

Zoning Initiative

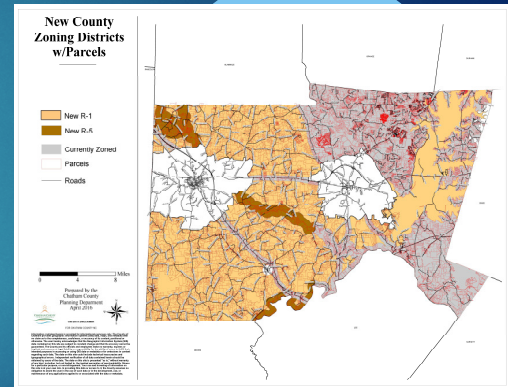
PUBLIC HEARING TO CONSIDER THE EXTENSION OF ZONING TO
CURRENTLY UNZONED AREAS OF THE COUNTY 6/6/16

Zoning Unzoned Areas

- ▶ Discussions started in 2014
 - ▶ Planning Board evaluated options in 2014 and again in 2015
 - ▶ Recommendations provided to the Commissioners in both years
- ▶ November and December 2015 Board of Commissioners meetings
 - ▶ Discussion to consider options to extend zoning to currently unzoned areas

General Information

- ▶ Number of Parcels – approximately 11,800
- ▶ Area – approximately 388 square miles
- ▶ Public hearing signs posted starting May 16th
- ▶ Letters mailed to property owners May 20th
- ▶ Website – www.chathamnc.org/county zoning
- ▶ Includes Corps of Engineers owned property associated with Jordan Lake ~ 60 square miles in Chatham County.
- ▶ R- 5 zoning proposed for property along the major rivers.
- ▶ R-1 zoning proposed for all other areas.
- ▶ Other regulations already enforced countywide such as Subdivision Regulations, Watershed Protection Ordinance and others.



What does R-1 and R-5 Mean?

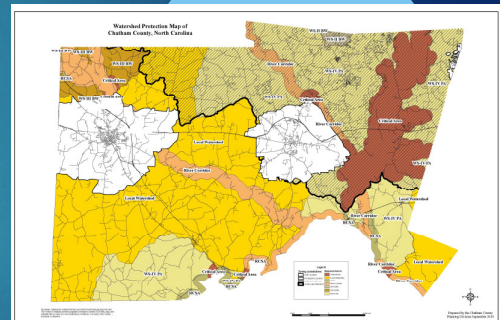
- ▶ Zoning Ordinance includes residential, business, and industrial districts.
- ▶ There are three residential districts – R-1, R-2, and R-5.
 - ▶ R-1 = 1 dwelling unit per 40,000 square feet (approx. 1 acre)
 - ▶ R-2 = 1 dwelling unit per 90,000 square feet (approx. 2 acres)
 - ▶ R-5 = 1 dwelling unit per 5 acres
- ▶ Residential districts primarily allow for single family residential development.
- ▶ Also allows schools, fire departments, and a small set of other uses by right or through a conditional use permit.
- ▶ Businesses are not allowed and are subject to a rezoning process.

What does R-1 and R-5 Mean?

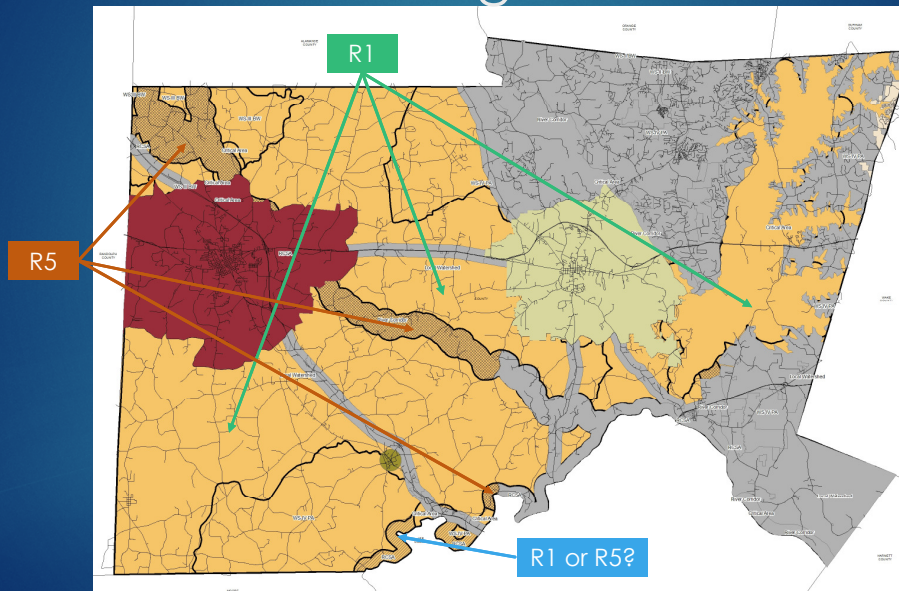
- ▶ Building setbacks
 - ▶ Front = 40' , Sides and Rear = 25'
- ▶ Private (non-commercial) cemeteries are not regulated through zoning.
- ▶ Manufactured/Mobile Homes are not treated differently than stick built or modular homes.
- ▶ Bona fide farm uses are exempt from regulation.
- ▶ Existing businesses are "grandfathered".
- ▶ New businesses require a rezoning.
- ▶ Provisions for home occupations, including the use of accessory buildings with limits on square footage.

Why were R-1 and R-5 Selected?

- ▶ Apply zoning classifications (R1 and R5) that are already established in the Zoning Ordinance.
- ▶ Areas proposed for R-1 and R-5 zoning mirror existing watershed districts with an exception along the Deep River.
- ▶ Watershed Regulations cover all areas under the county's land use authority and were adopted in 1993.
 - ▶ Each watershed classification includes a residential density limit that is comparable to an existing zoning classification.
 - ▶ Non-residential uses are regulated in certain watershed districts regardless of zoning status (River Corridor, WS-IIBW, WS-IIICA WS-IVCA).

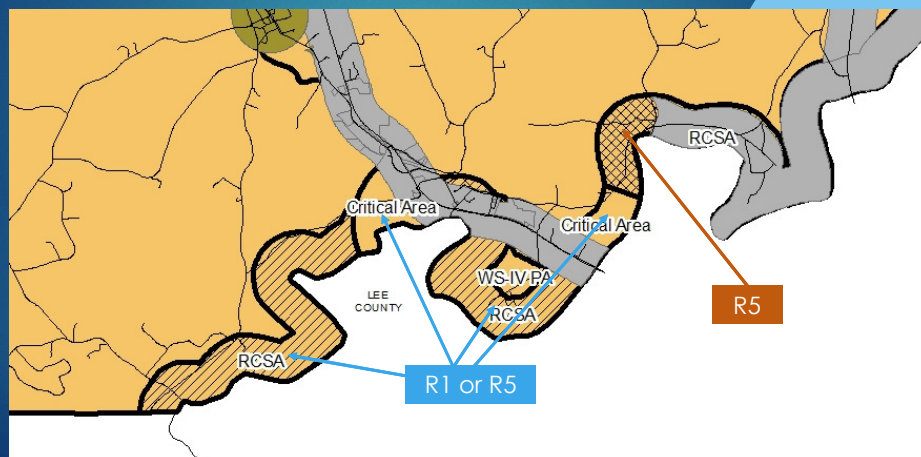


Watershed & Zoning



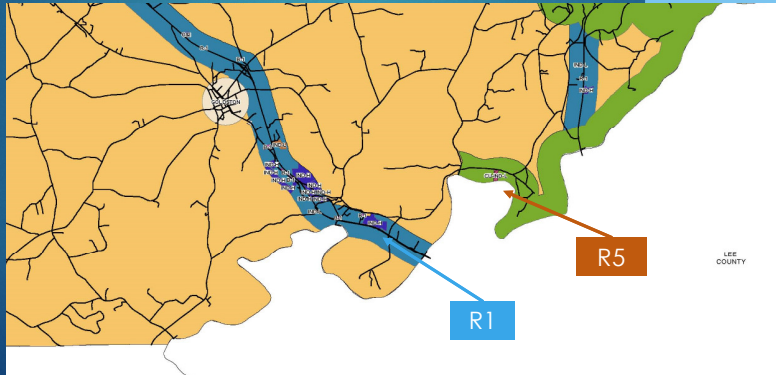
Exception along the Deep River

- ▶ River Corridor Special Area (RCSA) and Critical Area watershed districts
- ▶ Both watershed districts permit 1 dwelling unit per acre



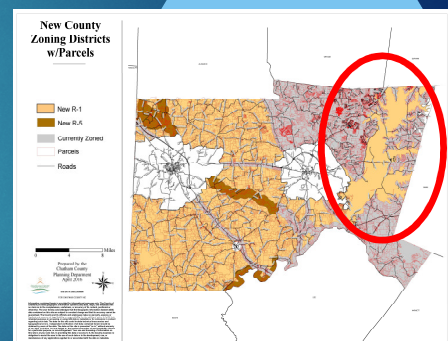
Exception along the Deep River

- ▶ Commissioners decided to proceed with R-5 zoning within 2,500 feet of the Deep River
 - ▶ Consistent with the existing R-5 zoning along a majority of the Deep River
 - ▶ R-1 zoning applied along the Deep River as part of the application of zoning within 1,500 feet of US 421 in 2007.



Corps of Engineers Property/Jordan Lake

- ▶ Why was the Corps property included?
- ▶ Property was included for uniformity on zoning map.
- ▶ Local government land use regulations to do not apply to federally owned property.
- ▶ Corps was notified by staff and they did not note any concerns.
- ▶ Responses to questions staff has received -
 - ▶ The application of zoning is not intended to trigger residential development on Corps property.
 - ▶ Allowable density in the county will not increase if zoning is applied to the Corps property.



Businesses

- ▶ Existing businesses will become non-conforming uses/grandfathered
 - ▶ No effect on continued operations
 - ▶ Use can be extended to additional buildings on the property, but property setbacks apply
 - ▶ Expansions to existing buildings are allowed
- ▶ Business listing forms – used by staff for verification
- ▶ A non-conforming use cannot be extended to additional parcels.
- ▶ A non-conforming use cannot be changed to another non-conforming use.
- ▶ If a non-conforming use is discontinued for 365 days the property can only be used for a conforming use or a rezoning is required.
- ▶ New businesses will be subject to a rezoning process that includes a public hearing, Planning Board review, and Commissioner approval or denial.

Farm/Agricultural Uses

- ▶ Bona fide farm uses are exempt from zoning
 - ▶ The application of zoning will have no effect on bona fide farm operations.
 - ▶ Examples include chicken houses, cattle operations, crop production, pastures, horticultural operations, timber management, etc.
 - ▶ The exemption applies to the structures and buildings used for farm purposes.
 - ▶ New bona fide farms also fall under the exemption.
- ▶ Business listing forms do not need to be submitted for farm/agricultural uses.
- ▶ Business listing forms need to be submitted for non-farm related businesses.

Home Occupations

- ▶ The Zoning Ordinance includes two categories of home occupations.
- ▶ Administrative approval
- ▶ Neighborhood Home Occupations
 - ▶ Allows up to 3 non-resident employees and a total of 4 resident and non-resident. Employee limit does not apply to employees who work off-site.
 - ▶ No outdoor display of goods or items.
 - ▶ Can be conducted in an accessory building up to 1,000 square feet.
- ▶ Rural Home Occupations
 - ▶ Only allowed on parcels 3 acres or larger in size
 - ▶ Allows up to 3 non-resident employees and a total of 4 resident and non-resident. Employee limit does not apply to employees who work off-site.
 - ▶ Can be conducted in accessory building up to 2,500 square feet.
 - ▶ Buildings, material storage, and operations setback at least 40 feet from front property line and 50 feet from all other property lines.

Comprehensive Plan

- ▶ The county is currently drafting a Comprehensive Plan
- ▶ Community meetings scheduled for June 21, 22, and 23 from 5 to 7 pm.
 - ▶ June 21 – Horton Middle School
 - ▶ June 22 – Margaret Pollard Middle School
 - ▶ June 23 – J.S. Waters Elementary School
- ▶ Outcomes of the plan may result in changes in zoning to better match community interests.
- ▶ 25 year vision for the county.
- ▶ More information online at www.chathamnc.org/comprehensiveplan



Next Steps

- ▶ Planning Board review and recommendation – earliest would be July 12th.
- ▶ Board of Commissioners final decision – earliest would be August 15.
- ▶ Staff can delay for one month after the hearing to process materials.
- ▶ Planning Board has three months to review.

Contacts

- ▶ Zoning Initiative
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- ▶ Comprehensive Plan
 - ▶ Hillary Pace, Planner II, at (919) 542-8276 or hillary.pace@chathamnc.org
- ▶ Planning Board Contacts – <http://www.chathamnc.org/index.aspx?page=439>
- ▶ Commissioner Contacts - <http://www.chathamnc.org/index.aspx?page=34>

Questions?

