



Jason Sullivan, Planning Director

Frequently Asked Questions for County Wide Zoning:

1. Why did I receive a letter about zoning my property or why are public hearing signs being placed in certain areas of the county?

In the latter part of 2015, the Board of Commissioners voted to implement zoning in areas of the county that are currently unzoned. The Commissioners and Planning Board discussed options to establish zoning over the course of several months and determined that residential zoning would be the best fit at this time.

2. What is the process to establish zoning in the areas that are currently unzoned?

The Board of Commissioners has scheduled a public hearing for this item on June 6, 2016 starting at 6 pm in the courtroom of the Historic Courthouse in Pittsboro at 9 Hillsborough Street. Once the public hearing is closed, the item will be forwarded to the Planning Board for a recommendation. The earliest the Planning Board will receive the item is July 12 and they have up to three meetings to make a recommendation. The earliest the Board of Commissioners could receive the item for a final decision is August 15.

3. How can I voice my opinion on this issue?

The Board of Commissioners and Planning Board will receive comment during the public hearing on June 6 with speakers limited to three minutes each. If you cannot attend the meeting or prefer to provide written comments, they can be submitted to Planning Staff (contact information is provided in the last question). Staff requests that written comments be submitted because this information will be relevant to discussions by policymakers as we move through the zoning process.

4. How do I sign-up to speak during the public hearing?

You can sign-up to speak in advance of the meeting on the following webpage - <http://www.chathamnc.org/index.aspx?page=46> or a sign-up sheet will be provided on site at the hearing.

5. Are maps available showing where zoning is proposed?

Yes, a map is available for download on this website or can be viewed on the county GIS mapping system (www.chathamgis.com). Once you access the GIS homepage, select the "Planning/Zoning/Flood" folder and then check the box beside "County Zoning". Once you select county zoning you can choose to view the proposed zoning classification on property in the unzoned areas of the county.

6. What is zoning?

Zoning is how local governments regulate land use in their jurisdiction. The land is "zoned" for a particular set of uses, with some uses allowed, while other uses may be limited or prohibited. Local jurisdictions may enact zoning pursuant to North Carolina General Statute Article 18, Part 3, Zoning of Chapter 153A.

7. Who regulates zoning in Chatham County?

The local municipalities (Siler City, Pittsboro, and Cary) and Chatham County Government regulate zoning within their respective jurisdictions. The Town of Goldston is currently unzoned, but has recently discussed whether to implement zoning. Presently, zoning has been applied to approximately 201.2 square miles of the county, plus zoning by the towns (67.4 square miles in Siler City, 46.1 in Pittsboro, and 1.64 in Cary).

8. What is a "use"?

A "use" is an activity you can do with land and/or structures within a zoning category, such as R-1 or R-5. As defined by the Chatham County Zoning Ordinance, a use is "the purpose for which land or structures thereon designed, arranged, or intended to be occupied or used, or for which it is occupied, maintained, rented or lease." Please visit the Zoning Table of Permitted Uses in Section 10.13 (pg. 43) of the Chatham County Zoning Ordinance for more information about uses that are allowed in different zoning districts.

9. I own a farm in the area to be zoned. Will I still be allowed to farm?

Yes. Bona fide farms are exempt from zoning regulations. Examples of farming include, but are not limited to, crop production, livestock, aquaculture, planting and harvesting trees, and related farming operations. As per Section 3 of the Chatham County Zoning Ordinance: "This Ordinance shall in no way regulate, restrict, prohibit or otherwise deter or affect property used for bona fide farm purposes." However, Section 3 goes on to explain that "any use of farm property for non-farm purposes shall be subject to the regulations of this Ordinance, per North Carolina General Statutes §153A-340(b)." Simply put, if you operate a business use that is not associated with the farm, but on the same property, the business use will be subject to the non-conforming use provisions described below.

10. Are there other land use regulations that currently apply in unzoned areas of Chatham County?

Yes. The following ordinances are enforced throughout the county outside of the municipalities planning jurisdictions. For more information about these regulations you can access them from the following webpage:
<http://www.chathamnc.org/index.aspx?page=440>

- Wireless Telecommunication Facilities Ordinance
- Outdoor Lighting Ordinance
- Junkyard Ordinance

- Mobile Home Ordinance (regulates mobile home parks)
- Flood Damage Prevention
- Off-Premise Signs (Billboards)
- Subdivision Regulations
- Watershed Protection Ordinance (regulates “built upon area”, riparian buffers, minimum lot sizes and certain uses within Chatham County’s watersheds).

11. What uses will be allowed and what uses will be prohibited after zoning is in place?

Uses that are legally established within the unzoned areas may continue to operate once the residential zoning districts, R-1 and R-5, are in place. New uses that are allowed “by-right”, once the residential zoning is in place, are listed in the Zoning Table of Uses (Zoning Ordinance Section 10.13 - Schedule of District Regulations) and are processed as an administrative permit. These allowed uses include residential development and related uses, such as schools and churches. Some uses such as large day care centers would require a Conditional Use Permit, which is a permit issued by the Board of Commissioners (see question 12). Uses not listed in the R-1 or R-5 category may be eligible for a rezoning (see question 12).

12. When will a proposed use require a “rezoning”?

A rezoning is required when the use proposed for the property is not compatible with the existing zoning district. Since the current plan is to apply R-1 or R-5 residential zoning in unzoned areas, any proposed new business uses will likely require a rezoning to the appropriate zoning district, such as Neighborhood Business (NB).

13. What is the Planning Board and what is their function?

Chatham County established a Planning Board through its adoption of a ordinance as required by state law. The Planning Board has eleven members appointed by the Board of Commissioners and their terms run concurrent with the appointing Commissioners. Generally, the main duties of the Planning Board are to prepare and recommend ordinances to ensure orderly development and a good quality of life in the county, to establish and revise a Comprehensive Plan, and ensure that development is consistent with the Comprehensive Plan. All rezoning cases, text amendments to ordinances, applications for major subdivisions, and applications for Conditional Use Permits go before the Planning Board and require their recommendations to be sent to Commissioners for consideration.

14. I own a business in this area of the county. Will I still be able to run my business and expand my business over time?

As required by the Chatham County Zoning Ordinance current business uses and expansions of those businesses in the currently unzoned parts of the county will be “grandfathered” and can continue to operate. These businesses will be a non-conforming use, which means the property is used for a purpose or in a manner not permitted by the newly applied zoning category. Since the proposed

zoning districts are all residential at this time, commercial and industrial operations in this area will be considered non-conforming uses after zoning is implemented.

Generally speaking, any lawfully established business in the currently unzoned areas may be able to expand once zoned, and the structures may be altered to a certain extent. However, major expansions or changes in use to a different type of business would not be allowed without requesting a rezoning. See Sections 7 and 9 of the County Zoning Ordinance for more information.

15. I have a home-based business. Will I still be able to operate?

The answer to #14 above also applies to current businesses operated as a home occupation.

16. How will zoning change my plans to open a business after zoning is in place?

Once zoning is in place, businesses will need to follow the Zoning Table of Permitted Uses in Section 10.13 (pg. 43), in addition to following other regulations within the Chatham County Zoning Ordinance. If your use is not listed in your zoning district, you may be eligible for a rezoning. The county offers free pre-application meetings for all proposed developments to provide helpful information for development purposes.

17. How can I let county officials know that I operate a business in an area that is under consideration for zoning?

Owners of property that are under consideration for zoning will receive a public hearing notice via regular mail that includes a business listing form. Please return the form as noted in the letter and county staff will include this information in a database for future reference. Staff may also visit the property to obtain additional information to document the use. You can also obtain the listing form [here](#).

18. What is the difference between zoning and the Comprehensive Plan “land use plan” effort the county is undergoing currently?

The Comprehensive Plan is a policy document that provides guidance for the development of the county over the next 25 years. The Comprehensive Plan reflects the community’s priorities and a careful analysis of data and existing policy documents. The document will have goals and implementation steps for achieving the vision of the plan. The plan is currently underway and is expected to conclude in April 2017. Public input is critical to the plan and the first round of public input meetings are tentatively scheduled in June.

The zoning effort currently underway is a regulatory process. Once the unzoned portions of the county are zoned, it is then subject to the requirements of the zoning ordinance. For more information about the comprehensive plan effort, please visit: <http://www.chathamnc.org/index.aspx?page=1860>.

19. How will the Comprehensive Plan affect zoning after the plan is complete?

Once complete, the Comprehensive Plan may provide guidance for adjusting certain zoned areas of the county. Any recommendations will be based upon the detailed public input and data collection throughout the plan's development process. Any proposed changes to the zoning map after the Comprehensive Plan is adopted will still require a public process, including a public hearing, Planning Board review and final approval by the Board of Commissioners.

20. How will zoning change over time?

There are several ways by which zoning can change over time. Property owners can apply for general or conditional rezoning or conditional use permits, which can change the zoning or use of a given parcel. The Board of Commissioners can also decide to make changes to the Zoning Map to accommodate recommendations from the Comprehensive Plan as time moves on.

21. I have more questions. How can I get more answers or submit written comments?

Please visit our website at <http://www.chathamnc.org/Planning>. You may also contact Dylan Paul at (919) 542-8284 or the main Planning Department number at (919) 542-8204. You may also visit our office at 80-A East Street, Pittsboro, NC 27312 or mail written comments to PO Box 54, Pittsboro, NC 27312.