



Established 1771

CHATHAM COUNTY COMMISSIONERS

Jim Crawford, Chairman
Diana Hales, Vice Chair
Mike Dasher
Karen Howard
Walter Petty

COUNTY MANAGER

Renee Paschal

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

Resolution of the Chatham County Board of Commissioners

ADOPTING A CONSISTENCY STATEMENT FOR THE APPROVAL OF

Zoning Ordinance Text Amendment

WHEREAS, the Chatham County Board of Commissioners has reviewed the application for the Chatham County Board of Commissioners to revise the Chatham County Zoning Ordinance, specifically Section 10.13 Table of Permitted Uses, to revise multiple uses in the Light and Heavy Industrial zoning districts that are currently permitted by right to Conditional Use Permit (the “Amendment”) and finds that the same is consistent with the Chatham County Land Conservation and Development Plan; and

WHEREAS, in addition, the Chatham County Board of Commissioners considers the Amendment to be reasonable and in the public interest because The text amendment to the Chatham County Zoning Ordinance, Section 10.13 Table of Permitted Uses, specifically the industrial districts classifications, is consistent with The Land Conservation and Development Plan by expanding the list of industrial uses that are subject to a process that aides in the protection of ground and surface waters, wildlife habitats, property values, and economic growth. The Plan includes that the county should “design a process that invites and facilitates the location of businesses in the preferred commercial and industrial sites” and “discourage commercial and industrial development in other settings.”;

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

Adopted, this the 17 day of April, 2017


James G. Crawford, Chairman
Chatham County Board of Commissioners

ATTEST:


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



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Ordinance of the Chatham County Board of Commissioners**AN ORDINANCE AMENDING THE ZONING ORDINANCE
OF CHATHAM COUNTY**

For Revisions to Section 10.13 Table of Permitted Uses Light and Heavy Industrial Uses

WHEREAS, the Chatham County Board of Commissioners has considered the request by the Chatham County Board of Commissioners to revise Section 10.13 Table of Permitted Uses specifically certain uses from "P" Permitted to "CU" Conditional Use under the light and heavy industrial districts, 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 amendment request set forth in the Application and incorporated herein by reference, approved as pursuant to the provisions of the zoning ordinance, would be suitable for the furtherance of the administration of the ordinance; 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. The Chatham County Zoning Ordinance was originally adopted in 1968 and applied to two townships. It has subsequently expanded to cover the entire county, outside the municipal land use jurisdictions, based on need and growth pressures. Since zoning was originally adopted there have been many changes in the county resulting from industrial, commercial and residential growth leading to an increased tax base. With the potential for two new industrial parks proposed in the county, one within the Town of Siler City's zoning jurisdiction and the other in Moncure, the Commissioners thought it was the appropriate time to review the list of industrial uses. They evaluated whether certain uses were more intrusive on surrounding properties and should be required to go through a more comprehensive review before the use was considered for approval.; and

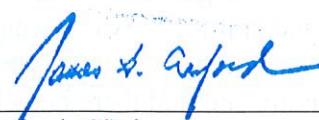
No. 3: The manner in which the proposed amendment will carry out the intent and purpose of any adopted plans or parts thereof the consistency statement resolution provides recommendations from the Land Conservation and Development Plan including the protection of residential areas and preservation of community character;; and

No. 4: All other circumstances, factors and reasons which the applicant offers in support of the proposed amendment.These standards are reasonable and further the interest of the county in protecting neighborhoods from the negative secondary effects of businesses that may have a greater environmental or physical impact on their surrounding areas; and

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

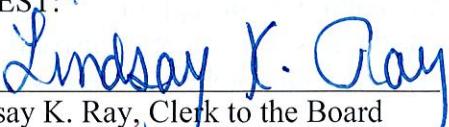
1. Approved Ordinance changes totaling 37 as detailed below in voting order and as attached:
 - a) Changing 27 uses from permitted to conditional use permit and the addition of 3 new uses for a total of 30
 - b) Wording adoption in relation to current mining operations only as: "Parcels used in whole or in part for mining operations or as to which mining permits are applicable in whole or in part as of April 17, 2017, are exempt from the conditional use permit requirement for mining uses, as are "accessory uses", as that term is defined in the Zoning Ordinance."
 - c) Additional uses changing from "P" Permitted to "CU" Conditional Use as follows
bringing the total uses modified to 37. They are:
 1. Cement, Lime, Plaster Manufacturer – Require CUP
 2. Paper, Cardboard, Building Board Manufacturer – Require CUP
 3. Pharmaceutical Products Manufacturer – Require CUP
 4. Plastics Manufacturer – Require CUP
 5. Textile Manufacture Including Spinning, Dyeing, Bleaching, and Other Heavy Processes – Require CUP
 6. Tire Recapping and Re-treading – **Leave as Permitted Use**
 7. Soap, detergent and washing compound manufacture – Require CUP
 8. Cosmetics and perfume manufacture – Require CUP
2. This ordinance shall become effective upon its adoption.

Adopted this 17 day of April 2017



James Crawford, Chair
Chatham County Board of Commissioners

ATTEST:



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



ATTACHMENT "A"

The attached document is the Table of Permitted Uses, Section 10.13 in color showing the 37 total changes as reflected in this order.

Table 1: Zoning Table of Permitted Uses (BOC suggested changes are in yellow; "P" Permitted changed to "CU" Conditional Use Permit as Highlighted) (PB suggested additional changes are highlighted in green "P" Permitted changed to "CU" Conditional Use Permit as Highlighted)

Notes: Compact Communities (CC) uses are listed separately in the Compact Communities Ordinance
 Many commercial activities that are otherwise prohibited in this table may be allowed as Home Occupations if they meet the requirements of that section.

Key: P = Permitted; A = Accessory Only; CU = Conditional Use Only; PRD = Planned Residential Development Only;

		Zoning District							Planned Residential Development Only;				
		R5	R2	R1	O&I	B-1	NB	CB	RB	IL	IH		
ABC stores							P	P	P				
Accessory dwelling unit i.e. guest house, pool house, garage apartment and in-house apartment				P	P	P							
Accessory uses and structures clearly incidental to a permitted use			P	P	P								
Airports and landing fields for fixed and rotary wing aircraft						CU	CU						
Alcohol and alcoholic beverages manufacture									P				
Amusement enterprises such as pool, bowling, roller rink when housed entirely within a permanent structure							P	P	P				
Animal Husbandry Specialized with a minimum lot area and setback twice the minimum required of the zoning district. Lot area and setback for the AG district measured as if R5		CU	CU	CU									
Antique shops							P	P	P	P			
Apartment Complex or Residential Condominium Complex					PRD	PRD	PRD	PRD	PRD				
Appliance distributors for wholesale										P			
Appliance sales and service							P	P	P				
Art supply retail sales							P	P	P				
Arts and Crafts fabrication and related sales		CU					P	P	P	P			
Asphalt manufacture or refining									CU	CU	CU		
Assembly halls, coliseums, gyms and similar structures									CU	CU	CU		
Assembly of ammunition, for small arms only, from previously prepared parts										CU	CU		
Assembly of machines, appliances and goods from previously prepared parts										P	P		

Zoning District	R5	R2	R1	O&I	B-1	NB	CB	RB	IL	CU	IH
	P	CU	P								P
Automobile and truck assembly											
Automobile and automobile accessory sales and service											
Automobile service stations including tune-ups, minor repairs, tire service, washing facilities both manual and automatic and similar services. ¹						P	P	P	P	P	P
Avocational farming	P	P	P								
Bait and tackle shops						P	P	P	P	P	P
Bake shops and similar food preparation intended primarily for retail sales on the premises for consumption either on or off premises						P	P	P	P	P	P
Bakeries or baking plants						P	P	P	P	P	P
Banks, savings and loans, finance companies, credit agencies and similar financial institutions						P	P	P	P	P	P
Beauty Shops, Salons						P	P	P	P	P	P
Owner-occupied bed and breakfast homes with no more than two (2) rooms (units) for rent for stays no longer than seven (7) consecutive days and may be located on legal, non-conforming and conforming lots of record, on at least one and one half (1.5) acres, which may have standard setbacks as set in the district in which it is located	P	P	P	P							
Bed and breakfast inns with no more than six rooms for rent with a minimum lot area of three acres and provided that all buildings, structures and high intensity activity areas shall be set back a minimum of two times the minimum yard requirement for the district in which it is located	CU	CU	CU			P	P	P	P	P	P
Bedding, carpet and pillow manufacturing, cleaning and renovating											
Bicycle sales and repair						P	P	P	P	P	P
Blacksmith or horseshoeing shops							P	P	P	P	P
Blueprinting and Photostatting establishments							P	P	P	P	P
Boarding kennels (See Section 17.5 for acreage requirements)	CU	CU	CU			P	P	P	P	P	P

¹ Fuel, oil and similar pumps and appliances may be located in the minimum required front and side yards provided that none shall be located nearer than 15 feet to any street line and may be covered by an attached or free standing unenclosed canopy provided such canopy does not extend nearer than five feet to any property line and does not cover greater than 30% of the required yard area.

Zoning District	R5	R2	R1	O&I	B-1	NB	CB	RB	IL	IH
Boat, trailer and other utility vehicle sales and service				P	CU	CU	CU	P		
Boat Storage Facility					P	P	P	P	P	
Book, stationery and office supply stores										
Bookbindery										
Bottling works for soft drinks									P	P
Breeding kennels with a minimum lot area of three acres and provided that all buildings, structures and high intensity activity areas shall be set back a minimum of two times the minimum yard requirement for the district in which it is located				CU	CU					
Brick, tile, clay pipe and other clay products manufacture (Craft pottery is not covered in this definition)						P	P	P		P
Bus passenger stations						P	P	P		
Cabinet shops						P	P	P		
Campgrounds—SEE Public and Private recreation camps and grounds									P	
Candy products manufacture									P	P
Canvas and burlap products manufacture, sales and storage									P	P
Carpeting, Flooring, Tile, and Stone Products Sales						P	P	P		
Catering establishments						P	P	P		
Cement, lime, plaster manufacture									CU	
Cemeteries						CU	CU	CU	P	
Churches and other places of worship				P† ⁺	P†	P	P	P	P	
Circuses, carnivals, exhibition shows, sideshows, races, trade shows, flea markets, banquets, conventions, religious events, arts and crafts shows, stage shows, athletic events and other similar events, including temporary living quarters such as mobile homes and recreational vehicles provided that the stay of such temporary living quarters shall be limited to a period of not more than five days longer than the duration of the event and no more than 30 total days in any 12 month period for any one separate event									CU	CU

[†] Provided such are located on a lot of not less than three acres and provided further that the minimum side and rear yards shall be 50 feet and the front yard setback a minimum of 25 feet greater than required for a single-family residence within the district.

Zoning District	R5	R2	R1	O&I B-1	NB	CB	RB	IL	IH
Clothing manufacture					P	P	P	P	P
Clothing shops					CU	CU	CU	CU	CU
Clubs and other places of entertainment operated as commercial enterprises					CU	CU	CU	CU	CU
Coal or coke yards									
Coffee roasting								P	P
Cold storage plants								P	P
Congregate care facilities					P	P	P	P	P
Contractor's plants or storage yards and staging areas	CU	CU	CU	CU	CU	CU	CU	P	P
Cooperage works								P	
Cosmetics and perfume manufacture									CU
Dairy bars and ice cream shops intended primarily for retail sale on the premises for consumption either on or off premises					P	P	P	P	
Dairy products, processing, bottling and distribution, ice-cream manufacture, all on a wholesale basis								P	P
Day care centers for 15 or fewer children.	CU	CU	CU		P	P	P	P	
Day Care Centers for more than 15 children.									
Day care centers in the principal residence to accommodate not more than 15 children at any one time, provided such are located on a lot of not less than one acre and provided further that all buildings, structures and high intensity activity areas shall be set back a minimum of two times the minimum yard requirement for the district in which it is located	P	P	P						
Drive-in or outdoor motion picture show								CU	CU
Drug stores								P	P
Dry cleaning, pressing, and related retail service counter								P	P
Dwellings, single-family, manufactured	P	P	P					P	P
Dwellings, single-family, site built and modular	P	P	P					P	P
Dwellings, single-family attached (Duplex)	P	P	P					P	P
Dwellings, manufacture of dye stuff manufacture and dyeing plants	P	P	P					P	P

Zoning District	R5	R2	R1	O&I	B-1	NB	CB	RB	IL	IH
Eating and drinking establishments				P	P	P	P	P		
Electric light or power generating station									CU	CU
Emory cloth or sandpaper manufacture								P	P	
Enameling, japanning, lacquering or the plating or galvanizing of metals								P		
Event Center Limited			P	P	P					
Excelsior and fiber manufacture								P		
Fabric shops				P	P	P	P	P		
Family Care Home (except that a Family Care Home may not be located within 1,125 feet of an existing Family Care Home)	P	P	P							
Feed and seed processing								P	P	
Feed and seed wholesale								P	P	
Feed, seed, fertilizer retail sales				P	CU	CU	P	P	P	
Felt manufacture								P		
Fertilizer wholesale sales								P	P	
Fire stations and emergency medical facilities with a minimum lot area of three acres and provided that all buildings, structures and high intensity activity areas shall be set back a minimum of two times the minimum yard requirement of the district in which it is located	P	P	P							
Flammable liquids - bulk plants and storage	CU	CU	CU	P	P	P	P	P	P	CU
Flea markets and rummage sales conducted either within a building or outdoors provided that no principal building or sales area shall be located in the required yard								CU	CU	CU
Florist - greenhouses, cultivation facilities and warehousing for wholesale and related retail sales								P	P	
Florist shops			P	P	P					
Food processing in wholesale quantities								P	P	
Food stores, retail			P	P	P					

Zoning District	R5	R2	R1	O&I	B-1	NB	CB	RB	IL	IH
Foundries casting nonferrous metals where conducted wholly within an enclosed structure, except for open air storage and having a total furnace capacity of not more than 1,000 aluminum pounds						CU	CU	CU		
Foundries producing iron and steel products						CU	CU	CU		
Frozen food lockers								P	P	
Funeral homes, undertaking establishments, embalming including crematoria				P	P	P	P	P	P	
Fur storage (no sales)				P		P	P	P	P	
Furniture stores				P	P	P	P	P	P	
Furrier, retail sales (can include storage)				P	P	P	P	P	P	
Garbage and waste incinerators (except hazardous waste)				CU						
Gas storage in bulk										
Gases or liquefied petroleum gases in approved portable metal cylinders								P	P	
General, professional, medical and governmental offices				P	P	P	P	P	P	
Gift shops				P	P	P	P	P	P	
Golf courses and tennis clubs, public or private				P						
Grain elevators								P	P	
Golf courses, tennis and recreation clubs with a minimum lot area of five acres and provided that all buildings, structures and high intensity activity areas shall be set back a minimum of two times the minimum yard requirements for the district in which it is located				CU	CU	CU				
Grounds and facilities for hunting and fishing clubs with a minimum lot area of 20 acres and provided that all buildings, structures and high intensity activity areas shall be set back a minimum of two times the minimum yard requirement for the district in which it is located				P	P	P				
Grounds and facilities for non-profit clubs with a minimum lot area of three acres and provided that all buildings, structures and high intensity activity areas shall be set back a minimum of two times the minimum yard requirement for the district in which it is located				P	P	P				
Grounds and facilities for open air games or sports except the following:				CU	CU	CU				
* Paintball Gaming Outdoor				P	P	P				

Zoning District	R5	R2	R1	O&I	B-1	NB	CB	RB	IL	IH	CU
Land clearing and inert debris landfill (For beneficial fill see "Inert Debris")						P	P	P	P	P	
Landscape design business						P	P	P	P	P	
Landscaping and grading business						P	P	P	P	P	
Laundries, Laundromats and dry cleaning establishments	CU	CU				P	P	P	P	P	
Laundries, steam							CU	P	P	P	
Lawn and garden shops						P	CU	P	P	P	
Leather goods manufacture excluding tanning								P	P	P	
Leather goods sales and service including manufacture for retail sales on premises						P	P	P	P	P	
Libraries, museums and art galleries						P	CU	P	P	P	
Light manufacturing or processing not otherwise named herein provided no operations are carried on, or are likely to be carried on, which will create smoke, fumes, noise, odor or dust which will be detrimental to the health, safety or general welfare of the community								P	P	P	
Lock and gunsmiths	CU	CU				P	P	P	P	P	
Lumberyards, building materials storage and sales								P	P	P	
Machine shops								P	P	P	
Meat processing and packing								P	P	P	
Meat processing and packing related to onsite raising of livestock									P	P	
Medical clinics - inpatient and outpatient care						P	CU	P	P	P	
Metal fabricating plants using plate and structural shapes and including boiler for tank works								P	P	P	
Mining ²									CU	P	
Major Utilities									P	P	
Minor Utilities (Any noise producing equipment must be stored within a structure, or must be setback a minimum fifty (50) feet from any public right-of-way or property line)	P	P	P	P	P	P	P	P	P	P	

² Parcels used in whole or in part for mining operations or as to which mining permits are applicable in whole or in part as of April 17, 2017, are exempt from the conditional use permit requirement for mining uses, as are "accessory uses", as that term is defined in the Zoning Ordinance.

Zoning District	R5	R2	R1	O&I	B-1	NB	CB	RB	IL	IH
Mixed Use Building				CU	CU	CU	CU	CU	CU	
Mixing plants for concrete, or paving materials and manufacture of concrete products										CU
Mobile home sales and service				P		CU	P	P	P	P
Motorcycle sales and service				P		CU	P	P	P	P
Mulch - grinding, screening (sifting and separating of particles), mixing, blending, processing and dyeing of mulch						CU				CU
Music stores including repair and craft manufacture	CU	CU								
Newsstands				P	P	P	P	P	P	P
Office - business, professional and governmental			P	P	P	P	P	P	P	P
Office - engineering supply and similar sales and services including blueprinting, Photostatting and similar services			P	P	P	P	P	P	P	P
Open air sales and service of accessory buildings and gazebos and like free-standing structures			P	CU	P					
Open-air sales or displays from a temporary building or structure			P	CU	P	P	P	P	P	P
Optical and scientific instrument, jewelry and clock, musical instrument manufacture					P	P				
Opticians and optical sales and service			P	P	P					
Owner-occupied bed and breakfast homes with no more than two (2) rooms (units) for rent for stays no longer than seven (7) consecutive days and may be located on legal, non-conforming and conforming lots of record, on at least one and one half (1.5) acres, which may have standard setbacks as set in the district in which it is located.	P	P	P							
Oxygen manufacture and/or storage									P	P
Paint and enamel manufacture not employing a boiling process								P	P	P
Paint retail shops								P	P	P
Paper, cardboard and building board manufacture								P	P	P
Pawnshops and secondhand stores								P	P	P
Pet shops								P	P	P
Pharmaceutical products manufacture								P	P	P

Zoning District	R5	R2	R1	O&I	B-1	NB	CB	RB	IL	IH
	P	P	P	P	P	P	P	P	P	P
Photographic studios, camera shops										
Planing or sawmills									P	P
Planned residential developments			CU	CU	CU					
Plastics manufacture									CU	
Plating works									P	
Plumbing shop and yard									P	
Post offices								P	P	
Pottery (hand crafted) and related retail								P	P	
Pottery, porcelain and vitreous china manufacture								P	P	
Printing and publishing								P	P	
Printing, publishing and reproduction establishments								P	P	
Private recreation camps and ground with a minimum lot area of 10 acres and provided that all buildings, structures, spaces, and high intensity activity areas shall be set back a minimum of fifty (50) feet from all property line/boundary areas except in the Haw River Township, which shall meet the minimum setback requirements of the base zoning district							P	P	P	
Public and private recreation camps and grounds (See Section 17.5 for acreage requirements)	CU	CU	CU							
Public and private schools, training and conference centers							P	P	CU	CU
Public parks and recreation areas including marinas and concessions with a minimum lot area of three acres and provided that all buildings, structures and high intensity activity areas shall be set back a minimum of two times the minimum yard requirement for the district in which it is located						P	P	P	CU	CU
Public utility transmission lines							P	P	P	P
Radio and television stations and their towers when the towers are located on the same site with the station							P	P		P
Rag, bag and carpet cleaning establishments										P
Railroad freight yards, terminals or classification yards and rights-of-way										P
Railroad rights-of-way										P
Recreational Facilities (Gyms, yoga studios, et cetera)							P	P	P	P

Zoning District	R5	R2	R1	O&I	B-1	NB	CB	RB	IL	IH
				P	CU	CU	CU	CU	P	P
Recreational Vehicle Storage Facility										
Recycling industries that do not include the storage and/or processing of hazardous waste										P
Repair and service of office and household equipment	CU	CU	CU						P	P
Repair and servicing of industrial equipment machinery, except railroad equipment									P	P
Repair shops for jewelry, shoes, radios, televisions and other small office or household appliances	CU	CU	CU						P	P
Retail stores and personal service shops similar to those listed dealing in direct consumer and personal services	CU	CU	CU					P	P	P
Rock crushers								CU		
Rodenticide, insecticide and pesticide mixing plants								CU		
Sanitary landfill excluding the burning of trash out of doors								CU		
Schools, public and private with a minimum lot area of three acres and provided that all buildings, structures and high intensity activity areas shall be set back a minimum of two times the minimum yard requirement for the district in which it is located	P	P	P							
Scrap paper or rag storage, sorting or bailing when conducted within a building									P	P
Secretarial and job service offices								P	P	P
Self-storage facility / mini-warehouse storage facility with related retail and services (i.e. moving truck rental)							P	CU	P	P
Sexually Oriented Businesses (see Section 17.8 for standards)									P	
Sheet metal shops									P	P
Sign manufacture, painting and maintenance							P		P	P
Soap, detergent and washing compound manufacture								CU		
Solar Farm <less than 2 acres follow Section 17.6	P	P	P						P	P
Solar Farm >greater than 2 acres follow Section 17.6	CU	CU	CU					CU	CU	
Sporting goods sales							P	P	P	
Spray irrigation of tertiary tested wastewater (reclaimed water)	P	P	P				P	P	P	
Stonecutting, monument manufacture and sales							P	P	P	

Zoning District	R5	R2	R1	O&I	B-1	NB	CB	RB	IL	IH
Truck terminals, repair shops, hauling and storage yards				P	P	P	P	P	P	P
Upholstery, paper hanging and decorator shops				P	P	P	P	P	P	P
Uses and structures customarily accessory to any permitted use				P	P	P	P	P	P	P
Veterinary clinics and hospitals with dog runs or equivalent facilities				P	CU	CU	CU	CU	CU	CU
Veterinary hospitals & clinics				P	P	P	P	P	P	P
Wastepaper and rags, collection and bailing						P	P	P	P	P
Wholesale and jobbing establishments including incidental retail outlets for only such merchandise as is handled at wholesale						P	P	P	P	P
Woodworking shops, mill work						P	P	P	P	P

