

## **..TITLE**

A request by John E Booth Farms, LLC, Kathryn Butler, for an amendment to the Chatham County Zoning Ordinance Section 10.13 Table of Permitted Uses. The request is to add the use of Event center and associated retail, including weddings, receptions, parties, gatherings, tastings including service of food and drink, both outdoor and indoor, arts and craft shows, stage shows, music events, business meetings, exhibition shows, trade shows and outdoor movies (no drive ins); provided however, said uses limited to events involving fewer than 300 simultaneous attendees. Uses requested to be allowed in the O&I, B1, NB, CB, and RB and as conditional use permits in the R-5, R-2, and R-1 Districts.

## **..ABSTRACT**

### **Action Requested:**

A request by John E Booth Farms, LLC, Kathryn Butler, for an amendment to the Chatham County Zoning Ordinance Section 10.13 Table of Permitted Uses. The request is to add the use of Event center and associated retail, including weddings, receptions, parties, gatherings, tastings including service of food and drink, both outdoor and indoor, arts and craft shows, stage shows, music events, business meetings, exhibition shows, trade shows and outdoor movies (no drive ins); provided however, said uses limited to events involving fewer than 300 simultaneous attendees. Uses requested to be allowed in the O&I, B1, NB, CB, and RB and as conditional use permits in the R-5, R-2, and R-1 Districts.

### **Introduction & Background:**

A legislative public hearing was held on this request September 15, 2014. Planning staff presented the application and the applicant's attorney, Nick Robinson, spoke.

Over the last several years, the Planning Department has received numerous requests for small scale event venues for activities such as weddings, birthday parties, corporate meeting space, etc. The Table of Permitted Uses in Section 10.13 of the Chatham County Zoning Ordinance doesn't have a clear category in which these types of activities can be permitted. The applicant owns a parcel of land that, in her opinion, is well suited for such use but that the Zoning Ordinance has been left in a state of ambiguity where the small business can locate.

In 2008, numerous revisions were made to the Zoning Ordinance. Since then there have been several modifications and adjustments as projects progressed in order to make sure the next submittal didn't suffer undue delays. The amendment was a large project undertaken to further enhance streamlining the permitting processes. Although at the time there was no way to predict every possible situation that might arise until it was requested. This is arguably one area of the ordinance found to be lacking based on the number of requests received on an almost monthly basis.

The biggest area of concern for planning staff is there are currently no standards in which to aid in approving such uses that would provide further protection for landowners adjacent to these types of events. An additional amendment to Section 17 is recommended by staff as noted below.

**The Planning Board met at their regularly scheduled meeting on October 7, 2014. Discussion was limited to the size of the building which was 5,000 sq. ft. and the allowance of the use as a conditional use permit in the residentially zoned districts. The applicant's attorney suggested an increase in the building size to 20,000 sq. ft. and the Planning Board agreed. He also suggested the use should be allowed to be applied for in the residential districts as a conditional use permit and not conditional district zoning.**

**The Planning Board voted 8-0-1 to recommend the building size be increased to 20,000 sq. ft. but did not recommend approval to allow the use as a conditional use permit in residentially zoned districts.**

**After this meeting, the applicant's attorney and the applicant contacted the Planning Department wishing to discuss an alternate recommendation for the size of the building to be allowed with the use. Planning staff, the applicant and the applicant's attorney met and agreed to recommend the following language change:**

- A. Size and Capacity Limits –**
  - 1. Gathering, meeting, or hosting area event space shall be limited to no more than 5,000 square feet in size.**

**All other wording is recommended as presented. This change does not include areas such as restrooms, kitchens, office space, or other ancillary areas needed to operate the event center venue. This recommendation is noted below.**

**There was no other discussion on the request.**

#### **Discussion & Analysis:**

Planning staff has reviewed the wording submitted by the applicant and are requesting a revised wording for the category in order to create a more specific and detailed understanding of what is permitted with the use. We are also adding an additional set of standards to accompany these types of uses. When there is a broad description of a use, there will be fewer issues if the applicant knows what the standards and/or limits are in the ordinance. The proposed standards are directed towards the protection of adjacent or adjoining property owners as well as the event holder. The following language is the version reviewed by the Planning Board and they recommended increasing the 5,000 square foot threshold to 20,000 square feet. The recommendation

Proposed revised wording for the category in Section 10.13 is:

## Events Center Limited

### Proposed definition for Section 7 Definitions

Events Center Limited – a venue to allow for various gatherings such as weddings, receptions, arts and crafts shows, corporate meetings, outdoor movies (no drive ins), etc. on a smaller scale and which can be indoor or outdoor or a combination thereof. Please refer to Section 17.7 of this Ordinance for further standards. All other standards of this Ordinance shall also apply.

### Proposed addition of Section 17.7 Standards for Events Center Limited

This section is intended to provide the opportunity for smaller scale event centers to serve as a venue for business opportunities and gathering space in the county while protecting the health, safety, and welfare of the community. All regulations in the Zoning Ordinance shall apply unless expressly allowed or modified in the below standards:

#### A. Size and Capacity Limits –

1. All structures shall be limited in size to no more than 5,000 square feet, or any combination of such, not to exceed 5,000 square feet.
2. Capacity is limited to the restrictions of the building and fire code.

#### B. Accessory Uses Permitted –

1. Accessory and/or ancillary uses shall be those directly related to the event being held. Examples are food and beverage service, dance floors, outdoor speakers, music, festive lighting, decorations, tents, etc.

#### C. Signage Allowed –

1. Event advertising shall be limited to the permanent on premise signage as allowed in Section 15 of the Zoning Ordinance

### Proposed Table of Permitted Uses

DISTRICT	R-5	R-2	R-1	O&I	B-1	NB	CB	RB	IL	IH
Event Center Limited					P	P	P	P		

### Recommendation:

#### Consistency Statement

The Planning Board, by a vote of 7-0-1, recommends adoption of a resolution approving the following consistency statement - the amendment is consistent with the Land Use and Development Plan. Since the Planning Board meeting, new case law requires a consistency statement include specific reasons why a rezoning or text amendment is approved or denied. The wording in **BOLD** is additional information added by staff since the Planning Board meeting and is recommended for inclusion in the adoption of the resolution, in addition to the recommendation of the Planning Board.

The proposed text amendment to add the category of Event Center Limited is consistent with the goals and objectives of the Land Conservation and Development Plan **by establishing a set of County-wide performance standards in order to guide**

**development to appropriate locations and provide more certainty for landowners as noted on page 3 of the Plan.**

The Planning Board recommends approval of the text amendment request by vote of 8-0-1 with the exception of increasing the 5,000 sq. f.t building size limit to 20,000 sq. ft.

Planning staff, as agreed to by the applicant, recommends changing the wording, as noted in the Introduction & Background, leaving the 5,000 sq. ft. threshold and limiting it to the gathering, meeting, hosting area only.

The action by the Board of Commissioners is adoption of an Ordinance Amending the Zoning Ordinance to amend Sections 10.13, 7, and 17.7 as outlined in the Discussion & Analysis with the revisions to 17.7A(1) as outlined in the Introduction & Background.