



## COUNTY COMMISSIONERS

Mike Dasher, Chair  
Karen Howard, 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

Gunjan and Vikas Laad

**WHEREAS**, the Chatham County Board of Commissioners has considered the request to rezone approximately 19.43 acres, being all or a portion of Parcel No/s 96061, located at/off Farrington Point Rd, Williams Township, from R-1 Residential to CD-NB Conditional District Neighborhood Business to develop the site for an Event Center Limited, 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. No errors in the Ordinance are being claimed; 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. The applicant contends that due to continued residential growth in the county, the need for services and non-residential uses also continue to grow. Uses such as event centers and small-scale non-residential uses are encouraged in close proximity to compact residential areas. Jordan Lake also brings tourists to the area and this type of use could benefit that as well. The use of the event center would mostly be utilized on weekends with the occasional use during daytime or early evening, especially in Spring, Summer, and Fall.

Event Centers Limited help in maintaining the rural character of the area they are located in. The building can be no larger than 5,000 square feet which limits parking and built upon area. This proposal has the building set back more than three times the minimum for the neighborhood business district. The majority of the existing tree canopy will remain with additional plantings in various areas as recommended by the CCAC; and

No. 3: The manner in which the proposed amendment will carry out the intent and purpose of any adopted plans or parts thereof. Chapter 2-Issues and Opportunities- of Plan Chatham addresses opportunities and balancing economic growth to serve the growing population. The proposed event center will provide services in demand in Chatham and Orange Counties and keep the tax dollars in Chatham. Due to being a small area of development, environmental protection of surface waters and the re-use of previously cleared farmland supports the land use plan.

Chapter 3-Goals & Objectives- This proposal supports Goal 4, Diversity of the tax base, providing employment opportunities, and reduces the dependency on residential tax base. Goal 5 is supported by not utilizing curb & gutter so the project can have less than 10% impervious surface area; and

No. 4: The requested amendment is either essential or desirable for the public convenience or welfare. A community meeting was held January 25, 2024. Discussion/concerns involved noise, lighting, landscaping, and the stormwater measures. The proposed use is expected to generate approximately 250 trips per event. Per NCDOT, the threshold for requiring a TIA would be an increase in 3,000 trips per day.; and

No. 5: All other circumstances, factors and reasons which the applicant offers in support of the proposed amendment. County water is available across the road for service to the site and wastewater will be an on-site septic system. The site plan shows protection areas for the existing forested land that abuts Cub Creek and the US Army Corp of Engineers protected lands.; 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. 96061 and being approximately 19.43 acres as depicted on Attachment "A", located at/off Farrington Point Road, from R-1 Residential to CD-NB Conditional District Neighborhood Business, Williams 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:

#### **Site Specific Conditions**

1. The recommendations from the Chatham County Appearance Commission (CCAC) shall be followed as stated in the minutes and as shown on the site plan. The planning staff and CCAC may conduct routine inspections of the property to ensure compliance with the landscaping requirements.
2. If practicable, the landscaping may be modified to allow view of the wildflower garden from the roadway provided the intent and minimum requirements for landscaping compliance can continue to be met.
3. A building permit shall be applied for and approved for construction within two years from the date of this approval or the use becomes null and void. Should an extension be needed, a timely revision to this approval must be filed with the Planning Department and go through the revision process.
4. Events that provide music, whether live, DJ or otherwise, shall provide notice to the adjacent residential properties prior to the event and comply with the Chatham County Noise Ordinance.
5. Events shall not go past 12 midnight and all non-security lighting shall be turned off.

#### **Standard Site Conditions**

6. The application, standards and adopted regulations of the applicable ordinances and policies, and the approved recommendations as provided for and/or conditioned, are considered to be the standards as set forth and shall comply as stated. Changes to or variations from any requirements of this permit must be approved through the Planning Department or other approving board before any such changes can take place.
7. All required local, state, or federal permits (i.e. NCDOT commercial driveway permits, NCDWQ, Chatham County Land and Water Resources, and Environmental Health Division,



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etc.) shall be obtained, if required, and copies submitted to the Planning Department as part of the platting process.


**Standard Administrative Conditions:**

- 8. Fees - Applicant and/or landowner shall pay to the County all required fees and charges attributable to the development of its project in a timely manner, including, but not limited to, utility, subdivision, zoning, and building inspections.
- 9. Continued Validity – The continued validity and effectiveness of this approval was expressly conditioned upon the continued compliance with the plans and conditions listed above.
- 10. Non-Severability – If any of the above conditions is held to be invalid, this approval in its entirety shall be void.
- 11. Non-Waiver – Nothing contained herein shall be deemed to waive any discretion on the part of the County 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.

3. This ordinance shall become effective upon its adoption.

Adopted this 15 day of July, 2024

  
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 Mike Dasher, Chair  
 Chatham County Board of Commissioners

  
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 Applicant/Responsible Party (By signing this document, you are agreeing to the conditions, if any, stated above for the approval of this request)

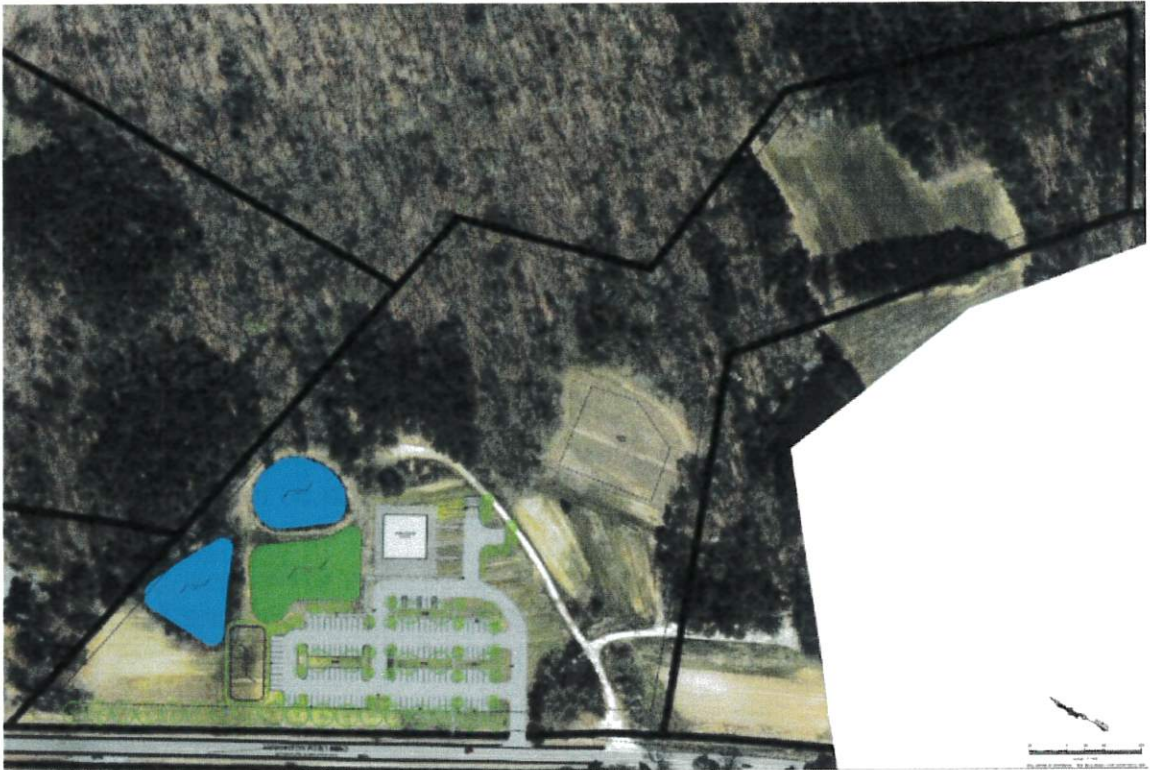
ATTEST:

  
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 Jenifer K Johnson, MMC, Clerk to the Board  
 Chatham County Board of Commissioners



ATTACHMENT A

Tax parcels AKPAR 96061 being 19.43 acres, located off Farrington Point Road, Williams Township



*J. J. [Signature]*

