

# RECODE CHATHAM

UNIFIED  
DEVELOPMENT  
ORDINANCE

Chatham County, NC  
Board of Commissioners & Planning Board Meetings

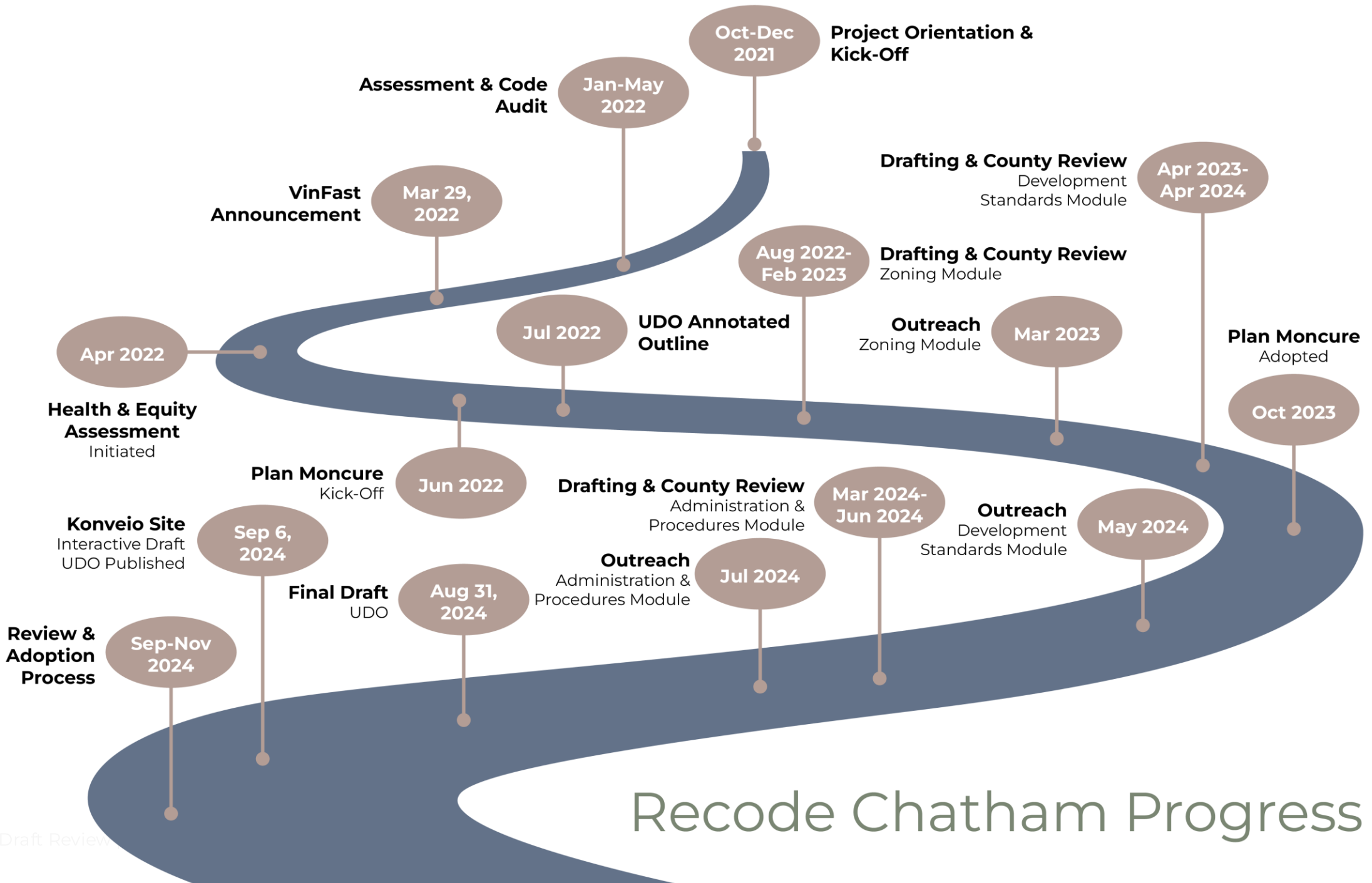
Review of Final Draft UDO | October 7-8, 2024



# AGENDA

- Recode Chatham Progress
- UDO Scope of Work & Anticipated Schedule
- Review of UDO Final Draft (08-31-24)
- Next Meetings
- Implementation





# Recode Chatham Progress

# UDO SCOPE OF WORK

## **Stage 4: Adoption**

*Zoning Module • Development Standards Module • Procedures Module • Definitions Module*

## **Stage 3: Code Drafting**

*Zoning Module • Development Standards Module • Procedures Module • Definitions Module*

## **Stage 2: Assessment**

*Code Audit • Drafting Blueprint (Annotated Outline)*

## **Stage 1: Project Orientation**

*Focus Group Listening Sessions • Document Review*



# 2024



Following adoption of the UDO, the consultant team will:

- » Prepare the final UDO, with any edits required by the BOC;
- » Prepare an Administrative Manual; and
- » Conduct a training session with frequent code users.

# ANTICIPATED SCHEDULE



**RECODE  
CHATHAM** | UNIFIED  
DEVELOPMENT  
ORDINANCE

## About the Project

Chatham County is undertaking Recode Chatham, a project to rewrite its land-use regulations that include zoning and subdivision regulations based on the policy direction in the Plan Chatham Comprehensive Plan, adopted in 2017. The project will result in a new Unified Development Ordinance (UDO) that serves as the primary regulatory document guiding all development and land use within the county.

The UDO will be a user-friendly document for residents, elected officials, appointed boards, and the development community with a streamlined development review process tailored uniquely to Chatham County. It will also include a flowchart detailing procedures and guidelines that are simple, flexible, and easily administered.

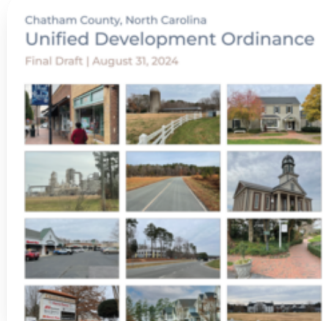
[www.recodechathamnc.org](http://www.recodechathamnc.org)



# Chatham County, NC

## Unified Development Ordinance

Click on the UDO image below to review the document. If you'd like to provide input, you'll need to register using your email address. This will allow you to view a summary of your comments, edit and delete your comments, and respond to comments left by other community members.



UDO Final Draft

### Need help?

The [Konveio Participant Guide](#) may help answer your questions about registering and providing comments.

If you need further assistance, please contact the project team using the button below.

Contact Us

**Online comment deadline: Thursday, October 10**

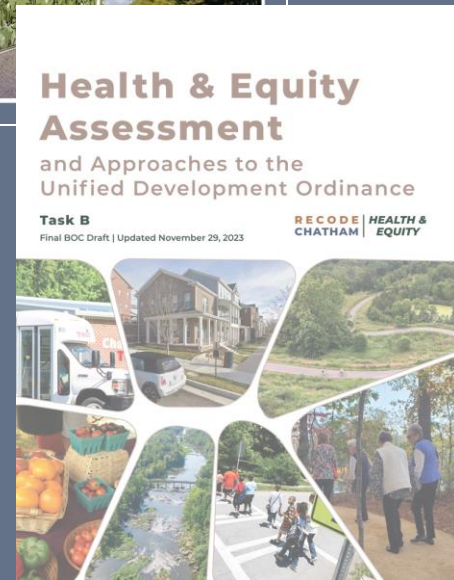
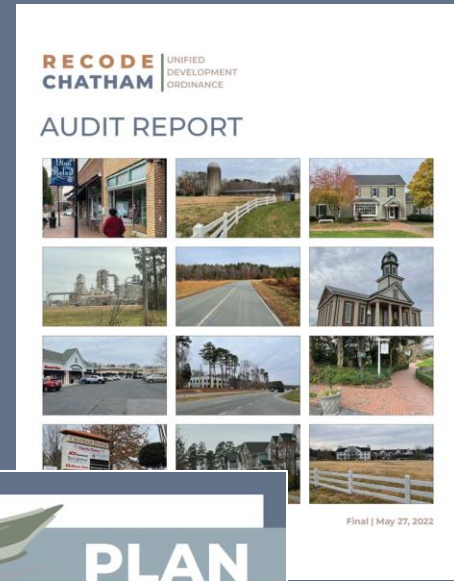
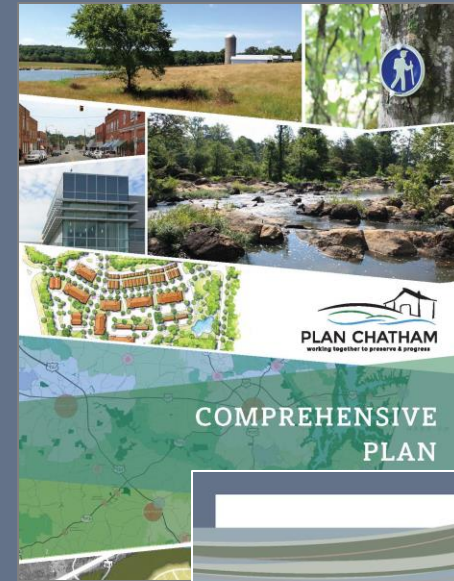
[recodechathamnc.konveio.com](https://recodechathamnc.konveio.com)





# UDO PURPOSE

- Implement:
  - Land use-related policies from *Plan Chatham & Plan Moncure*
  - Recommendations from the *Recode Chatham Audit Report*
  - Recommendations from the *Recode Chatham Health & Equity Assessment*
- Consolidate 12 development-related ordinances into a modern, user-friendly document
- Carry forward what “works” and update or eliminate what doesn’t
- Revise current regulations where needed for consistency with best practices and State law





# PLAN CHATHAM

## VISION

---



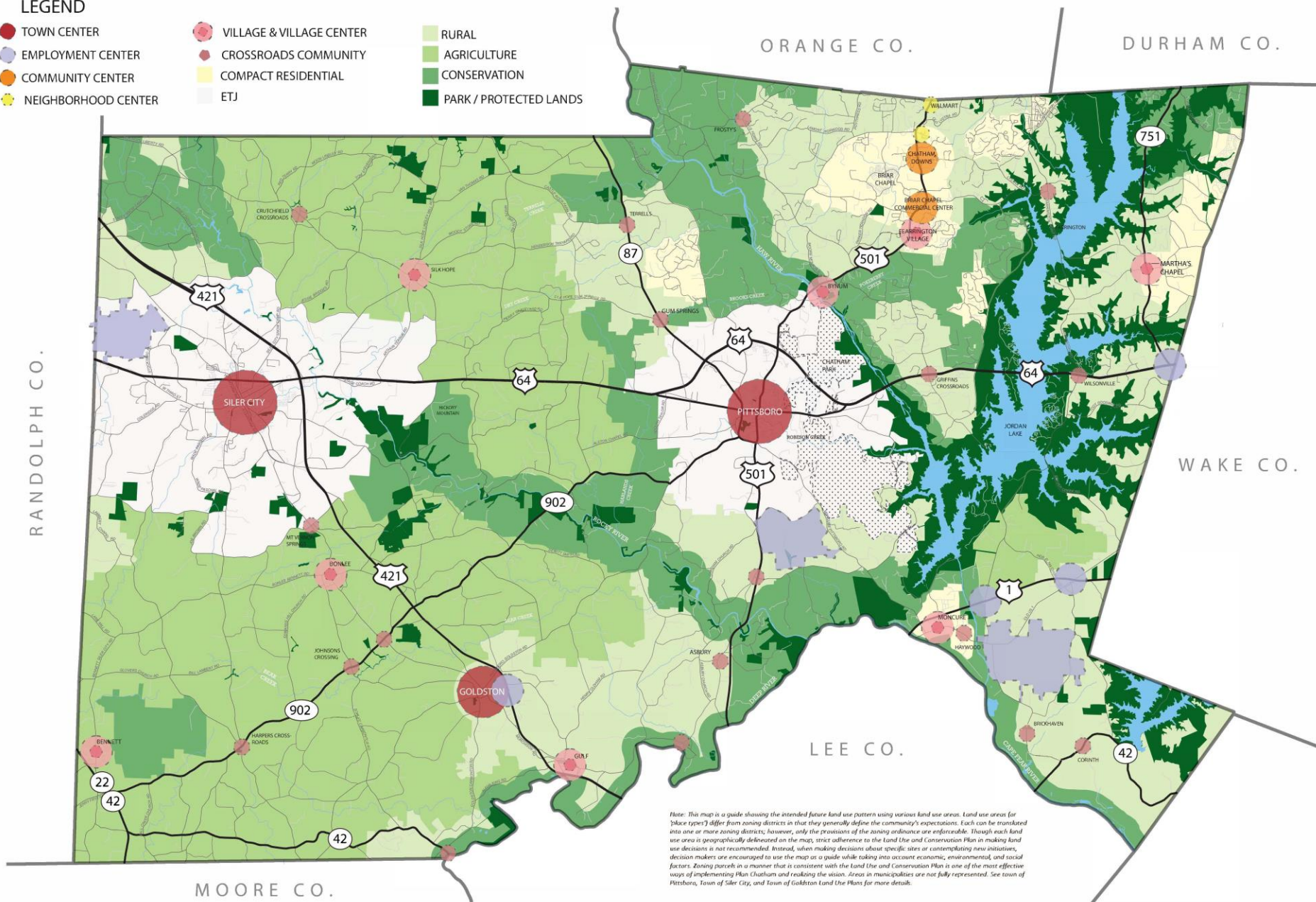
Plan Chatham envisions a future where a network of agricultural fields, pasture, timberlands, rural homesteads, and natural areas still dominate the County. The Haw, Rocky, and Deep rivers and their tributaries provide good water quality and aquatic habitat. **Vibrant towns, walkable centers** and clean industries provide jobs for residents. Shopping and dining options exceed expectations. **Agriculture is thriving. The form and function of rural character is preserved.** Tourism contributes significantly to the economy and is buoyed by a **connected network of trails, conservation lands and open spaces**—many publicly owned and accessible, others are privately owned and are sensitively integrated into new development through innovative design that achieves environmental goals while protecting private property rights. Education and **housing options** fulfill the needs of an evolving county, and infrastructure and services are scaled to meet demands while reinforcing land use and economic goals.

# Excerpt from *Plan Chatham*

GOAL	ECONOMIC DEVELOPMENT	LAND USE	HOUSING	HEALTH	AGRICULTURE	NATURAL RESOURCES	RESILIENCY	PARKS AND RECREATION	TRANSPORTATION	UTILITIES
1. Preserve the rural character and lifestyle of Chatham County.		●	●		●	●		●		●
2. Preserve, protect, and enable agriculture and forestry.	●	●		●	●	●				●
3. Promote a compact growth pattern by developing in and near existing towns, communities, and in designated, well planned, walkable, mixed use centers.	●	●	●	●	●	●	●		●	●
4. Diversify the tax base and generate more quality, in-county jobs to reduce dependence on residential property taxes, create economic opportunity and reduce out-commuting.	●	●		●	●		●		●	
5. Conserve natural resources.				●	●	●	●	●		●
6. Provide recreational opportunities and access to open space.	●	●		●		●		●	●	

LEGEND

- TOWN CENTER
- EMPLOYMENT CENTER
- COMMUNITY CENTER
- NEIGHBORHOOD CENTER
- VILLAGE & VILLAGE CENTER
- CROSSROADS COMMUNITY
- COMPACT RESIDENTIAL
- ETJ
- RURAL
- AGRICULTURE
- CONSERVATION
- PARK / PROTECTED LANDS





Protecting the rural character and lifestyle of the County is the primary goal of *Plan Chatham* (p. 61).

# UDO GOALS

- **Preserve rural character and lifestyle**
  - 85% of land in the County is used for agricultural, forestry, or open space purposes
  - 68% of the County is covered in forests
  - Plan Chatham describes a “unique tapestry” of land uses that compose the rural landscape, including barns, silos, churches, poultry houses, general stores, and craft studios

# UDO GOALS

- **Direct more intensive development toward towns (and ETJs)**
  - *Plan Chatham* policies build on this long-standing growth strategy
  - The towns have services and infrastructure to support growth (e.g., TriRiver Water)
  - Chatham County towns have 3-mile (rather than 1.5-mile) ETJs

## BIG IDEA

70% of new development is in municipalities and in or near county centers.  
Chatham is a model for growth in the agricultural industry.

## GOALS

### PRIMARY GOAL

Preserve the rural character and lifestyle of Chatham County.

### SECONDARY GOAL

Diversify the tax base and generate more quality, in-county jobs to reduce dependence on residential property taxes, create economic opportunity and reduce out-commuting.

### SECONDARY GOAL

Promote a compact growth pattern by developing in and near existing towns, communities, and in designated, well planned, walkable, mixed use centers.

# UDO GOALS

- Facilitate the preservation of agricultural land and natural areas
  - Chatham County is in the top 3 counties for number of farms
  - Chatham County also is the site of the two largest economic development projects in North Carolina history

## From the tractor



Commissioner Troxler

by Agriculture Commissioner Steve Troxler

A couple of items recently caught my eye and I thought I would share with readers.

The first I wanted to mention was the Department of Environmental Quality's newly released numbers regarding carbon sequestration from agriculture that was included in the state's Greenhouse Gas Inventory.

Specifically, the report noted that "forests, natural lands, and agricultural lands sequestered an estimated 34% of the state's gross greenhouse gas emissions in 2020, a much higher

amount than reported previously." The previous amount was 26%.

Additionally, the net emissions of greenhouse gases have fallen 38% between 2005 and 2020 in North Carolina.

The other recent release is the 2022 Census of Agriculture from the USDA's National Agricultural Statistics Service. This nationwide Census also includes agricultural information from North Carolina producers. Before you think that is a typo, the Census is conducted every five years and it is intended to provide a snapshot of the state and nation's agriculture industry.

A few things stood out to me as positive points, but the ongoing loss of farm and forest lands that we continue to see in the numbers, only reinforces the fact that farmland preservation must remain a focus for our state and our ag industry.

Farm and forest land loss and its greater impact on our environment is where the two reports come together to paint a powerful picture of lost

potential.

The American Farmland Trust ranks us second in the country in projected land loss by 2040, estimating that development of farm and forest lands will result in the loss of 1.1 to 1.6 million acres.

If we lose over a million of our 8.1 million acres of farm and forestland as is project by 2040, it will significantly change the complexion of our state. And, that change will also reduce the environmental benefits gained from farm and forestland including carbon sequestration, watershed protection and water quality, and erosion control just to name a few.

Seeing what I see in terms of development when I travel around the state, I know we need to really dig in on farmland preservation efforts and investments in agriculture's future.

The Census numbers showed we have the largest number of farms in Randolph, Chatham, Buncombe, Johnston and Duplin counties. What it doesn't show is the major development

plans and building taking place right now in Randolph, Chatham and Johnston counties.

Some of the well-known projects plan to occupy 1,800 acres in Randolph County, a 2,500-acre site in Chatham County and another 8,500-acre site in Chatham County. And that is just the beginning as additional growth will likely take off around these megasites.

Farmland preservation helps ensure we have the natural resources we'll need to continue to feed ourselves and others, but it also helps us maintain the green, lush landscapes we are known for. The benefits extend significantly beyond that by filtering and recharging ground water, improving soil health, reducing erosion and sequestering carbon.

These two reports show me we need to be strategic in investing for the future when it comes to farm and forest lands. We shouldn't lose sight of the fact our state and our farmers are feeding people.

**Randolph County** has the most farms statewide, with 1,238; **Buncombe** and **Chatham** counties each also have over 1,000 farms.



Source: 2022 Census of Agriculture



The background of the image is a stylized map. It features a network of white lines representing roads or highways, set against a light blue background. On the right side, there are dark blue, irregular shapes representing water bodies, such as lakes or reservoirs. The overall aesthetic is clean and modern.

UDO FINAL DRAFT

# UDO DRAFTING MODULES

## **Module 1: Zoning Districts & Use Regulations**

- Chapter 1: *Introduction*
- Chapter 2: *Zoning Districts*
- Chapter 3: *Use Regulations*

## **Module 2: Development & Design Standards**

- Chapter 4: *Development & Design Standards*
- Chapter 5: *General Subdivision Standards*
- Chapter 6: *Conservation & Open Space*
- Chapter 7: *Infrastructure & Public Improvements*
- Chapter 8: *Watershed Protection*
- Chapter 9: *Stormwater Management*
- Chapter 10: *Soil Erosion & Sedimentation Control*
- Chapter 11: *Flood Damage Prevention*

## **Module 3: Administration & Procedures**

- Chapter 12: *Procedures*
- Chapter 13: *Reviewing & Decision-Making Bodies*
- Chapter 14: *Nonconformities*
- Chapter 15: *Enforcement*
- Chapter 16: *Rules of Interpretation & Measurement*
- Chapter 17: *Definitions & Acronyms*
- Chapter 18: *Submittal Requirements*

## **Module 4: Definitions**

- Chapter 17: *Definitions & Acronyms*

## **Today's Review**

Focus on major revisions made as a result of community input received on each of the drafting modules

## CHAPTER 2: ZONING DISTRICTS

### R1 District

- Minimum lot area changed back to current standard
- Detached houses
  - 40,000 sf
  - 65,340 sf with well/ septic
- Duplexes
  - 40,000 sf per dwelling unit

### NR District

- Neighborhood Residential District added to implement *Plan Moncure* recommendation
- Detached houses
  - 65,340 sf
  - 87,120 sf with well/ septic
- Duplexes
  - 60,000 sf per dwelling unit

### NC & AC Districts

- Changed from conventional to conditional districts

### Parallel Conditional Districts

- Added to accommodate former SUP uses
- Each conventional zoning district, except PP, has a parallel CD
- Only those uses listed in the use tables as CD uses for the corresponding conventional district may be allowed



## New Principal Uses

- Short-term rentals
- Manufactured home parks
- RV dwelling units
- Life sciences facilities
- Life sciences products manufacturing
- Colleges and universities
- Emergency shelters
- Food pantries
- Cigar bars
- Hookah lounges
- Sports wagering establishments

## New Use-Specific Standards

- Short-term rentals
- ABC stores
- Hookah lounges
- Pet day care facilities
- Self-service storage facilities

## Expanded Tobacco Retailers Use

- Includes vape and hemp retailers
- Additional use-specific standards related to business location and building appearance

### Accessory Uses

- Limits flagpole height to 35 feet
- Adds accessory outdoor storage with use-specific standards
- Adds short-term rental (in accessory dwelling unit) with use-specific standards

### Temporary Uses

- Adds mobile health clinic with use-specific standards

### Building Design

- Adds allowance for Appearance Commission (CCAC) to recommend modification or waiver of standards in its review of Zoning Compliance applications for building additions
- Zoning Administrator may approve the modification or waiver, if affirmatively recommended by CCAC

### Landscaping & Screening

- Revised to include species diversity standards recommended by the Tree Protection Working Group
- Adds requirement for street trees
- Adds requirement for shade trees for parking lot screening (in addition to evergreen shrubs)

### Lighting

- Removes requirement for security lighting in parking lots
- Instead requires parking lot lighting to be turned off if not needed for business operations or security
- Prohibits streetlights from being located within 50 feet of the exterior boundary of a development site, except for vehicle access points (5,500 lumens limit)



# SIGNS

- Exempts painted wall graphics and tile mosaics that display images or patterns (but not those that display text, logos, etc.)
- Applies billboard maintenance standards to all signs
- Adds material standards for residential development signs
- Prohibits open or closed gas flames in residential development signs and entry features
- Requires all signs to be set back at least 4 ft from NCDOT sight distance triangles
- Limits allowable sign materials for the one temporary sign on each parcel that may be displayed without any time limitation
- Prohibits uplighting and internal illumination of billboards

## Agricultural Subdivisions

- Relocates provisions for sliding scale conventional and conservation subdivisions to a new agricultural subdivision type
- Required in the RA and AG districts for all subdivisions resulting in 6+ lots

## R5 District Subdivisions

- Subdivision of a parcel into 10 or fewer lots may be a conventional or conservation subdivision
- Subdivision of a parcel into more than 10 lots must be a conservation subdivision

## Buffers

- Revises requirement for buffers to be located on separate lots to apply only in major subdivisions
  - Now also includes transitional (perimeter and street) buffers
- Revises “agriculture-friendly” design requirement to require a perimeter buffer for all major subdivisions
  - 75 ft Type D buffer (“Successional Growth”) or
  - 60 ft planted Type B buffer

## CHAPTER 6: CONSERVATION & OPEN SPACE

### Incentives

- Adds density bonus for additional open space
  - 5% additional open space
  - Single-family detached, duplexes = 1 du/ac
  - Townhouses, apartment complexes = 2 du/ac
- Clarifies incentives for open space reduction are not cumulative

### Open Space Composition

- Allows transitional buffers to count as up to 25% of required open space
- Reduces allowance for riparian buffers to count as required open space from 25% to 10%
- Clarifies any riparian buffer area used to meet the required minimum lot area on an adjacent lot cannot count towards required open space

### Off-Site Open Space

- Allows up to 25% of required open space to be provided off-site if it is:
  - At least 3 acres in size
  - Approved by the BOC through the major subdivision sketch plan procedure or zoning compliance permit procedure, as applicable
- The BOC may allow up to 50% of required open space to be provided off-site if:
  - The primary entrance to the proposed development is located within ½-mile of existing, publicly accessible open space

# TREE PROTECTION

- Reduces container tree planting rate from 100 to 85 trees per acre.
- Adds a fourth incentive for locating tree save area (TSA) in preferred locations (contiguous to existing woodlands)
- Adds 10% density bonus incentive for preservation of specimen trees
  - 24" DBH
  - Species is listed as a large tree in Appendix A: Plant List
  - Species is listed as a native tree in Appendix A: Plant List
  - Tree is in fair or better condition as determined by the developer's certified arborist
  - The tree is located outside of a required TSA



## Connectivity

- Increases the distance between required future connections to adjacent property from 660 feet to 1,320 feet in conditional districts and 2,640 feet in all other districts
- Applies connectivity requirement only to areas of a site proposed for development

## Private Driveways

- For Tier 1 major subdivisions, applies the County's current private road standards

## Multimodal Transportation

- Removes requirement for sidewalks in the PP, AG, RA, R5, and R2 districts
- Adds requirement for transit stops, except in subdivisions with less than 50 lots

## Watershed & Riparian Buffer Protection

- Adds nonconformity provisions
- Initially, these provisions were planned for consolidation with other nonconformity provisions in Chapter 14

## Stormwater Management

- Clarifies process for stormwater permitting, including validity, close-out, and post-construction stormwater permits
- Renames major and minor “variances” as major and minor modifications and revises associated definitions

## Soil Erosion & Sedimentation Control

- Edits for consistency with revisions to N.C.G.S.:
  - Clarifying the County shall not deny a plan based solely on the applicant’s need to obtain other development approvals
  - Allowing a plan holder to begin land-disturbing activity following approval of an erosion and sedimentation control plan—even if other development approvals that may be required from the County for the project have not yet been obtained

### New Procedures

- Early land-disturbing permit

### Renamed Procedures

- Administrative Major Subdivision (6-15 lots)  
= Tier 1 Major Subdivision
- Major Subdivision (16+ lots)  
= Tier 2 Major Subdivision

### Revised Procedures

- Minor Subdivisions require TRC review if the proposed subdivision involves land that contains a building or site listed on the National Register of Historic Places
- Requires soil survey at Sketch Plan (rather than Preliminary Plat) for Tier 2 Major Subdivisions

- Provides exception to limits on changes to nonconforming structure for historic structures
  - Requires property owner to submit a request to the Chatham County Historical Association (CCHA) for a recommendation as to whether the exception should apply
  - Zoning Administrator (ZA) may approve if they find the exception is necessary to maintain the structure's historic integrity
  - ZA must consider CCHA's recommendation but is not bound by it
- Carries forward ZO Sections 19.12 *Vested Rights and Permit Choice* and 19.13 *Vested Rights and Site Specific Vesting Plans* (which were inadvertently omitted from the previous draft)





The background of the slide is a map with a light blue background and white lines representing roads and water bodies. A white rectangular box with a thin dark border is centered on the slide, containing the text "NEXT MEETINGS".

# NEXT MEETINGS

# NEXT MEETINGS

- ✓ ~~September 24 – Planning Board (special virtual meeting)~~
- October 7 – Board of Commissioners (BOC)
- October 8 – Planning Board
- October 21 – BOC
- November 4 – BOC (tentative)
- November 18 – BOC (tentative)



# IMPLEMENTATION



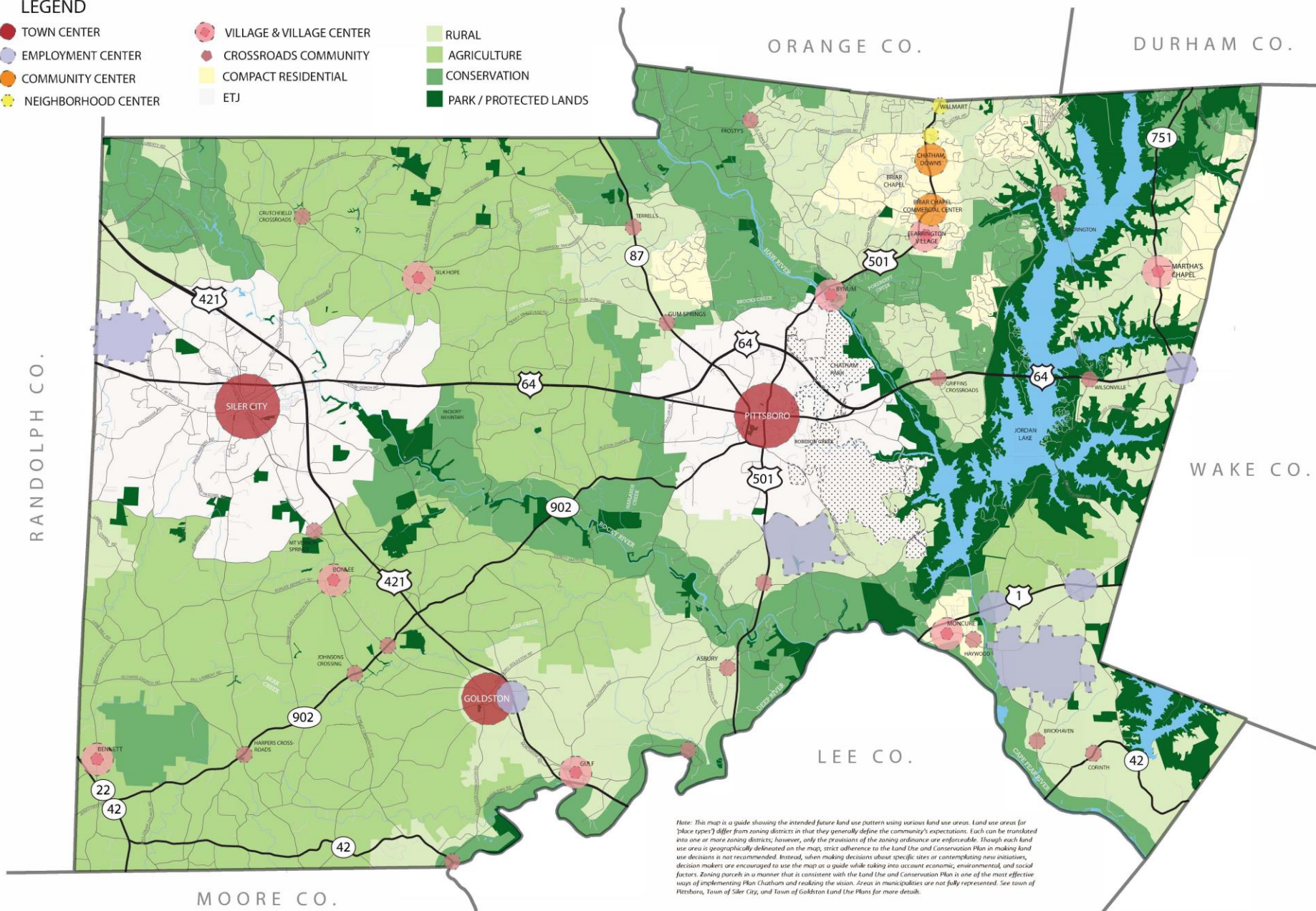
# CONSIDERATIONS

- Rezoning to implement the *Plan Chatham* Future Land Use & Conservation Plan
- Permit choice and vested rights (N.C.G.S. § 160D-108)
- If BOC chooses to rezone properties, determine whether BOC will hold rezoning votes under current regulations



**LEGEND**

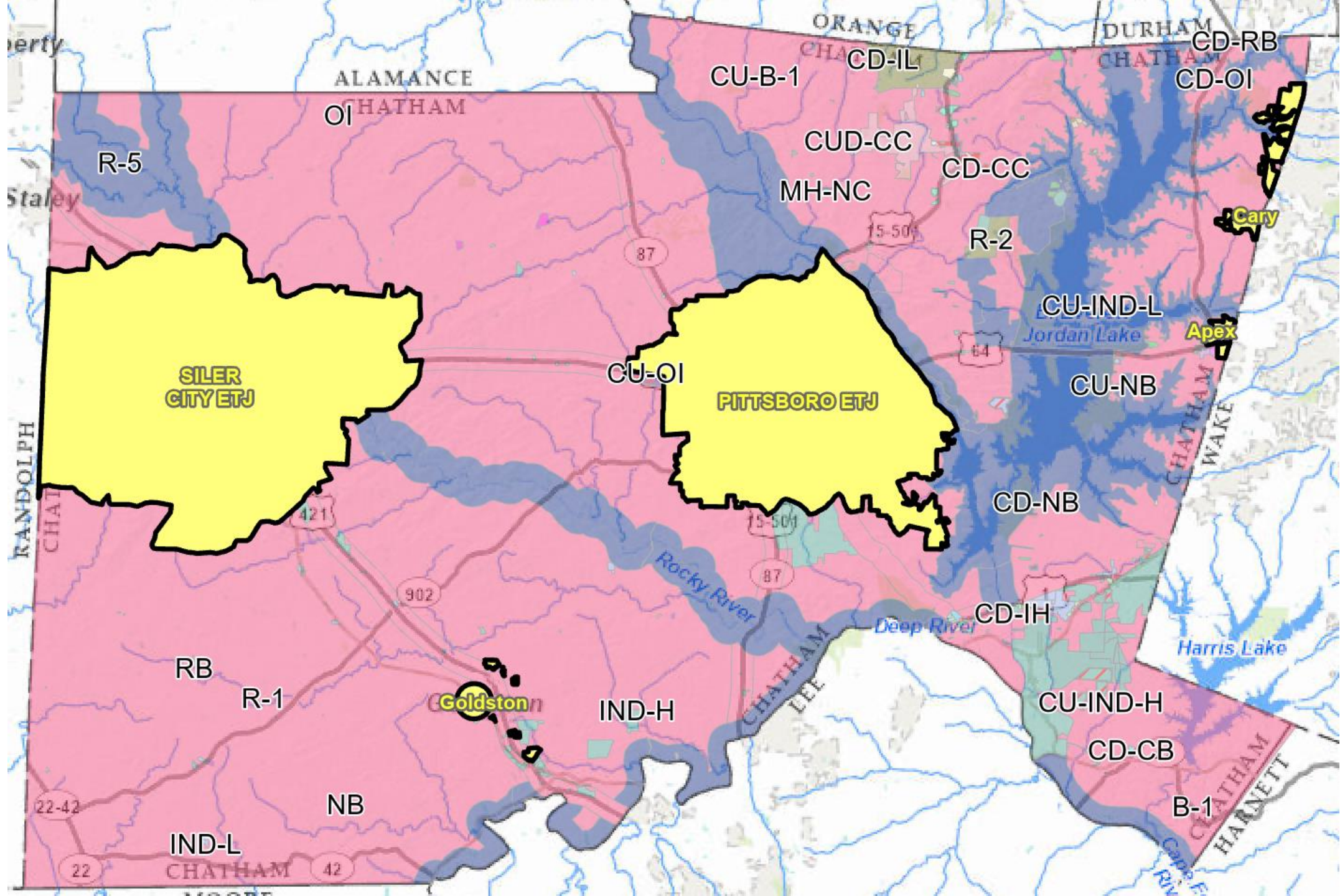
- TOWN CENTER
- EMPLOYMENT CENTER
- COMMUNITY CENTER
- NEIGHBORHOOD CENTER
- VILLAGE & VILLAGE CENTER
- CROSSROADS COMMUNITY
- COMPACT RESIDENTIAL
- ETJ
- RURAL
- AGRICULTURE
- CONSERVATION
- PARK / PROTECTED LANDS



*Note: This map is a guide showing the intended future land use pattern using various land use areas. Land use areas (or 'place types') differ from zoning districts in that they generally define the community's expectations. Each can be translated into one or more zoning districts; however, only the provisions of the zoning ordinance are enforceable. Though each land use area is geographically delineated on the map, strict adherence to the Land Use and Conservation Plan in making land use decisions is not recommended. Instead, when making decisions about specific sites or contemplating new initiatives, decision makers are encouraged to use the map as a guide while taking into account economic, environmental, and social factors. Zoning parcels in a manner that is consistent with the Land Use and Conservation Plan is one of the most effective ways of implementing Plan Chatham and realizing the vision. Areas in municipalities are not fully represented. See town of Pittsboro, Town of Siler City, and Town of Goldston Land Use Plans for more details.*







# RECODE CHATHAM

UNIFIED  
DEVELOPMENT  
ORDINANCE

[recodechathamnc.konveio.com](https://recodechathamnc.konveio.com)

[recodechathamnc.org](https://recodechathamnc.org)

[recodechathamudo@chathamcountync.gov](mailto:recodechathamudo@chathamcountync.gov)