

**AN ORDINANCE AMENDING THE ZONING MAP
OF THE TOWN OF GOLDSTON
190 Church St, Goldston, NC (Chatham Christian Academy)
(Tax Parcels 62536,9076,60925)**

WHEREAS, the Board of Commissioners of the Town of Goldston has considered the application of Peyton Moody, on behalf of Chatham Christian Academy to amend the zoning map of the Town of Goldston to rezone the property described on Exhibit A attached hereto and incorporated herein by reference from O&I Office and Institutional to CD-R-1 Conditional District R-1 Residential pursuant to the provisions of NCGS §160D-601 and Section 2.4.7 of the Town of Goldston Unified Development Ordinance; and

WHEREAS, the Town Planning Board reviewed the application in detail and forwarded the request to the Town Board of Commissioners with a recommendation for approval and finding the Proposed Amendment was consistent with the Town's comprehensive plan, including the Land Use Plan, and other officially adopted and applicable Town plans and policies by furthering the community goal elements of Growth and Infrastructure; and

WHEREAS, the Town Planning Board found that the rezoning request was reasonable, in the public interest, and would benefit the surrounding community by extending private educational options to town residents while being a use that is limited in scope and narrowly tailored to the specific church site, and

WHEREAS, approval of the conditional district rezoning request should also be deemed an amendment to the Land Use Plan and Future Land Use Map if the site is reclassified to the CD-R-1 Residential requested; and

WHEREAS a Public Hearing was held on June 12th, 2023, to solicit comments and concerns which were duly considered and acknowledged; and

WHEREAS, the Town Board of Commissioners makes the following findings and conclusions:

1. The parcels to be rezoned is located at 190 Church St, Goldston, NC, otherwise known as tax parcels 62536, 9076, and 60925.

2. That the Board has examined the application and associated public testimony to rezone the property described in the Application and incorporated herein by reference and finds that the amendment is reasonable considering the size and location of the property subject to the proposed rezoning and the potential benefits to the development of the Town of Goldston and surrounding community. Contributing factors in recommending rezoning approval were also the fact that the proposed amendment satisfies the community goals of Growth and Infrastructure; and also, the stated goal of the town to encourage growth, and

3. This Conditional District Rezoning is for one use, in addition to that of the church: School, public or private with a minimum lot area of three acres and provided that all buildings,

structures, and high intensity activity areas shall be set back a minimum of two times the minimum yard requirement for the district in which it is located.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF GOLDSTON as follows:

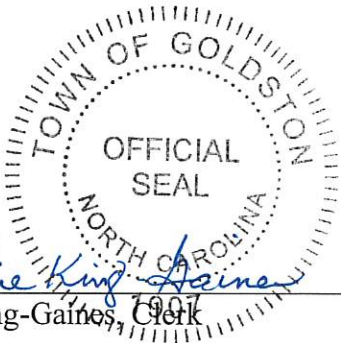
1. That for the reasons hereinabove stated the property described on Exhibit A attached hereto and more particularly described in the Application by Peyton Moody, on behalf of Chatham Christian Academy to amend the zoning map of the Town of Goldston to rezone the property from O&I Office and Institutional to CD-R-1 Conditional District R-1 Residential under the town of Goldston's UDO. The total area to be rezoned is 13.91-acres and includes the existing Goldston Baptist Church Site. This Conditional District Rezoning includes the existing church use and **one additional** use: School, public or private with a minimum lot area of three acres and provided that all buildings, structures, and high intensity activity areas shall be set back a minimum of two times the minimum yard requirement for the district in which it is located.

2. That all ordinances and portions of ordinances in conflict herewith are hereby repealed.

3. That when adopting this amendment to the Town of Goldston Zoning Map, the Board of Commissioners also hereby approves the statement attached hereto as Exhibit B and incorporated by reference.

4. That development of the property described on Exhibit A in accordance with the Stipulations and Conditions attached hereto as Exhibit C (and the Site Plan, attached hereto as Exhibit D), both incorporated by reference, be, and it hereby is, approved.

Adopted this 7th day of August 2023.



ATTEST:

Annie King-Gaines
Annie King-Gaines, Clerk

TOWN OF GOLDSTON

By:

Jonathan W Hensley, Mayor

CHATHAM CHRISTIAN ACADEMY

BY: Caleb Staley
Applicant/Responsible Agent Signature

“By signing, all conditions noted are acceptable and therefore approved as part of the rezoning.”

EXHIBIT A
PROPERTY DESCRIPTION
EXHIBIT B

All of Lots 1, 2, and 3 according to the plat entitled "Survey for Goldston Baptist Church, Inc." recorded in Plat Slide 2009-111 of the Chatham County Registry.

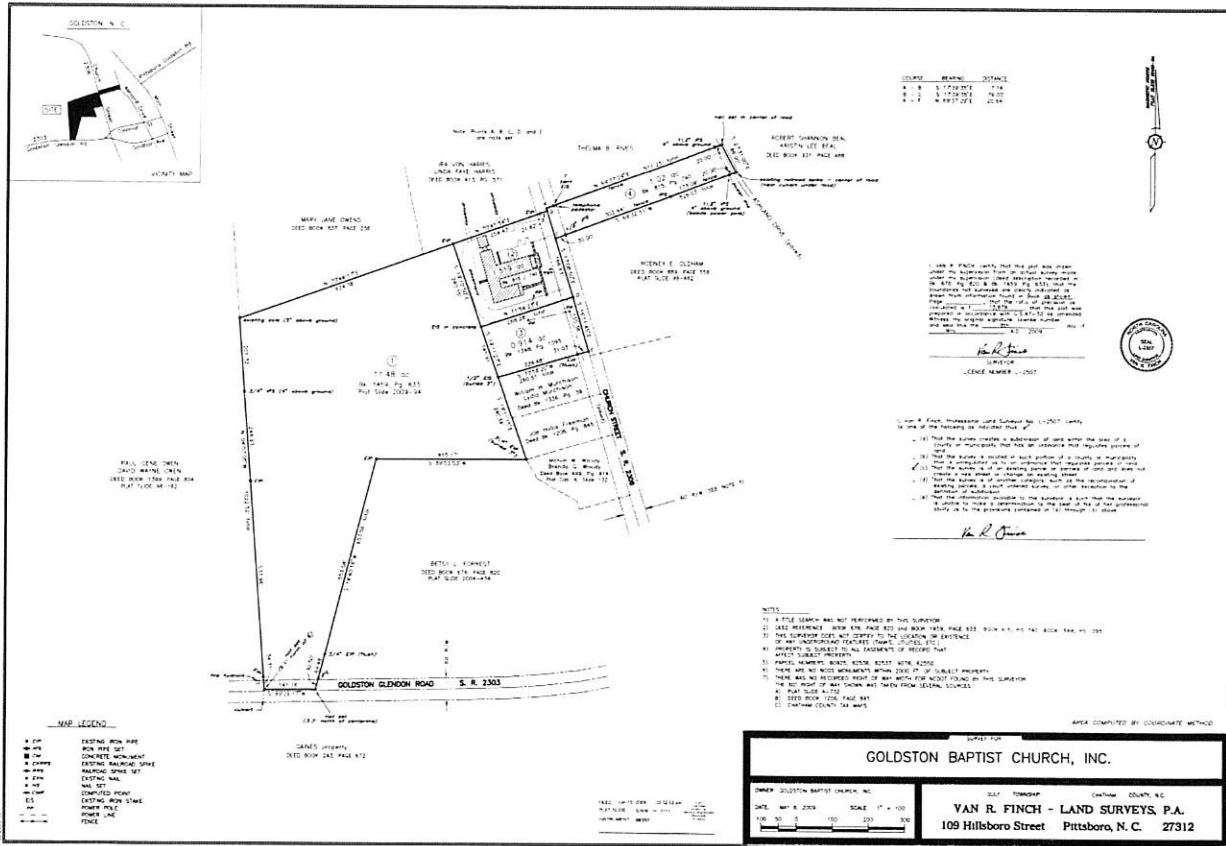


EXHIBIT B
STATEMENT
REGARDING AMENDMENT
TO
TOWN OF GOLDSTON ZONING MAP

Action taken by the Board of Commissioners approving this amendment to the Zoning Map of the Town of Goldston is consistent with the adopted comprehensive plan, including the Land Use Plan, and other officially adopted and applicable Town plans, and by the adoption of the amendment requested herein the Land Use Plan and Future Land Use Map are deemed to be amended to conform hereto.

Such action and amendment to the Town of Goldston Zoning Map as requested is reasonable, in the public interest, and would benefit the surrounding community considering the site is near residential uses and is located within the city limits of the Town of Goldston, providing a private education alternative to the community. Contributing factors in recommending rezoning approval were also the fact that the Proposed Amendment satisfies the community goals of Growth, and Infrastructure.

EXHIBIT C
STIPULATIONS AND CONDITIONS

Consent in writing by the applicant of all Conditions below:

This Conditional District Rezoning is for one additional use: The Church, and School, public or private with a minimum lot area of three acres and provided that all buildings, structures, and high intensity activity areas shall be set back a minimum of two times the minimum yard requirement for the district in which it is located.

Consent to Conditions: This approval is not effective until the Applicant provides written consent to this approval. Written consent must be provided within 10 days of enactment by the Town Board.

Prerequisite: Prior to conditional approval and subsequent construction of all water and wastewater and other public infrastructure for the plans or site plans submitted for review under this approval, the applicant shall obtain all necessary permits and approvals from the State and any other governmental agency with jurisdiction.

Permits. Any required State or Federal permits or encroachment agreements, including a commercial driveway permit(s) from the NCDOT be obtained and copies submitted to the Zoning Administrator prior to the issuance of a Zoning Compliance Certificate.

Improvements. Off-site improvements required by the Town of Goldston or any other agency shall be constructed at no cost to the Town.

Detailed Plans: That final detailed site plans, grading plans, utility/lighting plans, stormwater management plans (with hydrologic calculations), and landscape plans and landscape maintenance plans be approved by the Zoning Administrator prior to issuance of a Zoning Compliance Certificate, and that such plans conform to the plans approved by this application and demonstrate compliance with all applicable conditions and the design standards of the UDO and the applicable stormwater regulations.

Erosion Control. An erosion and sedimentation control plan must be approved by the Chatham County Department of Environmental Health and submitted to the Zoning Administrator prior to the issuance of a Zoning Compliance Permit.

Landscaping/Screening. All required landscaping, screening and buffers shall be in place one year following approval of the Zoning Compliance Permit. Existing vegetation may be used to fully or partial fulfill the landscaping and buffer requirements of the Town. The extent to which the same can be used shall be determined by the Zoning Administrator prior to issuance of the zoning compliance certificate.

Stormwater Management Plan. This project must comply with the applicable provisions of the County Stormwater regulations.

Accessibility Requirements. Prior to issuance of a Certificate of Occupancy, the developer shall provide the minimum required handicapped infrastructure according to the Americans with Disabilities Act and associated codes and standards.

Continued Validity. The continued validity and effectiveness of this approval was expressly conditioned upon the continued compliance with the plans and conditions listed above.

Non-Severability. If any of the above conditions is held to be invalid, this approval in its entirety shall be void.

Non-Waiver. Nothing contained herein shall be deemed to waive any discretion on the part of the Town 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.

Appeal. The Town shall be under no obligation to defend any action, cause of action, claim, or appeal involving the decision taken herein. In the event a response is authorized by the Town concerning this resolution, or any action to enforce the provisions hereof, the applicant, its successors or assigns shall indemnify and hold the Town harmless from all loss, cost or expense, including reasonable attorneys' fees, incurred in connection with the defense of or response to any and all actions, causes of action, claims, demands, damages, costs, loss, expenses, compensation, and all consequential damages on account of, either known and unknown, resulting to or from this decision.

EXHIBIT D
SITE PLAN

