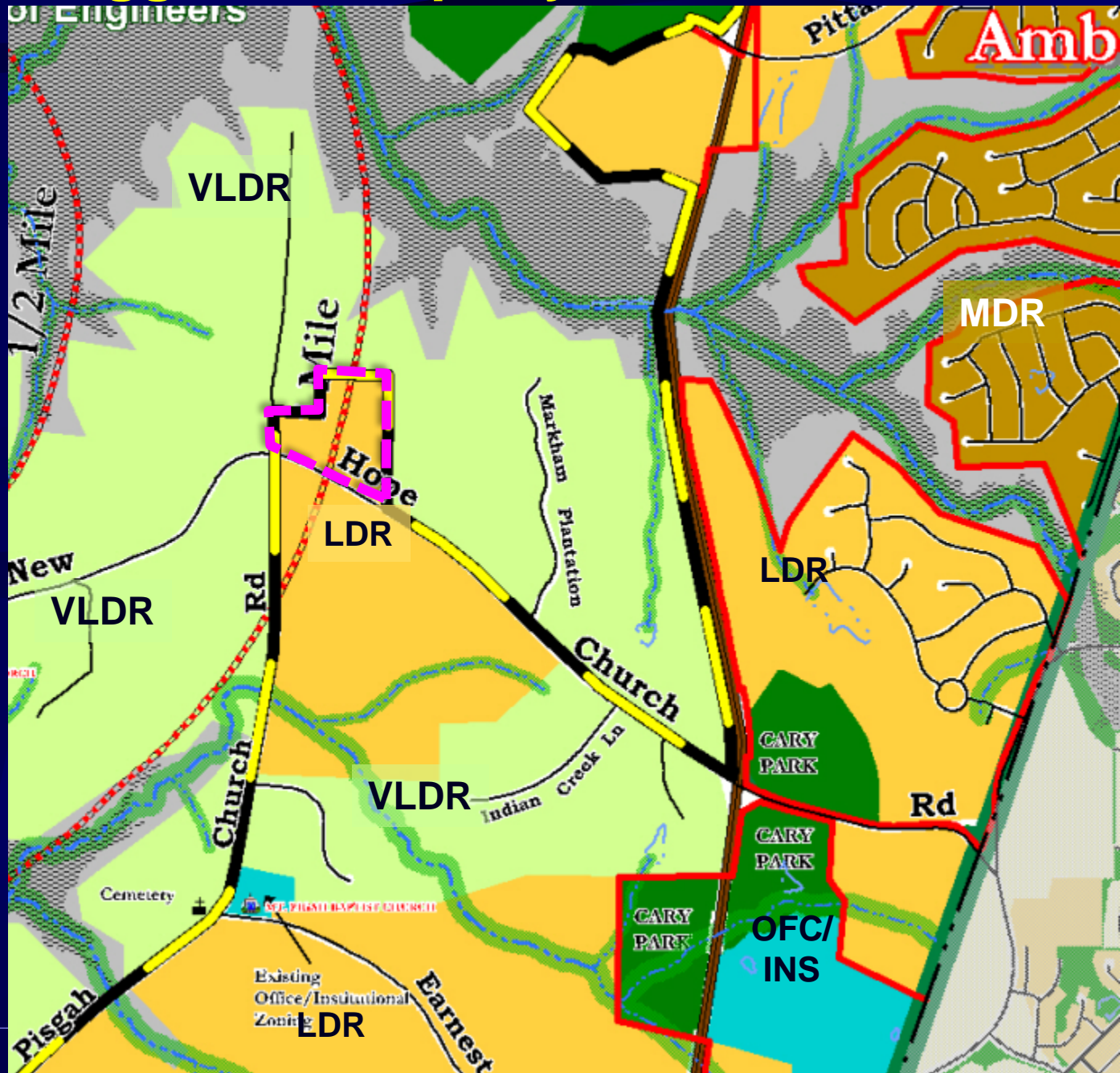
Riggsbee Property

- VLDR In Public Hearing Version



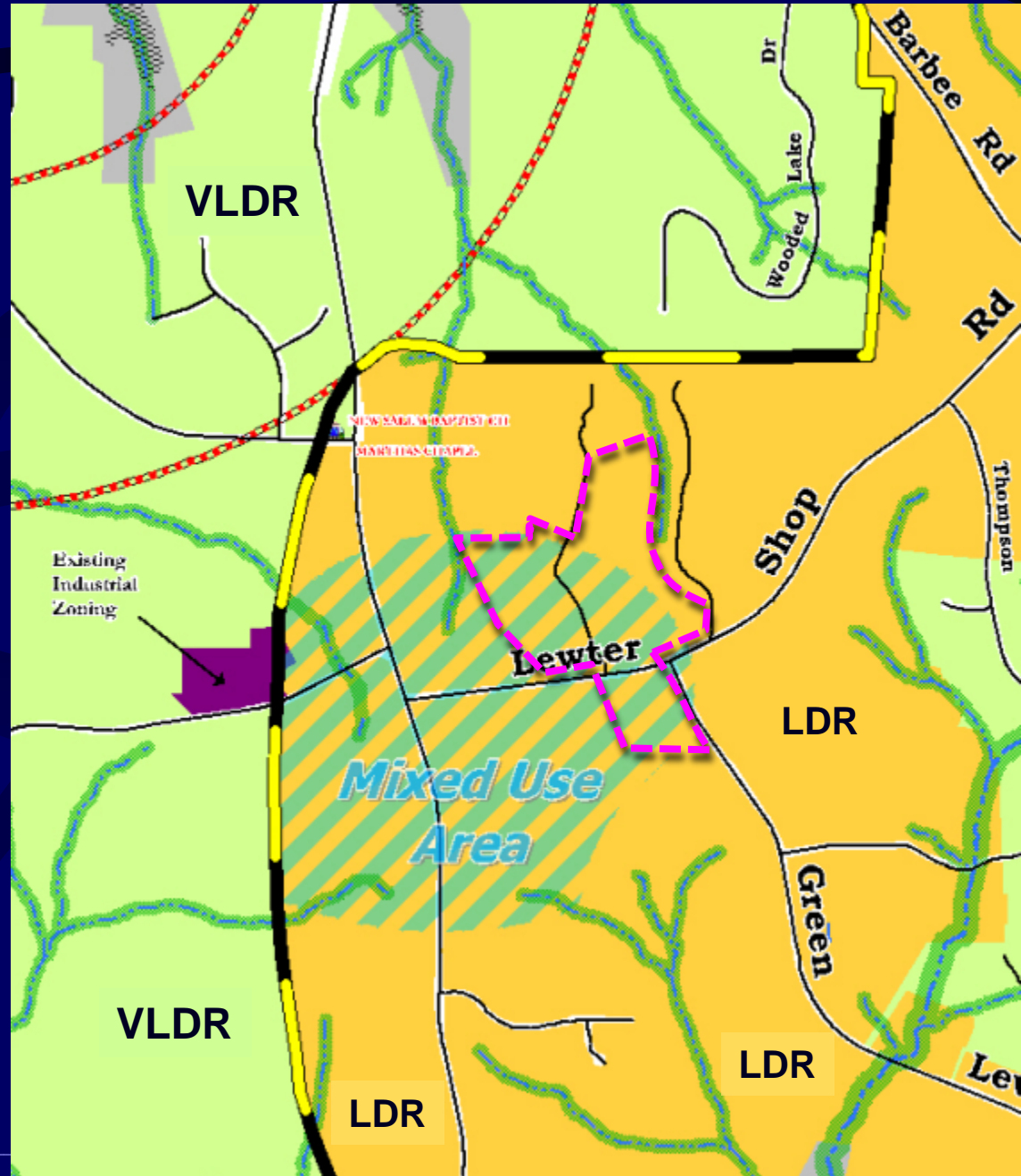
Riggsbee Property

- VLDR In Public Hearing Version
- Changed To LDR At April 12 Meeting



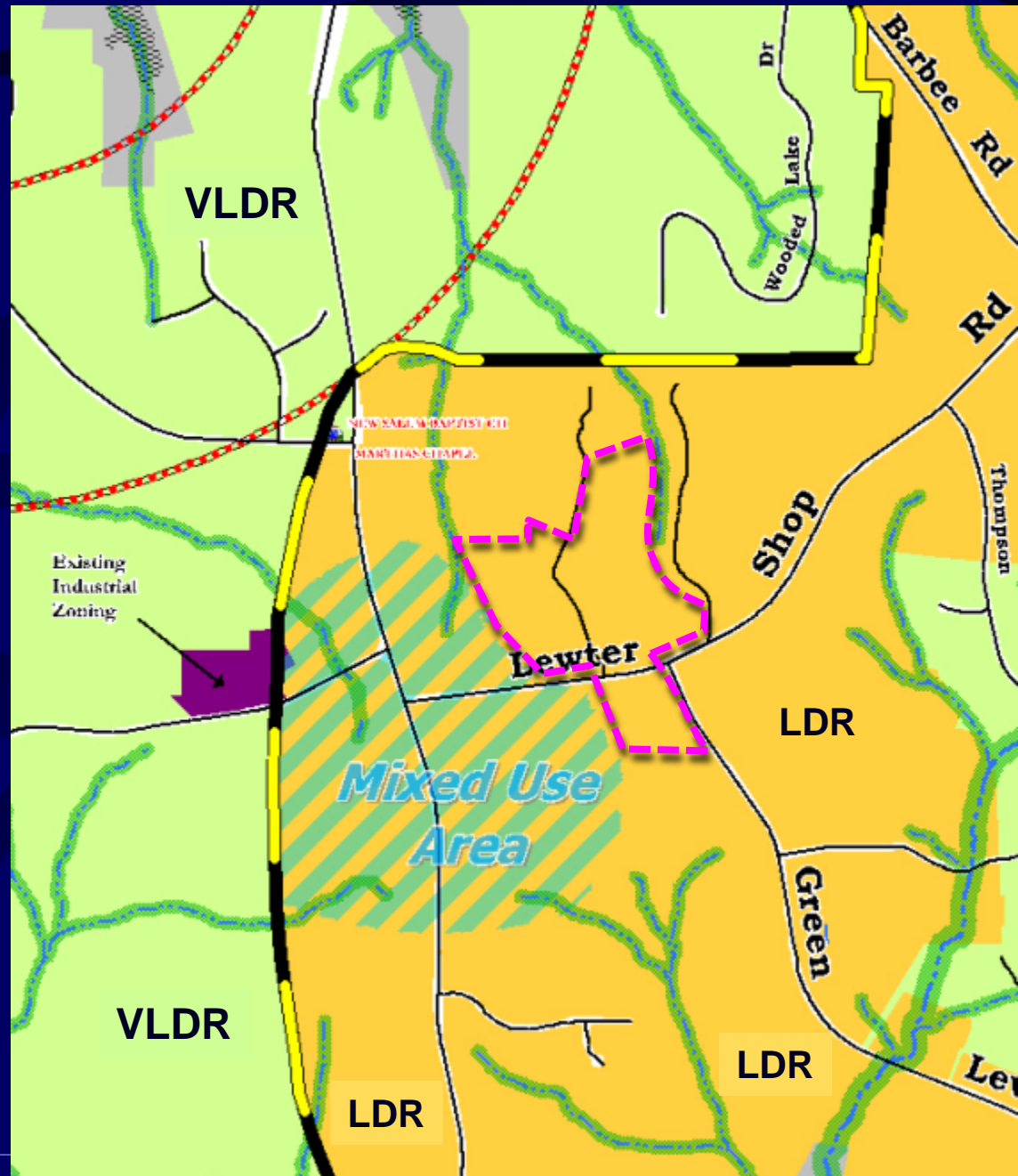
Mixed Use Node

- Public Hearing Map Showed Node Striping Over Sears' Property



Mixed Use Node

- Public Hearing Map Showed Node Striping Over Sears' Property
- Striping Removed At April 12 Meeting



Changes To Map Legend

Draft Plan Chatham - Cary Land Use Plan



Medium Density Residential

Up to 4 dwellings per acre, single family detached or attached. May also include certain non-residential neighborhood-supportive uses such as schools, daycares, churches, and other. See Plan Document for details.



Low Density Residential

Up to 2 dwellings per acre, single family detached or attached. May also include certain non-residential neighborhood-supportive uses such as schools, daycares, churches, and other. See Plan Document for details.



Very Low Density Residential

Up to 1 dwelling per 5 acres west of the Rural Buffer Boundary, and up to 1 dwelling per 3 acres east of the Rural Buffer Boundary, single family detached. May also include certain non-residential neighborhood-supportive uses such as schools, daycares, churches, and other. See Plan Document for details.



Commercial / Retail

Includes shopping/retail uses, dining, entertainment, services, and related. See Plan Document for details.



Mixed Use Node

A Mixed-use Node may be placed within or near the general locations indicated on the map. The node(s) should generally include a mix of non-residential and residential uses, designed in a cohesive, walkable, and pedestrian-friendly manner. The commercial component should be limited to no more than a typical neighborhood-scale shopping center. See Plan Document for details.



Office/Institutional

Includes general office space, medical offices, banks, schools, daycares, places of worship, libraries, etc. See Plan Document for details.



Industrial

Includes flex office/light industrial uses, light manufacturing, warehousing and distribution, and transportation-related uses. See Plan Document for details.



Parks, Open Space, Golf Course

Public and private parks and golf courses, and public permanent open space. See Plan Document for details.



Stream

Streams as indicated by U.S. Geological Survey maps. Actual stream locations and types have not been field-verified, and may vary from those shown. See Plan Document for details.



Stream Buffer

Naturally-vegetated buffers adjacent to qualifying streams. Since actual stream locations and types have not been field-verified, the final actual buffers may vary. See Plan Document for details.



Rural Buffer Boundary

Public water and/or sewer should not be provided to properties located west of this boundary line. However, public utilities may be provided when necessary to "rescue" a property having a failed private water or sewer treatment system, provided that both Cary and Chatham County agree to the rescue. See Plan Document for details.

Draft Plan Chatham - Cary Land Use Plan



Medium Density Residential (MDR)

Up to 4 dwellings per acre, single family detached or attached. May also include certain non-residential neighborhood-supportive uses such as schools, daycares, churches, and other. See Plan Document for details. (Note: This Joint Plan defines MDR densities differently than for the Wake County portions of Cary's Land Use Plan)



Low Density Residential (LDR)

Up to 2 dwellings per acre, single family detached or attached. May also include certain non-residential neighborhood-supportive uses such as schools, daycares, churches, and other. See Plan Document for details. (Note: This Joint Plan defines LDR densities differently than for the Wake County portions of Cary's Land Use Plan)



Very Low Density Residential (VLDR)

Up to 1 dwelling per acre, single family detached. May also include certain agricultural uses consistent with existing Chatham County R1 Zoning District or Town of Cary R40 Zoning District, as well as certain non-residential neighborhood-supportive uses consistent with those districts, such as schools, daycares, churches, and other. See Plan Document for details.



Commercial / Retail

Includes shopping/retail uses, dining, entertainment, services, and related. See Plan Document for details.



Mixed Use Node

A Mixed-use Node may be placed within or near the general locations indicated on the map. The node(s) should generally include a mix of non-residential and residential uses, designed in a cohesive, walkable, and pedestrian-friendly manner. The commercial component should be limited to no more than a typical neighborhood-scale shopping center. See Plan Document for details.



Office/Institutional

Includes general office space, medical offices, banks, schools, daycares, places of worship, libraries, etc. See Plan Document for details.



Industrial

Includes flex office/light industrial uses, light manufacturing, warehousing and distribution, and transportation-related uses. See Plan Document for details.



Parks, Open Space, Golf Course

Public and private parks and golf courses, and public permanent open space. See Plan Document for details.



Stream

Streams as indicated by U.S. Geological Survey maps. Actual stream locations and types have not been field-verified, and may vary from those shown. See Plan Document for details.



Stream Buffer

Naturally-vegetated buffers adjacent to qualifying streams. Since actual stream locations and types have not been field-verified, the final actual buffers may vary. See Plan Document for details.



Rural Buffer Boundary

Public sewer or wastewater treatment should not be provided to properties located west of this boundary line. However, public utilities may be provided when necessary to "rescue" a property having a failed private sewage/wastewater treatment system, provided that both Cary and Chatham County agree to the rescue. See Plan Document for details.

Changes To Map Legend

Draft Plan Chatham - Cary Land Use Plan



Medium Density Residential (MDR)

Up to 4 dwellings per acre, single family detached or attached. May also include certain non-residential neighborhood-supportive uses such as schools, daycares, churches, and other. See Plan Document for details. (Note: This Joint Plan defines MDR densities differently than for the Wake County portions of Cary's Land Use Plan)



Low Density Residential (LDR)

Up to 2 dwellings per acre, single family detached or attached. May also include certain non-residential neighborhood-supportive uses such as

Medium Density Residential (MDR)

Up to 4 dwellings per acre, single family detached or attached. May also include certain non-residential neighborhood-supportive uses such as schools, daycares, churches, and other. See Plan Document for details. (Note: This Joint Plan defines MDR densities differently than for the Wake County portions of Cary's Land Use Plan.)



Stream

Streams as indicated by U.S. Geological Survey maps. Actual stream locations and types have not been field-verified, and may vary from those shown. See Plan Document for details.



Stream Buffer

Naturally-vegetated buffers adjacent to qualifying streams. Since actual stream locations and types have not been field-verified, the final actual buffers may vary. See Plan Document for details.



Rural Buffer Boundary

Public sewer or wastewater treatment should not be provided to properties located west of this boundary line. However, public utilities may be provided when necessary to "rescue" a property having a failed private sewage/wastewater treatment system, provided that both Cary and Chatham County agree to the rescue. See Plan Document for details.





Changes To Map Legend

Draft Plan
Chatham - Cary Land Use Plan

	Medium Density Residential (MDR) Up to 4 dwellings per acre, single family detached or attached. May also include certain non-residential neighborhood-supportive uses such as schools, daycares, churches, and other. See Plan Document for details. (Note: This Joint Plan defines MDR densities differently than for the Wake County portions of Cary's Land Use Plan)
	Low Density Residential (LDR) Up to 2 dwellings per acre, single family detached or attached. May also

Low Density Residential (LDR)

Up to 2 dwellings per acre, single family detached or attached. May also include certain non-residential neighborhood-supportive uses such as schools, daycares, churches, and other. See Plan Document for details. (Note: This Joint Plan defines LDR densities differently than for the Wake County portions of Cary's Land Use Plan.)

	Public and private parks and golf courses, and public permanent open space. See Plan Document for details.
	Stream Streams as indicated by U.S. Geological Survey maps. Actual stream locations and types have not been field-verified, and may vary from those shown. See Plan Document for details.
	Stream Buffer Naturally-vegetated buffers adjacent to qualifying streams. Since actual stream locations and types have not been field-verified, the final actual buffers may vary. See Plan Document for details.
	Rural Buffer Boundary Public sewer or wastewater treatment should not be provided to properties located west of this boundary line. However, public utilities may be provided when necessary to "rescue" a property having a failed private sewage/wastewater treatment system, provided that both Cary and Chatham County agree to the rescue. See Plan Document for details.

Changes To Map Legend

Draft Plan Chatham - Cary Land Use Plan



Medium Density Residential (MDR)

Up to 4 dwellings per acre, single family detached or attached. May also include certain non-residential neighborhood-supportive uses such as schools, daycares, churches, and other. See Plan Document for details. (Note: This Joint Plan defines MDR densities differently than for the Wake County portions of Cary's Land Use Plan)



Low Density Residential (LDR)

Very Low Density Residential (VLDR)

Up to 1 dwelling per ~~5 acres west of the Rural Buffer Boundary, and up to 1 dwelling per 3 acres east of the Rural Buffer boundary~~, single family detached. May also include certain agricultural uses consistent with existing Chatham County R1 Zoning District or Town of Cary R40 District, as well as certain non-residential neighborhood-supportive uses consistent with those districts, such as schools, daycares, churches, and other. See Plan Document for details.

open space. See Plan Document for details.



Stream

Streams as indicated by U.S. Geological Survey maps. Actual stream locations and types have not been field-verified, and may vary from those shown. See Plan Document for details.



Stream Buffer

Naturally-vegetated buffers adjacent to qualifying streams. Since actual stream locations and types have not been field-verified, the final actual buffers may vary. See Plan Document for details.



Rural Buffer Boundary

Public sewer or wastewater treatment should not be provided to properties located west of this boundary line. However, public utilities may be provided when necessary to "rescue" a property having a failed private sewage/wastewater treatment system, provided that both Cary and Chatham County agree to the rescue. See Plan Document for details.

Changes To Map Legend

Draft Plan Chatham - Cary Land Use Plan



Medium Density Residential (MDR)

Up to 4 dwellings per acre, single family detached or attached. May also include certain non-residential neighborhood-supportive uses such as schools, daycares, churches, and other. See Plan Document for details. (Note: This Joint Plan defines MDR densities differently than for the Wake County portions of Cary's Land Use Plan)



Low Density Residential (LDR)

Up to 2 dwellings per acre, single family detached or attached. May also include certain non-residential neighborhood-supportive uses such as

Rural Buffer Boundary

Public ~~water and/or~~ sewer or wastewater treatment should not be provided to properties located west of this boundary line. However, public utilities may be provided when necessary to “rescue” a property having a failed private ~~water or~~ sewage/wastewater treatment system, provided that both Cary and Chatham County agree to the rescue. See Plan Document for details.



Parks, Open Space, Golf Course

Public and private parks and golf courses, and public permanent open space. See Plan Document for details.



Stream

Streams as indicated by U.S. Geological Survey maps. Actual stream locations and types have not been field-verified, and may vary from those shown. See Plan Document for details.



Stream Buffer

Naturally-vegetated buffers adjacent to qualifying streams. Since actual stream locations and types have not been field-verified, the final actual buffers may vary. See Plan Document for details.



Rural Buffer Boundary

Public sewer or wastewater treatment should not be provided to properties located west of this boundary line. However, public utilities may be provided when necessary to “rescue” a property having a failed private sewage/wastewater treatment system, provided that both Cary and Chatham County agree to the rescue. See Plan Document for details.

Changes To Plan Document

- q **Chapter 1**
- q **Chapter 2 (Sections 2.4, 2.5)**
- q **Chapter 3 (Sections 3.1, 3.2, 3.7)**
- q **Chapter 4 (Sections 4.1, 4.3)**
- q **Chapter 6 (Sections 6.2, 6.4, Table)**

V. Committee Discussion About Plan Changes Per April 12 Meeting

a) Map Changes

b) Document Changes

c) Staff Question – Minor Subdivisions

Inter-Local Agreement (ILA)

ILA – Recommended Topics

- 1. Plan Adoption**
- 2. Rural Buffer/Urban Services Boundary**
- 3. Plan Interpretation**
- 4. Plan Amendments**
- 5. Rezoning and Subdivisions**
- 6. Annexations**
- 7. Implementation Tasks**
- 8. Plan Update**
- 9. Term and Renewal of Agreement**

1. Plan Adoption

- a. **Cary will adopt entire Plan as an Element, or Component, of its Comprehensive Plan.**
- b. **Cary's Comprehensive Plan Maps (other than the Joint Area Plan) will only reflect the area east of the Rural Buffer Boundary.**
- c. **Chatham County will adopt the Joint Plan as an official policy document, having standing similar to a Land Use or Comprehensive Plan.**

2. Rural Buffer/Urban Services Boundary

- a. The ILA will include the definition of the Rural Buffer Boundary, including specification of the areas available for water or sewer utilities, and types of providers.**
- b. Given the changes to definition of VLDR, should the “Rural Buffer Boundary” be renamed to something more descriptive, such as the “Utility Service Area Boundary”?**

3. Plan Interpretation

- a. Should either party have a question regarding the precise meaning or interpretation of some aspect of the Joint Plan, the Chatham and Cary Planning Directors will jointly discuss the question.**
- b. If both Directors agree on the interpretation, the matter is settled. The interpretation is filed with the Plan, and may be sent to governing board(s) as an FYI item.**
- c. Should both Directors fail to agree, then the Directors may file a Major Plan Amendment for review by the governing boards, to clarify and resolve the issue.**

4. Plan Amendments

- a. **Major Amendments** are any changes to the Plan Document or Map that would cause substantive changes to the recommendations and intent of the Plan.

- b. **Minor Amendments** include non-substantive changes to document or map formatting, layout, shading; clarifications to confusing text or corrections to grammar or spelling; slight shifts in boundaries between land use categories on the Plan Map, to take into account refined or updated topographic or cartographic information; and similar.

4. Plan Amendments

Major Amendments

- a. May be proposed by either party
- b. Require at least one public hearing by both parties
- c. Must be reviewed by both Planning Boards
- d. Must be approved by both governing boards to be officially adopted
- e. Failure to act within 180 days on a Major Amendment will be considered a denial

4. Plan Amendments

Minor Amendments

- a. Can be proposed by either Planning Director.
- b. If both directors agree that the proposed change is minor, then the amendment is made and recorded as an official change.
- c. The approved minor amendment may be forwarded to either governing board as an FYI item.
- d. If the two Planning Directors do not agree that the proposed change is minor, then a Major Amendment will be submitted for consideration.

5. Rezoning and Subdivisions

Upon receipt of either a request for rezoning or a development plan (e.g., subdivision plan) by either Planning Department, the responsible Planning Director will determine whether the case is:

- a. Fully Conforming
- b. Substantially Conforming
- c. Not Conforming

5. Rezoning and Subdivisions:

Determination of Case Conformance Status

Fully Conforming

- a. The land use is described and recommended in the Plan;**
- b. The density/intensity of use is less than or equal to that described in the Plan;**
- c. The geographic boundaries of the case are fully consistent with those given on the Plan Map.**
- d. If the responsible Director finds the case to be Fully Conforming, no consultation is required with the other Party's Planning Director.**

5. Rezoning and Subdivisions:

Determination of Case Conformance Status

Substantially Conforming

- a. The land use is not specifically called out and recommended in the Joint Plan, but on balance the use seems reasonable in light of all Plan provisions, and is consistent with overall Intent;**
- b. The density/intensity of use exceeds the max. recommended in the Plan by less than 10%;**
- c. The boundaries of the proposed use are close to those shown on the Map, but deviate from the precise Map boundaries by less than ~100 ft.**

5. Rezoning and Subdivisions:

Determination of Case Conformance Status

Substantially Conforming Requires Consensus

- a. If the responsible Director finds the submitted case to be Substantially Conforming, then the other Planning Director must be consulted.**
- b. If the other Planning Director finds the case to be either Fully or Substantially Conforming, the case is classified as Substantially Conforming. Otherwise the case is classified Not Conforming.**

5. Rezoning and Subdivisions:

Determination of Case Conformance Status

Not Conforming

- a. The requested land use is clearly not intended or supported by the Joint Plan;**
- b. The density/intensity of use exceeds the max. recommended in the Plan by more than 10%;**
- c. The boundaries of the proposed use deviate from those shown on the Map by more than ~100 ft.**
- d. If the responsible Director finds the case to be Not Conforming, no consultation is required with the other Party's Planning Director.**

5. Rezoning – Case Processing

Not Conforming

If a rezoning case has been classified as *Not Conforming*, then a Major Plan Amendment must first be submitted and acted on by both Parties, which, if adopted, would render the case Fully Conforming. Consideration of the rezoning must wait until action on the Amendment is taken.

5. Rezoningings – Case Processing

- a. A rezoning case may be submitted to, or originated by, either Party;**
- b. Rezoning cases will be administered by each Party in keeping with State and local laws, procedures, and policies;**
- c. Upon receipt or initiation of a valid rezoning request, the responsible Planning Director will provide a copy of the request to the other Director.**

5. Rezoning – Case Processing

- a. The responsible Planning Department will send notice of the date(s) and time(s) of the public hearing(s) to the other Planning Department;**
- b. The notified Party may provide comment and input at the public hearing, or in writing, to the responsible Party. Such comment shall be duly considered by the responsible Party in their deliberations.**

6. Annexations

- a. Requests for voluntary, owner-initiated annexation will be administered by the Town in keeping with State and local laws, procedures, and policies**
- b. Upon receipt of a valid annexation petition, the Town will provide a copy to the Chatham Planning Director.**
- c. The Town will send a notice of the date and time of the public hearing to the Chatham Planning Director.**
- d. Chatham County may provide comment and input at the public hearing, or in writing.**

7. Plan Implementation Tasks

Both parties agree to work jointly on the identified implementation tasks, and within a reasonable time period.

8. Plan Update Cycle

- a. **Perform a Joint Assessment of the Plan at 5 years from adoption or date of last joint review and re-adoption.**
- b. **At the 5-year assessment, both parties will determine whether the plan continues to be sufficient, or whether a joint update is needed. Both parties must agree on the assessment, or terminate the Agreement.**
- c. **Process for performing a plan update will follow same process as for original plan, unless modified by a joint resolution.**

9. Term and Renewal of the ILA

- a. ILA to run for 10 years unless terminated, or if consensus not reached at 5-year assessment**
- b. May be renewed by Commissioners & Council**
- c. May be terminated by either Party on 180 days' notice (majority vote of respective governing board)**

Agenda

- I. Call to Order
- II. Approval of Agenda
- III. Approval of Minutes of April 12, 2012

Plan Discussion

- IV. Staff Presentation – Revised Plan Draft
- V. Committee Discussion

Inter-Local Agreement (ILA)

- VI. Staff Presentation – ILA Framework
- VII. Committee Discussion**

Other Issues

- VI. Steps for Final Adoption
- VII. Future Committee Meetings (If Needed)
- VIII. Adjournment

Agenda

- I. Call to Order
- II. Approval of Agenda
- III. Approval of Minutes of April 12, 2012

Plan Discussion

- IV. Staff Presentation – Revised Plan Draft
- V. Committee Discussion

Inter-Local Agreement (ILA)

- VI. Staff Presentation – ILA Framework
- VII. Committee Discussion

Other Issues

- VI. Steps for Final Adoption**
- VII. Future Committee Meetings (If Needed)
- VIII. Adjournment

Agenda

- I. Call to Order
- II. Approval of Agenda
- III. Approval of Minutes of April 12, 2012

Plan Discussion

- IV. Staff Presentation – Revised Plan Draft
- V. Committee Discussion

Inter-Local Agreement (ILA)

- VI. Staff Presentation – ILA Framework
- VII. Committee Discussion

Other Issues

- VI. Steps for Final Adoption
- VII. Future Committee Meetings (If Needed)**
- VIII. Adjournment

Agenda

- I. Call to Order
- II. Approval of Agenda
- III. Approval of Minutes of April 12, 2012

Plan Discussion

- IV. Staff Presentation – Revised Plan Draft
- V. Committee Discussion

Inter-Local Agreement (ILA)

- VI. Staff Presentation – ILA Framework
- VII. Committee Discussion

Other Issues

- VI. Steps for Final Adoption
- VII. Future Committee Meetings (If Needed)

VIII. Adjournment

END