



COUNTY COMMISSIONERS

Karen Howard, Chair
Diana Hales, Vice Chair
Jim Crawford
Mike Dasher
Andy Wilkie

COUNTY MANAGER: Dan LaMontagne

**AN ORDINANCE AMENDING THE ZONING MAP
OF CHATHAM COUNTY
For Paul Brewer, on behalf of Harris Lake Boat Storage**

WHEREAS, the Chatham County Board of Commissioners has considered the request by Paul Brewer, on behalf of Harris Lake Boat Storage, to rezone approximately 16.92 acres, being all or a portion of Parcel No's 80765 and 5421, located at NC HWY 42, Cape Fear Township, from R-1 Residential to Conditional District Community Business CB to develop the site for self-storage/mini warehouse, storage facility with related retail and services, recreational vehicle storage facility, and boat storage facility, 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 five (5) 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. No error in the ordinance is being alleged. However, Plan Chatham was adopted by the Board of Commissioners in 2017 and the future land use map identifies this intersection as an appropriate location for non-residential uses. ; 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 county's population is growing and there is an increasing need for additional services to include a variety of storage facilities. This will reduce the amount of trailers, boats, and larger vehicles on the roads which will make NC HWY 42 a safer route. ; 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 comprehensive plan, Plan Chatham, was adopted in November 2017 and the area where this parcel is located is designated as a Crossroads Community with some of the property identified as Rural. The description of Crossroads Communities includes that they are located within rural areas and to be developed for residential, commercial, and some light industrial purposes if appropriately designed to be in keeping with historic development patterns . ; and

No. 4: The requested amendment is either essential or desirable for the public convenience or welfare. Citizens will be able to utilize the facility for self-storage, boat & RV storage at the property. This will benefit more residents by having this flexibility, as well as increase tax dollars and property value for the county. The property is located within both the WS-IV Protected Area Watershed and Local Watershed, but is not located within the Jordan Lake Buffer rule area. Built upon area in these watershed districts is 36% without curb and gutter, and the applicant is proposing 35.81% built upon area.

The applicant is only developing in the northernmost portion of the property in order to protect the blue line feature ; and

No. 5: All other circumstances, factors and reasons which the applicant offers in support of the proposed amendment. There are no floodable areas in close proximity to this tract. Jordan Lake is a regional attraction that draws visitors year-round. NC HWY 42 has an AADT of approximately 2,400 VPD. This location will help support the visitors for both Jordan Lake and Harris Lake. Currently, water and sewer will not be required as this is proposed to be an unmanned facility; 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's. 80765 and 5421 and being approximately 16.92 acres as depicted on Attachment "A", located at or off NC HWY 42, from R-1 Residential to Conditional District Community Business, Cape Fear Township is approved and the zoning map is amended accordingly.

2. The following conditions shall also apply to this approval:

Site Specific Conditions

1. The recommendations from the Chatham County Appearance Commission (CCAC) shall be followed as stated in the minutes and as shown on the submitted site plan or revised site plan as required that reflects the adopted design guidelines. The planning staff and CCAC may conduct routine inspections of the property to ensure compliance with the landscaping requirements.
2. A building permit shall be obtained and remain valid at all times within two years of the date of this approval or the conditional use permit becomes null and void.
3. No electronic message center signage is permitted.

Standard Site Conditions

4. The application, standards and adopted regulations of the applicable ordinances and policies, and the approved recommendations as provided for and/or conditioned, are considered to be the standards as set forth and shall comply as stated. Changes or variations must be approved through the Planning Department or other approving board before any such changes can take place. These include but are not limited to landscaping, lighting, signage, parking, building construction, etc.
5. All required local, state, or federal permits (i.e. NCDOT commercial driveway permits, NCDWQ, Chatham County Watershed Protection Division, Environmental Health Division, Building Inspections, Fire Marshal, etc.) shall be obtained, if required, and copies submitted to the Planning Department to the initiation of the operation/business.



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Standard Administrative Conditions:

6. Fees - Applicant and/or landowner shall pay to the County all required fees and charges attributable to the development of its project in a timely manner, including, but not limited to, utility, subdivision, zoning, and building inspections.
7. Continued Validity – The continued validity and effectiveness of this approval was expressly conditioned upon the continued compliance with the plans and conditional listed above.
8. Non-Severability – If any of the above conditions is held to be invalid, this approval in it's entirely shall be void.
9. Non-Waiver – Nothing contained herein shall be deemed to waive any discretion on the part of the County as to further development of the applicant's property and this permit shall not give the applicant any vested right to develop its property in any other manner than as set forth herein.

3. This ordinance shall become effective upon its adoption.

Adopted this 21 day of January, 2020

Karen Howard, Chair
Chatham County Board of Commissioners

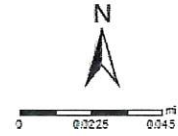
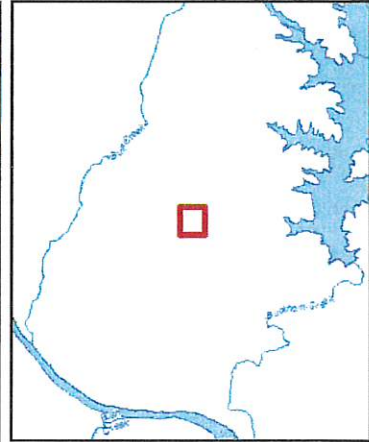
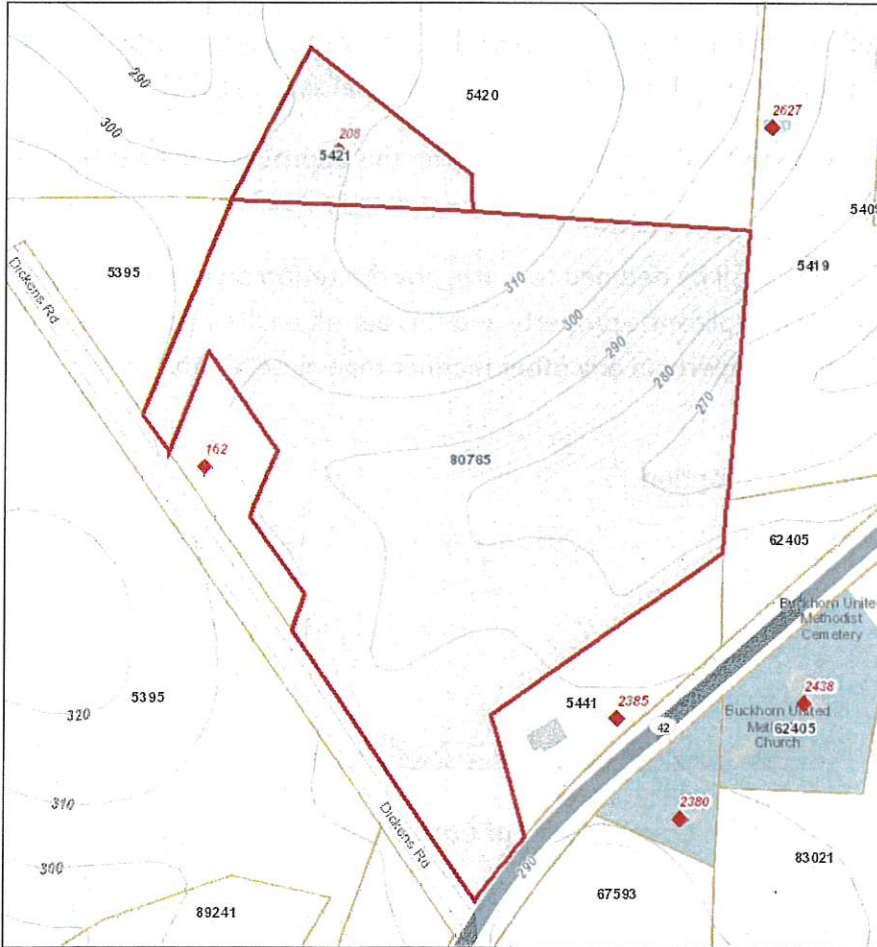
ATTEST:

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

ATTACHMENT A

Tax parcels 80765 and 5421 being approximately 16.92 acres total, from R-1 Residential to CD-CB, Cape Fear Township

Chatham County Tax Map



Service Layer Credits: Chatham County, Chatham County GIS



Date: 1/21/2020
Time: 12:03:58 PM