

# 2

## ZONING DISTRICTS

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# CHAPTER 2 ZONING DISTRICTS

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## 2.1 GENERAL PROVISIONS

### 2.1.1 INTRODUCTION

- A. **Generally.** This Chapter describes the purpose of each conventional, conditional, and legacy zoning district in Chatham County. The purpose statements provide a foundation for the various standards applicable to the various zoning districts and assist in interpretation of the district standards. The purpose statements are not regulations, but rather a summary of the district character and regulatory intent.
- B. **Allowed Uses.** The particular uses allowed in each zoning district are set forth in [Chapter 3: Use Regulations](#). Allowed uses in a conditional district are specified in the rezoning ordinance that establishes the conditional district and any amendments thereto.
- C. **Development Standards.** Development standards for the districts, including setbacks and height limits, are specified in the subsection associated with each zoning district. Development standards for conditional districts may be supplemented by the rezoning ordinance associated with a particular site.
- D. **Additional District Regulations.** Additional supplemental regulations for each district, where applicable, are also included in this Chapter.

### 2.1.2 DISTRICTS ESTABLISHED<sup>1</sup>

- A. In order to achieve the purposes set forth in [Section 1.2: Purpose](#), the jurisdictional area subject to this Ordinance is divided into the zoning districts identified in Table 2.1.2-1: *Zoning Districts* and described in Sections 2.2, 2.3, and 2.4.
- B. Table 2.1.2-1: *Zoning Districts* describes the three types of zoning districts established in this Chapter and lists each zoning district according to its district type.

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<sup>1</sup> Generally carries forward ZO Section 4: *Districts Established* and adds descriptions of the district types and incorporates the proposed new districts.

**Table 2.1.2-1: Zoning Districts**

<b>District Type</b>	<b>Description</b>	<b>Districts</b>
Conventional	Conventional districts establish uniform use, dimensional, and development standards for each class or kind of building in a district. Allowed uses are either permitted by-right or allowed subject to approval of a Special Use Permit. <sup>2</sup>	PP, Parks & Protected Lands AG, Agricultural RA, Agricultural Residential R5, Conservation Residential R2, Rural Residential R1, Suburban Residential RV, Rural Village OI, Office & Institutional NB, Neighborhood Business CB, Community Business RB, Regional Business RHC, Rural Highway Commercial IL, Light Industrial IH, Heavy Industrial
Conditional	Conditional districts establish uniform use, dimensional, and development standards for each class or kind of building in a district. However, these standards may be supplemented by additional requirements through site plans or individualized development conditions approved through the rezoning process. <sup>3</sup>	CD-CR, Compact Residential Conditional District CD-CMU, Compact Mixed Use Conditional District CD-CN, Compact Non-Residential Conditional District

<sup>2</sup> Aligns with [N.C.G.S. § 160D-703. Zoning districts.](#)<sup>3</sup> Aligns with [N.C.G.S. § 160D-703. Zoning districts.](#)

**Table 2.1.2-1: Zoning Districts**

<b>District Type</b>	<b>Description</b>	<b>Districts</b>
Legacy	Obsolete districts that cannot be expanded or added to the zoning map.	B-1, General Business District CD-B1, General Business Conditional District CD-CB, Community Business Conditional District CD-CC, Compact Communities Conditional District CD-IL, Light Industrial Conditional District CD-IH, Heavy Industrial Conditional District CD-MU, Mixed Use Conditional District CD-NB, Neighborhood Business Conditional District CD-O&I, Office & Institutional Conditional District CD-R5, Residential Conditional District CD-R2, Residential Conditional District CD-R1, Residential Conditional District CD-RB, Regional Business Conditional District

### 2.1.3 ZONING MAP AND OTHER OFFICIAL MAPS<sup>4</sup>

#### A. Official Zoning Map.

1. The location and boundaries of zoning districts are kept in spatial databases entitled "Zoning" and "Zoning Overlays," which the County maintains as part of its geographic information system (GIS) under the direction of the Planning Director.

<sup>4</sup> This Section formally establishes the zoning map. It carries forward ZO Sections 6.1: *Zoning Map* and 6.2: *Incorporation by Reference* with minor revisions to eliminate the use of passive voice. It also clarifies the Official Zoning Map is available online and adds a hyperlink (Paragraph A.3).

2. This depiction of zoning boundaries, along with additional reference data in the GIS, constitutes the Official Zoning Map for the County's zoning jurisdiction, and is adopted into this Ordinance by reference.
3. As required by [N.C.G.S. § 160D-105\(a\)](#), the Official Zoning Map is available for public inspection online through the [Chatham County GIS Portal](#).
4. The Planning Director may authorize the production of printed copies of the Official Zoning Map, and shall maintain digital or printed copies of superseded versions of the Official Zoning Map for historical reference.
5. The County Clerk may, upon validation by the Planning Director, certify a paper copy of the Official Zoning Map, or portions of the map, as a true and accurate copy of the Official Zoning Map, or a portion thereof, under the authority of [N.C.G.S. § 160D-105](#).
6. The Planning Director shall revise the Official Zoning Map when the governing body approves amendments in accordance with **Chapter 13: Procedures**. The Planning Director shall correct errors in the map as they are discovered.
7. No unauthorized person shall alter or modify the Official Zoning Map. Errors in the Official Zoning Map shall be corrected as they are discovered and the corrected information shown on the GIS system.

**B. Other Official Maps Incorporated by Reference.<sup>5</sup>**

1. Pursuant to [N.C.G.S. § 160D-105](#), this Ordinance incorporates by reference flood insurance rate maps, watershed boundary maps, and other maps officially adopted or promulgated by state and federal agencies that relate to the zoning and land development process.
2. When this Ordinance references such maps, the reference is to the most recent officially adopted versions.
3. When zoning district boundaries are based on such maps, the zoning district boundaries are automatically amended to remain consistent with changes in the officially promulgated state and federal maps if a

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<sup>5</sup> This Paragraph revises ZO Section 6.2: *Incorporation by Reference* to clarify these maps are incorporated by reference. The current text in the Zoning Ordinance allows the incorporation of the maps by reference, but doesn't clearly state they *are* incorporated.

copy of the currently effective version of the incorporated map is maintained for public inspection as provided in 2.1.3A.3.

#### 2.1.4 LOTS FOR MINOR UTILITY USES<sup>6</sup>

- A. Lots created for the express purpose of accommodating minor utilities are exempt from the required minimum lot area of the zoning district.
- B. Such lots are also exempt from the required minimum setbacks of the zoning districts, except that any noise producing equipment or generators must be stored within a structure or set back at least 50 feet from any public right-of-way or property line.

## 2.2 CONVENTIONAL DISTRICTS<sup>7</sup>

### 2.2.1 PP, PARKS & PROTECTED LANDS DISTRICT<sup>8</sup>

- A. **Purpose.** The PP, Parks & Protected Lands, District is intended for permanently protected lands composed of federal- and state-maintained recreation areas, County parks, and privately owned land. Allowed uses include a mixture of passive and active recreation uses, accessory uses, and limited residential uses (where allowed by easement agreements).<sup>9</sup>
- B. **Location.** The PP District is generally appropriate in areas designated as Park/Protected Lands on the Future Land Use & Conservation Plan.
- C. **Allowed Uses.** See [Chapter 3: Use Regulations](#).
- D. **Dimensional Standards.** Table 2.2.1-1 establishes dimensional standards for the PP District.

<sup>6</sup> Carries forward current provisions for minor utility lots in the Dimensional Standards for each conventional district (ZO Sections 10.1.B, 10.2.B, 10.3.B, 10.4.B, 10.6.B, 10.7.B, 10.8.B, 10.9.B, and 10.10.B).

<sup>7</sup> This Section carries forward current conventional zoning districts (ZO Section 4: *Districts Established* and ZO Section 10: *Schedule of District Regulations*) and adds new districts to implement *Plan Chatham* goals. It renames the current residential districts to better align with the Future Land Use & Conservation Plan designations. Each conventional district includes a purpose statement, table of dimensional standards, cross-reference to Chapter 3: *Use Regulations*, and additional district-specific standards as applicable.

<sup>8</sup> New district proposed to implement the “Park/Protected Lands” Future Land Use & Conservation Map designation and address Focus Group input. See [Audit Report](#) p. 58.

<sup>9</sup> From *Plan Chatham* Future Land Use Descriptions, p. 49.



Table 2.2.1-1: PP District Dimensional Standards	
Lot Dimensions (min)	
Lot Area, With Public Water and/or Sewer	40,000 sf
Lot Area, With Individual Well & Wastewater Disposal	65,340 sf
Lot Width (min)	100 ft
Principal Structure Setbacks (min)	
Front	40 ft
Side	25 ft
Rear	25 ft
Accessory Structure Setbacks	
See <a href="#">Section 3.4: Accessory Uses &amp; Structures</a>	
Height (max)	
Principal Structures	60 ft
Accessory Structures	60 ft
<b>Key:</b> min = minimum required   max = maximum allowed   sf = square feet   ft = feet	

### 2.2.2 AG, AGRICULTURAL DISTRICT<sup>10</sup>

- A. **Purpose.** Chatham County recognizes prime agricultural land as a valuable natural resource to protect for future generations. Therefore, the purposes of the AG, Agricultural, District are to:
1. Preserve, protect, and enable agriculture and forestry;<sup>11</sup>
  2. Preserve the rural character and lifestyle of Chatham County;<sup>12</sup>
  3. Promote agriculture as a key feature of the County and component of the local economy and discourage conversion of areas with viable agricultural operations for development;<sup>13</sup> and

<sup>10</sup> One of two new districts proposed to implement the “Agriculture” Future Land Use & Conservation Map designation and address Focus Group input. See [Audit Report](#) pp. 29-31.

<sup>11</sup> *Plan Chatham*, Agriculture Element, Primary Goal

<sup>12</sup> *Plan Chatham*, Agriculture Element, Secondary Goal

<sup>13</sup> *Plan Chatham*, Agriculture Element, Recommendation 2

4. Limit non-agricultural development in productive and prime agricultural areas in order to support the long term economic viability of agricultural operations.<sup>14</sup>
- B. **Location.** The AG District is generally appropriate in areas designated as Agriculture, Rural, or Conservation on the Future Land Use & Conservation Plan.
- C. **Allowed Uses.** See [Chapter 3: Use Regulations](#).
- D. **Dimensional Standards.** Table 2.2.2-1 establishes dimensional standards for the AG District.<sup>15</sup>

Table 2.2.2-1: AG District Dimensional Standards	
Lot Dimensions	
Lot Area (min)	10 ac
Lot Width (min)	300 ft
Principal Structure Setbacks (min)	
Front	100 ft
Side	50 ft
Rear	50 ft
Accessory Structure Setbacks (min)	
See <a href="#">Section 3.4: Accessory Uses &amp; Structures</a>	
Height (max)	
Principal Structures	None
Accessory Structures	None
<b>Key:</b> min = minimum required   avg = average   max = maximum allowed   ac = acres   ft = feet	

### 2.2.3 RA, AGRICULTURAL RESIDENTIAL DISTRICT<sup>16</sup>

- A. **Purpose.** The RA, Agricultural Residential, District is intended to encourage the integration of small-scale agriculture into rural residential areas.

<sup>14</sup> Derived from *Plan Chatham*, Agriculture Element, AGR Policy 3

<sup>15</sup> Section 12.3: *Subdivision Design* may include provisions for sliding scale residential subdivisions as outlined in *Plan Chatham* (p. 99).

<sup>16</sup> One of two new districts proposed to implement the “Agriculture” Future Land Use & Conservation Map designation and address Focus Group input. See [Audit Report](#) pp. 29-31.

- B. **Location.** The RA District is generally appropriate in areas designated as Agriculture, Rural, or Conservation on the Future Land Use & Conservation Plan.
- C. **Allowed Uses.** See [Chapter 3: Use Regulations](#).
- D. **Dimensional Standards.** Table 2.2.3-1 establishes dimensional standards for the RA District.

Table 2.2.3-1: RA District Dimensional Standards	
Lot Dimensions	
Lot Area	3 ac (min), 5 ac (avg)
Lot Width (min)	200 ft
Principal Structure Setbacks (min)	
Front	40 ft
Side	25 ft
Rear	25 ft
Accessory Structure Setbacks (min)	
See <a href="#">Section 3.4: Accessory Uses &amp; Structures</a>	
Height (max)	
Principal Structures	60 ft
Accessory Structures	60 ft
<b>Key:</b> min = minimum required   avg = average   max = maximum allowed   ac = acres   ft = feet	

#### 2.2.4 R5, CONSERVATION RESIDENTIAL DISTRICT<sup>17</sup>

- A. **Purpose.** The R5, Conservation Residential, District is primarily intended for very low density residential developments along the County's rivers, streams, and Jordan Lake, which is compatible with the protection of water quality of the rivers and streams and drinking water sources.<sup>18</sup>
- B. **Location.** The R5 District is generally appropriate in areas designated as Conservation on the Future Land Use & Conservation Plan.
- C. **Allowed Uses.** See [Chapter 3: Use Regulations](#).

<sup>17</sup> Renames the current R5 District to better reflect its purpose, which is to implement the "Conservation" Future Land Use & Conservation Map designation.

<sup>18</sup> Carries forward a portion of ZO Section 4: *Districts Established* (R5 District description).

- D. **Dimensional Standards.** Table 2.2.4-1 establishes dimensional standards for the R5 District.<sup>19</sup>

Table 2.2.4-1: R5 District Dimensional Standards	
Lot Dimensions	
Lot Area (min) <sup>1</sup>	3 ac
Lot Area (min), Family Subdivisions	2 ac
Lot Area (avg) <sup>2</sup>	5 ac
Lot Width (min)	100 ft
Principal Structure Setbacks (min)	
Front	40 ft
Side	25 ft
Rear	25 ft
Accessory Structure Setbacks (min)	
See <a href="#">Section 3.4: Accessory Uses &amp; Structures</a>	
Height (max) <sup>20</sup>	
Principal Structures	60 ft
Accessory Structures	60 ft
<b>Key:</b> min = minimum required   avg = average   max = maximum allowed   ac = acres   ft = feet	
<sup>1</sup> Lots in existence as of December 31, 1990 that are 10 acres or less in area may be divided if all resultant lots are at least 3 ac in area.	
<sup>2</sup> Lots greater than 10 ac in area shall not be included in the averaging.	

### 2.2.5 R2, RURAL RESIDENTIAL DISTRICT<sup>21</sup>

- A. **Purpose.** The R2, Rural Residential, District is primarily intended for low density residential development to protect water supply watersheds.<sup>22</sup>
- B. **Location.** The R2 District is generally appropriate in areas designated as Rural on the Comprehensive Plan Future Land Use & Conservation Plan Map.
- C. **Allowed Uses.** See [Chapter 3: Use Regulations](#).

<sup>19</sup> Carries forward the current R5 dimensional standards in ZO Section 10.1.B.

<sup>20</sup> Note the current Zoning Ordinance specifies maximum *building* height, while this Chapter proposes to regulate maximum *structure* height.

<sup>21</sup> Renames the current R2 District to align it with the “Rural” Future Land Use & Conservation Map designation.

<sup>22</sup> Carries forward a portion of ZO Section 4: *Districts Established* (R2 District description).

- D. **Dimensional Standards.** Table 2.2.5-1 establishes dimensional standards for the R2 District.<sup>23</sup>

Table 2.2.5-1: R2 District Dimensional Standards		
	Dwelling Type	
	Detached House	Duplex
<b>Lot Dimensions (min)</b>		
Lot Area	90,000 sf	90,000 sf per du
Lot Width	100 ft	110 ft
<b>Principal Structure Setbacks (min)</b>		
Front	40 ft	40 ft
Side	25 ft	25 ft <sup>1</sup>
Rear	25 ft	25 ft
<b>Accessory Structure Setbacks</b>		
See <a href="#">Section 3.4: Accessory Uses &amp; Structures</a>		
<b>Height (max)<sup>24</sup></b>		
Principal Structures	60 ft	60 ft
Accessory Structures	60 ft	60 ft
<b>Key:</b> min = minimum required   max = maximum allowed   sf = square feet   ft = feet   du = dwelling unit		

<sup>1</sup> Where a duplex dwelling is placed such that the dwelling units are located on separate lots with a common fire wall, no side yard setback is required at the common wall.

### 2.2.6 R1, SUBURBAN RESIDENTIAL DISTRICT<sup>25</sup>

- A. **Purpose.** The R1, Suburban Residential, District is primarily intended for low to moderate density residential development, mainly in the more intensely developed, eastern portion of Chatham County.
- B. **Location.** The R1 District is generally appropriate in areas designated as Rural, Compact Residential, Village & Village Center, and Crossroads Community on the Future Land Use & Conservation Plan.

<sup>23</sup> Carries forward the current dimensional standards in ZO Section 10.2.B.

<sup>24</sup> Note the current Zoning Ordinance specifies maximum *building* height, while this Chapter proposes to regulate maximum *structure* height.

<sup>25</sup> Renames the current R1 District to better reflect its position in the hierarchy of residential zoning districts (i.e., higher density and smaller lot size than other residential districts).

- C. **Allowed Uses.** See [Chapter 3: Use Regulations](#).
- D. **Dimensional Standards.** Table 2.2.6-1 establishes dimensional standards for the R1 District.<sup>26</sup>

Table 2.2.6-1: R1 District Dimensional Standards		
	Dwelling Type	
	Detached House	Duplex
<b>Lot Dimensions (min)</b>		
Lot Area, With Public Water and/or Sewer	20,000 sf	20,000 sf per du
Lot Area, With Individual Well & Wastewater Disposal	65,340 sf	40,000 sf per du
Lot Width	100 ft	110 ft
<b>Principal Structure Setbacks (min)</b>		
Front	25 ft	25 ft
Side	10 ft	10 ft <sup>1</sup>
Rear	10 ft	10 ft
<b>Accessory Structure Setbacks</b>		
See <a href="#">Section 3.4: Accessory Uses &amp; Structures</a>		
<b>Height (max)<sup>27</sup></b>		
Principal Structures	60 ft	60 ft
Accessory Structures	60 ft	60 ft
<b>Key:</b> min = minimum required   max = maximum allowed   sf = square feet   ft = feet   du = dwelling unit		

<sup>1</sup> Where a duplex dwelling is placed such that the dwelling units are located on separate lots with a common fire wall, no side yard setback is required at the common wall.

<sup>26</sup> Proposed here is a significant reduction to the minimum lot area for lots with public water and sewer (from 40,000 sf to 20,000 sf). This is intended to accommodate the market demand for smaller lots in the eastern portion of Chatham County. This portion of the County is best suited for smaller lot sizes due to the presence of infrastructure. In conjunction with adoption of the new UDO, the County should consider rezoning lots currently zoned R1 and located in the western portion of the County to maintain the predominantly rural character present in this area.

<sup>27</sup> Note the current Zoning Ordinance specifies maximum *building* height, while this Chapter proposes to regulate maximum *structure* height.

**2.2.7 RV, RURAL VILLAGE DISTRICT<sup>28</sup>**

- A. **Purpose.** The RV, Rural Village, District is intended to accommodate small-scale, local-serving retail, office, institutional, and service uses; restaurants; and limited residential uses in rural areas.
- B. **Location.** The RV District is generally appropriate in areas designated as Rural, Village & Village Center, and Crossroads Community on the Future Land Use & Conservation Plan.
- C. **Allowed Uses.** See [Chapter 3: Use Regulations](#).
- D. **Dimensional Standards.** Table 2.2.7-1 establishes dimensional standards for the RV District.<sup>29</sup>
- E. **Additional Development Standards.** Outdoor storage and sales areas are limited to one-tenth (1/10) of the interior gross floor area.<sup>30</sup>

Table 2.2.7-1: RV District Dimensional Standards	
<b>Lot Dimensions (min)</b>	
Lot Area, With Public Water and/or Sewer	20,000 sf
Lot Area, With Individual Well & Wastewater Disposal	65,340 sf
Lot Width	75 ft
<b>Principal Structure Setbacks (min)</b>	
Front	10 ft <sup>31</sup>
Side	0 ft
Rear	15 ft
<b>Accessory Structure Setbacks</b>	

See [Section 3.4: Accessory Uses & Structures](#)

<sup>28</sup> New commercial district proposed to help implement the “Rural” Future Land Use & Conservation Map designation and address Focus Group concerns with the limitations of the current R1 zoning in these areas. See Audit Report p. 62.

<sup>29</sup> A maximum building size is proposed for the RV District for compatibility with nearby agricultural and rural residential areas. The proposed 20,000 sf per building limit would accommodate the typical size stores for national retailers such as Tractor Supply (15,500 sf), Dollar General (7,400 sf), CVS (10,000 sf to 13,000 sf), and Walgreens (14,500 sf), but would prohibit “big box” retail stores.

<sup>30</sup> Carries forward a current regulation applicable in the NB District, but revises “interior sales space” to “gross floor area.”

<sup>31</sup> This district is intended for areas such as Silk Hope, Crutchfield Crossroads, Gum Springs, Asbury, Gulf, and Bonlee. Typical front setbacks in these areas vary from 0 feet to 30 feet or more. To reduce potential nonconformities, the front setback is proposed at 10 feet.

Table 2.2.7-1: RV District Dimensional Standards	
Height (max) <sup>32</sup>	
Principal Structures	3 stories
Accessory Structures	2 stories
Building GFA (max)	
Per Building <sup>1</sup>	20,000 sf
Per Site <sup>33</sup>	60,000 sf
<b>Key:</b> min = minimum required   max = maximum allowed   sf = square feet   ft = feet   GFA = gross floor area	

<sup>1</sup> The maximum GFA for individual buildings does not apply to grocery stores.

### 2.2.8 OI, OFFICE & INSTITUTIONAL DISTRICT

- A. **Purpose.** The OI, Office & Institutional, District is primarily intended for business, professional, scientific, and technical uses; healthcare uses; and institutional and civic land uses.<sup>34</sup>
- B. **Location.** The OI District is generally appropriate in areas designated as Employment Center, Community Center, Neighborhood Center, Village & Village Center, and Crossroads Community on the Future Land Use & Conservation Plan.
- C. **Allowed Uses.** See [Chapter 3: Use Regulations](#).
- D. **Dimensional Standards.** Table 2.2.8-1 establishes dimensional standards for the OI District.<sup>35</sup>

Table 2.2.8-1: OI District Dimensional Standards	
Lot Dimensions (min)	
Lot Area, With Public Water and/or Sewer	40,000 sf

<sup>32</sup> Proposed here is to regulate height by number of stories, rather than feet. This is consistent with *Plan Chatham's* Future Land Use Descriptions for Rural, Village & Village Center, and Crossroads Community, but inconsistent with the way height is currently regulated in other districts.

<sup>33</sup> The proposed definition of *site* is "a contiguous area of land, including a lot or lots or a portion thereof, that is included in a development application."

<sup>34</sup> Generally carries forward a portion of ZO Section 4: *Districts Established* (OI District description).

<sup>35</sup> Carries forward the current dimensional standards in ZO Section 10.4.B., and proposes to increase maximum height from 60 ft to 75 ft pursuant to staff input. Chapter 3: *Use Regulations* proposes to remove duplexes as an allowed use in OI, so the associated dimensional standards are not carried forward.



**Table 2.2.8-1: OI District Dimensional Standards**

Lot Area, With Individual Well & Wastewater Disposal	65,340 sf
Lot Width	100 ft
<b>Residential Density<sup>36</sup></b>	
Density (max)	6 du/ac
<b>Principal Structure Setbacks (min)</b>	
Front	40 ft
Side	25 ft
Rear	25 ft
<b>Accessory Structure Setbacks</b>	
See <a href="#">Section 3.4: Accessory Uses &amp; Structures</a>	
<b>Height (max)<sup>37</sup></b>	
Principal Structures	75 ft
Accessory Structures	75 ft

**Key:** min = minimum required | max = maximum allowed | sf = square feet | ft = feet | du = dwelling unit | du/ac = dwelling units per acre

### 2.2.9 NB, NEIGHBORHOOD BUSINESS DISTRICT

- A. **Purpose.** The NB, Neighborhood Business, District is intended for commercial establishments that serve a small market, roughly equivalent to the trade area of a small (40,000 square foot) grocery store and limited ancillary services.<sup>38</sup>
- B. **Location.** The NB District is generally appropriate in areas designated as Neighborhood Center, Village & Village Center, and Crossroads Community on the Future Land Use & Conservation Plan.
- C. **Allowed Uses.** See [Chapter 3: Use Regulations](#).

<sup>36</sup> Allowed residential uses (pursuant to the 02-20-23 Draft of Chapter 3: *Use Regulations*) include apartment complexes (SUP), live-work units (permitted), and mixed use buildings (SUP).

<sup>37</sup> Note the current Zoning Ordinance specifies maximum *building* height, while this Chapter proposes to regulate maximum *structure* height.

<sup>38</sup> Carries forward a portion of ZO Section 4: *Districts Established* (NB District description). The building size limitations are carried forward in Paragraph D.

- D. **Dimensional Standards.** Table 2.2.9-1 establishes dimensional standards for the NB District.<sup>39</sup>
- E. **Additional Development Standards.** Outdoor storage and sales areas are limited to one-tenth (1/10) of the gross floor area.<sup>40</sup>

Table 2.2.9-1: NB District Dimensional Standards	
<b>Lot Dimensions (min)</b>	
Lot Area, With Public Water and/or Sewer	40,000 sf
Lot Area, With Individual Well & Wastewater Disposal	65,340 sf
Lot Width	75 ft
<b>Principal Structure Setbacks (min)<sup>1</sup></b>	
Front	50 ft
Side	20 ft / 50 ft <sup>2</sup>
Rear	20 ft
<b>Accessory Structure Setbacks</b>	
See <a href="#">Section 3.4: Accessory Uses &amp; Structures</a>	
<b>Height (max)<sup>41</sup></b>	
Principal Structures	75 ft
Accessory Structures	75 ft
<b>Building GFA (max)</b>	
Per Building <sup>3</sup>	40,000 sf
Per Site <sup>42</sup>	160,000 sf
<b>Key:</b> min = minimum required   max = maximum allowed   sf = square feet   ft = feet   GFA = gross floor area	

<sup>1</sup> The minimum setbacks listed may be reduced to the minimum established in the most recent North Carolina Building Code for buildings that are part of a common plan of development, except along the exterior project boundary where the minimum yard setbacks shall be met.

<sup>39</sup> Carries forward the current dimensional standards in ZO Section 10.6.B., and proposes to increase maximum height from 60 ft to 75 ft pursuant to staff input. Also proposes to require an increased side setback when the lot is adjacent to a lot in the PP, AG, RA, R5, R2, or R1 District or to a lot containing a dwelling unit (regardless of the zoning district). The proposed increased setback would likely require a lot to be at least twice the minimum required lot width.

<sup>40</sup> Carries forward current regulation in ZO Section 10.6.A: *Permitted and Conditional Uses* (NB District), but revises “interior sales space” to “gross floor area.”

<sup>41</sup> Note the current Zoning Ordinance specifies maximum *building* height, while this Chapter proposes to regulate maximum *structure* height.

<sup>42</sup> The proposed definition of *site* is “a contiguous area of land, including a lot or lots or a portion thereof, that is included in a development application.”

**Table 2.2.9-1: NB District Dimensional Standards**

<sup>2</sup> The lesser setback applies when the lot line is adjacent to a lot located in the RV, OI, NB, NC, AC, CB, RB, RHC, IL, or IH zoning district. The greater setback applies when the lot line is adjacent to a lot located in any other zoning district, or when the lot line is adjacent to a lot containing one or more dwelling units regardless of the zoning district.

<sup>3</sup> The maximum GFA for individual buildings does not apply to grocery stores.

## 2.2.10 NC, NEIGHBORHOOD CENTER DISTRICT

### A. **Purpose.**

1. The purpose of the NC, Neighborhood Center District, is to provide lands that primarily accommodate low-to-moderate-density residential development of all types; small-scale, mixed-use centers; and non-residential uses that are attractive to employers and employees, are well connected to the residential neighborhoods in the Neighborhood Center District, as well as transit, as appropriate, and serve the surrounding neighborhoods.
2. The district embodies key elements of walkable urbanism and is envisioned as walkable and bikeable areas that are well-connected. They may be anchored by institutional uses and contain a mix of primarily residential uses, including detached homes and small-scale two- and three-family, townhouse, and multifamily dwellings. The residential uses may be supported by small-scale and auto-accessible retail, medical, office, institutional, and mixed-use development that primarily serves the residential development in the district, as well as the community surrounding the district.
3. The vertical mixing of residential uses with non-residential uses within a single project or building, with residential development on upper floors, is allowed and encouraged. The horizontal mixing of stand-alone, moderate-scale residential developments and adjacent stand-alone non-residential or mixed-use developments in the district is also encouraged, provided the development is well-integrated in terms of complementary uses, access and circulation, and compatible design.

B. **Location.** Lands in the Neighborhood Center District shall be adjacent to or served by a major arterial road, and may be designated as a Neighborhood Center on the Future Land Use & Conservation Plan.

C. **Allowed Uses.** See [Chapter 3: Use Regulations](#).

- D. **Dimensional Standards.** Table 2.2.10-1 establishes dimensional standards for the NC District.

**Table 2.2.10-1: NC District Dimensional Standards**

	Building Type				
	Detached House <sup>1</sup>	Two and Three-Family <sup>1</sup>	Townhouse <sup>1</sup>	Multi-Family <sup>1</sup>	All Non-Residential and Mixed-Use <sup>1/2</sup>
Lot Dimensions (min)					
Lot Area	15,000 sf	20,000 sf	N/A	N/A	N/A
Lot Width	100 ft	120 ft	18 ft	160 ft	100 ft
Development Intensity					
Density (max)	N/A	N/A	8 du/acre	12 du/acre	12 du/acre
Principal Structure Setbacks (min)					
Front	20 ft	20 ft	30 ft	30 ft	20 ft
Side	10 ft	10 ft	0 ft / 10 ft <sup>3</sup>	20 ft	N/A
Rear	10 ft	15 ft	15 ft	30 ft	25 ft
Accessory Structure Setbacks					
See <a href="#">Section 3.4: Accessory Uses &amp; Structures</a>					
Height (max) <sup>43</sup>					
Principal Structures	36 ft			75 ft	
Accessory Structures	36 ft			75 ft	

**Key:** min = minimum required | max = maximum allowed | ft = feet | sf = square feet | du = dwelling unit | n/a = not applicable

<sup>1</sup> **Shall be served by** public water and a sewer system served by a wastewater treatment facility

<sup>2</sup> Residential shall be on the second floor above first floor non-residential development.

<sup>3</sup> The minimum setback between individual townhouse dwelling units is 0 ft. The minimum setback between an end townhouse unit and its side lot line is 10 ft.

- E. **Form and Design Standards.** The following standards apply in the NC District. Where these provisions conflict with other provisions in this Ordinance, these provisions control.

<sup>43</sup> Proposed here is to allow up to 75 feet in height for multi-family, mixed use, and non-residential buildings pursuant to staff input on other sections of Chapter 2.

1. *Building Placement and Orientation.* Building orientation refers to the location of the primary and secondary façades and entrances to a building.
  - (a) Buildings shall orient toward the street they face.
  - (b) For non-residential and mixed-use development:
    - (1) If an interior street or block system is established for multi-building development, a building shall be oriented to an interior street. The rear of a building shall not face a major arterial.
    - (2) In order to emphasize pedestrian or customer access, building entrances shall be differentiated from the rest of a building's façade by a change in material, architectural features, setbacks, or level.
    - (3) If multiple tenants are located in an open retail center, no more than five tenants may be accessed by a single exterior customer entrance that complies with the standards of this Subsection.
    - (4) Where a parking lot is located at the rear of the building, a secondary entrance shall be provided in the rear of the building from the parking lot.
2. *Sidewalks.* Sidewalks shall be provided on both sides of every internal street on the site. The sidewalks shall be a minimum of five feet in width. In addition:
  - (a) A street tree planting area at least five feet in width between the sidewalk and the street shall be provided, with a street tree planted every 50 feet, on average.
  - (b) A pedestrian way shall be provided from an adjacent sidewalk to each pedestrian entrance of a building on the site.
  - (c) Where a sidewalk crosses a street, driveway, drive aisle, or parking lot, the crossing shall be clearly marked with a change in paving material, color, or height; decorative bollards; or similar elements.
3. *Building Mass.*

- (a) Townhome, multi-family, non-residential, and mixed-use building façades that face a street and are greater than 80 feet in width shall be articulated with:
  - (1) Wall offsets (e.g., projections or recesses in the façade plane with a minimum depth of two feet); or
  - (2) Changes in façade color or material; or
  - (3) Similar features that visually interrupt the wall plane horizontally such that the width of uninterrupted façade does not exceed 40 feet.
- (b) Where appropriate, roof assemblies may be used to reduce building mass. (See Figure 2.2.10-1: *Front Façade Offsets*).

**Figure 2.2.10-1: Front Façade Offsets**

- (c) *Materials.* The following materials are prohibited for these buildings (including accessory structures):
- (1) Metal/steel (except for architectural accents);
  - (2) Corrugated or reflective metal panels;
  - (3) Unfinished block;
  - (4) Textured plywood;
  - (5) Mirrored glass and glass curtain walls;



- (6) Plastic siding;
    - (7) Tile (except for architectural accents); and
    - (8) Exterior Insulation and Finish Systems (EIFS) (except for architectural accents).
  - (d) *Fenestration/Transparency*. The following façade fenestration/transparency standards apply:
    - (1) At least 15% of the street-facing façade area of the ground-level floor of any townhouse or multi-family development (as measured from the grade to the underside of the eave, top of the parapet, or the story line denoting the second floor) shall be occupied by windows or doorways.
    - (2) At least 25% of the street-facing façade area of the ground-level floor of non-residential or mixed-use buildings (as measured from the grade to the underside of the eave, top of the parapet, or the story line denoting the second floor) shall be occupied by windows or doorways.
  - (e) *Change of Façade Materials*. For all buildings except detached housing, primary façade materials shall not change at outside corners, but shall extend along any side façade that is visible from a street. In all instances the extension shall be a minimum of 20 feet.
4. *Roofs*. Roof features for townhome, multi-family, non-residential, and mixed-use development shall be in scale with the building's mass, consistent with the form of the structure, and comply with the following standards:
- (a) Sloped roofs on buildings over 100 feet in length shall include two or more different sloping roof planes, each with a minimum pitch between 3:12 and 12:12.
  - (b) Flat roofs shall be concealed by parapet walls that extend at least three feet above the roof level and have three-dimensional cornice treatments that project at least eight inches outward from the parapet façade plane.
  - (c) Alternative roof forms or pitches may be allowed for small roof sections over porches, entryways, or similar features.



- (d) All roof-based mechanical equipment, as well as vents, pipes, antennas, satellite dishes, and other roof penetrations (except chimneys), shall be located on the rear elevations or otherwise be configured and screened (if necessary) to have a minimal visual impact as seen from US 15-501 or any local or internal street.
5. *Garage Standards.* For townhome and multi-family development, detached garages or carports shall be located to the side or rear of the building(s) containing the dwellings.

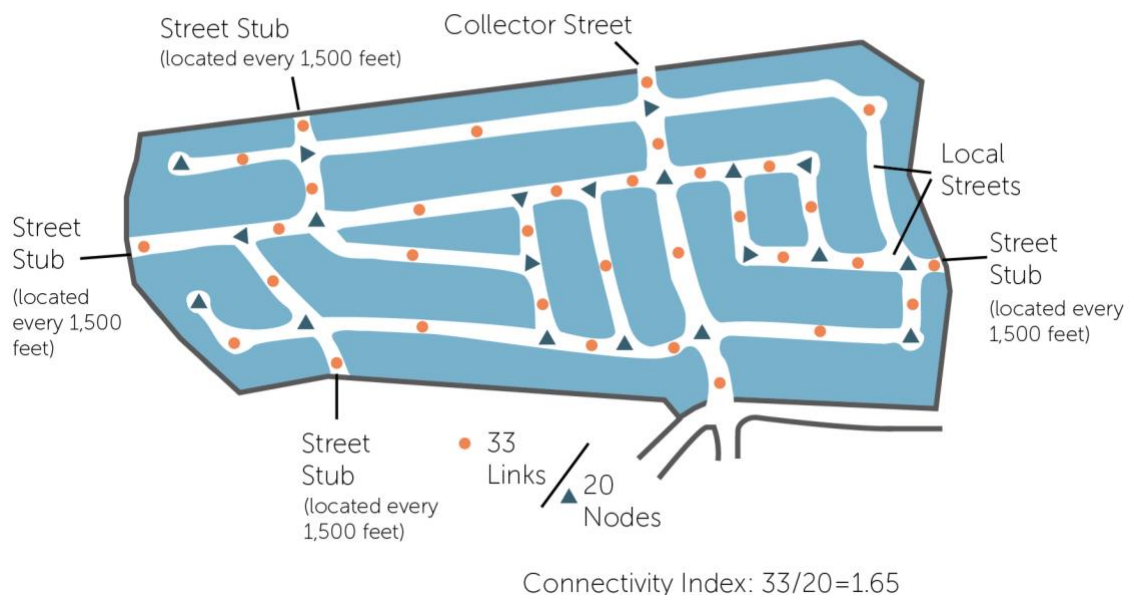
**F. Site Access and Circulation.**

1. *Limitation on Direct Access Along Arterial and Collector Streets for Detached Homes and Two- and Three-Family Dwellings.* For detached homes and two- and three-family dwellings, direct driveway access to a development's principal origin or destination points (including individual lots in a subdivision) may be provided directly from an arterial or collector street only if:
  - (a) No alternative direct vehicular access from a lower-classified accessway (e.g., local street, driveway, or alley) is available or feasible to provide;
  - (b) Only one two-way driveway, or one pair of one-way driveways, is allowed into the development; and
  - (c) The development served by the driveway is expected to generate an average daily traffic (ADT) count of 1,000 trips or less, or it is determined that the origin or destination points accessed by the driveway will generate sufficiently low traffic volumes, and the adjacent arterial or collector street has sufficiently low travel speeds and traffic volumes to allow safe driveway access while preserving the safety and efficiency of travel on the arterial or collector street.
2. *Connectivity Index for Detached Home Subdivision.* The street development of a detached subdivision shall achieve an internal street connectivity index score of at least 1.6 as described below. The Zoning Administrator may modify some or all of these standards where site topography; environmental features, such as streams; or the presence of well and/or septic systems makes compliance with the standards infeasible.
  - (a) The connectivity index score is calculated by dividing the subdivision's links by its nodes within the following parameters.

See Figure 2.2.10-2: *Connectivity Index Score Example*, for an example of how to calculate the connectivity index score.

- (b) Link refers to that portion of a street or alley defined by a node at each end or at one end. Approved stubs to adjacent property shall be considered links.
- (c) Node refers to the terminus of a street or the intersection of two or more streets.
- (d) Street links and nodes within the collector or arterial streets providing access to a proposed subdivision shall not be considered in computing the connectivity ratio.
- (e) A non-required pedestrian or bicycle connection shall also count as a link for purposes of this calculation, as follows:
  - (1) Cul-de-sac/dead-end to cul-de-sac/dead-end street connections;
  - (2) Cul-de-sac/dead-end to street; or
  - (3) Cul-de-sac/dead-end to pedestrian access, bicycle access, or other public pedestrian amenity.

**Figure 2.2.10-2: Connectivity Index Score Example**

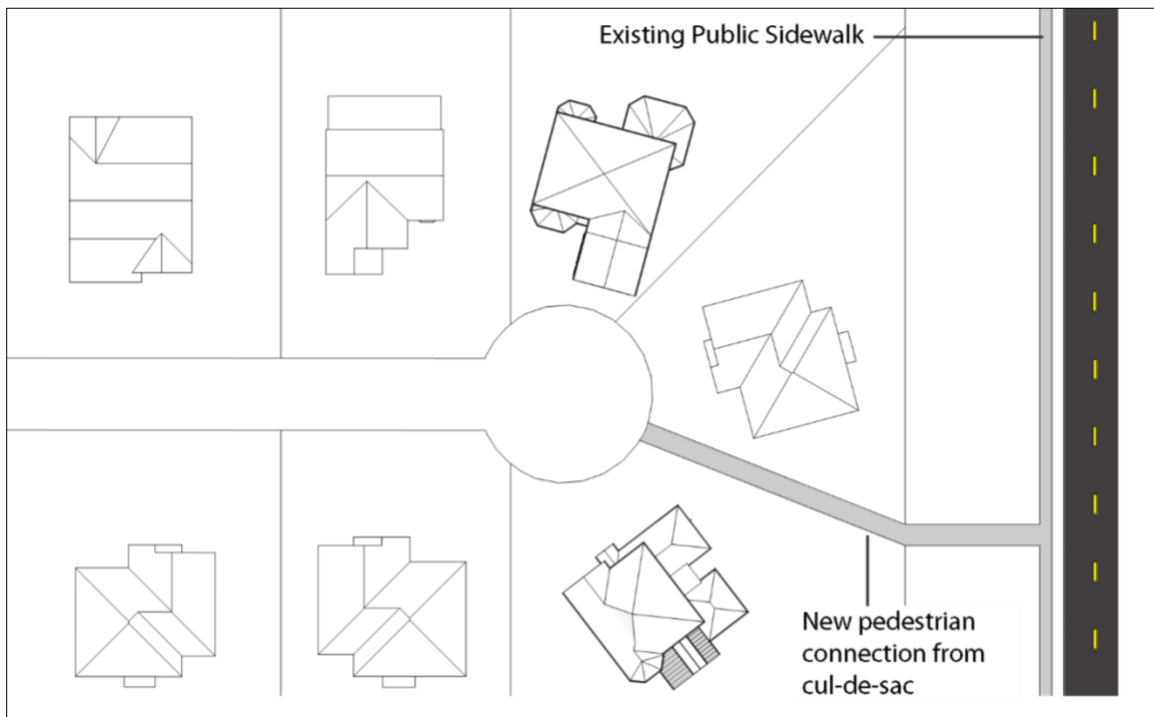


3. *External Street Connectivity for Detached Home Subdivisions.* For detached home subdivisions:
  - (a) The arrangement of streets shall provide for the alignment and continuation of existing or proposed streets onto adjoining lands where the adjoining lands are undeveloped and deemed appropriate for future development, or are developed and include opportunities for such connections.
  - (b) Street rights-of-way shall be extended to or along adjoining property boundaries such that a street connection or street stub shall be provided for development where practicable and feasible in each direction (north, south, east, and west) for development that abuts vacant lands.
  - (c) At all locations where streets terminate with no street connection, but a future connection is planned or accommodated, a sign shall be installed with the words "FUTURE STREET CONNECTION" to inform land owners.
  - (d) The final plat (see [Section 13.7.4: Major Subdivision Final Plat](#)) shall identify all stub streets and include a notation that all street stubs are intended for connection with future streets on adjoining undeveloped or underdeveloped lands.
  - (e) Stub streets that exceed 150 feet in length shall include a turn-around that shall be removed when the stub street is connected.
4. *Continuation of Adjacent Streets.* Proposed street layouts shall be coordinated with the existing street system in surrounding areas. Existing streets shall, to the maximum extent practicable, be extended to provide access to adjacent developments and subdivisions and to provide for additional points of ingress and egress.
5. *Pedestrian Connections for Detached Home Subdivision.* For detached home subdivisions:
  - (a) A right-of-way at least eight feet in width for pedestrian and bicycle access between a cul-de-sac head or street turnaround and the sidewalk system of the closest street or pedestrian path (as shown in Figure 2.2.10-3: *Pedestrian Connections*), shall be provided, if the cul-de-sac head or street turnaround:
    - (1) Is in close proximity (defined generally as within a half mile) to significant pedestrian generators or destinations such as

schools, parks, trails, greenways, employment centers, mixed use development, retail centers, or similar features; and

- (2) Can be reasonably achieved and connected to an existing or proposed sidewalk, trail, greenway, or other type of pedestrian connection; or
- (3) Is adjacent to vacant land that could reasonably be developed in the foreseeable future with sidewalks, trails, greenways, or other types of pedestrian connections to which the pedestrian and bicycle access can be connected. See Figure 2.2.10-3: *Pedestrian Connections*.

**Figure 2.2.10-3: Pedestrian Connections**



- 6. *Secondary Point of Access.* Townhome and multi-family development shall have:
  - (a) At least one secondary point of vehicular access to or from the site to ensure emergency vehicle access; and
  - (b) No primary vehicular access along a local street serving existing detached homes—provided, however, that secondary vehicle

access for emergency vehicles may be provided along such a local street if other points of access are not available.

7. *Driveway Access.* For townhome, multi-family, non-residential, and mixed-use development:
- (a) Curb cuts for driveway entrances and other purposes shall be limited to no more than one for each site bordering a major arterial. Distance between access driveways for different developments along the major arterial shall be a minimum of 400 feet, to the maximum extent practicable, or the minimum distance required by NCDOT, whichever is greater.
  - (b) Where appropriate, joint access driveways between sites to reduce the number of access points and driveway area are encouraged.
  - (c) Access driveways shall include a minimum of two lanes with a width that does not exceed 26 feet for two-way driveways, unless NCDOT requires a wider width for safe ingress and egress.
  - (d) To the maximum extent practicable,<sup>44</sup> the internal circulation system shall be designed to allow vehicular cross-access between the internal system and adjacent property that is in the NC district, or another zone district that allows townhome, multi-family, non-residential, or mixed-use development.
    - (1) The cross-access shall be constructed to the edge of the property as part of site development. Each cross-access connection shall be designed in a way that is integrated into the internal circulation system of the parking lot or street and provides a reasonable connection.
    - (2) When a proposed development is adjacent to a vacant parcel in the NC district or another zone district that allows townhome, multi-family, non-residential, or mixed-use development, the cross access shall be accomplished by providing a connection to the property line shared with the

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<sup>44</sup> Maximum extent practicable will be defined as.... "The degree to which a project meets an adopted standard in which all possible efforts to comply with the standard or to minimize harmful or adverse effects have been undertaken by the applicant, but full compliance cannot be achieved, and no feasible or practical alternative exists as determined by the Director. Economic considerations may be taken into account but shall not be the overriding factor determining 'maximum extent practicable.'"

vacant property. The cross-access connection shall provide a feasible connection to the adjacent parcel.

- (3) An easement for ingress and egress to adjacent lots through the connection(s) shall be recorded in the Chatham County Register of Deeds Office prior to development of the site.

G. **Parking Lot Location, Landscaping, Screening, Exterior Lighting, and Pedestrian Access.**<sup>45</sup> For townhome, multi-family, non-residential, and mixed-use development:

- 1. The placement of a parking lot should avoid conflicts between vehicular and pedestrian activities.
- 2. Parking lots shall be located at the side or rear of the building, to the maximum extent practicable. In no instance shall more than two rows of parking be placed between the building and the street.
- 3. Parking lots with more than 80 spaces shall be visually and functionally segmented into smaller pods with landscaped islands and strips. Parking lots with two or more head-to-head rows of parking shall include a continuous 12-foot-wide landscape strip between the parking spaces (parallel to the drive aisle) that includes a sidewalk. The strip shall be provided for every other double row of parking. Trees shall be planted within the landscape strip in accordance with Table 2.2.10-2: NC District Parking Lot Landscape Strip Tree Standards.<sup>46</sup>

Table 2.2.10-2: NC District Parking Lot Landscape Strip Tree Standards				
Tree Type	Min Spacing of Trees	Min Caliper	Min Height	Min Spread
Species from the Approved Plant List and approved by the Appearance Commission, if applicable	30 ft	3 in	10 ft	4 ft

**Key:** min = minimum required | ft = feet | in = inches

- 4. No more than 16 consecutive parking stalls are allowed without a landscape island at least eight feet wide (measured from the back of curb) and 200 square feet in area extending the entire length of the

<sup>45</sup> One or more graphics may be added here, once the standards are finalized.  
<sup>46</sup> This table may be updated once Section 4.5: Landscaping & Screening and Subsection 4.7.5: Parking Lot Improvement, Design, and Locational Requirements are drafted.

parking stall. One tree that complies with the standards in Table 2.2.10-2 shall be planted in each landscape island per 200 square feet of area. The remainder of the landscape island shall be filled with a combination of mulch and ground cover.

5. All required landscaping shall be maintained in accordance with **Subsection 4.5.7: Landscaping Maintenance**.
6. All parking lots containing more than 80 parking spaces shall provide clearly identified pedestrian routes between parking areas and the primary pedestrian entrance(s) to the building(s) served by the parking areas. They shall be designed and located to minimize the interface between pedestrian routes and traffic circulation routes, and provide pedestrian walkways with direct pedestrian and ADA access to the primary building entrance(s).
7. Exterior lighting within parking lots and on the site shall comply with the following standards:
  - (a) Light fixtures shall be full cutoff, as defined in **Chapter 18: Definitions & Acronyms**.
  - (b) Light fixtures for a parking lot shall be designed so that light is directed onto the parking area and away from streets and adjacent property.
  - (c) The height of all exterior light fixtures, whether mounted on poles, walls, or by other means, shall comply with the standards in Table 2.2.10-3: *NC District, Maximum Height for Exterior Lighting*.

**Table 2.2.10-3: NC District, Maximum Height for Exterior Lighting**

Principal Use Type	Height (max)
Residential uses	16 ft
All other uses	20 ft
Within 150 feet of a residential use or residential zone district	16 ft

**Key:** max = maximum allowed | ft = feet

- (d) Tree and site lighting locations shall not conflict, and site lighting shall not be impeded by trees.
- H. **Service Areas/Utilities.** Utility and service areas shall comply with the following standards:

1. Areas for outdoor storage, trash collection, and loading areas shall be incorporated into the primary building design. Construction for these areas shall be of materials of comparable quality and appearance to that of the primary building.
2. Loading areas or docks, outdoor storage, waste disposal, mechanical equipment, satellite dishes, truck parking, and other service support equipment shall be located behind the building so their view from streets and adjacent property is minimized, to the maximum extent practicable. The screening for loading areas, docks, outdoor storage, waste disposal, truck parking, and related other service areas shall consist of:
  - (a) Where appropriate to ensure they cannot be seen from streets and adjacent property, a wall that is at least one foot higher than the largest object being screened, but no more than eight feet in height, on all sides where access is not needed. Where access is needed, an opaque gate of the same height as the wall shall be provided; and
  - (b) The wall shall be obscured by landscaping such that no more than one-half of the surface area of the screening wall is visible from the street within three years of the wall's erection. Plant materials used to fulfill these requirements shall be a minimum of four feet in height when planted, and planted so that there is no gap greater than two feet between plant foliage.

### 2.2.11 AC, ACTIVITY CENTER DISTRICT

- A. **Purpose.** The purpose of the AC, Activity Center District, is to provide lands that accommodate moderate-intensity, auto-accessible, mixed-use centers that serve large areas of the county, and contain a mix of retail, office, entertainment, public and quasi-public, flex, and medical uses that serve community-wide needs. The district also includes residential development consisting of multifamily dwellings, townhouse dwellings, and two-, and three-family dwellings. The vertical mixing of residential uses with nonresidential uses within a single project or building, with residential development on upper floors, is strongly encouraged. The horizontal mixing of stand-alone, moderate-scale residential developments and adjacent stand-alone nonresidential or mixed-use developments in the district is also encouraged, provided the development is well-integrated in terms of complementary uses, access and circulation, and compatible design.



- B. **Location.** Lands in the Activity Center District shall be adjacent to US 15-501 between the boundary with Orange County and the northern boundary of the Town of Pittsboro's extraterritorial jurisdiction, and may include lands designated as a Community Center on the Future Land Use & Conservation Plan.
- C. **Allowed Uses.** See [Chapter 3: Use Regulations](#).
- D. **Dimensional Standards.** Table 2.2.11-1 establishes dimensional standards for the AC District.

**Table 2.2.11-1: AC District Dimensional Standards**

	Building Type	
	All Other Building Types	Townhouse
<b>Lot Dimensions (min)</b>		
Lot Area	Not Applicable	Not Applicable
Lot Width	75 ft	18 ft
<b>Development Intensity</b>		
Density (max)	20 du/acre	12 du/acre
<b>Principal Structure Setbacks (min)</b>		
Front	30 ft	30 ft
Side	20 ft	0 ft / 10 ft <sup>1</sup>
Rear	30 ft	30 ft
<b>Accessory Structure Setbacks</b>		
See <a href="#">Section 3.4: Accessory Uses &amp; Structures</a>		
<b>Height (max)</b>		
Principal Structures	60 ft	60 ft
Accessory Structures	36 ft	36 ft

**Key:** min = minimum required | max = maximum allowed | ft = feet | du = dwelling units

<sup>1</sup> The minimum setback between individual townhouse dwelling units is 0 ft. The minimum setback between an end townhouse unit and its side lot line is 10 ft.

- E. **Form and Design Standards.** The following standards apply in the AC District. Where these provisions conflict with other provisions in this Ordinance, these provisions control.
1. *Building Placement and Orientation.* Building orientation refers to the location of the primary and secondary façades and entrances to a building.

- (a) Buildings shall orient toward US 15-501, or if an interior street or block system is established for multi-building development, be oriented to an interior street. The rear of a building shall not face US 15-501.
  - (b) In order to emphasize pedestrian or customer access, building entrances shall be differentiated from the rest of a building's façade by a change in material, architectural features, setbacks, or level.
  - (c) If multiple tenants are located in an open retail center, no more than five tenants may be accessed by a single exterior customer entrance which complies with the standards of this Subsection.
  - (d) Where a parking lot is located at the rear of the building, a secondary entrance shall be provided in the rear of the building from the parking lot.
2. *Building Mass.* Building façades that face either US 15-501 or an internal street and that are greater than 100 feet in width shall be articulated with wall offsets (e.g., projections or recesses in the façade plane with a minimum depth of two feet), or changes in façade color or material, or similar features that visually interrupt the wall plane horizontally such that the width of uninterrupted façade does not exceed 60 feet. Where appropriate, roof assemblies may be used to reduce building mass. (See Figure 2.2.11-1: *Front Façade Offsets*).

**Figure 2.2.11-1: Front Façade Offsets**



### 3. *Building Façade.*

- (a) *Components.* A building's façade should have clear definition of the following components (see Figure 2.2.11-2: *Building Façade Elements*):
- (1) *Base.* A base that comprises the first floor of the building. The base should include elements such as a water table marked by a cornice line or a change in materials, color, or plane.
  - (2) *Middle.* A middle that comprises the area between the first floor and the top. The transition between the first and upper floors shall be marked with a raised cornice, awnings, canopies/marquee, clerestory windows, or similar elements.
  - (3) *Top.* A recognizable top in the form of stepped parapets of various heights with cornice treatment, gables or gable ends, spires, cupolas, dormers, and similar elements. Colored stripes/bands on flat roofs are not acceptable.

**Figure 2.2.11-2: Building Façade Elements**

- (b) *Materials.* The following materials are prohibited for buildings (including accessory structures):
- (1) Metal/steel (except for architectural accents);
  - (2) Corrugated or reflective metal panels;
  - (3) Unfinished block;
  - (4) Textured plywood;
  - (5) Mirrored glass and glass curtain walls;
  - (6) Plastic siding;
  - (7) Tile (except for architectural accents); and
  - (8) Exterior Insulation and Finish Systems (EIFS) (except for architectural accents).

- (c) *Fenestration/Transparency.* The following façade fenestration/transparency standards apply:
    - (1) At least 25% of the street-facing façade area of the ground-level floor of nonresidential buildings (as measured from the grade to the underside of the eave, top of the parapet, or the story line denoting the second floor) shall be occupied by windows or doorways.
    - (2) At least 15% of the street-facing façade area of the ground-level floor of any multifamily, townhouse, or two- or three-family dwellings (as measured from the grade to the underside of the eave, top of the parapet, or the story line denoting the second floor) shall be occupied by windows or doorways.
  - (d) *Change of Façade Materials.* For all buildings, primary façade materials shall not change at outside corners, but extend along any side façade that is visible from a street. In all instances the extension shall be a minimum of 20 feet.
4. *Roofs.* Roof features shall be in scale with the building's mass, consistent with the form of the structure, and comply with the following standards.
- (a) Sloped roofs on buildings over 100 feet in length shall include two or more different sloping roof planes, each with a minimum pitch between 3:12 and 12:12.
  - (b) Flat roofs shall be concealed by parapet walls that extend at least three feet above the roof level and have three-dimensional cornice treatments that project at least eight inches outward from the parapet façade plane (See Figure 2.2.11-3: *Roof Parapet Wall and Cornice Treatment*).
  - (c) Alternative roof forms or pitches may be allowed for small roof sections over porches, entryways, or similar features.
  - (d) All roof-based mechanical equipment, as well as vents, pipes, antennas, satellite dishes, and other roof penetrations (except chimneys), shall be located on the rear elevations or otherwise be configured and screened (if necessary) to have a minimal visual impact as seen from US 15-501 or any local or internal street.



**Figure 2.2.11-3: Roof Parapet Wall and Cornice Treatment****F. Site Access and Circulation.**

1. Curb cuts for driveway entrances and other purposes shall be limited to no more than one for each site bordering US 15-501. Distance between access driveways from US 15-501 shall be a minimum of 400 feet, to the maximum extent practicable, or the minimum distance required by NCDOT, whichever is greater.
2. Where appropriate, joint access driveways between sites to reduce the number of access points and driveway area are encouraged.
3. Access driveways shall include a minimum of two lanes with a width that does not exceed 26 feet for two-way driveways, unless a wider width is needed for safe ingress and egress is required by NCDOT.
4. To the maximum extent practicable,<sup>47</sup> the internal circulation system shall be designed to allow vehicular cross-access between the internal

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<sup>47</sup> Maximum extent practicable will be defined as.... "The degree to which a project meets an adopted standard in which all possible efforts to comply with the standard or to minimize harmful or adverse effects have been undertaken by the applicant, but full compliance cannot be achieved, and no feasible or practical alternative exists as determined by the Director. Economic

system and adjacent property that is in the Activity Center district, or another zone district that allows nonresidential or mixed-use development.

- (a) The cross-access shall be constructed to the edge of the property as part of site development. Each cross-access connection shall be designed in a way that is integrated into the internal circulation system of the parking lot or street and provides a reasonable connection.
  - (b) When a proposed development is adjacent to a vacant parcel in the Activity Center district or another zone district that allows nonresidential or mixed-use development, the cross access shall be accomplished by providing a connection to the property line shared with the vacant property. The cross-access connection shall provide a feasible connection to the adjacent parcel.
  - (c) An easement for ingress and egress to adjacent lots through the connection(s) shall be recorded in the Chatham County Register of Deeds prior to development of the site.
5. Where appropriate, sidewalks shall be provided on both sides of every internal street on the site. The sidewalks shall be a minimum of five feet in width. In addition:
- (a) A street tree planting area at least five feet in width between the sidewalk and the street shall be provided, with a street tree planted every 50 feet, on average.
  - (b) A pedestrian way shall be provided from an adjacent sidewalk to each pedestrian entrance of a building on the site.
  - (c) Where a sidewalk crosses a street, driveway, drive aisle, or parking lot, the crossing shall be clearly marked with a change in paving material, color, or height, decorative bollards, or similar elements.

**G. Parking Lot Location, Landscaping, Screening, Exterior Lighting, and Pedestrian Access.**

- 1. The placement of a parking lot should avoid conflicts between vehicular and pedestrian activities.

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considerations may be taken into account but shall not be the overriding factor determining “maximum extent practicable.”

2. Parking lots shall be located at the side or rear of the building.
3. Parking lots with more than 80 spaces shall be visually and functionally segmented into smaller pods with landscaped islands and strips. Parking lots with two or more head-to-head rows of parking shall include a continuous 12-foot-wide landscape strip between the parking spaces (parallel to the drive aisle) that includes a sidewalk. The strip shall be provided every other double row of parking. Trees shall be planted within the landscape strip in accordance with Table 2.2.11-2: *AC District Parking Lot Landscape Strip Tree Standards*.<sup>48</sup>

**Table 2.2.11-2: AC District Parking Lot Landscape Strip Tree Standards**

Tree Type	Min Spacing of Trees	Min Caliper	Min Height	Min Spread
Species from the <a href="#">Approved Plant List</a> and approved by the Appearance Commission, if applicable	30 ft	2 in	10 ft	4 ft

**Key:** min = minimum required | ft = feet | in = inches

4. No more than 16 consecutive parking stalls are allowed without a landscape island at least eight feet wide (measured from the back of curb) and 200 square feet in area extending the entire length of the parking stall. One tree that complies with the standards in Table 2.2.11-2 shall be planted in each landscape island per 200 square feet of area. The remainder of the landscape island shall be filled with a combination of mulch and ground cover.
5. All required landscaping shall be maintained in accordance with [Subsection 4.5.7: Landscaping Maintenance](#).
6. All parking lots containing more than 80 parking spaces shall provide clearly identified pedestrian routes between parking areas and the primary pedestrian entrance(s) to the building(s) served by the parking areas. They shall be designed and located to minimize the interface between pedestrian routes and traffic circulation routes, and provide pedestrian walkways with direct pedestrian and ADA access to the primary building entrance(s).

<sup>48</sup> This table may be updated once Section 4.5: *Landscaping & Screening* and Subsection 4.7.5: *Parking Lot Improvement, Design, and Locational Requirements* are drafted.



7. Parking lots shall be designed to the maximum extent practicable, to minimize direct views of parked vehicles from US 15-501, through landscape treatment, screening, and buffers.
8. Exterior lighting within parking lots and on the site shall comply with the following standards:
  - (a) Light fixtures shall be full cutoff, as defined in **Chapter 18: Definitions & Acronyms**.
  - (b) Light fixtures for a parking lot shall be designed so that light is directed onto the parking area and away from US 15-501 and adjacent property.
  - (c) The height of all exterior light fixtures, whether mounted on poles, walls, or by other means, shall comply with the standards in Table 2.2.11-3: *AC District, Maximum Height for Exterior Lighting*.

<b>Table 2.2.11-3: AC District, Maximum Height for Exterior Lighting</b>	
<b>Principal Use Type</b>	<b>Height (max)</b>
Residential uses	16 ft
All other uses	20 ft
Within 150 feet of a residential use or residential zone district	16 ft

**Key:** max = maximum allowed | ft = feet

- (d) Tree and site lighting locations shall not conflict. In the event of a conflict, the site lighting shall not be impeded by trees.
- H. **Parking Structures.** Parking structure façades shall comply with the following standards:
1. Vehicle entrances to a parking structure shall be distinct and separate from and coordinated with safe design for pedestrian access.
  2. Pedestrian access to a parking structure shall be provided directly from adjacent streets, and connect to sidewalks, as appropriate.
  3. Parking structures shall comply with all other relevant standards of the district.
- I. **Service Areas/Utilities.** Utility and service areas shall comply with the following standards:

1. Areas for outdoor storage, trash collection, and loading areas shall be incorporated into the primary building design, and construction for these areas shall be of materials of comparable quality and appearance as that of the primary building.
  2. Loading areas or docks, outdoor storage, waste disposal, mechanical equipment, satellite dishes, truck parking, and other service support equipment shall be located behind the building so their view from US 15-501 and adjacent property is minimized, to the maximum extent practicable. The screening for loading areas, docks, outdoor storage, waste disposal, truck parking, and related other service areas shall consist of:
    - (a) Where appropriate to ensure they cannot be seen from US 15-501 and adjacent property, a wall that is at least one foot higher than the largest object being screened, but no more than eight feet in height, on all sides where access is not needed. Where access is needed, an opaque gate of the same height as the wall shall be provided;
    - (b) The wall shall be obscured by landscaping such that no more than one-half of the surface area of the screening wall is visible from the street within three years of the wall's erection. Plant materials used to fulfill these requirements shall be a minimum of four feet in height when planted and planted so that there is no gap greater than two feet between plant foliage.
- J. **US 15-501 Buffer.** A buffer adjacent to the US 15-501 right-of-way, that is 40 feet in width and extends the entire width of the site except for the driveway(s) that are used to access the site, shall be established and maintained as an easement on the property.<sup>49</sup>
1. The vegetation in the buffer shall comply with the requirements of **Sec. <>, Buffer Standards**; and
  2. The buffer easement shall be recorded with the Chatham County Register of Deeds prior to any development of the site.

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<sup>49</sup> Based on the proposed definition of where this district would apply (see 2.2.25.B: *Location*), the only road that would require this type of buffer is U.S. 15-501. Alternatively, the UDO could define both the potential district location and the buffer requirement by road classification (i.e., principal arterial) which, at this time, would only include U.S. 15-501.

**2.2.12 CB, COMMUNITY BUSINESS DISTRICT**

- A. **Purpose.** The CB, Community Business, District is:<sup>50</sup>
1. Similar to the Neighborhood Business District, but at a slightly larger scale; and
  2. Is intended for commercial establishments that serve a moderately-sized market, roughly equivalent to the trade area of an 80,000 square foot grocery store and ancillary services.
- B. **Location.** The CB District is generally appropriate in areas designated as Employment Center and Community Center on the Future Land Use & Conservation Plan.
- C. **Allowed Uses.** See [Chapter 3: Use Regulations](#).
- D. **Dimensional Standards.** Table 2.2.12-1 establishes dimensional standards for the CB District.<sup>51</sup>
- E. **Additional Development Standards.** Outdoor storage and sales areas are limited to one-tenth (1/10) of the gross floor area.<sup>52</sup>

Table 2.2.12-1: CB District Dimensional Standards	
Lot Dimensions (min)	
Lot Area, With Public Water and/or Sewer	40,000 sf
Lot Area, With Individual Well & Wastewater Disposal	65,340 sf
Lot Width	75 ft
Residential Density <sup>53</sup>	
Density (max)	8 du/ac

<sup>50</sup> Carries forward a portion of ZO Section 4: *Districts Established* (CB District description). The building size limitations are carried forward in Paragraph D.

<sup>51</sup> Carries forward the current dimensional standards in ZO Section 10.7.B., and proposes to increase maximum height from 60 ft to 75 ft pursuant to staff input. Also proposes to require an increased side setback when the lot is adjacent to a lot in the PP, AG, RA, R5, R2, or R1 District or to a lot containing a dwelling unit (regardless of the zoning district). The proposed increased setback would likely require a lot to be at least twice the minimum required lot width.

<sup>52</sup> Carries forward current regulation in ZO Section 10.7.A: *Permitted and Conditional Uses* (CB District), but revises "interior sales space" to "gross floor area."

<sup>53</sup> Allowed residential uses (pursuant to the 02-20-23 Draft of Chapter 3: *Use Regulations*) include apartment complexes (SUP), live-work units (permitted), and mixed use buildings (SUP).

Table 2.2.12-1: CB District Dimensional Standards	
Principal Structure Setbacks (min) <sup>1</sup>	
Front	50 ft
Side	20 ft / 50 ft <sup>2</sup>
Rear	20 ft
Accessory Structure Setbacks	
See <a href="#">Section 3.4: Accessory Uses &amp; Structures</a>	
Height (max) <sup>54</sup>	
Principal Structures	75 ft
Accessory Structures	75 ft
Building GFA (max)	
Per Building	40,000 sf
Per Site <sup>55</sup>	320,000 sf

**Key:** min = minimum required | max = maximum allowed | sf = square feet | ft = feet | du/ac = dwelling units per acre | GFA = gross floor area

<sup>1</sup> The minimum setbacks listed may be reduced to the minimum established in the most recent North Carolina Building Code for buildings that are part of a common plan of development, except along the exterior project boundary where the minimum yard setbacks shall be met.

<sup>2</sup> The lesser setback applies when the lot line is adjacent to a lot located in the RV, OI, NB, NC, AC, CB, RB, RHC, IL, or IH zoning district. The greater setback applies when the lot line is adjacent to a lot located in any other zoning district, or when the lot line is adjacent to a lot containing one or more dwelling units regardless of the zoning district.

### 2.2.13 RB, REGIONAL BUSINESS DISTRICT

- A. **Purpose.** The RB, Regional Business, District is intended for a wide array of non-residential uses without limitations on single-occupant, single-use structure sizes or outdoor storage and display of merchandise.<sup>56</sup>
- B. **Location.** The RB District is generally appropriate in areas designated as Employment Center or Community Center on the Future Land Use & Conservation Plan.

<sup>54</sup> Note the current Zoning Ordinance specifies maximum *building* height, while this Chapter proposes to regulate maximum *structure* height.

<sup>55</sup> The proposed definition of *site* is “a contiguous area of land, including a lot or lots or a portion thereof, that is included in a development application.”

<sup>56</sup> Carries forward a portion of ZO Section 4: *Districts Established* (RB District description).

- C. **Allowed Uses.** See [Chapter 3: Use Regulations](#).
- D. **Dimensional Standards.** Table 2.2.13-1 establishes dimensional standards for the RB District.<sup>57</sup>

Table 2.2.13-1: RB District Dimensional Standards	
Lot Dimensions (min)	
Lot Area, With Public Water and/or Sewer	40,000 sf
Lot Area, With Individual Well & Wastewater Disposal	65,340 sf
Lot Width	75 ft
Residential Density <sup>58</sup>	
Density (max)	8 du/ac
Principal Structure Setbacks (min) <sup>1</sup>	
Front	50 ft
Side	20 ft / 50 ft <sup>2</sup>
Rear	20 ft
Accessory Structure Setbacks	
See <a href="#">Section 3.4: Accessory Uses &amp; Structures</a>	
Height (max) <sup>59</sup>	
Principal Structures	75 ft
Accessory Structures	75 ft
<b>Key:</b> min = minimum required   max = maximum allowed   sf = square feet   ft = feet   GFA = gross floor area	

<sup>1</sup> The minimum setbacks listed may be reduced to the minimum established in the most recent North Carolina Building Code for buildings that are part of a common plan of development, except along the exterior project boundary where the minimum setbacks shall be met.

<sup>2</sup> The lesser setback applies when the lot line is adjacent to a lot located in the RV, OI, NB, NC, AC, CB, RB, RHC, IL, or IH zoning district. The greater setback applies when the lot line is adjacent to a lot located in any other zoning district, or when the lot line is adjacent to a lot containing one or more dwelling units regardless of the zoning district.

<sup>57</sup> Carries forward the current dimensional standards in ZO Section 10.8.B., and proposes to increase maximum height from 60 ft to 75 ft pursuant to staff input. Also proposes to require an increased side setback when the lot is adjacent to a lot in the PP, AG, RA, R5, R2, or R1 District or to a lot containing a dwelling unit (regardless of the zoning district). The proposed increased setback would likely require a lot to be at least twice the minimum required lot width.

<sup>58</sup> Allowed residential uses (pursuant to the 02-20-23 Draft of Chapter 3: *Use Regulations*) include apartment complexes (SUP), live-work units (permitted), and mixed use buildings (SUP).

<sup>59</sup> Note the current Zoning Ordinance specifies maximum *building* height, while this Chapter proposes to regulate maximum *structure* height.

**2.2.14 RHC, RURAL HIGHWAY COMMERCIAL DISTRICT<sup>60</sup>**

- A. **Purpose.** The RHC, Rural Highway Commercial, District accommodates a mix of agricultural, service, and industrial uses that are compatible with rural character and typically do not require urban services, such as water and sewer.
- B. **Location.** The RHC District:<sup>61</sup>
1. Is generally appropriate in areas designated as Agriculture on the Future Land Use & Conservation Plan that are located along a principal arterial, minor arterial, or major collector road, or are located at the interchanges along U.S. 421; and
  2. May be appropriate in areas designated as Village & Village Center and Crossroad Community on the Future Land Use & Conservation Plan if compatible with nearby land uses.
- C. **Allowed Uses.** See [Chapter 3: Use Regulations](#).
- D. **Dimensional Standards.** Table 2.2.14-1 establishes dimensional standards for the RHC District.

Table 2.2.14-1: RHC District Dimensional Standards	
<b>Lot Dimensions (min)</b>	
Lot Area, With Public Water and/or Sewer	40,000 sf
Lot Area, With Individual Well & Wastewater Disposal	65,340 sf
Lot Width	75 ft
<b>Principal Structure Setbacks (min)<sup>1</sup></b>	
Front	100 ft
Side	50 ft
Rear	50 ft
<b>Accessory Structure Setbacks</b>	

See [Section 3.4: Accessory Uses & Structures](#)

<sup>60</sup> New commercial district proposed to help implement the “Rural” Future Land Use & Conservation Map designation and address Focus Group concerns with the limitations of the current R1 zoning in these areas. See *Audit Report* p. 60.

<sup>61</sup> The Planning Board UDO Subcommittee suggested consideration of listing specific roads (rather than road classification types) on which the RHC District can be located.

Table 2.2.14-1: RHC District Dimensional Standards	
Height (max)	
Principal Structures	75 ft
Accessory Structures	75 ft
Retail Store GFA (max) <sup>62</sup>	
Per Building <sup>2</sup>	25,000 sf
Per Site <sup>63</sup>	150,000 sf

**Key:** min = minimum required | max = maximum allowed | sf = square feet | ft = feet | GFA = gross floor area

<sup>1</sup> The minimum setbacks listed may be reduced to the minimum established in the most recent North Carolina Building Code for buildings that are part of a common plan of development, except along the exterior project boundary where the minimum yard setbacks shall be met.

<sup>2</sup> The maximum GFA for individual buildings does not apply to grocery stores.

### 2.2.15 IL, LIGHT INDUSTRIAL DISTRICT

- A. **Purpose.** The IL, Light Industrial, District is primarily intended for wholesale activities, warehouses, and light manufacturing operations that do not involve heavy processing activities and that are unlikely to create noise, smoke, dust, vibration, heat, odor, or other noxious effects, either controlled or uncontrolled.<sup>64</sup>
- B. **Location.** The IL District is generally appropriate in areas designated as Employment Center on the Future Land Use & Conservation Plan and in

<sup>62</sup> A maximum building size (both per building and per site) is proposed for compatibility with nearby agricultural and rural residential areas. Staff recommended inclusion of a maximum GFA for all building types, similar to that in the NB and CB Districts. However, a size limit may not be appropriate for a number of proposed allowed uses in RHC, including hotels; agricultural processing, storage, and support services; assembly halls, coliseums, gymnasiums, and similar structures; equestrian centers; research & development facilities; hospitals; inpatient care facilities, nursing homes, and convalescent homes; and training and conference centers. As such, proposed here is to limit the gross floor area of retail stores only, with the exception of grocery stores. The proposed 25,000 sf per building limit would accommodate the typical size stores for national retailers such as Tractor Supply (15,500 sf), Dollar General (7,400 sf), CVS (10,000 sf to 13,000 sf), and Walgreens (14,500 sf), but would prohibit “big box” retail stores. Alternatively, the UDO could limit building size for all building types and potentially refine the list of allowed uses in the district; or the GFA limit could be eliminated from this district altogether.

<sup>63</sup> The proposed definition of *site* is “a contiguous area of land, including a lot or lots or a portion thereof, that is included in a development application.”

<sup>64</sup> Carries forward a portion of ZO Section 4: *Districts Established* (IL District description).

certain areas along principal arterial, minor arterial, and major collector roads, or are located at the interchanges along U.S. 421.

- C. **Allowed Uses.** See [Chapter 3: Use Regulations](#).
- D. **Dimensional Standards.** Table 2.2.15-1 establishes dimensional standards for the IL District.<sup>65</sup>

Table 2.2.15-1: IL District Dimensional Standards	
Lot Dimensions (min)	
Lot Area, With Public Water and/or Sewer	40,000 sf
Lot Area, With Individual Well & Wastewater Disposal	65,340 sf
Lot Width	150 ft
Principal Structure Setbacks (min) <sup>1</sup>	
Front	100 ft
Side	100 ft
Rear	100 ft
Accessory Structure Setbacks	
See <a href="#">Section 3.4: Accessory Uses &amp; Structures</a>	
Height (max)	
Principal Structures	75 ft
Accessory Structures	75 ft
<b>Key:</b> min = minimum required   max = maximum allowed   sf = square feet   ft = feet   GFA = gross floor area	

<sup>1</sup> Except along State maintained roads, the minimum setbacks may be reduced to the minimum established in the most recent North Carolina Building Code if the adjacent property is also zoned IL.

### 2.2.16 IH, HEAVY INDUSTRIAL DISTRICT

- A. **Purpose.** The IH, Heavy Industrial, District is primarily intended for manufacturing operations involving heavy manufacturing processes, such as

<sup>65</sup> Carries forward the current dimensional standards in ZO Section 10.9.B., and proposes to increase all minimum setbacks from 50 ft to 100 ft pursuant to input from staff and the Planning Board UDO Subcommittee. Also proposed, pursuant to input from the UDO Subcommittee, is to add a height limit for principal and accessory structures. The current Zoning Ordinance does not limit height in the IL District. Additional height could be approved, if warranted, through the variance process. The Subcommittee suggested increased height could be allowed through an SUP process; this needs further research and discussion to determine whether it is a feasible approach under N.C.G.S. Chapter 160D.



dyeing, chemical mixing, melting, and stamping, but that control such processes so as not to exceed the standards specified in [Section 4.3: Environmental Performance Standards](#).<sup>66</sup>

- B. **Location.** The IH District is generally appropriate in areas designated as Employment Center on the Future Land Use & Conservation Plan and in certain areas along principal arterial, minor arterial, and major collector roads, or are located at the interchanges along U.S. 421.
- C. **Allowed Uses.** See [Chapter 3: Use Regulations](#).
- D. **Dimensional Standards.** Table 2.2.16-1 establishes dimensional standards for the IH District.<sup>67</sup>

Table 2.2.16-1: IH District Dimensional Standards	
<b>Lot Dimensions (min)</b>	
Lot Area	80,000 sf
Lot Width	300 ft
<b>Principal Structure Setbacks (min)<sup>1</sup></b>	
Front	200 ft
Side	200 ft
Rear	200 ft
<b>Accessory Structure Setbacks</b>	
See <a href="#">Section 3.4: Accessory Uses &amp; Structures</a>	
<b>Height (max)</b>	
Principal Structures	None
Accessory Structures	None
<b>Key:</b> min = minimum required   max = maximum allowed   sf = square feet   ft = feet   GFA = gross floor area	

<sup>1</sup> Except along State maintained roads, the minimum setbacks may be reduced to the minimum established in the most recent North Carolina Building Code if the adjacent property is also zoned IH.

<sup>66</sup> Carries forward a portion of ZO Section 4: *Districts Established* (IH District description).

<sup>67</sup> Carries forward the current dimensional standards in ZO Section 10.10.B., and proposes to increase all minimum setbacks from 100 ft to 200 ft pursuant to input from staff and the Planning Board UDO Subcommittee.

## 2.3 CONDITIONAL DISTRICTS<sup>68</sup>

### 2.3.1 GENERAL PROVISIONS<sup>69</sup>

#### A. **Purpose.**<sup>70</sup>

1. Conditional zoning districts are zoning districts in which the development and use of the property is subject to predetermined ordinance standards and the rules, regulations, and conditions imposed as part of the legislative decision creating the district and applying it to a particular property.
2. Some land uses are of such a nature or scale that they have significant impacts on both the immediate surrounding area and on the entire community, which cannot be predetermined and controlled by general district standards.
3. The review process established in this Ordinance provides for accommodation of such uses by a reclassification of property into a conditional zoning district, subject to specific conditions that ensure compatibility of the use with neighboring properties.
4. A conditional zoning district is not intended for securing early zoning for a proposal, except when that proposal is consistent with an approved land use plan or the proposal can demonstrate that public infrastructure needed to serve the development will be made available within a reasonable time period.

#### B. Property may be rezoned to a conditional zoning district only in response to and consistent with an application submitted in compliance with **Section 13.5: Rezoning (Conditional Districts)**.<sup>71</sup>

#### C. **Uses Within District.**<sup>72</sup>

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<sup>68</sup> The [Audit Report](#) recommends limiting the use of conditional zoning districts (see p. 59). This Section proposes to reduce the number of conditional zoning districts from eleven to four.

<sup>69</sup> The procedural aspects of the conditional districts are proposed for relocation to Chapter 13: *Procedures*. This includes current ZO Sections 5.3: *General Requirements*, 5.5: *Conditions*, 5.6: *Non-Compliance with District Conditions*, 5.7: *Procedure*, 5.8: *Effect of Approval*, and 5.9: *Alterations to Approval*.

<sup>70</sup> Carries forward ZO Section 5.1: *Purpose* (Conditional Zoning Districts).

<sup>71</sup> Carries forward the first sentence of ZO Section 5.3: *General Requirements*.

<sup>72</sup> Carries forward ZO Section 5.4: *Uses Within District* with minor revisions for clarity.

1. Within a conditional zoning district, only those uses listed (or determined by the Zoning Administrator to be equivalent uses) as permitted uses or limited uses in [Section 3.2: Principal Use Tables](#) may be allowed.
  2. A use is only allowed in a conditional zoning district if expressly authorized by the Board of Commissioners through the conditional zoning district rezoning process.
- D. **Minimum Standards.** The standards specified in this Section are minimum standards all proposed developments must meet. The Board of Commissioners may supplement, but not reduce, these standards through the rezoning process ([Section 13.5: Rezoning \(Conditional Districts\)](#)).

### 2.3.2 CD-CR, COMPACT RESIDENTIAL CONDITIONAL DISTRICT<sup>73</sup>

- A. **Purpose.** The CD-CR, Compact Residential, Conditional District is intended to encourage creative development by providing flexibility in lot size and residential unit placement within larger planned residential projects, while also preserving open space in more usable and environmentally sensitive units.<sup>74</sup>
- B. **Location.** The CD-CR District is generally appropriate in areas designated as Compact Residential on the Future Land Use & Conservation Plan.
- C. **Minimum Land Area.** Each CD-CR District shall contain a minimum gross land area of 50 acres.<sup>75</sup>
- D. **Maximum Size.** A CD-CR District shall not include more than 2,650 dwelling units.<sup>76</sup>

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<sup>73</sup> New district proposed to implement the MU-1 (Mixed Use 1 District) recommended in *Plan Chatham* Land Use Action Item 1.2 (p. 145). Incorporates and revises the current standards for Planned Residential Developments (PRD). The applicable approval process for a development in the CR District depends on the proposed use(s). If the development involves subdivision, it would go through the typical subdivision process (Concept Plan, First Plat, Construction Plan, Final Plat). If the development does not involve subdivision (e.g., an apartment complex on a single lot), it would go through the Zoning Compliance process following review by the Appearance Commission.

<sup>74</sup> Carries forward portions of ZO Section 17.5.C: *Purpose* (Planned Residential Development).

<sup>75</sup> Carries forward the minimum gross acreage required for a PRD in the R1 District. Most areas designated for Compact Residential on the Future Land Use & Conservation Plan are currently zoned R1.

<sup>76</sup> Carries forward CCO Section 6.2: *Maximum Size*. The County could consider removing this limitation and allowing the maximum net density to control. For reference, a proposed development

- E. **Maximum Net Density.** The maximum density in a CD-CR District is one dwelling unit for each 20,000 square feet of net land area. [See Chapter 17: *Rules of Interpretation & Measurement* for an explanation of how to calculate net land area.]<sup>77</sup>
- F. **Allowed Uses.** See Chapter 3: *Use Regulations*.
- G. **Dimensional Standards.** Table 2.3.2-1 establishes dimensional standards for the CD-CR District.

Table 2.3.2-1: CD-CR District Dimensional Standards	
Development Boundary Setback (min) <sup>1 78</sup>	
Perimeter, Adjacent to Existing Residential Development or a Residential Zoning District	100 ft
Perimeter, Adjacent to All Other Districts	100 ft
Right-of-Way	100 ft
Lot Dimensions (min)	
Lot Area	None
Lot Width	None
Principal & Accessory Structure Setbacks (min) <sup>79</sup>	

The approved plat or approved site plan establishes minimum principal and accessory structure setbacks. In no case shall the setbacks be less than the minimum established in the most recent North Carolina Building Code.

with the maximum number of allowed dwelling units would have to be located on at least 1,216.7 acres to comply with the maximum net density standard.

<sup>77</sup> Revises the maximum net density allowed for a PRD in the R1 District. Most areas designated for Compact Residential on the Future Land Use & Conservation Plan are currently zoned R1. Section 2.2.6 proposes to reduce the minimum lot area in R1 from 40,000 sf to 20,000 sf.

<sup>78</sup> The current PRD standards require setbacks with at least the minimum depth specified for the district in which the PRD is located, but authorize the Board of Commissioners to increase the setbacks or apply other conditions. The proposed minimum Development Boundary Setbacks here align with a recommendation in *Plan Chatham* (p. 146) to increase setbacks for the Mixed Use 3 District (which is implemented in the UDO as CD-CN, Compact Non-Residential Conditional District). The UDO proposes to implement these increased setbacks in all three compact districts. Any reductions to these minimum setbacks would require a variance. Section 4.5: *Landscaping & Screening* will include provisions for a natural or landscaped buffer within the Development Boundary Setback.

<sup>79</sup> Section 12.3: *Subdivision Design* will include standards for compact subdivisions, which is anticipated to be the only subdivision design allowed in the CR District. These provisions are anticipated to allow a developer to propose setbacks for principal and accessory structures. If the proposed use in a CR District does not require subdivision (e.g., an apartment complex on a single lot), the developer would propose setbacks through the site plan review process.

**Table 2.3.2-1: CD-CR District Dimensional Standards**

<b>Height (max)</b>	
Principal Structures	75 ft
Accessory Structures	75 ft
<b>Key:</b> min = minimum required   max = maximum allowed   ft = feet	

<sup>1</sup> **Section 4.5: Landscaping & Screening** requires a buffer within the Development Boundary Setback.

#### H. **Development Boundary Setback.**

1. The development boundary setback is located along the outer perimeter of a CD-CR District. The setback is measured inward from the lot line comprising the outer development boundary, except as otherwise specified in 2.3.2.H.3, below.
2. **Section 4.5: Landscaping & Screening** requires a buffer within this setback.
3. Utility lines and roads may cross the setback area (generally perpendicular to the lot line), but structures are prohibited within this setback. If a utility easement runs parallel or near parallel to the lot line, the development boundary setback is measured from the edge of the utility easement closest to the proposed development.
4. A pedestrian and bicycle trail may be located within the setback area, if:
  - (a) The trail is located at least 75 feet from and is oriented generally parallel to the lot line comprising the outer development boundary;
  - (b) No trees greater than three inches DBH are removed, except invasive species; and
  - (c) The trail location is designated on the CD-CR District site plan.

- I. **Relationship of Buildings to Lot.** One or more principal residential dwellings or other principal buildings may be located on a single lot.<sup>80</sup>

- J. **Common Areas.**<sup>81</sup>

<sup>80</sup> Carries forward a portion of ZO 8.1: *Relationship of Buildings to Lot*.

<sup>81</sup> Carries forward ZO 17.5.C.6: *Gross Site Use* with minor revisions.

1. All land not used for public or private street rights-of-way or building lots shall be placed in common area and owned by an entity created for their perpetual ownership and maintenance.
2. There may be more than one common area and more than one level of common area rights within a development in the CD-CR District. Common areas may be used for recreational facilities and similar uses for the development.

### 2.3.3 CD-CMU, COMPACT MIXED USE CONDITIONAL DISTRICT<sup>82</sup>

#### A. **Purpose.**<sup>83</sup>

1. The CD-CMU, Compact Mixed Use, Conditional District is intended to:
  - (a) Provide flexibility for a complementary mix of residential and non-residential uses developed on large tracts in accordance with a unified development plan;
  - (b) Promote new communities that support mixed use development, anchored by a village center composed of commercial, civic, and residential uses that add to Chatham County's tax base, help residents meet their daily needs, and preserve Chatham County's small-town atmosphere; and
  - (c) Encourage compact, village-style development with well-integrated open space, at a size that is easily walkable and bikeable by residents of all ages.
2. Developments in the CD-CMU District:

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<sup>82</sup> New district proposed to implement the MU-2 recommended in *Plan Chatham* Land Use Action Item 1.2 (p. 145). Incorporates some of the current standards from the Compact Communities Ordinance (CCO). Other CCO standards will be incorporated into other sections of the UDO (e.g., perimeter and viewshed buffers will be incorporated into Section 5.5: *Landscaping & Screening*; interconnectivity, narrow streets, and transit provisions will be incorporated into Section 8.2: *Required Improvements*; and open space will be incorporated into Chapter 7: *Conservation & Open Space*). The applicable approval process for a development in the CMU District depends on the proposed use(s). If the development involves subdivision, it would go through the typical subdivision process (Concept Plan, First Plat, Construction Plan, Final Plat). If the development does not involve subdivision, it would go through the Zoning Compliance process following review by the Appearance Commission.

<sup>83</sup> Carries forward portions of ZO Section 10.12.A: *Purpose* (CD-MU Mixed Use) and CCO Section 3: *Purpose*.

- (a) Are unified by distinguishable design features;
  - (b) Provide pedestrian connections between all uses;
  - (c) Provide a more efficient use of land while providing more on-site amenities and preserving open space;
  - (d) Include a mix of housing types that are architecturally consistent and affordable to a range of residents in Chatham County; and
  - (e) Include a mix of uses designed to be mutually supporting so that traffic congestion is minimized and pedestrian circulation is enhanced.
- B. **Location.** The CD-CMU District is generally appropriate in areas designated as Community Center or Neighborhood Center on the Future Land Use & Conservation Plan.
- C. **Minimum Land Area.** Each CD-CMU District shall contain a minimum gross land area of 50 acres.<sup>84</sup>
- D. **Residential Density.**<sup>85</sup>
- 1. Each CD-CMU District may have a maximum overall residential density of no more than two dwelling units for each acre of gross land area in the project.
    - (a) Accessory units count as one-half (1/2) a dwelling unit for the purposes of this calculation. Accessory units may contain a maximum of 1,500 square feet of conditioned floor area.
    - (b) Spray fields located off the project area shall not count as part of the project for the purposes of the maximum residential density calculation.<sup>86</sup>
  - 2. The minimum net residential density shall be at least five units per net acre of land area. [See Chapter 17: Rules of Interpretation & Measurement for an explanation of how to calculate net land area.]
- E. **Allowed Uses.** See Chapter 3: Use Regulations.

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<sup>84</sup> Adds a minimum acreage for consistency with the CR and CN Districts.

<sup>85</sup> Carries forward CCO Section 6.3: *Residential Density (Maximum and Minimum)*.

<sup>86</sup> The provisions in this Paragraph related to ADUs and spray fields in the calculation of density may be relocated to Chapter 17: *Rules of Interpretation & Measurement*.

**F. Mixture of Uses Required.**<sup>87</sup>

1. *Minimum Residential Use Allocation.*
  - (a) A minimum of 60% of the land area of each proposed CD-CMU District shall be dedicated to residential land uses.<sup>88</sup>
  - (b) Where a proposed district includes residential uses in vertically mixed use structures (mixed commercial and residential buildings), the gross floor area of the residential uses shall be used in place of land area to calculate the minimum residential use allocation.
2. *Minimum Non-Residential Use Allocation.*
  - (a) A minimum of 20% of the land area of each proposed CD-CMU District shall be dedicated to non-residential land uses.
  - (b) Where a proposed district includes non-residential uses in vertically mixed use structures (mixed commercial and residential buildings), the gross floor area of the non-residential uses shall be used in place of land area to calculate the minimum non-residential use allocation.
  - (c) At least 25% of the total planned non-residential area shall be developed before 75% of the maximum number of allowable dwelling units receive final subdivision plat approval.<sup>89</sup>
  - (d) At least 50% of the total planned non-residential area shall be developed before 90% of the maximum number of allowable dwelling units receive final plat approval.<sup>90</sup>
3. *Calculation of Land Area.* The minimum allocations of land area dedicated to the uses specified in this Paragraph exclude land area dedicated to street rights-of-way, required open space, floodplains, easements, and other undevelopable land. Off-street parking areas required for the uses may be included in the calculation of minimum land area.

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<sup>87</sup> The proposed definition of *residential use* is “any use that includes only dwelling units and their customary accessory uses, but no other uses.” The proposed definition of *non-residential use* is “any use other than a residential use (e.g., commercial, retail, office, civic, or institutional use).”

<sup>88</sup> *Plan Chatham* notes this district should be “predominantly residential” (p. 145).

<sup>89</sup> Carries forward a portion of CCO Section 6.5: *Commercial Area*.

<sup>90</sup> Carries forward a portion of CCO Section 6.5: *Commercial Area*.



4. *Mixture of Dwelling Types Required.*

- (a) Each CD-CMU District shall include at least three of the following dwelling types:<sup>91</sup>
- (1) Detached houses;
  - (2) Townhouses;
  - (3) Duplexes;
  - (4) Triplexes or quadplexes;
  - (5) Multiplexes; and
  - (6) Apartments in mixed use buildings.
- (b) The housing types shall be fully integrated into the overall development design, with the highest residential densities occurring adjacent to non-residential use areas, extending to lower residential densities at the periphery of the development.<sup>92</sup>

G. **Dimensional Standards.** Table 2.3.3-1 establishes dimensional standards for the CD-CMU District.

Table 2.3.3-1: CD-CMU District Dimensional Standards	
Development Boundary Setback (min) <sup>93</sup>	
Perimeter, Adjacent to Existing Residential Development or a Residential Zoning District	100 ft
Perimeter, Adjacent to All Other Districts	50 ft
Right-of-Way	50 ft
Lot Dimensions (min)	
Lot Area	None

<sup>91</sup> Carries forward provisions in the CCO (12.1: *Performance Standards*) requiring at least three housing types, but expands the allowable housing types to include triplexes, quadplexes, and apartments in mixed use buildings.

<sup>92</sup> Carries forward a portion of CCO Section 12.1: *Performance Standards* (Housing mix and development pattern).

<sup>93</sup> The proposed minimum Development Boundary Setbacks here align with a recommendation in *Plan Chatham* (p. 146) to increase setbacks for the Mixed Use 3 District (which is implemented in the UDO as CN, Compact Non-Residential). The UDO proposes to implement these increased setbacks in all three compact districts. Any reductions to these minimum setbacks would require a variance. Section 5.5: *Landscaping & Screening* will include provisions for a natural or landscaped buffer within the Development Boundary Setback.

**Table 2.3.3-1: CD-CMU District Dimensional Standards**

Lot Width	None
<b>Principal &amp; Accessory Structure Setbacks (min)<sup>94</sup></b>	
The approved plat or approved site plan establishes minimum principal and accessory structure setbacks. In no case shall the setbacks be less than the minimum established in the most recent North Carolina Building Code.	
<b>Height (max)</b>	
Principal Structures	75 ft
Accessory Structures	75 ft
<b>Key:</b> min = minimum required   max = maximum allowed   ft = feet	

**H. Neighborhood Center Required.<sup>95</sup>**

1. Each CD-CMU District shall include an identifiable neighborhood center (not necessarily located in the geographic center of the project) where non-residential and higher density residential uses are concentrated.
2. The neighborhood center shall connect to other areas of the development via streets and pedestrian/bicycle paths.
3. The neighborhood center shall include a portion of the required open space (see [Chapter 6: Conservation & Open Space](#)) as well as non-residential uses, such as retail and office uses.

**I. Neighborhood Gathering Points.<sup>96</sup>**

1. All residential units within a CMU District shall be located within 1,320 feet of a neighborhood gathering point, such as an active recreational facility, community center, school, or neighborhood park.<sup>97</sup>

<sup>94</sup> Section 12.3: *Subdivision Design* will include standards for compact subdivisions, which is anticipated to be the only subdivision design allowed in the CMU District. These provisions are anticipated to allow a developer to propose setbacks for principal and accessory structures. If the proposed uses in a CMU District do not require subdivision, the developer would propose setbacks through the Zoning Compliance process.

<sup>95</sup> Carries forward a portion of CCO Section 12.1: *Performance Standards* (Town center).

<sup>96</sup> These provisions may be relocated to or supplemented by provisions in Chapter 6: *Conservation & Open Space*.

<sup>97</sup> Carries forward a portion of CCO Section 12.1: *Performance Standards* (Community/neighborhood gathering points). Revises “walking distance” to an objective standard of 1,320 feet (one-quarter mile).

2. Neighborhood gathering points are located within same CMU District as the residential units.
- J. **Signs.** Signs shall comply with [Section 4.8: Signs](#) and shall use a coordinated color, style, and lettering scheme.<sup>98</sup>
- K. **Appearance.** All standards in the [Chatham County Design Guidelines for Commercial, Industrial, and Conditional Use Projects and Developments](#) shall apply to developments in the CD-CMU District.<sup>99</sup>
- L. **Moderate Income Residents.** <TBD><sup>100</sup>

#### 2.3.4 CD-CN, COMPACT NON-RESIDENTIAL CONDITIONAL DISTRICT<sup>101</sup>

- A. **Purpose.**
  1. The CD-CN, Compact Non-Residential, Conditional District is intended to provide flexibility for a complementary mix of predominantly non-residential uses developed on large tracts in accordance with a unified development plan.
  2. Developments in the CD-CN District:
    - (a) Are unified by distinguishable design features;
    - (b) Provide for the efficient use of land; and
    - (c) Include a mix of uses designed to be mutually supporting so that traffic congestion is minimized and pedestrian circulation is enhanced.<sup>102</sup>
- B. **Location.** The CD-CN District is generally appropriate in areas designated as Employment Center or Community Center on the Future Land Use & Conservation Plan.

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<sup>98</sup> Carries forward ZO Section 10.12.G: *Signage* (CD-MU Mixed Use).

<sup>99</sup> Carries forward the first sentence of CCO Section 12.4: *Appearance*.

<sup>100</sup> The provisions in CCO Section 12.3: *Housing* (Moderate Income Residents) are currently under review by the consultant team and Planning and Legal staff. These provisions may be revised or removed from the CD-CMU District.

<sup>101</sup> New district proposed to implement the MU-3 recommended in *Plan Chatham* Land Use Action Item 1.2 (p. 145). Incorporates some of the current standards from the Mixed Use Conditional District (CD-MU).

<sup>102</sup> Carries forward portions of ZO 10.12.A: *Purpose* (CD-MU Mixed Use).

- C. **Minimum Land Area.** Each CD-CN District shall contain a minimum gross land area of 50 acres.<sup>103</sup>
- D. **Maximum Net Density and Built-Upon Area.** The maximum net density and built upon area for any portion of a development located in a CD-CN District shall not exceed the requirements of the Watershed Protection Overlay District.<sup>104</sup>
- E. **Allowed Uses.** See [Chapter 3: Use Regulations](#).
- F. **Maximum Residential Use Allocation.**
1. A maximum of 20% of the land area of each proposed CD-CN District shall be dedicated to multi-family residential land uses.<sup>105</sup>
  2. Where a proposed district includes residential uses in vertically mixed use structures (mixed commercial and residential buildings), the gross floor area of the residential uses shall be used in place of land area to calculate the minimum residential use allocation.
  3. The maximum allocation of land area dedicated to residential uses excludes land area dedicated to street rights-of-way, required open space, floodplains, easements, and other undevelopable land.
- G. **Dimensional Standards.** Table 2.3.4-1 establishes dimensional standards for the CD-CN District.<sup>106</sup>

Table 2.3.4-1: CD-CN District Dimensional Standards	
Development Boundary Setbacks (min) <sup>1 107</sup>	
Perimeter, Adjacent to Existing Residential Development or a Residential Zoning District	100 ft

<sup>103</sup> Carries forward the minimum gross acreage required for the CD-MU District (ZO 10.12.B).

<sup>104</sup> Carries forward ZO 10.12.C: *Maximum Net Density and Built Upon Area Allowed* (CD-MU Mixed Use). and updates cross-reference from the “most recently adopted Watershed Protection Map of Chatham County, North Carolina” to the proposed new Watershed Protection Overlay District. The rules for calculating net land area (ZO Section 10.12.D) are proposed for relocation to Chapter 17: *Rules of Interpretation & Measurement*.

<sup>105</sup> *Plan Chatham* notes this district should be “predominantly non-residential” (p. 146).

<sup>106</sup> Carries forward ZO 10.12.F: *Dimensional and Off-Street Parking Requirements* (CD-MU Mixed Use). Adjusts development boundary setbacks as recommended by *Plan Chatham* (Land Use Action Item 1.2, p. 146). Section 5.5: *Landscaping & Screening* will include provisions for a natural or landscaped buffer within the Development Boundary Setback.

<sup>107</sup> The current PRD standards require setbacks with at least the minimum depth specified for the district in which the PRD is located, but authorize the Board of Commissioners to increase the setbacks or apply other conditions. The proposed minimum Development Boundary Setbacks here align with a recommendation in *Plan Chatham* (p. 146) to increase setbacks for the Mixed Use 3

<b>Table 2.3.4-1: CD-CN District Dimensional Standards</b>	
Perimeter, Adjacent to All Other Districts	100 ft
Right-of-Way	100 ft
<b>Lot Dimensions (min)</b>	
Lot Area	None
Lot Width	None
<b>Principal &amp; Accessory Structure Setbacks (min)</b>	
The approved plat or approved site plan establishes minimum principal and accessory structure setbacks. In no case shall the setbacks be less than the minimum established in the most recent North Carolina Building Code.	
<b>Height (max)</b>	
Principal Structures	75 ft
Accessory Structures	75 ft
<b>Key:</b> min = minimum required   max = maximum allowed   ft = feet	

<sup>1</sup> [Section 4.5: Landscaping & Screening](#) requires a buffer within the Development Boundary Setback.

#### H. **Development Boundary Setback.**

1. The development boundary setback is located along the outer perimeter of a CD-CN District. The setback is measured inward from the lot line comprising the outer development boundary, except as otherwise specified in 2.3.4.H.3, below.
2. [Section 4.5: Landscaping & Screening](#) requires a buffer within this setback.
3. Utility lines and roads may cross the setback area (generally perpendicular to the lot line), but structures are prohibited within this setback. If a utility easement runs parallel or near parallel to the lot line, the development boundary setback is measured from the edge of the utility easement closest to the proposed development.
4. A pedestrian and bicycle trail may be located within the setback area, if:

District (which is implemented in the UDO as CD-CN, Compact Non-Residential Conditional District). The UDO proposes to implement these increased setbacks in all three compact districts. Any reductions to these minimum setbacks would require a variance. Section 4.5: *Landscaping & Screening* will include provisions for a natural or landscaped buffer within the Development Boundary Setback.

- (a) The trail is located at least 75 feet from and is oriented generally parallel to the lot line comprising the outer development boundary;
  - (b) No trees greater than three inches DBH are removed, except invasive species; and
  - (c) The trail location is designated on the CD-CN District site plan.
- I. **Off-Street Parking.** Standard off-street parking requirements do not apply. Proposed off-street parking must be specified on the plat or site plan.<sup>108</sup>
  - J. **Signs.** Signs shall comply with [Section 4.8: Signs](#) and shall use a coordinated color, style, and lettering scheme.<sup>109</sup>
  - K. **Appearance.** All standards in the [Chatham County Design Guidelines for Commercial, Industrial, and Conditional Use Projects and Developments](#) shall apply to developments in the CD-CN District.<sup>110</sup>

## 2.4 LEGACY DISTRICTS<sup>111</sup>

### 2.4.1 GENERAL PROVISIONS

- A. No land shall be rezoned to a legacy zoning district. Landowners are encouraged to rezone land from a legacy zoning district classification. A rezoning may only be initiated in accordance with [Chapter 13: Procedures](#).
- B. The boundaries of existing legacy zoning districts shall not be expanded.
- C. The Board of Commissioners may modify the allowed uses and development standards within legacy conventional zoning districts through amendments to the UDO text (see [Section 13.9: UDO Text Amendments](#)).

<sup>108</sup> Carries forward a portion of ZO 10.12.F: *Dimensional and Off-Street Parking Requirements* (CD-MU Mixed Use). This Paragraph may be revised once [Section 4.7: Parking & Loading](#) is drafted.

<sup>109</sup> Carries forward ZO 10.12.G: *Signage* (CD-MU Mixed Use).

<sup>110</sup> Carries forward the first sentence of CCO Section 12.4: *Appearance*.

<sup>111</sup> This Section maintains B1 and CD-B1 as legacy districts and designates all existing conditional districts as legacy districts. The [Audit Report](#) recommends limiting the use of conditional zoning districts (see p. 59). Property currently zoned in a legacy district will remain as zoned, unless and until the property owner requests or the County initiates a rezoning. This approach preserves existing property rights, but allows the County to “phase out” these districts over time. As specified in [Subsection 2.4.1: General Provisions](#), property cannot be rezoned to a legacy district and existing legacy districts cannot be expanded.

- D. The Board of Commissioners may modify the allowed uses and development standards within legacy conditional zoning districts through amendments to the conditional district rezoning ordinance (see [Section 13.5: Rezoning \(Conditional Districts\)](#)).
- E. Development in a legacy zoning district is subject to all requirements of that district and all other applicable regulations of the UDO.

### 2.4.2 B1, GENERAL BUSINESS DISTRICT

- A. **Purpose.** The B1 District was intended for retail trade and consumer services dealing with the general public. The district was replaced in 2016 by three new business districts (NB, CB, and RB), also intended for retail and consumer services but scaled to better fit different needs around the County.
- B. **Applicability.** The provisions in this Subsection apply to all B1 Districts in existence on the effective date of this UDO. Subsection 2.4.1: *General Provisions* prohibits the establishment of new B1 Districts and the expansion of existing B1 Districts.
- C. **Allowed Uses.** Table 2.4.2-2 specifies the uses allowed in the B1 District. See [Subsection 3.2.1: Introduction](#) for an explanation of how to read the use table. Any use not expressly allowed by Table 2.4.2-2 is prohibited.<sup>112</sup>
- D. **Dimensional Standards.**
  - 1. Table 2.4.2-1 establishes dimensional standards for the B1 District.
  - 2. Lots created for the express purpose of minor utilities are exempt from the required minimum lot area. Such lots are also exempt from the required minimum setbacks of the zoning districts, except that any noise producing equipment or generators must be stored within a structure or set back at least 50 feet from any public right-of-way or property line.

Table 2.4.2-1: B1 District Dimensional Standards	
Lot Dimensions (min)	
Lot Area, With Public Water & Sewer	40,000 sf
Lot Area, With Individual Well & Wastewater Disposal	65,340 sf

<sup>112</sup> This table carries forward the current use table in Zoning Ordinance Section 10.13. Proposed is to remove uses that aren't currently allowed in B1 and state that any use not listed in the table is prohibited. This maintains current property rights for lots zoned B1, while simplifying the table.

**Table 2.4.2-1: B1 District Dimensional Standards**

Lot Width	75 ft
<b>Principal Structure Setbacks (min)<sup>1</sup></b>	
Front	50 ft
Side	20 ft
Rear	20 ft
<b>Accessory Structure Setbacks</b>	
See <a href="#">Section 3.4: Accessory Uses &amp; Structures</a>	
<b>Height (max)</b>	
Principal Structures	60 ft
Accessory Structures	60 ft
<b>Key:</b> min = minimum required   max = maximum allowed   sf = square feet   ft = feet	

<sup>1</sup> The minimum setbacks listed may be reduced to the minimum established in the most recent North Carolina Building Code for buildings that are part of a common plan of development, except along the exterior project boundary where the minimum yard setbacks shall be met.

**Table 2.4.2-2: B1 District Use Table**

Land Use	B1	Use-Specific Standards
ABC stores	P	
Accessory uses and structures clearly incidental to a permitted use <sup>113</sup>	L	<a href="#">3.4</a>
Amusement enterprises such as pool, bowling, roller rink when housed entirely within a permanent structure	P	
Antique shops	P	
Appliance sales and service	P	
Art supply retail sales	P	
Arts and Crafts fabrication and related sales	P	
Automobile and automobile accessory sales and service	P	

<sup>113</sup> The current use table in Zoning Ordinance Section 10.13 does not allow accessory uses and structures in B1 (or any non-residential districts). This seems like an oversight, since the zoning district dimensional standards specify the allowed location of accessory buildings and structures. UDO Chapter 3: *Use Regulations* allows accessory uses and structures in all districts. Proposed here is to allow accessory uses and structures in B1, consistent with other conventional zoning districts.



**Table 2.4.2-2: B1 District Use Table**

<b>Land Use</b>	<b>B1</b>	<b>Use-Specific Standards</b>
Automobile service stations including tune-ups, minor repairs, tire service, washing facilities both manual and automatic and similar services	L	2.4.2.E.1
Bait and tackle shops	P	
Bake shops and similar food preparation intended primarily for retail sales on the premises for consumption either on or off premises	P	
Banks, savings and loans, finance companies, credit agencies, and similar financial institutions	P	
Beauty Shops, Salons	P	
Bicycle sales and repair	P	
Boat, trailer, and other utility vehicle sales and service	P	
Boat Storage Facility	S	
Book, stationery, and office supply stores	P	
Bus passenger stations	P	
Cabinet shops	P	
Carpeting, Flooring, Tile, and Stone Products Sales	P	
Catering establishments	P	
Churches and other places of worship	P	
Clothing shops	P	
Congregate care facilities	P	
Contractor's plants or storage yards and staging areas	S	
Dairy bars and ice cream shops intended primarily for retail sale on the premises for consumption either on or off premises	P	
Day Care Centers for more than 15 children.	P	
Drug stores	P	
Dry cleaning, pressing, and related retail service counter	P	
Dwellings, single-family, manufactured	P	
Dwellings, single-family, site built and modular	P	
Eating and drinking establishments	P	
Event Center Limited	L	2.4.2.E.2
Fabric shops	P	
Feed, seed, fertilizer retail sales	P	

**Table 2.4.2-2: B1 District Use Table**

<b>Land Use</b>	<b>B1</b>	<b>Use-Specific Standards</b>
Fire stations, emergency medical service facilities, police stations, and law enforcement offices (less than three acres in the residential districts)	P	
Florist shops	P	
Food stores, retail	P	
Funeral homes, undertaking establishments, embalming including crematoria	P	
Fur storage (no sales)	P	
Furniture stores	P	
Furrier, retail sales (can include storage)	P	
General, professional, and medical offices	P	
Gift shops	P	
Government Offices and Facilities	P	
Hardware, appliances, electrical and similar items retail sales	P	
Heating, plumbing, electrical, cabinet, and similar shops	P	
Horticulture, specialized	P	
Hospital, health and welfare centers, nursing homes, and/or convalescent homes	P	
Hotels, motels, and inns (See definition for accessory use/s)	P	
Interior design shops	P	
Jewelry and watch sales and service, goldsmith	P	
Laboratory - dental, medical, optical	P	
Landscape design business	P	
Landscaping and grading business	P	
Laundries, Laundromats, and dry cleaning establishments	P	
Lawn and garden shops	P	
Leather goods sales and service including manufacture for retail sales on premises	P	
Libraries, museums, and art galleries	S	
Lock and gunsmiths	P	
Medical clinics - inpatient and outpatient care	P	

**Table 2.4.2-2: B1 District Use Table**

<b>Land Use</b>	<b>B1</b>	<b>Use-Specific Standards</b>
Minor Utilities (Any noise producing equipment must be stored within a structure, or must be setback a minimum 50 feet from any public right-of-way or property line)	P	
Mixed Use Building	S	
Mobile home sales and service	P	
Motorcycle sales and service	P	
Music stores including repair and craft manufacture	P	
Natural gas compressor station (Subject to additional requirements of <a href="#">Section 19.5: Other Technical Reports &amp; Studies</a> )	S	
Newsstands	P	
Oil and Gas Exploration, Development and Production (Subject to additional requirements of <a href="#">Section 19.5: Other Technical Reports &amp; Studies</a> )	S	
Office – business and professional	P	
Office - engineering supply and similar sales and services including blueprinting, Photostatting, and similar services	P	
Open air sales and service of accessory buildings and gazebos and like free-standing structures	P	
Open-air sales or displays from a temporary building or structure	P	
Paint retail shops	P	
Pawnshops and secondhand stores	P	
Pet shops	P	
Photographic studios, camera shops	P	
Post offices	P	
Pottery (hand crafted) and related retail	P	
Printing and publishing	P	
Private recreation camps and grounds	L	2.4.2.E.3
Public and private schools, training, and conference centers	P	
Public utility transmission lines	P	
Radio and television stations and their towers when the towers are located on the same site with the station	P	

**Table 2.4.2-2: B1 District Use Table**

<b>Land Use</b>	<b>B1</b>	<b>Use-Specific Standards</b>
Recreational Facilities (Gyms, yoga studios, etc.)	P	
Recreational Vehicle Storage Facility	S	
Repair shops for jewelry, shoes, radios, televisions, and other small office or household appliances	P	
Retail stores and personal service shops similar to those listed dealing in direct consumer and personal services	P	
Secretarial and job service offices	P	
Self-storage facility / mini-warehouse storage facility with related retail and services (e.g., moving truck rental)	S	
Sign manufacture, painting, and maintenance	P	
Sporting goods sales	P	
Spray irrigation of tertiary tested wastewater (reclaimed water)	P	
Swimming pool and related items sales and service	P	
Wireless Support Structures that are 60 feet or less in height	L	3.8
Concealed Wireless Facilities that are 60 feet or less in height	L	3.8
Concealed Wireless Facilities 150 feet or less in height but greater than 60 feet in height	L	3.8
Wireless Support Structures that are less than 199 feet, but greater than 60 feet in height	S	3.8
Wireless Support Structures that are greater than 199 feet, but no more than 400 feet in height	S	3.8
Temporary construction trailers or structures <sup>114</sup>	L	2.4.2.E.4
Upholstery, paper hanging, and decorator shops	P	
Uses and structures customarily accessory to any permitted use	P	
Veterinary clinics and hospitals with dog runs or equivalent facilities	P	
Veterinary hospitals & clinics	P	

<sup>114</sup> Alternatively, the B1 use table could cross-reference Section 3.6: *Temporary Uses & Structures* which would allow a wider variety of temporary uses in the B1 District.

**E. Use-Specific Standards.<sup>115</sup>**

1. *Automobile Service Stations.* 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.
2. *Event Center Limited.* These standards are intended to provide the opportunity for smaller scale event centers to serve as a venue for business opportunities and gathering space in the county while protecting the health, safety, and welfare of the community. All regulations in the UDO apply unless expressly allowed or modified in the below standards:
  - (a) *Size and Capacity Limits.* Gathering, meeting, or hosting area event space is limited to 5,000 square feet.
  - (b) *Accessory Uses Permitted.* Accessory and/or ancillary uses shall be those directly related to the event being held. Examples are food and beverages service, dance floors, outdoor speakers, music, festive lighting, decorations, tents, etc.
  - (c) *Signs Allowed.* Event advertising is limited to the permanent on premise signage allowed by [Section 4.8: Signs](#).
3. *Private Recreation Camps and Grounds.*
  - (a) *Minimum Lot Area.* The minimum lot area is 10 acres.
  - (b) *Minimum Setbacks.* All buildings, structures, spaces, and high intensity activity areas shall be set back at least 50 feet from all property line/boundary areas.
4. *Temporary Construction Trailers or Structures.* A temporary construction trailer or other structure may be located on a lot in the B1

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<sup>115</sup> This Paragraph carries forward the current use-specific standards that apply to the listed uses. Some are specified in the current use table (Zoning Ordinance Section 10.13), while others are specified in other Zoning Ordinance sections (e.g., 17.7: *Standards for Events Center Limited*). Alternatively, the B1 use table could cross-reference Chapter 3: *Use Regulations* for the applicable use-specific standards. Note, however, that the use specific standards for automobile service stations (and the use itself) have been eliminated and replaced with gas stations and automobile sales and service.

District if a building permit has been issued and remains valid during the construction process.

### 2.4.3 CD-B1, GENERAL BUSINESS CONDITIONAL DISTRICT

- A. The CD-B1, General Business Conditional District, is identical to the B1 District, except that approval of a conditional zoning district and associated site plan was required as a prerequisite to any use or development.
- B. Existing CD-B1 Districts are subject to the provisions of 2.4.2: *B1, General Business District*, as may be modified by the conditional district rezoning ordinance associated with a particular property.

### 2.4.4 CD-CB, COMMUNITY BUSINESS CONDITIONAL DISTRICT

- A. The CD-CB, Community Business Conditional District, is identical to the CB District, except that approval of a conditional zoning district and associated site plan was required as a prerequisite to any use or development.
- B. Existing CD-CB Districts are subject to the provisions of Subsection 2.2.12: CB, Community Business District, as may be modified by the conditional district rezoning ordinance associated with a particular property.

### 2.4.5 CD-CC, COMPACT COMMUNITIES CONDITIONAL DISTRICT<sup>116</sup>

- A. The CD-CC, Compact Communities Conditional District, was intended to promote new communities that supported mixed-use development, anchored by a village center composed of commercial, civic, and residential uses that add to Chatham County's tax base, help residents meet their daily needs, and preserve Chatham County's small-town atmosphere. The district was replaced on the effective date of this UDO with three new compact conditional districts tailored to better fit different needs around the County.
- B. Existing CD-CC Districts are subject to the conditional district rezoning ordinance and associated site plan associated with the particular CD-CC District.

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<sup>116</sup> Proposed is to replace the CD-CC with a new set of three compact community districts (see Section 2.3: *Conditional Districts*).

### 2.4.6 CD-IL, LIGHT INDUSTRIAL CONDITIONAL DISTRICT

- A. The CD-IL, Light Industrial Conditional District, is identical to the IL District, except that approval of a conditional zoning district and associated site plan was required as a prerequisite to any use or development.
- B. Existing CD-IL Districts are subject to the provisions of Subsection 2.2.15: IL, Light Industrial District, as may be modified by the conditional district rezoning ordinance associated with a particular property.

### 2.4.7 CD-IH, HEAVY INDUSTRIAL CONDITIONAL DISTRICT

- A. The CD-IH, Heavy Industrial Conditional District, is identical to the IH District, except that approval of a conditional zoning district and associated site plan was required as a prerequisite to any use or development.
- B. Existing CD-IH Districts are subject to the provisions of Subsection 2.2.16: IH, Heavy Industrial District, as may be modified by the conditional district rezoning ordinance associated with a particular property.

### 2.4.8 CD-MU, MIXED USE CONDITIONAL DISTRICT

- A. The CD-MU, Mixed Use Conditional District, was intended to accommodate mixed use developments that provided for an integration of diverse but compatible uses into a single development.
- B. Existing CD-MU Districts are subject to the conditional district rezoning ordinance and associated site plan associated with the particular CD-MU District.

### 2.4.9 CD-NB, NEIGHBORHOOD BUSINESS CONDITIONAL DISTRICT

- A. The CD-NB, Neighborhood Business Conditional District, is identical to the NB District, except that approval of a conditional zoning district and associated site plan was required as a prerequisite to any use or development.
- B. Existing CD-NB Districts are subject to the provisions of Subsection 2.2.9: NB, Neighborhood Business District, as may be modified by the conditional district rezoning ordinance associated with a particular property.

**2.4.10 CD-O&I, OFFICE & INSTITUTIONAL CONDITIONAL DISTRICT**

- A. The CD-O&I, Office & Institutional Conditional District, is identical to the OI District, except that approval of a conditional zoning district and associated site plan was required as a prerequisite to any use or development.
- B. Existing CD-O&I Districts are subject to the provisions of Subsection 2.2.8: OI, Office & Institutional District, as may be modified by the conditional district rezoning ordinance associated with a particular property.

**2.4.11 CD-R5, RESIDENTIAL CONDITIONAL DISTRICT**

- A. The CD-R5, Residential Conditional District, is identical to the R5 District, except that approval of a conditional zoning district and associated site plan was required as a prerequisite to any use or development.
- B. Existing CD-R5 Districts are subject to the provisions of Subsection 2.2.4: R5, Conservation Residential District, as may be modified by the conditional district rezoning ordinance associated with a particular property.

**2.4.12 CD-R2, RESIDENTIAL CONDITIONAL DISTRICT**

- A. The CD-R2, Residential Conditional District, is identical to the R2 District, except that approval of a conditional zoning district and associated site plan was required as a prerequisite to any use or development.
- B. Existing CD-R2 Districts are subject to the provisions of Subsection 2.2.5: R2, Rural Residential District, as may be modified by the conditional district rezoning ordinance associated with a particular property.

**2.4.13 CD-R1, RESIDENTIAL CONDITIONAL DISTRICT**

- A. The CD-R1, Residential Conditional District, is identical to the R1 District, except that approval of a conditional zoning district and associated site plan was required as a prerequisite to any use or development.
- B. Existing CD-R1 Districts are subject to the provisions of Subsection 2.2.6: R1, Suburban Residential District, as may be modified by the conditional district rezoning ordinance associated with a particular property.



**2.4.14 CD-RB, REGIONAL BUSINESS CONDITIONAL DISTRICT**

- A. The CD-RB, Regional Business Conditional District, is identical to the RB District, except that approval of a conditional zoning district and associated site plan was required as a prerequisite to any use or development.
- B. Existing CD-RB Districts are subject to the provisions of Subsection 2.2.13: RB, Regional Business District, as may be modified by the conditional district rezoning ordinance associated with a particular property.