



CHATHAM COUNTY COMMISSIONERS

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Diana Hales, Vice Chair
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Karen Howard
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COUNTY MANAGER

Renee Paschal

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Ordinance of the Chatham County Board of Commissioners

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF CHATHAM COUNTY

For General Rezoning from R-5 and R-1 Residential to NB Neighborhood Business

WHEREAS, the Chatham County Board of Commissioners has considered the request by the Chatham County Alcoholic Beverage Control Board to rezone approximately 3.03 acres, being all or a portion of Parcel No. 11503 being all of 1.57 acres and 11505 being all of 1.46 acres, located at the corner of the Moncure Pittsboro Road and the US 1 off ramp, Haw River Township, from R-5 and R-1 Residential to NB Neighborhood Business to utilize the property for future development, 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 rezoning request set forth in the Application and incorporated herein by reference, if approved as pursuant to the provisions of the zoning ordinance, would be suitable for the property proposed for rezoning; 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. No errors are being claimed with this request; 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. These properties are located at the interchange of Moncure-Pittsboro Road and US 1, which is 4-lane controlled access highway. The parcel across US 1 (southwest corner of the interchange) from the subject property is zoned B-1 General Business and has been for many years. Parcel 60167, which is located on the opposite side of

Moncure Pittsboro Road is zoned R-1, Residential and was part of the 2007 corridor zoning. Other parcels on the opposite side of Moncure Pittsboro Road include 78285 that was zoned B-1 General Business in 2009. Parcel 78290, adjacent to 78285, was rezoned to NB Neighborhood Business, one of the new commercial zoning districts, in December 2015. This area has been viewed as having a high potential for business uses for many years. Rezoning the subject property would make the uses on this property consistent with the changing conditions in this particular area; 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 Moncure-Haywood area is specifically noted as a location to build on access to highways, industry, and commercial sustainability. This property fronts on US 1 and has access to the county water system.

The property is also located within the RCSA (River Corridor Special Area) watershed district and is limited to 36% impervious surface without the use of curb and gutter. The RCSA district does allow for up to 50% impervious surface with approval of a special non-residential intensity allocation (SNIA). Although the properties are located within 2,500 feet of a major river, this is a less restrictive watershed district than RC (River Corridor). As a result, there are fewer limitations on the types of non-residential uses allowed than are listed in River Corridor district. The impervious surface limitations aid in the protection of water resources and environmental protections; and

No. 4: All other circumstances, factors and reasons which the applicant offers in support of the proposed amendment. NB Neighborhood Business is the least intensive business district established in the Zoning ordinance and is more compatible to the other business zoned properties surrounding or near this site. The standards of the zoning ordinance include protections for nearby or adjacent residential properties through landscaping and lighting standards that are intended to shield and limit impacts.; and

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

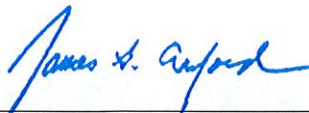
1. The Application to rezone a portion of the property described as Parcel No. 11503 and 1505 and being approximately 3.03 acres as depicted on Attachment "A", located at the corner of the Moncure Pittsboro Road and the US 1 off ramp, from R-5 and R-1 Residential to NB Neighborhood Business, Haw River 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:

None. The standards of the various development ordinances shall be complied with.

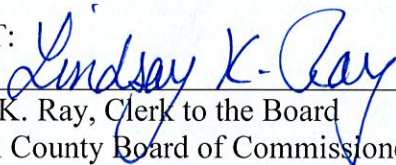
3. This ordinance shall become effective upon its adoption.

Adopted this 17 day of October, 2016



James Crawford, Chair
Chatham County Board of Commissioners

ATTEST:



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



the corner of the molecule

An aerial photograph of a wooded area with a proposed road layout highlighted in red. The red line starts near a building labeled '7830' at the top, runs south, then turns east to follow a road labeled 'ACCESS MON PITS RD MM 79'. This road intersects with 'MONCURE PITTS RD' and 'US 1' on the right side of the image. The terrain is mostly covered in dense trees and brush, with some cleared areas visible. The red line outlines a path that appears to be a proposed access road or driveway.

