



**CHATHAM COUNTY  
BOARD OF COMMISSIONERS  
AGENDA ABSTRACT**

**ITEM NUMBER:**  
**MEETING DATE:**  
8-6-07

**PART A**

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

**Action Requested:** See Recommendations.

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

**Submitted By:**

\_\_\_\_\_  
Keith Megginson, Planning Director

\_\_\_\_\_  
Date

**County Manager Review:**

\_\_\_\_\_  
Charlie Horne, County Manager

\_\_\_\_\_  
Date

**This abstract requires review by:**

**County Attorney**

\_\_\_\_\_  
Date Reviewed

**Finance Officer**

\_\_\_\_\_  
Date Reviewed

**Budget Officer**

\_\_\_\_\_  
Date Reviewed

## **PART B**

### ***Re: Major Corridors***

#### **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 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 US 64, US 15-501, US 421, NC 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 MCOC.
- 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

### ***Re: Major Corridors***

## **Issues for Further Discussion and Analysis – con't**

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.

The Planning Board discussed this item during a special meeting held on July 31, 2007. The Board discussed how the joint Chatham/Cary land use plan, the work that the Major Corridor Ordinance Committee was currently undertaking, and a pending work session item before the Board of Commissioners could impact the type of zoning needed in these areas and the extent of coverage. It was discussed that the Major Corridor Ordinance Committee was attempting to identify potential commercial nodes along these corridors and draft an overlay ordinance that would also apply to the corridor, but their work was yet to be completed. The Planning Board also discussed the Board of Commissioners recommendation that the area within the Chatham/Cary joint plan be downzoned from RA-40 to RA-5. It was mentioned that applying RA-40 zoning in previously unzoned areas in the western portion of the county, while possibly downzoning property in the joint plan area, could be contradictory. Discussion also focused on a pending work session item before the Board of Commissioners, which was tabled from their July 16 meeting, to discuss amending the Subdivision Regulations to require minimum lot sizes ranging from 3 to 10 acres.

The Planning Board also discussed that RA-40 zoning could be viewed as a “holding zone” and that if it was approved for these areas that it might need to be revisited at the end of moratorium. There was some thought that the benefit of applying a blanket zoning classification along these corridors would be to establish immediate control over non-residential uses while the Major Corridor Ordinance Committee and Zoning Ordinance Subcommittee completed their work. The 1500’ distance from the major corridors was also discussed and several board members expressed concern that this was an arbitrary distance. Some members thought that the distances for each corridor should be based on the characteristics of the surrounding environment while others thought distances should be graduated based on proximity to the towns zoning jurisdictions.

Several of the Planning Board members expressed reluctance to forward a recommendation to the Board of Commissioners based on the uncertainty of some of the issues raised during their discussion. Several members wanted to wait until after the Board of Commissioners work session on July 16 to determine if there would be any action taken to initiate the process to amend the Subdivision Regulations to increase minimum lot sizes. Other members wanted to further research what would be appropriate distances to apply zoning from the different corridors. After additional discussion the Planning Board thought that the need to apply some type of zoning along the corridors was a necessity and the process needed to move forward.

**Recommendation:** The Planning Board recommends zoning the major corridors to RA-40 as a holding pattern with appropriate distances respective to each corridor to be determined by the Board of Commissioners. The Planning Board vote was 9 for and 2 abstentions.