



CHATHAM COUNTY COMMISSIONERS

Mike Dasher, Chair
Diana Hales, Vice Chair
Jim Crawford
Franklin Gomez Flores
Karen Howard

COUNTY MANAGER

Dan LaMontagne

P. O. Box 1809, Pittsboro, NC 27312-1809 • Phone: (919) 542-8200

Resolution of the Chatham County Board of Commissioners

ADOPTING A CONSISTENCY STATEMENT FOR THE APPROVAL OF

CRC ED Treatment LLC

WHEREAS, the Chatham County Board of Commissioners has reviewed the application for CRC ED Treatment LLC to Rezone 6.38 acres Parcel No. 20029 and .03 acres from 93851 from R-1 Residential and CD-O&I Conditional Office & Institutional District for an expansion of services for a residential group home treatment facility (the "Amendment") and finds that the same is consistent with the Chatham County Land Conservation and Development Plan; and

WHEREAS, in addition, the Chatham County Board of Commissioners considers the Amendment to be reasonable and in the public interest because Chapter 3 Objectives of the Plan encourages fostering a healthy community by assuring access to all types of healthcare for residents as seen on Page 37 of the Plan as a result of the 2014 Community Health Assessment where these services were identified as needed. The property will also allow for patients to engage in health enhancing activities between the two properties.

The property also falls within the Joint Land Use Plan of Chatham County and the Town of Cary. This area is noted as VLDR, very low density residential. One dwelling unit per acre is limited to this designation. The JLUP, Section 3.2, 3-2) does encourage institutional uses that are compatible and complementary to the surrounding neighborhood. These include churches, parks, schools, libraries, daycare centers, etc. The applicant and the County have received an approved interpretation from the Town of Cary agreeing the proposed project would be consistent with the JLUP and should be approved as an expansion of existing services.

NOW, THEREFORE, BE IT RESOLVED, by the Chatham County Board of Commissioners that, for the reasons set forth above, the Amendment and presented documentation are found to be consistent with the county land use plan and are determined to be reasonable and in the public interest.

Adopted, this the 19 day of January, 2021

Mike Dasher, Chair
Chatham County Board of Commissioners

ATTEST:

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





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Ordinance of the Chatham County Board of Commissioners

**AN ORDINANCE AMENDING THE ZONING MAP
OF CHATHAM COUNTY**

CRC ED Treatment LLC

WHEREAS, the Chatham County Board of Commissioners has considered the request by CRC ED Treatment LLC, to rezone approximately 6.38 acres, being all or a portion of Parcel No/s 20029 (6.35 acres) and Parcel 93851 (.03 acres), located at/off 7990 NC 751 Hwy, William's Township, from R-1 Residential to CD-O&I Conditional District Office & Institutional to develop the site for an expansion of services for a residential group home treatment 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 errors are being claimed; 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 current facility has been in operation since 2006, and because of its residential setting, has been compatible in the surrounding area and the existing facility stays at a minimum of 90% capacity. The location in Chatham County provides a setting for family members of residents to remain actively involved in the treatment process. There are no similar treatment facilities similar to this in the county. By allowing the expansion of services to the existing house on the parcel proposed for rezoning, these services can expand to treat more residents.
; and

No. 3: The manner in which the proposed amendment will carry out the intent and purpose of any adopted plans or parts thereof. Chapter 3 Objectives of the Plan encourages fostering a healthy community by assuring access to all types of healthcare for residents as seen on Page 37 of the Plan as a result of the 2014 Community Health Assessment where these services were identified as needed. The property will also allow for patients to engage in health enhancing activities between the two properties.

The property also falls within the Joint Land Use Plan of Chatham County and the Town of Cary. This area is noted as VLDR, very low density residential. One dwelling unit per acre is limited to this designation. The JLUP, Section 3.2, 3-2) does encourage institutional uses that are compatible and complementary to the surrounding neighborhood. These include churches, parks, schools, libraries, daycare centers, etc. The applicant and the County have received an approved interpretation from the Town of Cary agreeing the proposed project would be consistent with the JLUP and should be approved as an expansion of existing services.
; and

No. 4: The requested amendment is either essential or desirable for the public convenience or welfare. Based on the provided traffic analysis by Kimley-Horn, this use is considered to be a low generator. The existing driveways will be improved for two-way passing. A commercial driveway permit will be required from NCDOT. The existing site is heavily vegetated and will be implemented with additional plantings as approved on the submitted landscaping plan. Lighting will be low impact, full cutoff so as to maintain the rural, residential character. ; and

No. 5: All other circumstances, factors and reasons which the applicant offers in support of the proposed amendment. The property is located within the WSIV-PA Jordan Lake buffer watershed designation which allows up to 36% impervious surface (BUA) without curb and gutter. This project proposes approximately 20% BUA.; 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. 20029 and a portion of 93851 and being approximately 6.38 acres as depicted on Attachment "A", located at/off 7990 NC 751 Hwy, from R-1 Residential to CD-O&I Conditional District Office & Institutional, William's Township is approved and the zoning map is amended accordingly.

2. As part of this approval, the following conditions are also approved and shall be followed at all times:

Site Specific Conditions:

1. The recommendations from the Chatham County Appearance Commission (CCAC) shall be followed as stated in the minutes. 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 site plan and approved uses becomes null and void.

Standard Site Conditions:

3. 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 to or variations from any requirements of this permit must be approved through the Planning Department or other approving board before any such changes can take place.
4. All required local, state, or federal permits (i.e. NCDOT commercial driveway permits, NCDWQ, Chatham County Land and Water Resources, and Environmental Health Division, etc.) shall be obtained, if required, and copies submitted to the Planning Department as part of the platting process.

Standard Administrative Conditions:

5. 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.

- 6. Continued Validity – The continued validity and effectiveness of this approval was expressly conditioned upon the continued compliance with the plans and conditions listed above.
- 7. Non-Severability – If any of the above conditions is held to be invalid, this approval in its entirety shall be void.
- 8. 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 19 day of January, 2021

Mike Dasher, Chair
Chatham County Board of Commissioners

Responsible Representative/Applicant
(By signing this document, you agree to all findings as noted and any conditions therefore imposed above)

ATTEST:

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



ATTACHMENT A

