



Chatham County Planning Board Agenda Notes

Date: February 4, 2020

Agenda Item: VIII-3

Attachment #: 2

- Subdivision**
 Conditional Use Permit
 Rezoning Request
 Other:

Subject:	A Legislative public hearing request by the Chatham County Board of Commissioners to consider amendments to the Chatham County Zoning Ordinance; specifically, Section 7.2 Definitions; Section 8.1 Relationship of Building to Lot; Section 10.12 CD- MU Mixed Use Districts; Section 10.13 Table of Permitted Uses; Section 17.1 Procedure; and Section 17.2 Plans.
Action Requested:	See Recommendation
Attachments:	<ol style="list-style-type: none"> 1. Table of Zoning Ordinance Text Amendments 2. Ordinance Text Amendments Redline

Introduction & Background:
 Periodically the Chatham County Zoning Ordinance is amended to reflect the ever evolving needs of Chatham County. The Zoning Ordinance was last updated on September 16th 2019. Over the last year there has been an increase in concern for and the requested use of Recreational Vehicles as temporary or permanent residences within the county, along with other concerns related to storage and any occupation of RV's. With such issues becoming more prevalent, Chatham County planning staff set out to develop a set of definitions and regulations relating to the use of RV's in the county. Staff reached out to neighboring jurisdictions, as well as those with recent updates to their Recreational Vehicle regulations in order to formulate a set of best practices to implement in the zoning ordinance.

Additional changes to the Table of Permitted Uses are related to continued marketability of the Moncure Mega-site. In order to differentiate Moncure from the other mega sites in North Carolina the zoning ordinance needs to enable the development of life science projects. Edits to Section 17 are needed based on the continuing implementation of special study requirements and previous approved amendments to the Zoning Ordinance. The other proposed amendments to the zoning ordinance are minor revisions that largely deal with improving process facilitation and language clarification. The main impacts of proposed changes are listed in the attached table "Table Attachment #1- Zoning Ordinance Text Amendments"

In April of 2017 the Board of Commissioners modified 37 of 139 Industrial uses to require a conditional use permit. Subsequently, in January of 2019 the Board of Commissioners approved the special study requirements to 18 industrial uses. The special study requirements added 12 new uses and updated 6 from the previous list requiring a conditional use permit.

Discussion & Analysis:

Section 7.2 Definitions of the Chatham County Zoning Ordinance requires amendments to reflect the addition of definitions for Recreational Vehicles (RV's), Park Model RV's, and Structure. Based on an increase in concerns from county residents and staff regarding the use and storage of RV's within the county, and the nature to which RV's are related to other structures and buildings, planning staff developed new definitions and standards for the regulation of Recreational Vehicles. The update to the definition of structure is related to the new RV definitions as well as the previous changes to the ordinance in September 2019. The height regulation changes included in the ordinance text amendment in September necessitated the need for an updated definition for structure.

Sections 8.1 is being amended to include the new regulations for recreational vehicles. The regulations for RV's is added as number 4 of the 4 requirements of the Relationship of Buildings to Lot. Storage of RV's will be permitted on residential lots within the county. Recreational vehicles are not designed nor intended for permanent habitation, therefore an RV cannot be considered as a primary residence. Permanent habitation is not permitted. In order to provide for the health, safety, and welfare, the use of a recreational vehicle for permanent habitation shall be deemed unlawful.

Section 10.13 is being amended to add twelve (12) new uses and edit the wording of several others. A new use is being added for Government buildings and offices which will be permitted in all districts. Eleven (11) of the additional uses are specifically added to enhance the viability of the Moncure Megasite.

The Board of Commissioners scheduled the public hearing during their December 16, 2019 meeting. The redline draft and table of the proposed amendments to the zoning ordinance were including in the December 3rd planning board packet to enable the board to have ample time to review the material. Based on the amount and complexity of the amendments, planning staff felt it appropriate for the planning board to have as much time as possible consider the information.

The legislative public hearing was held at the Board of Commissioners meeting on Tuesday January 21st. Planning staff presented the redline changes to the board and explained the reasoning behind the questions. There were several questions from the board of commissioners regarding the table of permitted uses, specifically the CU designation with the footnote for municipal water and sewer. Planning staff explained to the board that if municipal water and sewer facilities were available in a I-H district then

the use would be allowed by right. It was understood by the board that this footnote was specifically intended for the Moncure mega site. Alyssa Byrd from the EDC was the only public comment for the public hearing. She spoke in support of the amendments to Section 10.13 Table of Permitted uses. She also offered clarity regarding the locations of the heavy industrial centers in the county.

Recommendation:

The Planning Board has up to three meetings to make a recommendation on the proposed text amendments to the Zoning Ordinance. A recommendation on consistency statements for rejection and/or approval is provided below.

The request for amending the text of the Zoning Ordinance is consistent with the comprehensive plan of Chatham County, Plan Chatham, by supporting the second bullet point of Strategy 5.1 of the Economic Development plan element that reads – “Promote appropriate targeted industries and commercial uses at Megasites and Employment Centers. To increase job opportunities and tax base throughout the County, suitable industry targets should be matched with the most appropriate locations and sites. Industry targets should reflect the priorities of Chatham EDC, Research Triangle Regional Partnership, Piedmont Triad Partnership, and the Economic Development Partnership of North Carolina:”. Additional support is provided in Land Use Policy #5, Strategy 5.1 encouraging “context sensitive development design.”