



COUNTY COMMISSIONERS

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

COUNTY MANAGER: Bryan Thompson

Ordinance of the Chatham County Board of Commissioners

**AN ORDINANCE AMENDING THE ZONING MAP
OF CHATHAM COUNTY**

Chatham Land Group LLC dba The Conservancy at Jordan Lake

WHEREAS, the Chatham County Board of Commissioners has considered the request to rezone approximately 21.417 acres, being all or a portion of Parcel No/s 97325, located at/off Old US 1 within the Conservancy at Jordan Lake subdivision, Cape Fear Township, from R-1 Residential to CD-Light Industrial to develop the site for a major utility for the currently under construction Wastewater Treatment Plant to become a regional plant to possibly serve parcels outside of the subdivision, and finds that the amendment is consistent with the comprehensive plan of Chatham County as described in the Consistency Statement Resolution; and

WHEREAS, the Board finds that the rezoning request set forth in the Application and incorporated herein by reference, if approved as pursuant to the provisions of the zoning ordinance, would be suitable for the property proposed for rezoning; and

WHEREAS, the Board finds the five (5) standards, as described below, from the Zoning Ordinance have been met as stated:

No. 1: The alleged error in this Ordinance, if any, which would be remedied by the proposed amendment with a detailed description of such error in the Ordinance and detailed, and reasons how the proposed amendment will correct the same. No errors in the Ordinance are being made; and

No. 2: The changed or changing conditions, if any, of the area or in the County generally, which make the proposed amendment reasonably necessary to the promotion of the public health, safety and general welfare. The applicant states that due to efficiency, monthly service fees, and local demand, the WWTP can serve properties outside the development which is beneficial to the development and the surrounding properties. It also reduces the need for individual septic systems. There are no other permitted WWTPs in the surrounding area and several properties in the vicinity are zoned for industrial use. The facility would be located inside the approved development, so no other improvements would be required. There would be employment opportunities for supervision and maintenance of the facility.; and

No. 3: The manner in which the proposed amendment will carry out the intent and purpose of any adopted plans or parts thereof. This area is located within the location for industrial and commercial uses. Chapter Three – Goals and Objectives, the goal to promote compact growth lessens the infrastructure burden and long-term cost of providing services. The WWTP would allow for wastewater services to outside parcels.

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Chapter Four – Economic Development, the allowance of the WWTP by allowing it to serve areas outside of the development, would aid in the reduction of dependence on residential property for the tax base, creates economic opportunities, and reduces out-commuting.; and

No. 4: The requested amendment is either essential or desirable for the public convenience or welfare. No additional traffic will be generated, and the facility is internal to the development therefore cannot be seen from the public roadway or adjacent properties. There are conservation areas and buffers in place that cannot be disturbed and the applicant thinks there will be no impact to surrounding property values.; and

No. 5: All other circumstances, factors and reasons which the applicant offers in support of the proposed amendment. The applicant states that Tri River has confirmed adequate water capacity to serve the plant for the development. The facility will be accessed by the roads within the development.

All stormwater will meet the county Stormwater Ordinance requirements and the property is located within the WS-IV Protected Area watershed district and is not within the Jordan Lake Buffer rule area. The built upon area is limited to 36% without curb and gutter and 24% with curb and gutter. ; and

BE IT ORDAINED, by the Board of Commissioners of Chatham County as follows:

1. The Application to rezone all of the property described as Parcel No/s. 97325 and being approximately 21.417 acres as depicted on Attachment “A”, located at/off Old US 1 within the Conversancy at Jordan Lake subdivision, from R-1 Residential to CD-Light Industrial, Cape Fear Township is approved and the zoning map is amended accordingly.
2. As part of this approval, the following conditions are also approved and shall be followed at all times:

Site Specific Conditions

1. Before any extension of wastewater lines to any adjacent property, any required rezonings, permitting, etc. must be approved prior to any land disturbing activities.
2. The county shall be notified of any change of ownership of the WWTP with verification the system is operating properly.

Standard Site Conditions

3. The application, standards and adopted regulations of the applicable ordinances and policies, and the approved recommendations as provided for and/or conditioned, are considered to be the standards set forth and shall comply as stated. Changes to or variations to any requirements of this permit must be approved through the Planning Department or other approving board before any such changes can take place.
4. All required local, state, or federal permits (i.e. NCDOT commercial driveway permits, NCDWQ, Chatham County Land and Water Resources, and Environmental Health Division, etc.) shall be obtained, if required, and copies submitted to the Planning Department as part of the plating process.

Standard Administrative Conditions:

5. Fees - Applicant and/or landowner shall pay to the County all required fees and charges attributable to the development of its project in a timely manner, including, but not limited to, utility, subdivision, zoning, and building inspections.
6. Continued Validity – The continued validity and effectiveness of this approval was expressly conditioned upon the continued compliance with the plans and conditions listed above.
7. Non-Severability – If any of the above conditions is held to be invalid, this approval in its entirety shall be void.
8. Non-Waiver – Nothing contained herein shall be deemed to waive any discretion on the part of the County as to further development of the applicant’s property and this permit shall not give the applicant any vested right to develop its property in any other manner than as set forth herein.



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3. This ordinance shall become effective upon its adoption.

Adopted this 20th day of October, 2025

Karen Howard, Chair
Chatham County Board of Commissioners

Signed by:

A handwritten signature in black ink, appearing to be "Jenifer K. Johnson", is written over a horizontal line. The signature is enclosed in a blue rectangular box.

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Applicant/Representative for the applicant signature

(By signing this Ordinance, you agree to its findings and any subsequent reviews that require subsequent approvals)

ATTEST:

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

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ATTACHMENT "A"

Tax Parcel 97325, being approximately 21.417 acres, located off Old US 1 within the Conservancy at Jordan Lake subdivision, rezoned to CD-IL for the purposes of becoming a regional WWTP, Cape Fear Township.

