

## Goldston Planning Board Agenda Notes

Date: April 13, 2021

Agenda Item: 6                      Attachment #:

- Subdivision                       Conditional Use Permit  
 Rezoning Request  
 Other:

<b>Subject:</b>	<i>A request by the Goldston Town Board for a Legislative Public Hearing on a Proposed amendment to the Town's zoning map by the Town Board to zone the 25.56 acre tract of land at 12365 US 421 South, Goldston, NC. (Chatham County Tax Parcel 9032) owned by Rock Hill Farms Holdings, LLC</i>
<b>Action Requested:</b>	See Recommendation
<b>Attachments:</b>	

**Introduction & Background:** Rock Hill Farms Holdings LLC submitted a voluntary annexation application to the Town to annex a 25.56 acre tract of land located at 12365 US 421 South. The Chatham County Tax Parcel is 9032. The general purpose of this annexation was due to the proposed extension of utilities to the site. If this site is annexed into the town it will need to be zoned according to the Town's Zoning Map.

A legislative Public Hearing was held on February 1<sup>st</sup>, 2021 for the proposed general use rezoning and the Annexation. There was not a representative for the property at the meeting. Both of the Public Hearings were closed at the Town Board meeting and the rezoning request was sent to the Planning Board for a recommendation.

Planning staff received a few phone calls regarding the public hearing sign. There were some general questions, but no overarching concerns based on the phone calls received.

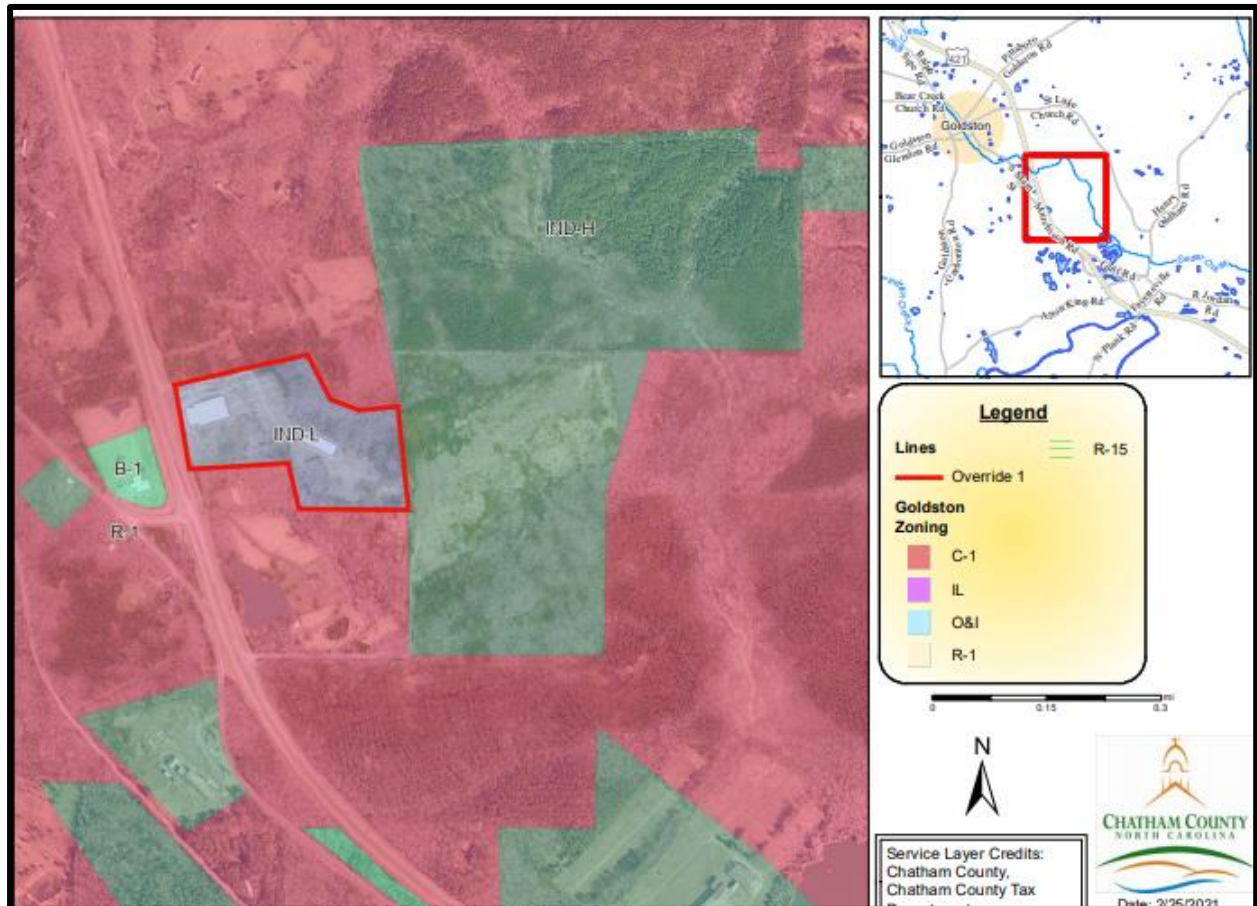
**Discussion & Analysis:**

The site is currently in the light industrial county zoning district and is proposed to be in Goldston's light industrial zoning district. The Town board thought it necessary to hold a rezoning/initial zoning public hearing concurrently with the Annexation Public Hearing. The application for the rezoning was submitted to the Planning Department by the Town Attorney on behalf of the Town Board. Planning staff noted at the public hearing that the

application was incomplete and in future the application questions would need be completed.

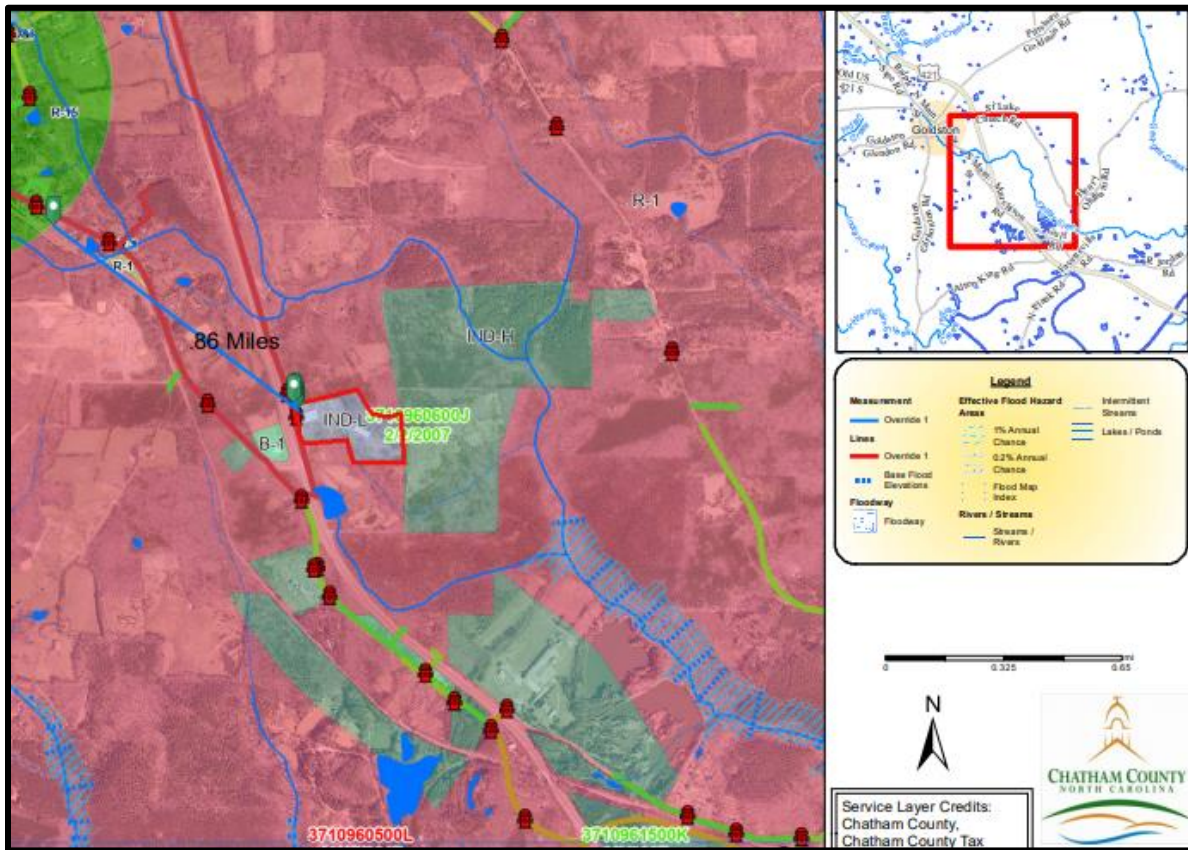
There was a public comment during the public hearing. A Mr. Beal came in late to the meeting and was given the opportunity to speak on the matter. Mr. Beal is a neighboring property owner, and he was interested in the water/sewer extension across 421, specifically if any other parties would have the ability to connect to the utility. The Town Board explained to Mr. Beal that the owner of Parcel 9032 was paying the full cost of the utility extension, including a bore under 421, and would not be required to extend the utility any further than necessary for his use. Mr. Beal noted that it would be nice for neighbors to have the ability to connect to the utility that was coming so close to their properties, and that in the future proper consideration should be given to their concerns. There was no other public comment related rezoning.

Planning staff noted that while the zoning designation is remaining light industrial there are some differences between the Town and the County's zoning districts. The table of uses for the ordinances are different, and there may be different uses allowed on the property as a result of the rezoning. Also, the Town has different subdivision standards, and Planning Staff mentioned that portions of the property had the potential for further subdivision and development.



The above map shows the current zoning designation and the surrounding properties. To the north, south and west the property is bordered by parcels zoned R-1 and to the west the property is bordered by a parcel zoned IND-H.

The map below shows the property in relation to the current utility availability as well as its proximity to the town limits. The property is approximately .86 miles from the town limit. There are no blue line streams on the property.



In considering a general use rezoning request Section 2.17.4 of the Goldston Unified Development Ordinance includes four standards that must be addressed and supported in order for a rezoning application to be approved. The standards are:

**Standard No. 1: The alleged error in this Ordinance, if any, which would be remedied by the proposed amendment. No error is being alleged.**

**Standard No. 2: The changed or changing conditions, if any, in the area or in the Town generally, which make the proposed amendment reasonably necessary to the promotion of the public health, safety, and welfare. The applicant did not provide an answer.**

**Standard No. 3: The manner in which the proposed amendment will carry out the intent and purpose of the adopted Land Use Plan or part thereof.** The applicant did not provide an answer.

**Standard No.4: All other circumstances, factors and reasons which the applicant offers in support of the proposed amendment.** The applicant did not provide an answer.

At the March 9<sup>th</sup> meeting the planning board decided to table the item and requested more information. The Planning Board was worried about recommending approval on an item with an incomplete application, as it might set a bad precedent for future matters before the board. Specifically, the Planning Board wanted to see some basic answers to the four standards. Planning staff reached out to the Town Board and received answers to the four standards, a map of the parcel, and a legal description of the land. The answers to the standards are as follows:

**Standard No. 1: The alleged error in this Ordinance, if any, which would be remedied by the proposed amendment.** NA, this is a Map Amendment.

**Standard No. 2: The changed or changing conditions, if any, in the area or in the Town generally, which make the proposed amendment reasonably necessary to the promotion of the public health, safety, and welfare.** Property was previously zoned Industrial under County jurisdiction. Property is now within Town jurisdiction and the BOC is of the opinion that the zoning ought to be substantially the same. It is not currently on the Town's Zoning Map because it was only recently annexed and needs a zoning classification.

**Standard No. 3: The manner in which the proposed amendment will carry out the intent and purpose of the adopted Land Use Plan or part thereof.** Rezoning of the Property will satisfy the following "Community Goal" set forth in the Land Use Plan: "Business: The Town will encourage businesses to grow and develop, creating jobs, in appropriate locations. This goal will be achieved by:

- Encouraging industrial development in appropriate areas, generally away from residential areas;

Supporting existing businesses to remain and grow within the community, .....

**Standard No.4: All other circumstances, factors, and reasons which the applicant offers in support of the proposed amendment.** Owner of Property requested annexation which was granted. Current operations on the Property are consistent with an Industrial zoning classification.

**Recommendation:** The planning board has up to three meeting to consider the request and make a recommendation to the Town Board. The Planning Board shall provide a written recommendation to the Town Board that address the consistency with the adopted land use plan. A consistency statement is provided below.

**The rezoning is consistent with the Town of Goldston's Land Use Plan Community Goals; specifically, that the Town will ensure the adequate utility and transportation infrastructure to support future growth and the Town will encourage businesses to grow and develop, creating jobs, in appropriate locations.**