



APPLICATION ACCEPTANCE POLICY

CONDITIONAL DISTRICT REZONING

Chatham County
Planning Department

PO Box 54, Pittsboro, NC, 27312
Telephone 919-542-8204 | Fax 919-542-2698
www.chathamnc.org/planning

Chatham County understands that clear expectations make the application and development review processes easier for both applicants and staff. The policies outlined below will enable Planning Department staff to move the process along in a way that ensures that each application is reviewed thoroughly to avoid unnecessary delays. Staff desires to complete review of projects in an accurate and timely manner. Due to the planning staff sufficiency review, Board of Commissioners and Planning Board set schedules, working with incomplete materials detracts from the timely review of applications.

1. Applications are to be reviewed for completeness by staff prior to being officially accepted for review. Applications that are dropped off or mailed in cannot be accepted without prior approval from the Zoning Administrator.
2. Checklists for each type of request are provided with each application package. If the application does not contain all required items on the checklist, it will be considered incomplete and shall not be accepted. Please note that there are some items listed that are only required in special circumstances, along with requests from the planning department to include additional information if needed. **PLEASE REVIEW SECTION 5 FOR CONDITIONAL ZONING IN ITS ENTIRETY TO MAKE SURE ALL AREAS FOR SUBMISSION ARE COVERED.**
3. Application fees must be paid at the time an application is submitted for acceptance. **Please provide ONE complete set of the application and all supporting materials when submitting.** More copies will be requested by the Planning Department (16 sets) once the sufficiency review period has been completed.
4. In order to allow time to process fees, applications will not be accepted after 4:00 pm each day.
5. For your convenience, applicants may schedule an appointment with staff to review the application package before the official submission.

The Planning Department staff looks forward to working with you during the application process. If you have questions or need further assistance, please call 919-542-8285.

**CONDITIONAL REZONING
DISTRICT APPLICATION**

**APPLICATION FOR CHANGE OF
ZONING OR MODIFICATION OF
EXISTING CONDITIONAL
DISTRICT REZONING PROJECT**

Chatham County
Planning Department

P. O. Box 54, 80-A East St, Pittsboro, NC 27312
Telephone: (919) 542-8204 FAX: (919)542-2698

Section A. APPLICANT INFORMATION

NAME OF APPLICANT: _____

MAILING ADDRESS OF APPLICANT: _____

PHONE NUMBER/E-MAIL OF APPLICANT: _____

PROPERTY OWNER INFORMATION (If different from the applicant): ***Owner Authorization Signature Required**; See end of application.

Name(s) _____

Address: _____

_____ ZIP _____

Telephone: _____ FAX: _____

E-Mail Address: _____

PROPERTY INFORMATION: The following information is required to provide the necessary information to process the rezoning request:

ADDRESS OF SUBJECT SITE: _____

CHATHAM COUNTY PROPERTY PARCEL NUMBER (AKPAR #): _____

CURRENT ZONING DISTRICT/CLASSIFICATION(S): _____

PROPOSED ZONING DISTRICT(S): CD-NB CD-CB CD-RB CD-O&I
 CD-IL CD-IH CD-MU **CD-CC (Compact
Communities must follow the Compact Community Ordinance requirements)

TOTAL SITE ACRES/SQUARE FEET: _____

(Do not round up acreage. Use exact acreage amounts from tax records or as a recorded survey)

PROPOSED USE(S) FOR THE SITE from Section 10.13 Table of Permitted Uses: _____

It is important that the applicant provide information to explain how the rezoning request satisfies the intent and purpose of various ordinances. All applications shall contain the following information. **Please use a separate attachment and/or additional sheets to fully explain and detail this project.** If you feel any of the below standards do not apply to this application, mark with "N/A" and explain if necessary.

1. **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.**

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.** Please address the following:
 - A. **Need and Desirability <Required>** The application should describe why there is a need for the proposed use in the area being applied for. Describe how this was determined (for example, an analysis of present or projected demands on existing similar uses). This is an opportunity for the applicant to establish the benefit to the county that will result from approval of this permit. Why is the proposed use more desirable than other uses permitted under the existing zoning?
 - B. **Survey of Similar Uses <Required>** How many other instances of this use are currently in Chatham or within an adjacent county? Are there similar uses already approved for the requested use on adjacent properties? Provide summary of existing similar uses. If there are already a number of such uses allowed in the County or another similar use in reasonably close proximity to the new requested site, why is this new instance of this use essential? Are these other instances currently in operation and successful?
 - C. **Public Provided Improvements <Required>** Identify any public improvements, services, etc., that the county would be required to provide in support of this site if the use is approved. If no additional public improvements are needed, then state this as the case.
 - D. **Tax considerations <Optional>** If appropriate, or of advantage to the application, provide an estimate of the tax revenue (direct and indirect) to the County that this use would provide. Describe how this estimate was determined. What is the net result of expenditure of County services and facilities required vs. the tax revenue generated?
 - E. **Employment <Optional>** Discuss the number of jobs that would be created by this use. Designate these positions as full time or part time. If possible, describe the salary ranges of the employees.

3. **The manner in which the proposed amendment will carry out the intent and purpose of any adopted plans or part thereof.** (I.e. Comprehensive Plan, Chatham/Cary Joint Land Use Plan, etc.) You must note specifics from the plan/s giving reference to page number and section. **In support of the Comp Plan, include the following references at a minimum:**

CHAPTER TWO: (begins on page 13)

- Issues and Opportunities

CHAPTER THREE: (begins on page 39)

- Goals and Objectives
- Land Use Descriptions – select the correct designation for your submittal and support the various bullet points as outlined.

CHAPTER FOUR: (begins on page 51)

The minimum strategies to address are the following. You may include others as you deem supportive of your application.

- Economic Development (page 53)
 - Land Use (page 61)
 - Natural Resources (page 103)
 - Parks and Recreation (page 117)
-

4. The requested amendment is either essential or desirable for the public convenience or welfare. (i.e tell how and for what purpose/s the amendment would provide to the county as a whole)

A. Traffic <Required> Document projected traffic generated by the use. Document current capacity for the road that serves this site (available for all/most roads from NCDOT). What kinds of traffic will this be (car, bus, truck, etc.,) and what will be the peak time of day for the traffic? Do you anticipate changes to the speed limit on the principal service road for this site? Are modifications to the road system needed (e.g. a turning lane)? How will these road improvements be financed? A letter of opinion from NCDOT would be required if introduction of significant new traffic loads were expected or there is already a high accident rate at this location. Will the road(s) included in the County Thoroughfare Plan accommodate these anticipated requirements?

B. Visual Impact & Screening <Required> Describe the visual presentation of the completed project in context with the adjoining properties. How will fencing and/or plantings alter the future visual presentation?

C. Lighting <Required> Will there be lights associated with the use? This includes but is not limited to pole lights whether for security or decorative post mounted lights, lights on buildings/structures, landscape lighting, flood lights, etc. If so, describe the wattage, type, method of support (if on poles, give height of pole), and times of night the lights would be in use. What considerations and methods have been considered to the shielding of the light from adjacent properties? Are similar lights in use elsewhere that can be evaluated?

D. Noise <Required> Will there be noise generated by the use? If so, what will be the source of this noise? Provide an estimate of the level of noise in decibels at the property lines of the site. Provide the basis for this estimate. If the noise generated is anticipated to exceed the County Noise Ordinance, a permit must be requested and approved to exceed the ordinance requirements.

E. Chemicals, Biological and Radioactive Agents <Required>. Identify types and amounts of chemicals, explosives, biological and radioactive materials that will be utilized by the requested use. What is the estimated amounts of these agents that will be generated as waste; how will they be disposed? Identify the possible biochemical or radioactive hazards that may be associated with this use; how will these be handled? Identify the potential for emissions into the air. Identify the potential for discharges or runoff of liquids that would pollute the surface and/or groundwater sources.

F. Signs <Required> Will the use include the display of a sign (advertisement or identification)? If so, describe the method of display, lighting, color, size, number and location on the site.

G. Emergency Services <Optional>

1. Fire Protection - Document the impact on respective volunteer fire department's ability to service the site with the requested use. This should come from the Chatham County Fire Marshal as a letter.

2. Police Protection - Document the impact to the Chatham County Sheriff Department's ability to provide protection for the site with the requested use. This should come from the Sheriff in the form of a supporting letter.

3. Rescue 911 - Document the impact to rescue and ambulance ability to provide support to the site; provide approximate arrival time to site after a 911 call is placed.

H. Impact to surrounding Land Values <Optional> What will be the impact to surrounding land values as a result of the proposed use? Is this impact anticipated to change with time or create possible changes in use of the surrounding properties? Note that if the applicant does choose to provide this information to support the application, then the basis for the information must be provided. For example, if a real estate appraiser's opinion is presented, then the opinion is expected to be derived from an analysis of comparison sites with requested use, some other real estate study or survey.

5. All other circumstances, factors and reasons which the applicant offers in support of the proposed amendment. (i.e. watershed classification, impervious surface, utilities, infrastructure, etc.)

A. Water Source and Requirements <Required>. How much water will the use require? What is the source of the water (county water or private well)? If the supply is to be supplied by the county, then with the help of the Public Works Dept. (542-8270) identify how the water connections are to be provided.

B. Wastewater Management <Required>. What is the wastewater capacity needs for this use? Specify the treatment and disposal methods to be used. WWTP, public (i.e. Aqua of NC), or private septic. If individual septic, provide septic improvements permit letter from the Chatham County Environmental Health Department. If other than individual septic systems are to be used, submit a plan for wastewater management. If system requires approval from NCDENR or Aqua of NC or any other state or public source, please provide preliminary approval towards getting approval.

C. Water/Sewer Impact Statement <Required>. All applications where a public utility is to be utilized, (water or sewer) must state clearly the amount of usage that is anticipated. The usage estimate must be validated by the County Public Works Director, along with an updated usage vs. capacity statement. The impact statement should provide a projection of the demand after the site is fully developed.

D. Access Roads <Required>. Describe the access to and from the site to public highways or private roadways. If the requested use will require a new driveway or enhancement to existing highway(s), address the following questions. If a new driveway access is part of the proposal, has NCDOT approved this access (include copy of the preliminary approval for a commercial driveway permit)? If the site is located on a road designated as a "major collector", is the site accessed by an existing or proposed service road? Describe any upgrades of public or private roads necessary to serve the property.

E. Stormwater Runoff <Required>. Detail the methods and various structures that will be used to control stormwater runoff. (If disturbing more than 20,000 square feet of area, a stormwater management plan must be submitted with this application) This information will detail all points of offsite discharge with design techniques used and projected impact on neighboring properties.

STOP!

You must meet with the Chatham County Appearance Commission and hold the Community Meeting **BEFORE you can submit the application to the Planning Department. Please check the boxes below once these meetings have been held:**

- Chatham County Appearance Commission Date of Meeting _____
- Held Community Meeting Date of Meeting _____

Section B. SUBMITTAL INFORMATION AND PROCEDURE

- (1) Sixteen (16) completed application packets and all supporting information shall be submitted to the Planning Department upon approval of the sufficiency review by staff. **(PLEASE SEE ATTACHED CALENDAR FOR ALL SUBMITTAL AND DEADLINE DATES)** A digital copy of the application packet shall be submitted pursuant to the Planning Department Digital Document Submission Guidelines at the time of the original submittal to the Planning Department.
- (2) The Planning Department shall, before scheduling the public hearing, ensure that the application packet contains all the required information as specified in **Section 5 of the zoning ordinance.**
- (3) The Planning Department shall have fifteen (15) days from the date of submittal to notify the applicant that the application is complete for scheduling the public hearing.
 - a. If the Planning Department determines the information is not sufficient for review, the Department shall notify the applicant of the specific information that is required for review.

- b. The Planning Department shall take no further action on the application until the applicant submits the required information.
 - c. Once the applicant corrects the identified deficiencies, the applicant shall resubmit to the Planning Department at least 45 days prior to the next Public Hearing meeting, and the Department shall have 15 days to review the information and notify the applicant that the information is sufficient for review.
 - d. A determination that an application contains sufficient information for review as provided in this subsection (b) does not limit the ability of other county agencies, the Planning Board or the Board of Commissioners to request additional information during the review process.
- (4) The application is reviewed by the Technical Review Committee prior to the Public Hearing for comments and recommendations from other agencies.

Section C. SUPPLEMENTAL INFORMATION REQUIRED WITH THE APPLICATION and REQUIRED INFORMATION TO BE INCLUDED ON THE SITE PLAN

PLEASE INCLUDE ALL OF THE FOLLOWING (CHECK OFF). Please check the list below carefully before you submit:

- (1) The application shall include a **site plan**, drawn to scale or as accepted by staff, with supporting information and text that specifies the actual use or uses intended for the property and any rules, regulations, and conditions that, in addition to the predetermined ordinance requirements, will govern the development and use of the property. The following information must be provided, if applicable:
 - a. Information showing the boundaries of the proposed property as follows:
 - 1. If the entire parcel will be zoned, a GIS or survey map and parcel number of the subject property.
 - 2. If only a portion of the parcel will be zoned, a boundary survey and vicinity map showing the property's total acreage, parcel number, current zoning classification(s) and the general location in relation to major streets, railroads, and/or waterways,
 - b. Legal Description of proposed conditional zoning district;
 - c. All existing and proposed easements, reservations, and rights-of-way;
 - d. Proposed use of all land and structures, including the number of residential units and the total square footage of any non-residential development;
 - e. All yards, buffers, screening, and landscaping required by these regulations or proposed by the applicant; **(SECTION 12 LANDSCAPING & BUFFERING REQUIREMENTS)**
 - f. All existing and proposed points of access to public and/or private streets;
 - g. Stream buffers required through this or other Chatham County Ordinances or Regulations, and other Local, State, or Federal regulatory agencies. Delineation of areas within the regulatory floodplain as shown on the Official Flood Insurance Rate Maps for Chatham County;
 - h. Proposed phasing, if any;
 - i. Generalized traffic, parking, and circulation plans; **(SECTION 14 OFF STREET PARKING)**
 - j. Proposed provision of utilities;
 - k. The location of known sites of historic or cultural significance within or adjacent to the project area, including any structure over 50 years old;
 - l. The approximate location of any cemetery;
 - m. Proposed number, location, and size of signs; **(SECTION 15 SIGN REGULATIONS)**
 - n. Location and description of any proposed lighting on the project site with a note that any lighting will
-

comply with Section 13; **(SECTION 13 LIGHTING STANDARDS)**

- o. The location of existing and/or proposed storm drainage patterns and facilities intended to serve the proposed development, and impervious surface calculations; and
- p. Please be sure to address all of **Section 11.2.A through I** in your application.
- q. Environmental Impact Assessment pursuant to **Section 11.3** of the Zoning Ordinance, if applicable.
If you are or will be disturbing 10 or more acres in connection with this application, you are required to submit and EIA with this application. Failure to do so will result in the delay of scheduling your request for public hearing or may be returned completely for re-submission.
- r. Please check if a Special Study is required for certain Heavy Industrial uses as described in the Table of Permitted Uses in the Zoning Ordinance, Section 10.13. **The study is required to be submitted with this application.**

The above information is required to be shown on the site plan submitted with this application. If, for some reason, any of the required items above are not included on the site plan, reasons for excluding those requirements must be given.

- (2) In the course of evaluating the proposed use, the Zoning Administrator, Planning Board, Chatham County Appearance Commission, or Board of Commissioners may request additional information from the applicant. This information may include, but not be limited to, the following:
 - a. Proposed screening, buffers, and landscaping over and above that required by these regulations, as well as proposed treatment of any existing natural features;
 - b. Existing and general proposed topography;
 - c. Scale of buildings relative to abutting property;
 - d. Height of structures;
 - e. Exterior features of the proposed development;
 - f. A traffic impact analysis of the proposed development prepared by a qualified professional. The traffic impact analysis shall follow the NCDOT TIA Analysis Guidelines, and shall also include consideration for non-motorized and public transportation;
 - g. Any other information needed to demonstrate compliance with these regulations.

NOTE: The Zoning Administrator has the authority to waive any application requirement where the type of use or scale of the proposal makes providing that information unnecessary or impractical.

SECTION D. SIGNATURE STATEMENTS

OWNER'S SIGNATURE*: *In filing this application, I/we as the property owner(s), hereby certify that all of the information presented in this application is accurate to the best of my knowledge, information and belief. I hereby designate _____ to act on my behalf regarding this application, to receive and respond to administrative comments, to resubmit plans on my behalf and to speak for me in any public meeting regarding this application.*

Signature: _____

Date: _____

APPLICANT SIGNATURE: *I hereby acknowledge that I am making this application on behalf of the above owner's statement or myself as the owner and that all the information presented in this application is accurate to the best of my knowledge, information, and belief. I acknowledge understanding of the requirements set out in this application and in the ordinances and/or guidelines used to determine the completeness of this submittal and to proceed as determined.*

Signature: _____

Date: _____

Application Fee Calculation: \$750 + \$50 per actual acreage. DO NOT ROUND UP ACREAGE

OFFICE USE ONLY:

Date Application Received: _____

Received By: _____

Fee Paid: \$ _____

Check No. _____ Cash Credit Card Money Order

Application No. PL 20 _____

**REPORT OF COMMUNITY MEETING REQUIRED BY
THE CHATHAM COUNTY ZONING ORDINANCE**

To: Chatham County ZONING ADMINISTRATOR

Date: _____

Proposed Zoning: _____

The undersigned hereby certifies that written notice of a community meeting on the above zoning application was given to the adjacent property owners set forth on the attached list by first class mail on (date)_____. A copy of the written notice is also attached.

The meeting was held at the following time and place: _____

The persons in attendance at the meeting were: _____

The following issues were discussed at the meeting: _____

As a result of the meeting, the following changes were made to the rezoning petition: _____

Date: _____

Applicant: _____

By: _____

Please submit this Report to the Chatham County Planning Department located at 80-A East Street, Dunlap Building or mail it to Angela Plummer, Zoning Administrator, PO Box 54, Pittsboro, NC 27312.

A receipt or stamp from the US Postal Service that shows the date of the mailings shall also be provided with this application.

Below is a SAMPLE of a community meeting notice letter that you may copy and modify as needed.

Date

Developer/Applicant Name

Developer Address

Developer Address

Re: **Development Input Meeting** for _____ (*Proposed Project Name*) located at _____
_____ (*Location of Project*) on _____ (*date*)

Dear Adjacent Property Owner:

This letter is to invite you to a community meeting regarding a _____ (commercial or mixed use) project on _____ acres we are proposing near your property, on Parcel Number _____. An informal community meeting will be held on _____ (*date*) beginning at _____ (*time*) at _____ (*location of meeting*), and lasting approximately _____ hour(s). Detailed directions are attached. The proposed project will be served by _____ (*water*) and _____ (*wastewater*). Plans of our proposed development will be shown and you will have the opportunity to voice your concerns and ask questions of people knowledgeable about the details of our project. Our plans may be revised based on your input before we submit to the County.

This meeting is required as part of the County zoning process; however County staff will not participate in the meeting. We are planning to submit our official plans to the County Planning Department in the near future. You will receive a notice from the County about this submittal once the application has been made.

We would appreciate your attendance and input at the community meeting. If you have questions before the meeting, you may contact the person noted below.

Respectfully,

For More Information, Please Contact:

Name

Phone Number

Email Address

Chatham County Zoning Ordinance

SECTION 5 CONDITIONAL ZONING DISTRICTS

Conditional Zoning district (bearing the designation CD) corresponds to the general purpose zoning districts and to the mixed use districts as authorized in this ordinance.

5.1. Purpose

Conditional Zoning districts are zoning districts in which the development and use of the property is subject to predetermined ordinance standards and the rules, regulations, and conditions imposed as part of the legislative decision creating the district and applying it to the particular property.

Some land uses are of such a nature or scale that they have significant impacts on both the immediate surrounding area and on the entire community, which cannot be predetermined and controlled by general district standards. The review process established in this Ordinance provides for accommodation of such uses by a reclassification of property into a conditional zoning district, subject to specific conditions, which ensure compatibility of the use with neighboring properties. A conditional zoning district is not intended for securing early zoning for a proposal, except when that proposal is consistent with an approved land use plan or the proposal can demonstrate that public infrastructure needed to serve the development will be made available within a reasonable time period.

5.2 Conditional Zoning Districts

A. Residential Districts

The following districts are identical to the corresponding residential districts, except that approval of a conditional zoning district is required as a prerequisite to any use or development, as provided for in this Ordinance:

CD-R5

CD-R2

CD-R1

B. Office, Institutional and Commercial Districts

The following districts are identical to the corresponding commercial districts, except that approval of a conditional zoning district is required as a prerequisite to any use or development, as provided for in this Ordinance:

CD-O&I Office & Institutional

CD-B1 General Business

CD-NB Neighborhood Business

CD-CB Community Business

CD-RB Regional Business

C. Industrial Districts

The following districts are identical to the corresponding industrial districts, except that approval of a conditional zoning district is required as a prerequisite to any use or development, as provided for in this Ordinance:

CD-IL Light Industrial

CD-IH Heavy Industrial

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.

5.3. General Requirements

Property may be rezoned to a conditional zoning district only in response to and consistent with an application submitted in compliance with Section 5.

A. Application

Rezoning to a conditional zoning district shall only be considered upon request of the property owner or the authorized agent of the owner. In addition to the documents specified in Subsection B below, all applications shall also contain the following information:

1. 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.
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.
3. The manner in which the proposed amendment will carry out the intent and purpose of any adopted plans or part thereof.

4. The requested amendment is either essential or desirable for the public convenience or welfare.
5. All other circumstances, factors and reasons which the applicant offers in support of the proposed amendment.
6. Information required on the application form received from the Planning Department.

B. Plans and other information to accompany application

(1) The application shall include a site plan, drawn to scale, with supporting information and text that specifies the actual use or uses intended for the property and any rules, regulations, and conditions that, in addition to the predetermined ordinance requirements, will govern the development and use of the property. The following information must be provided, if applicable:

a. Information showing the boundaries of the proposed property as follows:

1. If the entire parcel will be zoned, a GIS or survey map and parcel number of the subject property.
2. If only a portion of the parcel will be zoned, a boundary survey and vicinity map showing the property's total acreage, parcel number, current zoning classification(s) and the general location in relation to major streets, railroads, and/or waterways,

b. Legal Description of proposed conditional zoning district

c. All existing and proposed easements, reservations, and rights-of-way;

d. Proposed number and general location of all building sites, their approximate location, and their approximate dimensions;

e. Proposed use of all land and structures, including the number of residential units and the total square footage of any nonresidential development;

f. All yards, buffers, screening, and landscaping required by these regulations or proposed by the applicant;

g. All existing and proposed points of access to public and/or private streets;

h. Stream buffers required through this or other Chatham County Ordinances or Regulations, and other Local, State, or Federal regulatory agencies. Delineation of areas within the regulatory floodplain as shown on the Official Flood Insurance Rate Maps for Chatham County

i. Proposed phasing, if any;

j. Generalized traffic, parking, and circulation plans;

k. Proposed provision of utilities;

- l. The location of known sites of historic or cultural significance within or adjacent to the project area, including any structure over 50 years old;
- m. The approximate location of any cemetery,
- n. Proposed number, location, and size of signs;
- o. Location and description of any proposed lighting on the project site with a note that any lighting will comply with Section 13; and
- p. The location of existing and/or proposed storm drainage patterns and facilities intended to serve the proposed development, and impervious surface calculations; and
- q. Environmental Impact Assessment pursuant to Section 11.3 of the Zoning Ordinance, if applicable.

(2) The Zoning Administrator has the authority to waive any application requirement where the type of use or scale of the proposal makes providing that information unnecessary or impractical.

(3) In the course of evaluating the proposed use, the Zoning Administrator, Planning Board, Chatham County Appearance Commission, or Board of Commissioners may request additional information from the applicant. This information may include, but not be limited to, the following:

- a. Proposed screening, buffers, and landscaping over and above that required by these regulations, as well as proposed treatment of any existing natural features;
- b. Existing and general proposed topography;
- c. Scale of buildings relative to abutting property;
- d. Height of structures;
- e. Exterior features of the proposed development;
- f. A traffic impact analysis of the proposed development prepared by a qualified professional. The traffic impact analysis shall follow the NCDOT TIA Analysis Guidelines, and shall also include consideration for non-motorized and public transportation;
- g. Any other information needed to demonstrate compliance with these regulations.

(4) The site plan and any supporting text shall constitute part of the application for all purposes under this section.

5.4. Uses within District

Within a conditional zoning district, only those uses listed (or determined to be equivalent uses) as permitted uses or conditional uses in the corresponding zoning district shall be permitted,

and no use shall be permitted except as a conditional use subject to approval of a conditional zoning district rezoning authorized by the Board of Commissioners as provided herein.

5.5. Conditions

In approving a reclassification of property to a conditional zoning district, the Planning Department and Planning Board may recommend, and the Board of Commissioners request, that reasonable and appropriate conditions be attached to approval of the rezoning. Any such conditions should relate to the relationship of the proposed use to surrounding property, proposed support facilities such as parking areas and driveways, pedestrian and vehicular circulation, screening and buffer areas, the timing of development, street and right-of-way improvements, water and sewer improvements, stormwater drainage, the provision of open space, and other matters that the Board of Commissioners may find appropriate or the applicant may propose. Such conditions to approval of the rezoning may include dedication to the County or State, as appropriate, of any rights-of-way or easements for roads, water, or other public utilities necessary to serve the proposed development. The applicant shall have a reasonable opportunity to consider and respond to any such conditions prior to final action by the Board of Commissioners.

5.6. Non-compliance with District Conditions

Any violation of a use or condition included in the approval of a conditional zoning district shall be treated the same as any other violation of this Ordinance and shall be subject to the same remedies and penalties as any such violation. Any violation of such a condition shall be deemed to be the same type of violation as the use of a property for a use not permitted under the district regulations, for the reason that any use permitted in a conditional zoning district is permitted only subject to the specified conditions.

5.7. Procedure

Applications for new conditional zoning districts or expansion of existing Conditional Zoning Districts shall be processed, considered and voted upon using the following procedure. Before filing an application for a conditional zoning district, the applicant(s) is encouraged to meet with the Planning Department staff to discuss the nature of the proposed reclassification, the standards for development under the existing and proposed classifications, and concerns that persons residing in the vicinity of the property may have regarding the proposed reclassification, if known.

A. Community Meeting

(1) The applicant **is required to hold a community meeting prior to the application deadline** for a conditional zoning district rezoning. The applicant shall provide mailed notice of the meeting.

a. Notice of the meeting shall be provided to owners of abutting property, as listed with the Chatham County Tax Department, and include properties directly across a street, easement or public or private right of way.

b. Notice may be sent to additional properties by the applicant.

c. At a minimum, the notice shall be sent by standard mail and be postmarked at least fourteen (14) days prior to the date of the community meeting. Additional types of notice may be provided by the applicant.

(2) A written report of the community meeting shall be included as part of the application packet.

a. The written report of the meeting shall include a listing of those persons and organizations contacted about the meeting and the manner and date of contact, the time, date, and location of the meeting, a roster of the persons in attendance at the meeting, a summary of issues discussed at the meeting, and a description of any changes to the rezoning application made by the applicant as a result of the meeting.

b. In the event the applicant has not held at least one meeting pursuant to this subsection, the applicant must file a report documenting efforts that were made to arrange such a meeting and stating the reasons such a meeting was not held. The adequacy of the meeting held or a report filed pursuant to this subsection shall be considered by the Board of Commissioners, but shall not be subject to judicial review.

(3) Revisions to existing Conditional Zoning Districts and existing Conditional Use Permits shall not require a community meeting if the physical boundaries of the district or permit are not proposed to be expanded.

B. Chatham County Appearance Commission Review

The applicant is **required to meet with the Chatham County Appearance Commission for review of landscaping and signage plans prior to submittal to the Planning Department.** The Appearance Commission shall have forty-five (45) days from the date of submittal to forward a recommendation to the applicant and Planning Department. The submittal date shall be seven (7) days prior to the date of the Appearance Commission meeting.

C. Submittal to Planning Department

(1) A completed application and supporting information shall be submitted to the Planning Department at least forty-five (45) days prior to the Public Hearing. A digital copy of the application and all accompanying materials shall be submitted pursuant to the Planning Department Digital Document Submission Guidelines.

(2) The Planning Department shall, before scheduling the public hearing, ensure that the application contains all the required information as specified in Section 5.

(3) The Planning Department shall have fifteen (15) days from the date of submittal to notify the applicant that the application is complete for scheduling the public hearing.

a. If the Planning Department determines the information is not sufficient for review, the Department shall notify the applicant of the specific information that is required for review.

b. The Planning Department shall take no further action on the application until the applicant submits the required information.

c. Once the applicant corrects the identified deficiencies, the applicant shall resubmit to the Planning Department at least 45 days prior to the next Public Hearing meeting, and the Department shall have 15 days to review the information and notify the applicant that the information is sufficient for review.

d. A determination that an application contains sufficient information for review as provided in this subsection (b) does not limit the ability of other county agencies, the Planning Board or the Board of Commissioners to request additional information during the review process.

(4) The application is reviewed by the Technical Review Committee prior to the Public Hearing for comments and recommendations from other agencies.

D. Joint Public Hearing by Board of Commissioners and Planning Board

(1) The Board of Commissioners and Planning Board shall receive public comment on Conditional Zoning District applications in a public hearing at the County Commissioners' last regular meeting in January, February, March, April, May, June, August, September, October, and November.

(2) The lack of quorum of the Planning Board at such meetings shall not affect the proceedings nor require further hearings.

(3) Notice of the public hearing shall be given according to State law. At a minimum, the following notice shall be provided:

a. A notice of the public hearing shall be prominently posted on the site proposed for the Conditional Zoning District or on an adjacent public street or highway right-of-way. When multiple parcels are included in the proposed Conditional Zoning District, a posting on each individual parcel is not required, but sufficient notices shall be posted to provide reasonable notice to interested parties.

b. Mailed notice shall be sent to adjoining properties pursuant to State law.

c. Published notice of the hearing shall be given pursuant to State law.

(4) The Board of Commissioners may continue the Public Hearing in order to receive more public input or requested information from the applicant.

E. Planning Board and Board of Commissioners Action

Once the Public Hearing is closed by the Board of Commissioners, the Planning Board and Board of Commissioners shall review the application pursuant to the procedure outlined in Sections 19.6 – 19.11.

5.8 Effect of Approval

A. If an application for conditional zoning is approved, the development and use of the property shall be governed by the predetermined ordinance requirements applicable to the district's classification, the approved site plan for the district, and any additional approved rules, regulations, and conditions, all of which shall constitute the zoning regulations for the approved district and are binding on the property as an amendment to these regulations and the zoning maps.

B. If an application is approved, only those uses and structures indicated in the approved application and site plan shall be allowed on the subject property. A change of location of any structures may be authorized pursuant to Section 5.9.

C. Following the approval of a rezoning application for a conditional zoning district, the subject property shall be identified on the Zoning Map by the appropriate district designation.

D. Any conditional zoning district shall have vested rights pursuant to Section 19.11.

5.9 Alterations to Approval

A. Except as provided in Section 5.9(B), changes to the approved conditional zoning district application or to the conditions attached to the approval shall be treated the same as a new application for a conditional zoning district and shall be processed in accordance with the procedures in Section 5.7.

B. The Zoning Administrator shall have the delegated authority to approve an administrative amendment change to an approved site plan. The standard for approving or denying such a requested change shall be that the change does not significantly alter the site plan or its conditions and that the change does not have a significant impact upon abutting properties. Any changes that increase the intensity of the development are limited for nonresidential development to 10% of the approved building square footage or 5,000 square feet, whichever is less. For residential development, increases in density are not allowed as an administrative change.

C. The Zoning Administrator shall always have the discretion to decline to exercise the delegated authority because a rezoning application for a public hearing and Board of Commissioners action is deemed appropriate under the circumstances. If the Zoning Administrator declines to exercise this authority, then the applicant can only file a rezoning application for a public hearing and Commissioner decision.

CHATHAM COUNTY
SECTION 6.2.B
Environmental Impact Assessment Requirements

Pursuant to N.C. Gen. Stat. § 113A-8, the County requires the subdivider to submit an Environmental Impact Assessment for any proposed non-residential development project of two contiguous acres or more in extent that disturbs two or more acres, or for any proposed residential development project of two contiguous acres or more in extent that will include fifty (50) or more dwelling units, whether detached or attached single family residences or in a multifamily structure or structures.

Development activities for which a detailed statement of the environmental impact of the project is required pursuant to N.C. Gen. Stat. § 113A-4(2) or 42 U.S.C. §4332(C), or for which a functionally equivalent permitting process is required by federal or State law, regulation or rule, are exempt from the requirement of Section 6.2 A. However, a copy of such any such statement of environmental impact shall be provided to the County.

The Environmental Impact Assessment document shall include the following information as applicable:

Proposed Project Description and Need

- 1) Describe the overall project in detail, including all proposed phases.
- 2) Provide a project location map showing surrounding areas.
- 3) Provide a project site plan showing existing and proposed facilities.
- 4) Describe how this project fits into larger plans or connects with adjacent projects.
- 5) List and describe any public facilities or public benefits provided by the project.
- 6) Discuss the land acreage to be disturbed during each phase.
- 7) List square footage and height (in stories) of new buildings.
- 8) Describe proposed uses of all buildings and proposed facilities.
- 9) Show number of parking spaces in parking lots and decks.
- 10) Show areas to be cleared, graded, filled, paved, and landscaped.
- 11) Show connections to existing utility and sewer lines or new utilities.
- 12) Show wastewater management systems on a map.
- 13) Show proposed areas of impervious and semi-pervious surfaces.
- 14) Show and describe any proposed stormwater control devices.

Alternatives Analysis

- 1) Discuss and compare all reasonable development alternatives (site selection, facility layout, utilities, stormwater management, construction methods, open space preservation, any other pertinent alternative considerations).

2) Discuss how the preferred alternative was selected and its benefits relative to other alternatives (including a no-build alternative, if applicable).

Existing Environment and Project Impacts

For each resource topic below, describe:

- A. Existing resources and conditions.
- B. Anticipated impacts (short-term construction impacts, long-term operation impacts, and indirect or secondary impacts).
- C. Discuss how potential impacts to the resource will be avoided and minimized through alternative selection, design strategies, construction methods, and long-term maintenance procedures.
- D. For unavoidable impacts, describe whether any compensatory mitigation is planned or required.

1) Geography

- Discuss the geographic setting, geology, and topography of the project area and adjacent areas.
- Provide a topographic map of the property and surrounding area, use the county GIS website topography (2' contour interval) data at a scale appropriate for the project size, i.e., 1" = 100', etc.).
- Identify any 100-year floodplains (FEMA Special Flood Hazard Areas) on or adjacent to the property. If present, provide an appropriate-scale map of these flood-prone areas defined by the NC Flood Mapping Program.
- Show areas that will be graded or filled, and provide estimated cut/fill volumes.
- If the project includes pond or dam work, show areas that will be flooded.

2) Soils and Prime Farmlands

- Identify dominant soils in the project area (County GIS or NRCS website) and show on a map.
- Discuss any soil constraints (fill, wetland soils, septic suitability, slopes, etc.), and indicate those areas on a map.
- Describe any soil disturbance or contamination expected as a result of this project.
- If contamination is expected, discuss containment plans and procedures.
- If soil will be relocated, specify the number of square yards/feet to be moved, and its relocation site.
- Describe runoff management plans for the project.
- If soil disturbance is proposed, describe the off-site impacts expected from this activity.
- Provide a map of any prime or unique farmland soils in the project or service areas, and include references used to make this determination.

- Describe impacts to prime or unique farmland soils, including acreage estimates of lost farmland soils and retained farmland soils.

3) Land Use

- Provide a map showing current use of land on the site and surrounding properties.
- Discuss how the current land use fits into the surrounding area (conservation, development, ecological function, etc).
- Provide the current zoning of the project site and the surrounding area.
- Discuss how the proposed uses fit into the intended land use of the area (conservation, development, ecological function, quality of life).
- Indicate whether zoning or local land use plans will need to be changed after project completion.

4) Wetlands

- Indicate whether wetlands are present, describe the basis for this determination and the identity of the person who made the determination.
- Show identified wetlands on a map, and describe all relevant details, such as acreage, types, delineation, function, etc.).
- If wetlands are to be filled, specify the number of acres that will be affected.
- List all required permits and permitting agencies.
- If any diversions/additions/withdrawals of surface water will affect wetlands, describe those activities.

5) Public Lands and Scenic, Recreational, and State Natural Areas

- Provide a map of County or municipal parks, scenic, recreational, or state natural areas (SNHAs, State or Federal Forests, etc.) on or adjacent to the site/project area.

6) Areas of Archaeological or Historical Value

- Discuss any archaeological or historical studies of the project location; provide relevant references.
- Describe and identify on a map any structures (i.e., walls, buildings, etc.) on the site and provide estimated ages of those structures.
- Describe all impacts to any archaeological or historical resources in the proposed project area.
- Describe plans for demolishing or rebuilding any structures.
- Provide photographs of any significant resources, including all structures older than 50-years.
- Provide relevant correspondence with the Chatham County Historical Association and NC SHPO.

7) Air Quality

- Describe the project's impacts on ambient air quality.
- Describe plans for any open burning during or after construction.
- Indicate the number of proposed parking spaces, if applicable.
- Describe whether the project will increase odor levels, or the likelihood of odor complaints.
- Provide a copy of any required traffic studies.

8) Noise Levels

- Discuss current noise levels; use a benchmark, if possible.
- Describe any increases in noise levels expected from this project.
- Specify the distance at which the increased noise will be heard.
- Discuss whether surrounding properties will be affected by noise levels.
- If commercial uses are proposed, specify the hours of operation.

9) Light Levels

- Describe lighting plans for the project, including how lighting will impact adjacent residents and wildlife.

10) Surface and Groundwater Resources (discuss separately)

- Identify and provide a map of surface waters in the project area. Describe groundwater (aquifers) in the project area.
- Include names, locations, classifications, and use support ratings for surface waters.
- Specify and show on a map the river basin in which the project is located.
- Discuss any known groundwater quality issues.
- Discuss drinking water sources.

11) Fish and Aquatic Habitats

- Describe fish and aquatic habitats in and adjacent to the site/project area.
- Discuss impacts to fish and aquatic life and their habitats, including a map showing those habitats.

12) Wildlife and Natural Vegetation

- Describe and provide a map of natural community types on and adjacent to the site/project area.
- List the species of dominant plants and animals observed on the site that typify those communities.
- Evaluate and discuss whether suitable habitat exists for rare, threatened, and/or endangered species, as described by the NC Natural Heritage Program.
- If wildlife will be displaced, discuss any limitations of adjacent areas to support them.
- Identify, list, and describe the distribution of the invasive species present on the site. Consult the NC Botanical Garden's Web page,

"Plants to Avoid in the Southeast US" for a list of invasive species common to the region.

- If forests will be cleared, discuss the extent of planned deforestation and specify the forestry methods to be used, including BMPs.

13) Hazardous Materials

- List all hazardous materials to be stored or introduced during construction or operation.

- For each hazardous material, other than in de minimis quantities or for routine housekeeping purposes, describe the procedures to be used to ensure their proper management, storage, and disposal.

References

Exhibits (Maps, Figures, Tables, Photos, etc.)

State and Federal Permits Required

Adjacent/Adjoining Landowners: These are those properties that share a common property line as well as those that are directly across a public or private road, easement, or waterway.

Legal notices are mailed to these owners so please type or write neatly

(1) _____

(3) _____

(5) _____

(7) _____

(9) _____

(11) _____

(13) _____

(15) _____

(17) _____

(19) _____

(21) _____

(23) _____

(25) _____

(2) _____

(4) _____

(6) _____

(8) _____

(10) _____

(12) _____

(14) _____

(16) _____

(18) _____

(20) _____

(22) _____

(24) _____

(26) _____

**Chatham County Planning Department
Administrative Fees
Effective June 2021**

PO Box 54
Pittsboro, NC 27312
Main No. (919) 542-8404
Fax No. (919) 542-2698

	Minor	Major	Expedited	Appeals	Variance	Subdivision Extension Request	Exempt	Major SD Name Change	
Subdivision	\$250.00 for 5 lots or less	\$100.00 Concept Plan	\$250 for no more than 3 lots	\$50.00	\$100.00	\$250.00	\$50.00	\$500.00	
		\$250.00 First Plat plus \$50.00 per lot							
		Non-residential subdivisions or those that have improvements such as roads, water, or sewer fall into this category							
	Conditional Zoning District	Rezoning	Special Use Permit/Wireless Telecommunication Permit	SUP for Planned Residential Development	Revision to Existing Permit OR Conversion from CUD/SUP to CD District	Zoning Dertermination/Interpretation Letter	Land Use Plan Amendment		
Zoning	\$750.00 plus \$50 per acre	\$500.00 plus \$25.00 per acre	\$500.00 plus \$25.00 per acre	\$500.00 plus \$25.00 acre	\$300.00	\$25.00	\$250.00		
	Appeal	Variance							
Zoning Board of Adjustment	\$500.00	\$500.00							
	Appeal	Variance							
Watershed Review Board	\$50.00	\$100.00							
	Zoning Permit for Building Applications	Flood Determination for Building Applications	Non-Residential Zoning Permit	Home Occupation	Sign	Ordinance TEXT Amendment			
Miscellaneous Permits	\$20.00	\$20.00	\$250.00	\$100.00	\$50.00	\$250.00			