

## **..TITLE**

Legislative public hearing request by the Chatham County Board of Commissioners to apply R-1 and R-5, Residential zoning, to approximately 388 square miles of the county that are currently unzoned.

## **..ABSTRACT**

### **Action Requested:**

Public hearing request by the Chatham County Board of Commissioners to apply R-1 and R-5, Residential zoning, to approximately 388 square miles of the county that are currently unzoned.

### **Introduction & Background:**

During the March 21, 2016 Commissioners meeting a public hearing was scheduled to extend R-1 and R-5, Residential, zoning to areas of the county that are currently unzoned. This item was previously discussed in November and December 2015 by the Commissioners when it was determined that zoning should be extended countywide.

### **Discussion & Analysis:**

The areas under consideration for rezoning are included in the attached maps and covers approximately 388 square miles and includes over 11,600 parcels.

Approximately 1,500 public hearing signs have been placed in the affected area and notification letters have been mailed to the property owners. A website has also been created with information about the zoning process and also includes a list of frequently asked questions, which can be viewed at the following link –

[www.chathamnc.org/CountyZoning](http://www.chathamnc.org/CountyZoning).

The R-1 and R-5 zoning classifications represents the residential density allowed within those districts. R-1 allows one dwelling unit per 40,000 square feet (63,560 square feet without public utilities) and R-5 allows one dwelling unit per 5 acres on average with no lot being less than three acres in size. These residential densities also reflect the watershed district designations that were implemented in 1994 and shown on the adopted Watershed Protection Map (see attachment). For example, the R-5 zoning district overlays the River Corridor watershed district. The exceptions to this rule are areas along the Deep River where the River Corridor Special Area and Critical Area watershed districts have been adopted. Residential densities in those two watershed districts allows one dwelling unit per acre, whereas R-5 zoning is proposed. The Board of Commissioners discussed this area during their December meeting and decided that R-5 zoning was appropriate due to the proximity to the Deep River and for consistency with the application of this zoning district to properties adjoining the Rocky River. Additionally, it would match the zoning in place along the currently zoned areas of the Deep River (see attached Zoning Map).

There are existing businesses within the implementation area and those uses will be “grandfathered” and subject to the non-conforming provisions of the Zoning Ordinance. Those provisions allow for the continued operation of the businesses and allows for

expansions in certain circumstances. If a use is discontinued for greater than 365 days the “grandfathering” provisions will no longer apply. The application of zoning to bona fide farm operations will have no effect on those uses. The Zoning Ordinance includes provisions that exempt farm activities from zoning regulations and those standards will in the proposed zoning area.

**Recommendation:**

Hold the public hearing and refer to the Planning Board for a recommendation.