

PLANNING & ZONING REVIEW NOTES

VII. C.

SUBJECT:

A request by **William Jeffrey House** to rezone Parcel No. 11257 consisting of approximately 10.35 acres, Haw River Township, located at 284 Moncure School Rd., from RA-40 Residential/Agricultural to CU-B1 Conditional Use Business.

ATTACHMENTS:

The following was submitted at the July 8, 2008 Planning Board meeting:

1. Application packet

The following may be viewed on the Planning Department website at www.chathamnc.org under Rezoning & Subdivision Cases, 2008:

2. Arcview map

INTRODUCTION & BACKGROUND:

A legislative public hearing was held on this request July 21, 2008. Cindy Perry, the applicant's representative, Kenneth Jeffries, and Ron Brown spoke on the request. No one spoke in opposition. A petition was provided by Attorney Perry with approximately 64 signatures in favor of the rezoning of this property.

Mr. House received a conditional use permit for a public and private campground on June 18, 2007 where it is currently zoned RA-40 (residential/agricultural). Since this approval, the applicant has engaged in the storing of boats and recreational vehicles on the property. This is a use not currently permitted in the residential/agricultural districts but is permitted under self-storage/mini-warehouse storage facilities in the B-1 Business district. The Planning Department staff and Planning Board are required to make a recommendation on the requested change of the zoning district from RA-40 (Residential/Agricultural) to CU-B1 (Conditional Use Business District). Such a recommendation is partially based on adopted land use plans and policies as well as changing conditions as noted in the Chatham County Zoning Ordinance under Section 17. The applicant has addressed this in the application.

DISCUSSION & ANALYSIS:

The Chatham County Land Conservation and Development Plan, here after referred to as the "Plan", is a general policy plan. A specific plan map was not adopted but a draft map was prepared. You are encouraged to read the entire Land Conservation and Development Plan of 68 pages, which is on the Planning page of the County web site.

Economic Development Centers are described beginning on Page 27 of the Plan. The Plan encourages development in six settings. They are:

- Agriculture and home –based businesses in rural areas
- Commercial and industrial development within the county's towns
- Neighborhood activity centers in compact community corridors
- Cross-road commercial centers in designated rural locations
- Economic development centers in carefully designated and planned locations
- Continued development within other areas currently zoned commercial or industrial

The property proposed for the conditional use rezoning has been in the House family since the 1970's. They continue to live on this parcel and operate a family owned campground. Page 1 of the Plan lists six policies for the Plan to focus on. One of those policies is to preserve both the form and function of rural character to include home-based businesses. The applicant has stated in the application the need for the campground use was made by the approval and this proposed use would be an extension of that approval. It could allow further stability for their home-based business operation. However, in order to have both uses, the applicant was required to file for a conditional use district change to B-1 Business.

Page 38 of the Plan addresses ground and surface water resources. The County is directed to ensure sustainable management and protection of surface water and that ground water resources are protected. This property has a previous condition set to ensure stormwater detention is designed for the two year 24 hour storm event.

The Plan also addresses protection of water supply watersheds. This application states to utilize the previous application submission materials and content when considering these requests. The property is located within a WSIV-PA watershed designation where up to 36% impervious surface is allowed. The proposed development of this property is under 10% per the site plan provided during the previous approvals.

Page 47 of the Plan addresses the needs and concerns for open space, recreation, historic assets, and tourism. Mr. House is employed by Progress Energy. There are periodic maintenance outages that require contract workers to seek locations for temporary lodging. This could last for several months. The applicant is requesting to allow those workers as well as tourist to bring their recreational vehicles with them for use in and around Jordan Lake and provide temporary storage space for some to leave their recreational vehicles when they vacate the campground.

If the text amendment request to have public and private recreational camps and grounds is approved as a permitted use in the B-1 District, it is the staff's recommendation that this storage facility be allowed as an accessory and/or enhancement of the existing uses based on the application materials. The list of permitted uses in the B-1 Business District have varying types of businesses and this property is joining two uses together that would not operate as separate facilities.

Re: William Jeffrey House - rezone

RECOMMENDATION:

The Planning Department recommends approval of this conditional use rezoning request based on the information provided above. The Planning Board has up to three meetings to make a recommendation to the Board of Commissioners.