

PLANNING & ZONING REVIEW NOTES

VII. B.

SUBJECT: A request by **William Jeffrey House** for a text amendment to the Chatham County Zoning Ordinance, Section 10, Item 10.5.A B-1 Business List of Permitted Uses to add “public and private recreation camps and grounds” as a permitted used in the district.

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

1. Application packet

INTRODUCTION & BACKGROUND:

A legislative public hearing was held on July 21, 2008. The applicant’s representative, Cindy Perry, and two neighbors, Kenneth Jeffries and Ron Brown spoke on the request. No one spoke in opposition of the text amendment.

Mr. House received an approved text amendment request on September 18, 2006 for a reduction of the acreage requirements for public and private recreation camps and grounds, Section 15.5B of the Zoning Ordinance. The reduction allowed properties in portions of the Haw River Township to be allowed, by conditional use, to locate on 10 acres instead of 20 acres. Mr. House currently has 10.35 acres. Mr. House was then approved for a conditional use permit for the campground on June 18, 2007.

DISCUSSION & ANALYSIS:

After Mr. House’s conditional use permit approval, he decided to allow boat and recreational vehicle storage on the property. Mr. House stated there is a need for the use in his area with the close proximity to Jordan Lake. However, he could not separate the area for the boat and RV storage to seek a conditional use rezoning because it would take away from the acreage requirement for the already approved campground.

Because of the general, for profit, business use a landowner would have a campground, it could be logical to allow such a use within the B-1 Business Zoning District as a permitted use.

Page 1 of the Land Conservation and Development Plan, referred hereafter as the “Plan”, is a general policy plan that gives six policies on which it focuses. They are:

- 1) Preserve both the form and function of rural character; landscape, agriculture, and home-based businesses.
- 2) Encourage compact communities with a mix of activities as development occurs.
- 3) Designate economic development centers in order to promote a diversified, sustainable business community.
- 4) Develop an integrated approach to protecting and promoting high-quality open space, recreation, historic, and tourism locations.
- 5) Ensure the long-term quality and availability of groundwater and surface water resources.

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6) Provide infrastructure in ways that support the land use, economic development and environmental objectives; water supply, wastewater, and transportation. In meeting one of these policies, the House family lives on this property. Other comparable uses allowed in the B-1 zoning district that are uses for lodging purposes are hotel, motels, and inns.

When adding a new use to a zoning district, there can also be “conditions” placed on them that could regulate some protection of the surrounding areas. This can be viewed with uses in the B-1 district such as automobile service stations, radio and television stations and their towers, and temporary construction trailers. Acreage requirements and/or setback requirements may be added to the description as can be seen in other zoning districts as well. For example, the RA-40 (residential/agricultural) district requires three acre minimums for bed and breakfast inns, boarding stables, breeding kennels, schools, and fire stations. Public and private recreation camps and grounds are an allowed conditional use in the district with the acreage requirements as 10 and 20 acre minimums depending on its location. This allowance could support number three of the policy objectives listed above.

The proposed use could be considered less intrusive on groundwater, wastewater, and could promote tourism and recreation in areas where there are uses that could compliment the requested use. Such as permitted uses for bait and tackle shops, drug stores, eating and drinking establishments, gift shops, hospitals, laundries and laundromats, etc. Environmental Health regulates the number of camping units that can utilize one septic system making the need for multiple tanks unnecessary and camping spaces usually consist of ground or in some cases gravel or a concrete slab for the unit to sit on. These spaces are usually just big enough for the unit thus allowing some protection for runoff and groundwater protections.

RECOMMENDATION:

It is the recommendation of the Planning staff to approve the text amendment as follows:

Add a permitted use to the B-1 Business Zoning District, Section 10, and Item 10.5 List of Permitted Uses to include:

Public and private recreation camps and grounds with a minimum lot area of 10 acres and provided that all buildings, structures, spaces, and high intensity activity areas shall be set back a minimum of fifty (50) feet from all property line/boundary areas.