

AN ORDINANCE AMENDING THE ZONING MAP OF CHATHAM COUNTY For Chatham County ABC Board

WHEREAS, the Chatham County Board of Commissioners has considered the request by the Chatham County ABC Board to rezone approximately .80 acres, being all or a portion of Parcel No.83475, located at or off the Moncure Pittsboro Road, Haw River Township, from R-5 Residential to General Use Neighborhood Business to add this tract the existing neighborhood business zoned parcels for the ABC Board since it is landlocked and makes the development site more complete , and finds that the amendment is consistent with the comprehensive plan of Chatham County as described in the Consistency Statement Resolution; and

WHEREAS, the Board finds that the rezoning request set forth in the Application and incorporated herein by reference, if approved as pursuant to the provisions of the zoning ordinance, would be suitable for the property proposed for rezoning; and

WHEREAS, the Board finds the four (4) standards, as described below, from the Zoning Ordinance have been met as stated:

No. 1: The alleged error in this Ordinance, if any, which would be remedied by the proposed amendment with a detailed description of such error in the Ordinance and detailed, and reasons how the proposed amendment will correct the same. The applicant claims no error in the ordinance; and

No. 2: The changed or changing conditions, if any, of the area or in the County generally, which make the proposed amendment reasonably necessary to the promotion of the public health, safety and general welfare. The applicant owns three adjacent properties to the subject property that were rezoned to General Use NB in 2016 and 2017. There are other properties in close proximity that are zoned non-residential. This additional 0.8 acres is landlocked and has limited development potential due to lot size being less than what would be required for development. The applicant will utilize this property to offset built upon area requirements and add open space to the project already under consideration as noted in the rezonings from the previous two years.; and

No. 3: The manner in which the proposed amendment will carry out the intent and purpose of any adopted plans or parts thereof. The property is located in an area designated as Conservation on the Future Land Use and Conservation Plan Map, which encourages development that is predominately residential, passive recreation areas, greenway trails and some tourism related uses allowed. The adopted Comprehensive Plan encourages commercial development in village, community, and employment center nodes. Although this property is not located in one of these nodes, it is within close proximity to the Village and Village Center node that is centered on the Moncure community. The adjoining properties on the north, east, and south are also zoned Neighborhood Business.; and

No. 4: All other circumstances, factors and reasons which the applicant offers in support of the proposed amendment. Neighborhood Business is the least intensive business district provided in the Zoning Ordinance and the RCSA watershed district also allows more flexibility than River Corridor. The use also continues the promotion expanding businesses in the Moncure area as noted in the Comprehensive Plan under the description of Villages on page 48. The description includes a "mix of uses including retail, restaurants, services, and office uses clustered near a village center (typically consisting of smaller commercial footprints than office centers (>30K SF), although can be more if appropriately designed)." Strategy 4.4 under the Economic Development Plan Element (see pg. 56) encourage "Permit[ting] existing commercial and industrial uses that are appropriately zoned to continue to operate, and allow for reasonable expansion, contingent upon meeting environmental and transportation requirements." Although a use has not been established on the adjoining properties, the applicant intends to construct a neighborhood business use on the properties and this parcel will provide more flexibility for the overall site plan. The property is also located within the RCSA (River Corridor Special Area) watershed district and is limited to 36% built upon area without the use of curb and gutter. The RCSA district does allow for up to 50% built upon area with approval of a special non-residential intensity allocation (SNIA). Although the properties are located within 2,500 feet of a major river, this is less restrictive than RC (River Corridor). As a result, there are fewer limitations on the types of non-residential uses allowed than are listed in River Corridor district. The impervious surface limitations aid in the protection of water resources and environmental protection.; and

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

1. The Application to rezone all of the property described as Parcel No. 83475 and being approximately .80 acres as depicted on Attachment "A", located at or off the Moncure Pittsboro Road, from R-1 Residential to General Use Neighborhood Business, Haw River Township is approved and the zoning map is amended accordingly.
2. This ordinance shall become effective upon its adoption.

Adopted this 17 day of June, 2019

Mike Dasher, Chair
Chatham County Board of Commissioners

ATTEST:

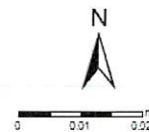
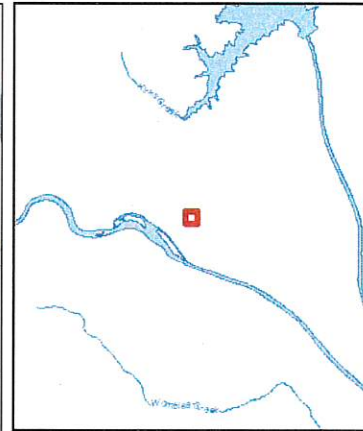
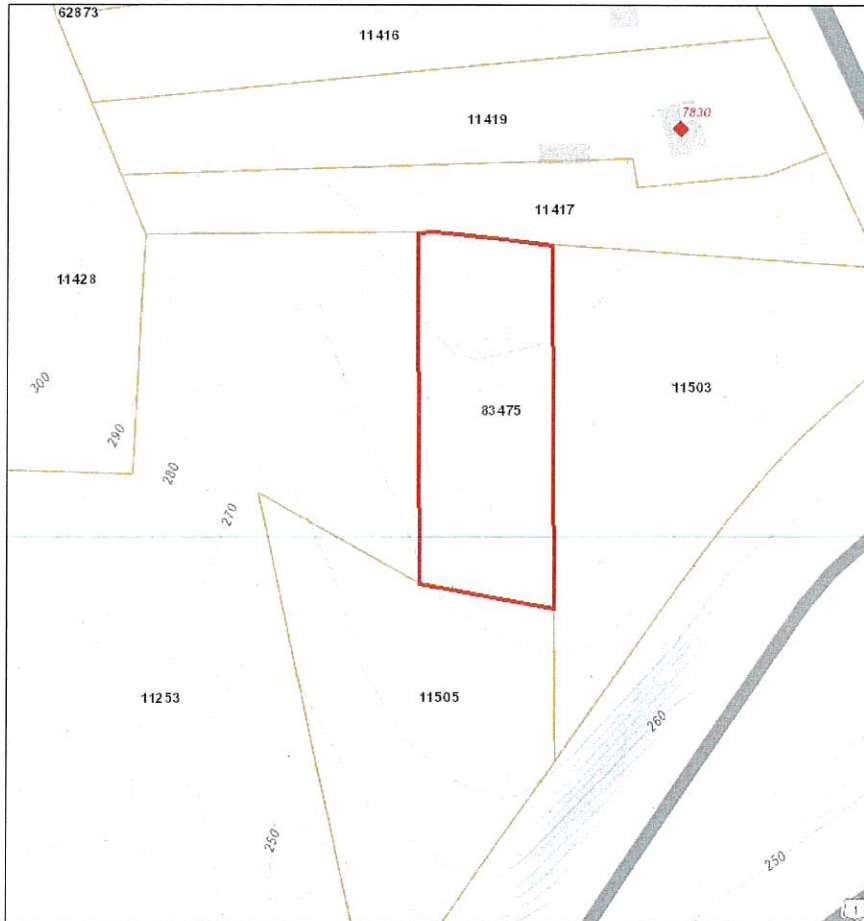
Lindsay K. Ray, NCCCC, Clerk to the Board
Chatham County Board of Commissioners



ATTACHMENT "A"

Tax parcel number 83475, located at or off the Moncure Pittsboro Road, Haw River Township, totalling .80 acres to be rezoned to General Use Neighborhood Business, NB

Chatham County Tax Map



Service Layer Credits Chatham County
Chatham County GIS



Date: 8/17/2019
Time: 4:22:26 PM

