



**COUNTY COMMISSIONERS**

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

**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**

Request from The Retreat at Haw River, LLC to Rezone

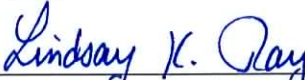
**WHEREAS**, the Chatham County Board of Commissioners has reviewed the application for The Retreat at Haw River, LLC to rezone approximately 650 acres collectively of Parcel Nos. 3027, 87217, 86946, 81274, and 86878-86944 (the "Amendment") and finds that the same is consistent with the Chatham County Land Conservation and Development Plan to rezone the parcels that represent the R-1 Residential District containing 409.556 acres more or less and the parcels that represent the R-5 Residential District containing 239.836 acres more or less is 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 18th day of August, 2014

  
~~Chairman Walter Petty~~ *Brian Bock, Vice Chair*  
Chatham County Board of Commissioners

ATTEST:

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





Established 1771

**COUNTY COMMISSIONERS**

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

**COUNTY MANAGER**

Charlie Horne

---

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

## **AN ORDINANCE AMENDING THE ZONING ORDINANCE OF CHATHAM COUNTY**

### **For The Retreat at Haw River, LLC**

**WHEREAS**, the Chatham County Board of Commissioners has considered the request by The Retreat at Haw River, LLC to rezone approximately 650 acres, being all or a portion of Parcel No. 3027, 87217, 86946, 81274, and 86878-86944, located at /off Bynu Ridge Rd, Baldwin Township, from CU-RA90 to a split zoning district consisting of R-1 Residential for lands outside the River Corridor area and R-5 Residential to lands within the River Corridor to revert back to the original zoning classifications to create a new plan under the conservation subdivision guidelines, and finds that the amendment is consistent with the comprehensive plan of Chatham County as described in the Consistency Statement Resolution; and

**WHEREAS**, the Board finds that the uses set forth in the Application and incorporated herein by reference, if approved as “conditional” pursuant to the provisions of the zoning ordinance, would be suitable for the property proposed for rezoning under the conditions attached; and

**WHEREAS**, the Board finds the four (4) standards, as described below, from the Zoning Ordinance have been met as stated:

No. 1: The alleged error in this Ordinance, if any, which would be remedied by the proposed amendment with a detailed description of such error in the Ordinance and detailed, and reasons how the proposed amendment will correct the same. The applicant is not claiming any error in the Ordinance and therefore this is not applicable; and

No. 2: The changed or changing conditions, if any, of the area or in the County generally, which make the proposed amendment reasonably necessary to the promotion of the public health, safety and general welfare. Also submitted simultaneously with this rezoning request is a request for a Conservation Subdivision, which is also presented to the Planning Board for review. A Conservation Subdivision was not an option for development at the time the original request was approved. Since that time, the applicant thinks that due to the housing recession since about 2007/2008, a subdivision with smaller lots and significant conservation area has become more viable.



As for the zoning designation, an R-5 zoning classification gives more protection to the lands within 2500 feet of the river. Larger lots play a key role in making sure nutrients and runoff are better filtered before reaching the waters therefore offering better protection against contaminants or other harmful effects. This rezoning puts that added protection back into the development.; and

No. 3: The manner in which the proposed amendment will carry out the intent and purpose of any adopted plans or parts thereof. The Plan encourages development be done through an integrated approach in protecting and promoting high-quality open space, recreation, historic and tourism locations. The applicant feels through this new plan, natural resources have been identified, conserved, and protected, surface and underground water resources are effectively protected, the emphasis on clustered and mixed use developments is being adhered to, and an increase in open space has been accomplished.; and

No. 4: All other circumstances, factors and reasons which the applicant offers in support of the proposed amendment. The rezoning is significant in making the conservation subdivision possible, facilitating the preservation of approximately 428 acres, protecting the watershed, and creating well planned recreational opportunities within proximity of the Haw River.; and

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


1. The Application to rezone a portion of the property described as Parcel No. 3027, 87217, 86946, 81274, and 86878-86944 and being approximately 650 acres collectively as depicted on Attachment "A", located at/off Bynum Ridge Rd, from CU-RA90toR-1 Residential and R-5 Residential respectively, Baldwin Township is approved and the zoning map is amended accordingly.
2. The following Conditions shall also be approved as part of this Ordinance approving the rezoning. They are:

Because this is a general use rezoning request, there are no conditions to consider or request on this property. All development of the property shall follow the standards as required in the zoning ordinance and any other regulatory department or agency that may be involved in its development.

3. This ordinance shall become effective upon its adoption.

Adopted this 18th day of August 2014

  
Walter Petty, Chair   
Brian Bock, Vice Chair  
Chatham County Board of Commissioners

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



ATTACHMENT "A"

Tax Parcel Nos. 3027, 87217, 86946, 81274, and 86878-86944 being approximately 650 acres collectively, to be zoned R-1 Residential for lands outside the River Corridor area and R-5 Residential for lands with the River Corridor, located at/off Bynum Ridge Road, Baldwin Township.

