

**TEXT AMENDMENT REQUEST APPLICATION**

(1) Applicant Information:

Name: ZR Chatham, LLC  
Address: c/o Nicolas P. Robinson P.O. Box 607, Pittsboro, NC 27312  
Phone No: (H) \_\_\_\_\_  
(W)(919) 542-2400 \_\_\_\_\_  
(M) \_\_\_\_\_

(2) Name of Ordinance for Text Amendment: Chatham County Zoning Ordinance \_\_\_\_\_

(3) Text of Ordinance to be varied:

Section 10.12 F. Page 45                      Section \_\_\_\_\_ Page \_\_\_\_\_

Existing Language: *Exterior Boundary Setbacks - A setback of one hundred (100) feet shall apply to all residential and non-residential buildings and structures along the exterior boundary of the mixed use development, including any existing street right of way.*

Requested Language Change: *Exterior Boundary Setbacks - A setback of one hundred (100) feet shall apply to all residential and non-residential buildings and structures along the exterior boundary of the mixed use development, including any existing street right of way, except that, to the extent the exterior boundary adjoins the right of way of U.S. Highway 15-501, the one hundred (100) foot building setback shall be reduced to a fifty (50) foot setback for surface parking lots along the U.S. Highway 15-501 right of way.*

(4) Reasons for the requested text amendment: In the space below and on additional paper if needed, describe the reasons for the request and why you think it is justified.

See attached.

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I hereby certify that I am making application for the landowner or myself and that the information provided is complete and the statements given are true to the best of my knowledge.



Signature  
Owner/Authorized Agent

1-31-2020

Date

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The following must be signed by the owner if person other than the owner is making this application.

I hereby certify that \_\_\_\_\_ is an authorized agent for said property and is an authorized agent for said property and is permitted by me to file this application.

\_\_\_\_\_  
Owner's Signature

\_\_\_\_\_  
Date

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\_\_\_\_\_

Signature  
Owner/Authorized Agent

ZR Chatham, LLC

1/30/20  
\_\_\_\_\_

Date

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The following must be signed by the owner if person other than the owner is making this application.

I hereby certify that \_\_\_\_\_ is an authorized agent for said property and is an authorized agent for said property and is permitted by me to file this application.

\_\_\_\_\_  
Owner's Signature

\_\_\_\_\_  
Date

## JUSTIFICATION FOR PROPOSED ZONING ORDINANCE AMENDMENT

January 31, 2020

Bold Development Group, LLC (“Applicant”) hereby seeks approval of a minor text amendment of Section 10.12 F. of the Zoning Ordinance which addresses exterior boundary setbacks within Mixed Use Conditional Districts. The proposed amendment would reduce the exterior boundary setback along U.S. Highway 15-501 to 50’ but solely as to surface parking facilities. This request is made in parallel with an MUCD Application simultaneously filed by Applicant.

### REQUIRED CONTENTS

Pursuant to Section 19 of the Zoning Ordinance, the following items must be addressed in the application:

- 1. If the proposed amendment would require a change in the zoning map, a map to scale showing the land which would be covered by the proposed amendment. No change in the zoning map is required.**
- 2. A legal description of such land or adequate description to define the area to be rezoned. No rezoning is required for this text amendment.**
- 3. The alleged error in this Ordinance, if any, which would be remedied by the proposed amendment with a detailed explanation of such error in the Ordinance and detailed reasons how the proposed amendment will correct the same.**

The current MUCD setback language is inconsistent with the approved Chatham Comprehensive Plan and is inconsistent with existing development conditions along the 15-501 corridor.

See Action Item 1.2 (p. 146, last bullet point) of Plan Chatham which specifically calls for a lesser setback than 100 feet in commercial mixed use projects along the exterior boundary, “including any street rights of way.” This amendment will fulfill that action item and will make the viewshed along that corridor more consistent. Existing setbacks for other projects along the U.S. Highway 15-501 right of way, like the Briar Chapel commercial setbacks and viewshed buffers, are set at fifty feet. Further the current front setbacks for B-1, Neighborhood Business, Community Business, and Regional Business districts are all set at 50’. Current office and Institutional district setbacks are 40’. Allowing surface parking lots to be no closer than 50’ feet from the highway in a MUCD is consistent with the Comprehensive Plan, the current zoning ordinance for other business uses and the current practice along the corridor.

- 4. The changed or changing conditions, if any, in 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.**

See response to #3 above.

- 5. The manner in which the proposed amendment will carry out the intent and purpose of the adopted Land Use Plan or part thereof.**

See response to #3 above.

- 6. All other circumstances, factors and reasons which the applicant offers in support of the proposed amendment.**

Since this proposed text amendment is being offered in parallel with Applicants MUCD application and because the new UDO (which could implement this action item from the Comprehensive Plan) will likely not be ready for approximately 3-4 years, in the interests of time, Applicant requests that this amendment be reviewed and approved in tandem with its MUCD application.

- 7. Information required on the application form received from the Planning Department.**

Attached.