



COUNTY COMMISSIONERS

Karen Howard, Chair
Franklin Gomez Flores, Vice Chair
Mike Dasher
Diana Hales
Robert Logan

COUNTY MANAGER: Dan LaMontagne

Ordinance of the Chatham County Board of Commissioners

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

For: MAD Pea Ridge LLC

WHEREAS, the Chatham County Board of Commissioners has considered the request to rezone approximately 199.92 acres, being all or a portion of Parcel No/s 5585 and 5807, located at/off 4247 Old US 1 and off Pea Ridge Rd, Cape Fear Township, from R-1 Residential to Industrial Light to develop the site for future developments as permitted under the Table of Permitted Uses of the Zoning Ordinance, 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. The applicant is claiming no error in the Ordinance; 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. Parcels are projected to tie into the Moncure Mega site along with Parcel 90707 which is also owned by the applicant and will provide a total of 243.50 acres. The Moncure Mega Site, Triangle Innovation Point (TIP) West, and TIP East, are currently in some phase of development for various industrial uses. The parcels are located within the WSIV-Protected Area watershed, not within the Jordan Lake Buffer areas and is limited to 36% built upon area.; and

No. 3: The manner in which the proposed amendment will carry out the intent and purpose of any adopted plans or parts thereof. This area is in the Rural designation of the Comprehensive Land Use Plan, but within close proximity the Moncure Megasite employment center node and an employment center node surrounding the interchanges at Pea Ridge Road and US 1. Additionally, adjoining parcels have been zoned to an industrial zoning designation albeit prior to the adoption of the Comprehensive Plan.

The industrial suitability map, page 21, shows this area as "high" for industrial/commercial uses which can assist in balancing the tax base per page 20 of Plan Chatham (supports Goal 4 of Chapter 3.2). Chapter 4, Land Use Policies, Policy

2 recommends directing development to planned growth areas and economic development of those areas. The Moncure Mega site has started.; and

No. 4: The requested amendment is either essential or desirable for the public convenience or welfare. In a general use rezoning, there is no site plan to review and no use has been identified. If the rezoning is approved, additional administrative review and permitting will be required once a use or uses are targeted for the property. The applicant does state that requirements of the Ordinances will be adhered to and complied with.; and

No. 5: All other circumstances, factors and reasons which the applicant offers in support of the proposed amendment. The property to be served by County water and they intend to connect to public sewer being supplied to the County via Sanford. The water and wastewater usage projections are currently unknown and future uses may have to connect to an on-site wastewater solution if Sanford utilities are not available. Current access to the property is Old US 1 with a secondary access on Pea Ridge Rd, although the Pea Ridge Road access requires crossing special flood hazard area which could be cost prohibitive. Stormwater devise will be as designed to the meet county requirements.; and

BE IT ORDAINED, by the Board of Commissioners of Chatham County as follows:

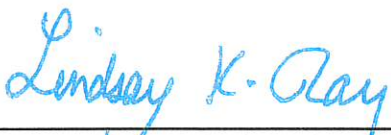
1. The Application to rezone all of the property described as Parcel No/s. 5585 and 5807 and being approximately 199.92 acres as depicted on Attachment "A", located at/off 4247 Old US 1 and off Pea Ridge Rd, from R-1 Residential to Industrial Light, Cape Fear Township is approved and the zoning map is amended accordingly.
2. As part of this approval, the following conditions are also approved and shall be followed at all times:
 1. None
3. This ordinance shall become effective upon its adoption.

Adopted this 21 day of November, 2022



Karen Howard, Chair
Chatham County Board of Commissioners

ATTEST:



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





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ATTACHMENT A

Tax Parcels 5585 (193.41 acres) and 5807 (6.51 acres), located at 4247 Old US 1 and off Pea Ridge Rd, Cape Fear Township

