

PLANNING & ZONING REVIEW NOTES

VI. A.

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**Note:** *Below are the notes from July 10, 2007 Planning Board meeting:*

**SUBJECT:** Discussion about request for a recommendation to the Board of County Commissioners about zoning additional areas of Chatham County specifically along major corridors.

**ATTACHMENTS:** 1. Map of areas proposed for initial zoning as approved by the Board of Commissioners.

**INTRODUCTION / BACKGROUND/ PREVIOUS BOARD ACTIONS:**

On June 4, 2007 the Board of Commissioners approved a motion to start the process to zone several unzoned areas of the county, as identified in the map in attachment 1, to Residential-Agricultural 40 (RA-40). The areas identified in attachment 1 are 1500 feet on either side of the unzoned portions of US 421, US 64, US 15-501/Hwy 87 south of the Town of Pittsboro, and US 1. The remaining area considered for initial zoning is 1500 feet west of Hwy. 87, north of the Town of Pittsboro zoning jurisdiction to the Alamance County line, heading east to the existing zoned areas. To initially exercise zoning the NC General Statutes (NCGS 153A-344(a)) requires that the Planning Board make a written recommendation to the Board of Commissioners prior to scheduling a public hearing. The Planning Board has previously discussed zoning certain unzoned areas of the county and forwarded a recommendation to the Board of Commissioners with those areas identified. The Major Corridor Ordinance Committee has also made a recommendation to the Board of Commissioners to zone certain areas along unzoned major corridors.

**ISSUES FOR FURTHER DISCUSSION AND ANALYSIS:**

The following list shows the key events leading up to the Board of Commissioners' action to pursue zoning the areas identified in attachment 1.

- April 11, 2007 – Major Corridor Ordinance Committee approves a motion to recommend that the Board of Commissioners initially zone the unzoned portions of 64, 15-501, 421, 87, Old Graham Road, and Mount Olive Church Road. The recommendation did not include a specific width or zoning classification.
- April 16, 2007 – Major Corridor Ordinance Committee recommendations presented to the Board of Commissioners for consideration.
- April 26, 2007 – Planning Board approves a motion to recommend that the Board of Commissioners zone an area bounded by US 64, 1,250 feet west of Bowers Store Road, 1,250 west of White Smith Road, 1,250 feet north of Pete Thomas Road, Alamance County line, existing zoned areas east of Mt. Olive Church Road and Old Graham Road, and the Town of Pittsboro ETJ.
- May 7, 2007 – Planning Board recommendations presented to the Board of Commissioners along with further discussion of recommendations of MCOOC.
- June 4, 2007 – Board of Commissioners initiates the zoning of areas identified in attachment 1.

The area proposed for initial zoning contains approximately 2,714 parcels and covers approximately 29.1 square miles. The county currently covers approximately 178 square mile with zoning.

Part of the Commissioners' discussion on initial zoning questioned whether a 1,500 foot corridor either side of US 64 was sufficient to cover any road improvements that might occur in the future based on NCDOT's recent Phase 1 corridor study. Planning Department staff discussed this issue with David Wasserman, who is the corridor study project coordinator with NCDOT, and he indicated that this distance should provide sufficient coverage for any future road widening, including frontage roads. A typical freeway without frontage roads requires approximately 300 feet of right-of-way and a freeway with frontage roads requires approximately 500 feet of right-of-way. It was also indicated that NCDOT prefers to have a 1,000 foot separation between access ramps and access roads.

The Commissioners also discussed whether the zoned areas along the corridors should be 500, 1,000, or 1,500 feet on either side. It was thought that 1,500 feet would provide sufficient distance from the corridors to capture new businesses that wanted to locate within close proximity to a major corridor. There was also a discussion about whether to zone existing businesses according to their use or to make them non-conforming. The Commissioners agreed that the existing non-conforming provisions of the Zoning Ordinance were sufficient to cover existing businesses.

As previously discussed, the Planning Board has to make a recommendation to the Board of Commissioners on the proposed areas for initial zoning for the request to proceed. Once a recommendation is received by the Commissioners a public hearing can be scheduled, and the process outlined in the Zoning Ordinance for rezoning cases will be followed.

**RECOMMENDATION:** It is the staff recommendation that the Planning Board consider this item and make a recommendation at the earliest date possible since the Board of Commissioners is interested in providing additional land use controls in locations where there is pressure for nonresidential development.