



Established 1771

COUNTY COMMISSIONERS

Walter Petty, *Chair*
Brian Bock, *Vice Chair*
Mike Cross
Pam Stewart

COUNTY MANAGER

Charlie Horne

P. O. Box 1809, Pittsboro, NC 27312-1809 • Phone: (919) 542-8200 • Fax: (919) 542-8272

**RESOLUTION ADOPTING A CONSISTENCY STATEMENT FOR
THE APPROVAL OF**

Chatham County Compact Community Ordinance Text Amendment

WHEREAS, the Chatham County Board of Commissioners has reviewed the application for NNP Briar Chapel to amend the Chatham County Compact Community Ordinance, Section 7.2 Wastewater Treatment; Section 9.2 Perimeter Buffer; and Section 9.3 Viewshed Buffers. (the "Amendment") and finds that the same is consistent with the Chatham County Land Conservation and Development Plan remaining consistent with the adopted land use plans and regulations of the County and therefore is approved as requested. and;

NOW, THEREFORE, BE IT RESOLVED, by the Chatham County Board of Commissioners that the Amendment and presented documentation are found to be consistent with the county land use plan/s, and are determined to be reasonable and in the public interest.

Adopted this 16 day of June, 2014

Chairman Walter Petty
Chatham County Board of Commissioners

ATTEST:

Lindsay K. Ray, Clerk to the Board
Chatham County Board of Commissioners



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**AN ORDINANCE AMENDING THE COMPACT COMMUNITY
ORDINANCE
OF CHATHAM COUNTY**

WHEREAS, the Chatham County Board of Commissioners has considered amendments to the Chatham County Compact Community Ordinance/Regulations, as described in Attachment A, and finds that they are reasonable and public interests are furthered; and

BE IT ORDAINED, by the Board of Commissioners of Chatham County as follows:


1. The amendments to the Chatham County Compact Community Ordinance/Regulations described in Attachment A are approved.
2. This ordinance shall become effective upon its adoption.

Adopted this 16 day of June, 2014



Walter Petty, Chair
Chatham County Board of Commissioners

ATTEST:



Lindsay Ray, Clerk to the Board
Chatham County Board of Commissioners

ATTACHMENT A

Section/s of the Chatham County Compact Communities Ordinance to be amended to modify Section 7.2 Wastewater Treatment; Section 9.2 Perimeter Buffer; and Section 9.3 Viewshed Buffers within the county.

Section Modifications:

7.2 Wastewater Treatment

General Design Standards

~~The following are general wastewater options available for compact communities:~~
~~Off-site: Send wastewater to existing municipal treatment plants or construct new centralized wastewater treatment facilities;~~

~~Hybrid: Treat wastewater on-site and pipe treated water to an existing municipal treatment plant or new centralized wastewater treatment facilities; or~~

~~On-site: Treat wastewater on-site and distribute treated water onto the land surface via irrigation system(s).~~

~~Wastewater treatment shall occur at centralized wastewater treatment facilities either on-site or at existing, previously permitted off-site facilities as permitted by the State of North Carolina Department of Environmental and Natural Resources (NCDENR). Spray irrigation may occur off-site provided that said use conforms to the uses allowed in the applicable zoning district.~~

Wastewater collection, treatment, distribution and storage systems for compact communities must apply technologies approved by the State of North Carolina, with facilities and operating programs approved by the State of North Carolina, and with operations that are effectively monitored by the State.

Location, Ownership, and Sizing of Wastewater Facilities and Spray Fields

Compact communities shall be served by wastewater collection, treatment, distribution and storage systems that are adequate to serve the reasonable needs of the community and service area (as defined by the North Carolina Utilities Commission) and comply with all applicable regulations. The wastewater facilities may also serve neighboring areas. Compact communities shall:
~~and comply with all applicable regulations. Compact communities shall:~~

~~— Locate the wastewater treatment facilities and infrastructure~~

within the project boundaries;

- Show the location of all ~~wastewater facilities~~ ~~spray fields~~ needed for the compact community at build out in the sketch design submitted to Chatham County;

In the determination of adequacy, the County may consider any alternatives that provide reserve capacity in the wastewater system above the state required minimum, including but not limited to the following:

- Increasing the amount of wet weather storage to provide reserve capacity;
- Setting aside additional open space acreage for future spray irrigation to provide reserve capacity; and/or
- Limiting spray irrigation on a certain portion of open space acreage during specified times in order that the remaining capacity of the acreage to accept wastewater spray results in reserve capacity

9.2 Perimeter Buffer

Perimeter buffers shall be utilized to minimize the impacts of each compact community on adjacent properties along the entire perimeter of the compact community. Table 9.2 lists the minimum buffer width allowable, depending on the proposed land use along the edge of the compact community and the existing land use in the adjacent property at any point along the perimeter.

Chatham County may allow a reduction in the perimeter buffer width required by this ordinance of up to fifty percent (50%) if it determines that the impact of the compact community is adequately mitigated by community design or topography. In addition, Chatham County may allow a reduction in the perimeter buffer from fifty-one percent (51%) up to one hundred percent (100%) after giving the adjoining landowners an opportunity to comment and Chatham County determines that the impact of the compact community is adequately mitigated by the community design or topography. A developer of a Compact community may request of the Board of Commissioners such a waiver or reduction at any time.

9.3 Viewshed Buffers

Viewshed buffers shall be ~~utilitized~~ utilitized in order to minimize the impacts of compact communities on pre-development roadway views.

The developer shall map all roadway views into the project and delineate a continuous buffer of at least one hundred (100) feet in width. The buffer shall be measured at right angles to the edge of the roadway right of way into the compact community.

The Chatham County Board of Commissioners may allow a reduction in the viewshed buffer width required by this ordinance of up to fifty percent (50%) if it determines that the impact of the compact community is adequately mitigated by community design, topography, and/or guidelines for outdoor lighting such as those included in the proposed Chatham County lighting ordinance.

Dedication of the Buffer

Once the viewshed buffer has been delineated, a deed restriction satisfactory to the County Attorney shall be filed with the Chatham County Register of Deeds that permanently protects this land as a buffer and identifies the maintenance responsibility that rests with the homeowners association.

Viewshed Buffer Vegetation and Land Uses

To the extent practicable, existing native forest vegetation shall be utilized for this buffer, except that this requirement is optional for the developer where the use adjoining the applicable roadway is a commercial, institutional, or office use.

Farms, pastures, and other traditional rural land uses owned by the developer or protected with a permanent conservation easement may be used to meet this requirement. Topographic features such as hills, valleys, and planted berms owned by the developer may also be used to meet this requirement.

Before any native vegetation is removed a revised landscaping plan detailing what is proposed to be removed and the extent and type of replanting must be reviewed by the Chatham County Planning Department and the Chatham County Appearance Commission. Selective removal may be recommended in lieu of clearing the site of all existing native forested or vegetated areas.

Vegetative plantings in the buffer shall produce the effect of a natural forested area, using native species. The planting does not have to be opaque, but should function to significantly soften the visual impact of buildings, both initially and in the longer term. The visual buffering provided by vegetative plantings shall be effective in all seasons.