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A Legislative Public Hearing request by the Chatham County Board of Commissioners to rezone parcels 5379 and 5842, containing approximately 984 acres, from CU IND-H Conditional Use Heavy Industrial and R-1 Residential to IND-H Heavy Industrial, located off of Moncure Flatwood Road.

..ABSTRACT

Action Requested:

Vote on a Legislative Public Hearing request by the Chatham County Board of Commissioners to rezone parcels 5379 and 5842, containing approximately 984 acres, from CU IND-H Conditional Use Heavy Industrial and R-1 Residential to IND-H Heavy Industrial, located off of Moncure Flatwood Road.

Planning Board discussion is noted below.

Introduction & Background:

A legislative public hearing was held on April 16, 2018. Planning staff presented the request and Kyle Touchstone, Economic Development Corporation Director, spoke in support of the rezonings.

Discussion & Analysis:

The parcels are currently zoned R1, Residential and CU-IND-H, Conditional Use Heavy Industrial, and the applicant is requesting to rezone both tracts to IH, Heavy Industrial. The properties are located adjacent to Moncure Flatwoods Road and are approximately 2 miles of a US 1 interchange. The adjoining properties are zoned R1, Residential and CU-IND-H, Conditional Use Heavy Industrial and are primarily wooded or pasture. The surrounding uses include mining, coal ash storage, and limited residential development.

The parcel is located within a WS-IV Protected Area watershed district within the Cape Fear drainage. In 2016, the Watershed Protection Ordinance was amended to provide a 10/70 special non-residential intensity allocation within the employment center identified on the as referenced in the Conceptual Plan Rural Preservation and Targeted Employment, adopted July 15, 2013. There are several water features shown on the USGS topographic map and NRCS soil survey maps. Additionally, there is special flood hazard areas identified on the property along Shaddox Creek.

When considering a general use rezoning request, Section 19 of the Chatham County Zoning Ordinance states the four standards listed under Section 19.4.C must be addressed and supported in order to be considered for a zoning designation change. The standards are:

Standard No 1 – The alleged error in this Ordinance, if any, which would be remedied by the proposed amendment is: This request does not allege any error in the Ordinance.

It is planning staff opinion this standard is met.

Standard No 2 – The changed or changing conditions, if any, in 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 are: These parcels have been identified as needed to complete the creation of the Moncure Megasite in order to obtain certification. Chatham County has an option to later purchase these two parcels to allow the future development of the site. Currently, parcel 5842 has a conditional use heavy industrial zoning classification but the conditional use permit that was approved for it has long since expired leaving no permitted uses for the tract. This is background to say this area has historically been looked at as the appropriate area for industrial uses Chatham County has purchased an option to later purchase parcel #5379, which is currently zoned R-1 Residential. The parcel, along with parcel #5842, would constitute a portion of the “Moncure Mega Site”, an area that is being readied for future industrial development. There is significant industrial activity in the area already. Parcel #5842 is currently zoned “CU IND-H”, but the Conditional Use Permit for industrial uses has expired. These two parcels need to be rezoned to IND-H in order to allow future industrial development of the Moncure Mega Site.

It is planning staff opinion this standard is met.

Standard No 3 – The manner in which the proposed amendment will carry out the intent and purpose of the adopted land use plan, respectively Plan Chatham, or part thereof is: The Moncure Mega Site is shown on the Comprehensive Future Land Use Map as an “Employment Center”. The Comp Plan describes Employment Centers as “targeted for future job-generating uses in settings that meet today’s workplace expectations.” Economic Development Policy #3 in the Comp Plan states that the County should “continue to develop and promote the Chatham-Siler City Advanced Manufacturing (CAM) Site and the Moncure Mega sites to ensure future job creation in the County.” Development of the Moncure Megasite is not possible unless it is zoned for heavy industrial use. Therefore, the requested rezoning of these two parcel to IND-H is critical to “developing and promoting” the Moncure Megasite to future employers, as supported in the Comp Plan.

It is planning staff opinion this standard is met.

Standard No. 4 – All other circumstances, factors, and reasons which the applicant offers in support of the proposed amendment are: Page 20 of Plan Chatham, Chatham County currently has about 8% of the tax base being supported by commercial and industrial uses. This places an additional burden on residential property owners to pay for infrastructure and other services. Adjacent counties such as Wake, Lee and Durham yield approximately 20% to 40% of their tax base being supported by commercial and industrial uses.

These properties are not within the Jordan Lake Buffer Rule areas and are located in the WSIV-PA watershed district. Some uses that could potentially be located within this site are listed in Table of Permitted Uses as allowed by right or “P” Permitted in the Chatham County Zoning Ordinance. There are also some uses that would require additional review and are listed as conditional use permits that have to be approved by the Board of Commissioners. This allows the County some flexibility over what types of industry it believes would benefit our citizens more appropriately.

The Moncure Megasite is a 2,500+ acre assemblage under one ownership that is being promoted for industrial development. Access to a major four lane highways and a rail system make this area highly suitable for industrial and commercial uses.

It is planning staff opinion this standard is met.

Planning Board:

The Planning Board discussed this item during their regularly scheduled meeting on May 1, 2018. There was discussion regarding the rezoning of these parcels and noted that it was Commissioner initiated and needed in order to fulfill the site certification process of this portion of the Megasite. One member noted that they would be more comfortable with conditional zoning instead of general use.

How does this relate to the Comprehensive Plan?

The Moncure Mega Site is shown on the Comprehensive Future Land Use Map as an “Employment Center”. The Comp Plan describes Employment Centers as “targeted for future job-generating uses in settings that meet today’s workplace expectations.” Economic Development Policy #3 in the Comp Plan states that the County should “continue to develop and promote the Chatham-Siler City Advanced Manufacturing (CAM) Site and the Moncure Mega sites to ensure future job creation in the County.”

Recommendation:

The Planning Board recommends by vote of 9-0 adoption of a resolution approving the following consistency statement.

The request to rezone all or portions of Parcels 5379 and 5842, containing approximately 984 acres, from CU IND-H Conditional Use Heavy Industrial and R-1 Residential to IND-H Heavy Industrial is in support of Plan Chatham's comprehensive future land use plan by identifying this area as suitable for industrial use and being located within the Moncure Megasite Employment Center. Additional support is provided in Economic Development Policy 3 within the Economic Development plan element.

The planning board by a vote of 8-1 recommends adoption of an Ordinance amending the Zoning Ordinance approving a request by the Chatham County Board of Commissioners to rezone parcels 5379 and 5842, containing approximately 984 acres, from CU IND-H Conditional Use Heavy Industrial and R-1 Residential to IND-H Heavy Industrial, located off of Moncure Flatwood Road.