



COUNTY COMMISSIONERS

Karen Howard, Chair
Mike Dasher, Vice Chair
Franklin Gomez Flores
David Delaney
Katie Kenlan

COUNTY MANAGER: Dan LaMontagne

Ordinance of the Chatham County Board of Commissioners

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

For Edward Holmes, Jr

WHEREAS, the Chatham County Board of Commissioners has considered the request to rezone approximately 84.842 acres, being all or a portion of Parcel No/s 5837, 79837, and portions of 5276, 5806, located at/off Top Chord Way off Pea Ridge Rd, Cape Fear Township, from R-1 Residential to Industrial Light to develop the site for future light industrial uses as permitted, 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 not claiming any 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. Conditions in the Moncure area over the last few years have sparked multiple rezoning, subdivision, and site plan application submittals. The county has reviewed other general use rezonings in this same area over the past few months. They are:

Gateway Park – 18.2 acres – proposed Neighborhood Business

Midpoint Logistics – 199.92 acres – proposed Light Industrial

Chatham Co Board of Commissioners – 313.5 acres - Heavy Industrial

(These follow the rezoning approvals for Moncure Holdings at the end of 2021 for approximately 158 acres to bring the align the zoning for properties that comprise the auto manufacturing site). The applicant proposes a complementary zoning to the VinFast site that would allow for other services that may be needed to serve the auto manufacturer as well supporting pedestrian and transportation connectivity; and

No. 3: The manner in which the proposed amendment will carry out the intent and purpose of any adopted plans or parts thereof. Page 21, Land Use Suitability, indicates this area under the Industrial Suitability Map. Page 47 Employment Center – the Moncure Mega site is specifically listed as a place for a mix of industrial, office, and supporting retail and services. Portions of these parcels are located within the Employment Center node and adjacent to existing industrial zoned property.; and

No. 4: The requested amendment is either essential or desirable for the public convenience or welfare.

- May serve as supporting lands for services to the TIP Innovation sites.
- Will assist with increased tax value for non-residential use.
- May provide pedestrian connectivity and use of an existing service road.
- All matters of development will be complied with once a concept plan is formulated.; and

No. 5: All other circumstances, factors and reasons which the applicant offers in support of the proposed amendment. Portions of all four parcels have special flood hazard area which cannot be developed or disturbed without proper permitting. The properties are located within the WSIV-Protected Area watershed not within Jordan Lake buffer rule area and will be limited to 36% impervious (BUA) surface area under current regulations. Other factors are:

1. Top Chord Way will continue to serve as a service road to the parcels it currently serves and any subsequent development from this rezoning request
2. County water will serve the area
3. Wastewater is anticipated to utilize the infrastructure improvements for the Mega site and adjacent lands
4. Stormwater runoff will follow Chatham County guidelines best management practices; 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. 5837, 79837, and portions of 5276 and 5806 and being approximately 84.842 acres as depicted on Attachment "A", located at/off Top Chord Way 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 19 day of December , 2022

Karen Howard, Chair
Chatham County Board of Commissioners

ATTEST:

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



