



COUNTY COMMISSIONERS

Amanda Robertson, Chair
Franklin Gomez Flores, Vice Chair
Karen Howard
Katie Kenlan
Mike Roberson

COUNTY MANAGER: Bryan Thompson

Resolution of the Chatham County Board of Commissioners

A RESOLUTION APPROVING A SPECIAL USE PERMIT REQUEST

By Lockley Holdings, LLC

WHEREAS, Lockley Holdings, LLC (Applicant) has applied for a Special Use Permit applicable to a +/- 3.9 acre portion of parcel 9390, located at 1656 Campbell Road, Bear Creek, NC, for a contractor's storage yard and staging area; and

WHEREAS, the Chatham County Board of Commissioners having considered all of the evidence in the whole record and based on the competent, substantial and material evidence in the record, including without limitation, the Applicant's written materials, attached as "Attachment B" and the expert testimony and documents admitted into evidence at the quasi-judicial hearing, all of which is incorporated herein by reference hereby finds as follows:

1. The use requested is among those listed as eligible uses in the district which the subject property is located. Per section 10.13 of the Zoning Ordinance, contractor's storage yards and staging areas are permitted by special use permit withing the R-1 Residential zoning district.
2. The requested special use permit is either essential or desirable for the public convenience or welfare because, among other things, it is a narrowly tailored extension to the existing Chatham County business with no anticipated impact on the neighborhood. Additional support for this finding in the evidentiary record is incorporated by reference in attachment "B."
3. The requested permit will not impair the integrity or character of the surrounding or adjoining areas, and will not be detrimental to the health, safety, welfare or environment of the community. The requested use is only for increased space for storing materials for the current business. There are no additional impacts on emergency services and no anticipated effect on surrounding property values. Additional support for this finding in the evidentiary record is incorporated by reference in attachment "B."
4. The requested permit will be consistent with the objectives of the Land Use Plan by supporting Chapter Two, Rural Character and Geographic Diversity. The use of this property in conjunction with the existing business on the adjacent property will have little to no visual impact on the surrounding area and will help maintain the County's rural character, and the continued success of the business promotes economic activity and employment in western Chatham County. It also supports Chapter Four Flexibility

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for rural businesses and employment opportunities across the county and supporting existing business, including small and medium-sized firms because the business is located in a rural part of Chatham County since 2008 with a record of success and will preserve the rural character of the area. Additional support for this finding in the evidentiary record is incorporated by reference in attachment “B.”

5. Adequate utilities, access roads, storm drainage, recreation, open space, and other necessary facilities have been or are being provided consistent with the County’s plans, policies and regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE CHATHAM COUNTY BOARD OF COMMISSIONERS, as follows:

That a Special Use Permit be, and it hereby is, approved for the reasons hereinabove stated subject to the additional stipulations and conditions set forth hereinafter; and

BE IT RESOLVED FURTHER that the Chatham County Board of Commissioners hereby approves the application for the special use permit in accordance with the plan submitted by the Applicant, Lockley Holdings, LLC and incorporated herein by reference with specific conditions as listed and as shown in Attachment A below;

ATTACHMENT “A”

Adopted, this the 17th Day of August 2026

Amanda Robertson, Chair
Chatham County Board of Commissioners

ATTEST:

Jenifer Johnson, MMC, Clerk to the Board
Chatham County Board of Commissioners



COUNTY COMMISSIONERS

Amanda Robertson, Chair
Franklin Gomez Flores, Vice Chair
David Delaney
Karen Howard
Katie Kenlan

COUNTY MANAGER: Bryan Thompson

Attachment "A"

Site Specific Conditions

1. The landscaping plan reviewed by the Chatham County Appearance Commission (CCAC) shall be implemented as submitted with the special use permit application. The CCAC and planning staff may inspect landscaping as needed to ensure that the required landscape buffers have been installed and are in good health.

Standard Site Conditions

1. The application, standards and adopted regulations of the applicable ordinances and policies, and the approved recommendations as provided for and/or conditioned, are considered to be the standards set forth and shall comply as stated. Changes or variations must be approved through the Planning Department or other approving board before any such changes can take place. These include but are not limited to landscaping, lighting, signage, parking, building construction, etc.
2. All required local, state, or federal permits (i.e. NCDOT commercial driveway permits, NCDWQ, Chatham County Land and Water Resources, Environmental Health Division, Building Inspections, Fire Marshal, etc.) shall be obtained, if required, and copies submitted to the Planning Department to the initiation of the operation/business.

Standard Administrative Conditions:

3. Fees - Applicant and/or landowner shall pay to the County all required fees and charges attributable to the development of its project in a timely manner, including, but not limited to, utility, subdivision, zoning, and building inspections.
4. Continued Validity – The continued validity and effectiveness of this approval was expressly conditioned upon the continued compliance with the plans and conditional listed above.
5. Non-Severability – If any of the above conditions is held to be invalid, this approval in it's entirety shall be void.

Non-Waiver – Nothing contained herein shall be deemed to waive any discretion on the part of the County as to further development of the applicant's property and this permit shall not give the applicant any vested right to develop its property in any other manner than as set forth herein.

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LOCKLEY HOLDINGS, LLC

SPECIAL USE APPLICATION

CONTRACTOR'S STORAGE YARD AND STAGING AREA

FIVE FINDINGS NARRATIVE

Pursuant to Section 17.1 of the Chatham County Zoning Ordinance, below is Applicant's narrative regarding the five findings set out on Section 17.1 with details as required by the Special Use Permit Checklist provided by the County. The property involved is a 3.9 acre portion of the +/- 10-acre site shown on the Chatham County GIS as parcel #0009390 (the "Property"). Applicant seeks approval of a site plan allowing a 3.9 acre contractor's storage yard and staging area.

- 1. The use requested is among those listed as an eligible special use in the district in which the subject property is located or is to be located.**

Contractor's Storage Yards and Staging Areas are an allowed use within all zoning districts in Chatham County provided that a special use permit is issued authorizing the use. The Property is currently zoned R-1. Thus, the requested use listed as an eligible special use in the R-1 district:

Zoning District	R5	R2	R1	O&I	B-1*	NB	CB	RB	IL	IH
Coal or coke yards (Subject to additional requirements of Section 17.9)									SUP	SUP
Coffee roasting									P	P
Cold storage plants									P	P
Computer and Electronic product manufacture										SUP ³
Congregate care facilities				P	P	P	P	P		
Contractor's plants or storage yards and staging areas	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP

- 2. The requested special use permit is either essential or desirable for the public convenience or welfare.**

A. Traffic: By agreement between Applicant and Bear Creek Fabrications, LLC ("Bear Creek"), the Property will initially be used for staging products from the Bear Creek Fabrications, LLC property which is immediately adjacent to and under common ownership with the Property. No additional traffic is anticipated. In essence, this additional acreage will simply allow more space for staging but will not increase production capacity. Applicant desires access to more square feet of staging area because efficiency of pick-up and delivery of products is reliant on adequate spacing of products within the available staging area. Having more space will ensure that all products can be accessed in a timely and safe way thereby facilitating better organization of site traffic but not a material increase in traffic.

- B. Visual Impact & Screening.** The staging area has been carefully selected and designed to accomplish several objectives: (1) shield the staging area from view by adjoining properties and the frontage on Campbell Road; (2) protect existing vegetation so as to require only an immaterial amount of clearing of existing vegetation; and (3) incorporate the plant selection, berming and screening recommendations of the Appearance Commission from its meeting and review on April 22, 2026. See attached landscaping plan. The special use permit portion of the overall +/-10-acre tract only includes 3.9 internal acres. On the North side there is significant distance from Campbell Road and there will be berming (and plantings thereon) that will be installed to create a Type A (most dense) landscaping screen. The eastern side adjoins the Bear Creek's site so no landscaping is needed or required. The south side is bordered by land, the nearest portion of which appears to be in forestry. There is a residence on the +/- 24 acre site to the south which is wooded for approximately 600 feet between the SUP site and the residence. But, nevertheless, the landscaping plan for the Property includes a 20' Type A Landscaping Screen on the south side to be ensured either by existing vegetation, supplementation of the same or a combination. The remaining portion of the 10 Acre site, to the west, is owned by Applicant but is nevertheless subject to a 20' Type Landscaping Screen to be ensured either by existing vegetation, supplementation of the same or a combination. The attached landscaping plan incorporates all of the recommendations of the Appearance Commission from its meeting on April 22, 2026.
- C. Lighting.** There will be no lighting on the Special Use Permit area.
- D. Noise.** There is some noise associated with placement and picking up the steel products in the laydown area. However, it is anticipated that there will actually be an overall noise reduction if the SUP is granted in this case. First, the noise will be reduced because of the sound buffering quality of the berm to be placed on the northern edge of the laydown area. Secondly, and even more significantly, the amount of noise will be reduced by increasing the amount of space for the laydown area. Currently, because more laydown space is needed, steel beams often have to be picked up and moved out of the way to get to the beams that are being shipped that day. The point of accessing this additional 3.9 acres of laydown area is to make it so that essentially all orders are independently accessible without having to relocate other orders. In any event, the reduced sound generated both as to amount and volume will comply with the applicable Chatham County Noise Ordinance.
- E. Chemicals, Biological and Radioactive Agents.** None anticipated.
- F. Signs.** Initially, the intent was to have no Campbell Roadway directional signage. However, at the Appearance Commission Meeting, and also at the Community Meeting, a concern was raised by nearby residents about tractor trailers occasionally having a hard time seeing the Bear Creek driveway entrance on Campbell Road and sometimes missing it. In response to that concern, Applicant has included proposed

directional sign (indicating the approaching driveway entrance) on the Property frontage for vehicles traveling eastbound on Campbell Rd. and has arranged for a sign easement on the frontage of Bear Creek for a directional sign (indicating the approaching driveway entrance) for vehicles traveling westbound on Campbell Road. Both signage locations are shown on the site plan. All such signage will comply with the Chatham County sign ordinance requirements. Based on Community Meeting input, Applicant will make the directional signage unlighted (using reflective lettering) but will convert that to a lighted sign if the initial version proves ineffective.

G. Emergency Services. No additional or unusual impact on emergency services is anticipated.

H. Impact to Surrounding Land Values. No negative impact to surrounding land values is anticipated based on the landscape buffering, the lack of lighting and the already existing manufacturing facility on the adjoining property.

3. The requested permit will not impair the integrity or character of the surrounding or adjoining areas, and will not be detrimental to the health, safety, welfare or environment of the community.

A. Need and Desirability. The requested use will simply allow more space for staging but will not increase production capacity. Applicant desires access to more staging area because efficiency of pick-up and delivery of products is reliant on adequate spacing of products within the available staging area. A more efficient staging, pick-up and delivery area will be desirable not only to the applicant but to the nearby residents as well. Having more space will ensure a reduction in noise related to pick-up of products and will further ensure that all products can be accessed in a timely and safe way thereby facilitating better organization of on-site traffic but not a material increase in traffic. Because the proposed staging area adjoins the fabrication site on one side (eastern side) and is heavily buffered on the remaining three sides and because the adjoining manufacturing facility to the east has been in existence and operation since prior to the application of R-1 zoning to the surrounding properties, the requested permit will not impair or even change the integrity or character of the surrounding or adjoining areas and will not be in any way detrimental to the health, safety, welfare of the environment of the community.

B. Survey of Similar Uses. This use is accommodating a unique use in common ownership. This special use permit will facilitate the unique fabrication use but will not open the possibility of other unpredictable heavy industrial uses. The Bear Creek Fabrications facility has been successfully operating since 2008. Allowing this slight special use accommodation ensures the continued vitality of that business without allowing for expansion into other heavy industrial uses.

C. Public Provided Improvements. None will be needed.

4. The requested permit will be consistent with the objectives of the Land Use Plan.

The proposed rezoning will carry out the intent and purpose of the following provisions of the adopted Land Use Plan (“LUP”):

- A. Chapter Two: Employment and Income (LUP p. 15):** The special use permit will facilitate existing employment and possibly add jobs at the adjoining manufacturing facility. These will be jobs in Chatham County, which address the LUP concern about residents commuting to other counties for work.
- B. Chapter Two: Rural Character (LUP p. 18):** The subject property is located in a rural area of the County. The use of this property in conjunction with the existing business on the adjacent property will have little to no visual impact on the surrounding area and will help maintain the County’s rural character.
- C. Chapter Two: Geographic Diversity (LUP p. 21):** The continued success of Bear Creek Fabrication will promote economic activity and employment in western Chatham County, and will also be compatible with the rural nature of the surrounding area.
- D. Chapter Two: Infrastructure (LUP p. 30):** This rezoning will place no new demands on the County’s transportation and utility infrastructure.
- E. Chapter Three: Goals and Objectives (LUP p. 40):** This rezoning will preserve the rural character and lifestyle of the County and will help diversify the tax base and generate quality, in-county jobs to reduce dependence on residential property taxes, create economic opportunity and reduce out-commuting.
- F. Chapter Four: Flexibility for rural businesses and employment opportunities across the County (LUP p. 54):** The subject property is located in a rural portion of western Chatham County, and the rezoning will have limited impact on adjacent properties and will preserve rural character, thereby promoting the recommendations and policies of the LUP.
- G. Chapter Four: Support existing businesses, including small and medium-sized firms (LUP p. 56):** Bear Creek Fabrication has been in business in Chatham County since 2008, with a steady record of growth and success.
- H. Chapter Four (Land Use):** Land Use Policy 5 encourages design principles that preserve rural character (LUP p. 66). The project is designed to shield the SUP area from the surrounding rural residential area through use of berming and opaque landscaping standards.

- I. **Chapter Four: Provide flexibility for rural businesses (LUP p. 68):** This SUP will allow flexibility for an existing rural business that has minimal impact on adjacent properties and rural character. Rather than a general use rezoning to Heavy Industrial of the entire 10 acres, only 3.9 acres will be used and the proposed use is allowed in all zoning districts in Chatham County. The project has been perfectly right-sized to both meet the LUP and also provide flexibility for an existing rural business.
 - J. **Chapter Four: Natural Resources (LUP p. 103):** This special use permit will have no negative impacts on water quality and will result in a net addition of new trees and landscaping as well as berming on the northern side. not cause the removal of trees.
5. **Adequate utilities, access roads, storm drainage, recreation, open space, and other necessary facilities have been or are being provided consistent with the County's plans, policies and regulations.** No additional utilities are required for this use. Driveway access will be from the existing driveway network on the property adjacent to the east.
- A. **Water Source and Requirements.** No additional water source will be needed.
 - B. **Wastewater Management.** No wastewater will be required for the staging area.
 - C. **Water/Sewer Impact Statement.** No impact.
 - D. **Access Roads.** Access to the SUP site will be by an existing driveway on Capbell Road which is a public road. No new driveway is needed and no enhancement to public roads will be required.
 - E. **Stormwater Runoff.** Stormwater detention and drainage will be handled entirely onsite and in accordance with all applicable stormwater regulations and permitting. No recreation, open space or other facilities are required, needed or helpful to this SUP use.

LOCKLEY HOLDINGS, LLC

SPECIAL USE APPLICATION

CONTRACTOR'S STORAGE YARD AND STAGING AREA

GENERAL ENVIRONMENTAL PERFORMANCE STANDARDS (ZONING ORDINANCE SECTION 11.2)

Responses to Zoning Ordinance Sections 11.2.A through I:

- A. Noise: There is some noise associated with placement and picking up the steel products in the laydown area. However, it is anticipated that there will actually be an overall noise reduction if the SUP is granted in this case. First, the noise will be reduced because of the sound buffering quality of the berm to be placed on the northern edge of the laydown area. Secondly, and even more significantly, the amount of noise will be reduced by increasing the amount of space for the laydown area. Currently, because more laydown space is needed, steel beams often must be picked up and moved out of the way to get to the beams that are being shipped that day. The relocation process causes noise that will be abated if more staging area is available. The point of accessing this additional 3.9 acres of laydown area is to make it so that essentially all orders are independently accessible without having to relocate other orders. In any event, the reduced sound generated both as to amount and volume will comply with the applicable Chatham County Noise Ordinance.
- B. Vibration: No vibration is anticipated through use of the storage yard and staging area.
- C. Smoke and Other Particulate Matter. No smoke will be generated by the proposed use. Any dust or other particulate matter associated with the grading and usage of the staging area will be mitigated on-site in accordance with all applicable regulations.
- D. Odors. No odors are anticipated resulting from the proposed use.
- E. Toxic, Noxious or Hazardous Matter. No such matter will be generated by the proposed use.
- F. Electromagnetic Interference. The proposed use will generate no electromagnetic interference.
- G. Fire and Explosion Hazards. No fire or explosion hazards are anticipated from the proposed use.
- H. Humidity, Heat or Glare. The proposed use and activity is not anticipated to produce any humidity, heat or glare.
- I. Lighting. The proposed use does not involve any lighting for the staging area. The only additional lighting proposed will be for illumination of the proposed directional signage on Campbell Road which will conform to all applicable signage and lighting regulations. However, as result of the Community Meeting input, Applicant will initially have a sign without external lighting but with reflective lettering. If that proves ineffective. Lighting will be added.