

ATTACHMENT A to Zoning Text Amendment Application

PROPOSED ZONING TEXT AMENDMENT TO PROVIDE FOR:

Mixed Use, Conditional District to include a single-family Cluster Residential component – CD-MU-CR

The Chatham County Zoning Ordinance is hereby amended as follows:

SECTION 5.2 Conditional Zoning Districts, D. Mixed Use Districts (page 6) is amended by adding the definition of **CD-MU-CR**, so that sub-section D is as follows:

D. Mixed Use Districts

Approval of a conditional zoning district shall be required as a prerequisite to any use or development, as provided for in this Ordinance, for the following districts:

CD-CC Compact Community – a compact residential development with a mixed commercial use village center. See the Compact Communities Ordinance for more information.

CD-MU Mixed Use – a mixed use development that provides for an integration of diverse but compatible uses into a single development.

CD-MU-CR Mixed Use, Cluster Residential – a mixed use development that provides for an integration of diverse but compatible uses into a single development that includes a single-family Cluster Residential component.

SECTION 7.2 DEFINITIONS. is amended by inserting, in alphabetical order, the following definitions:

Cluster Development - The grouping of buildings in order to conserve land and provide for innovation in the design of the project.

Cluster Residential – A Cluster Development of grouped single family lots.

SECTION 10 SCHEDULE OF DISTRICT REGULATIONS is amended as follows:

1. Subsection “**10.12**” is renumbered to be subsection “**10.12(a) CD-MU Mixed Use**”; and
2. A new subsection **10.12(b)** is added as follows:

10.12(b) CD-MU-CR Mixed Use Cluster Residential

A. Purpose

The purpose of the Mixed-Use Cluster Residential Conditional District is to permit flexibility in the Ordinance by providing for a mix of residential, commercial, and light industrial, including single family cluster residential uses to be developed in accordance

with a unified development plan. These developments should be unified by distinguishable design features and provide pedestrian connections between all uses. Mixed use developments should provide a more efficient use of land while providing more on-site amenities and preserving open space. The mix of uses shall be designed to be mutually supporting so that traffic congestion is minimized and pedestrian circulation is enhanced.

B. Minimum Size

In order to qualify for a Mixed-Use Cluster Residential District, the gross acreage for the development shall be a minimum of 50 acres and a maximum of 250 acres.

C. Maximum Net Density and Built Upon Area Allowed

Within a Mixed Use Cluster Residential district, the net density and built upon area for any portion of the development shall not exceed the requirements of the underlying watershed district as provided in the Watershed Protection Ordinance and identified on the most recently adopted “Watershed Protection Map of Chatham County, North Carolina”.

D. Net Land Area Computation

Net Land Area is obtained by taking the gross land area of the CD-MU-CR development and subtracting the following areas:

1. Land within the existing public street rights of way.
2. Any stream (ephemeral, intermittent or perennial) or perennial water body.
3. Any area of the property located within a Special Flood Hazard Area, consistent with the Chatham County Flood Damage Prevention Ordinance.

E. Permitted and Required Uses

The Mixed-Use Conditional Zoning district shall include a single-family Cluster Development component. *[see Sections 109 and 303 Cluster Development of the Watershed Protection Ordinance]* The other uses allowed within the Mixed-Use district may be selected from the permitted uses or conditional uses from the following districts:

- R-1 Residential district
- O&I Office and Institutional District
- NB Neighborhood Business District
- CB Community Business District
- RB Regional Business District
- IND-L Light Industrial District

The site plan must show, and the final development must include, a single-family Cluster Development project and Open Space (see Watershed Protection Ordinance), and uses from at least two (2) of the zoning districts listed above. Multi-Family Dwellings shall also be permitted in the mixed-use section. Uses may be mixed within a building or within the development and the site plan must identify the location of the proposed uses.

At a minimum, twenty percent (20%) of the total Built Upon Area (BUA) of the development must be occupied by or used primarily for non-residential uses, provided that at no time shall the cumulative amount of land developed for non-residential purposes exceed the cumulative amount of land developed for residential purposes.

F. Location

A Mixed-Use Cluster Residential Conditional District shall be allowed only in areas designated as Compact Residential Area or Community Center Area on the Chatham County Comprehensive Plan, *Future Land Use and Conservation Plan*.

G. Cluster Area and Density

Single Family Cluster Development shall be that portion of the CD-MU-CR project dedicated to clustered single-family lots and open space area as provided in the Watershed Protection Ordinance, Sec. 303. The total number of single family residential lots shall not exceed two (2) dwellings per acre Net Land Area of the CD-MU-CR project.

H. Dimensional and Off-Street Parking Requirements

Standard dimensional and off-street parking requirements shall not apply. Proposed lot sizes, setbacks, building heights, and off-street parking must be specified on the site plan or accompanying text for a conditional rezoning application and be approved by the Board of Commissioners. In no circumstances shall a building have a height greater than sixty (60) feet.

I. 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 where adjacent to a Residential District or a residential portion of a Conditional District or any existing residential property. A setback of fifty (50) feet shall apply where adjacent to non-residential districts, including non-residential portions of Conditional Districts; or any existing non-residential properties.

J. Signage

Any proposed signage shall not exceed the standards set forth in this Ordinance for the respective zoning district from which a use is taken. All signs shall use a coordinated color, style, and lettering scheme.