

RECODE | UNIFIED
CHATHAM | DEVELOPMENT
ORDINANCE

Chatham County, NC
Board of Commissioners

Review of Audit Report | April 4, 2022



GREEN HERON PLANNING, LLC

WHITE &
SMITH, LLC
PLANNING AND
LAW GROUP

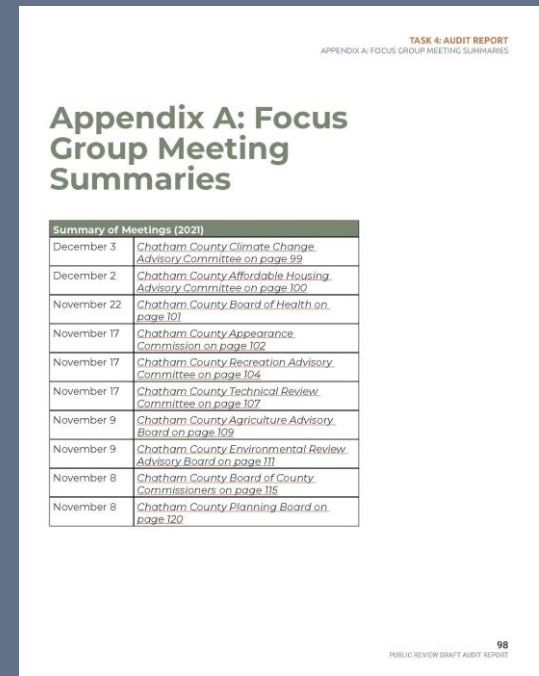
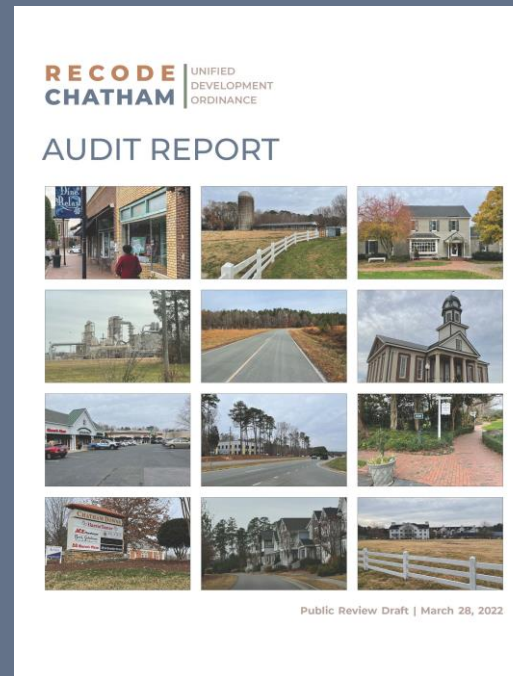
CLARION



TETRA TECH

AGENDA

- Scope of Work
- Guiding Principles
- Focus Group Meetings
- Audit Report Review
- Next Steps



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

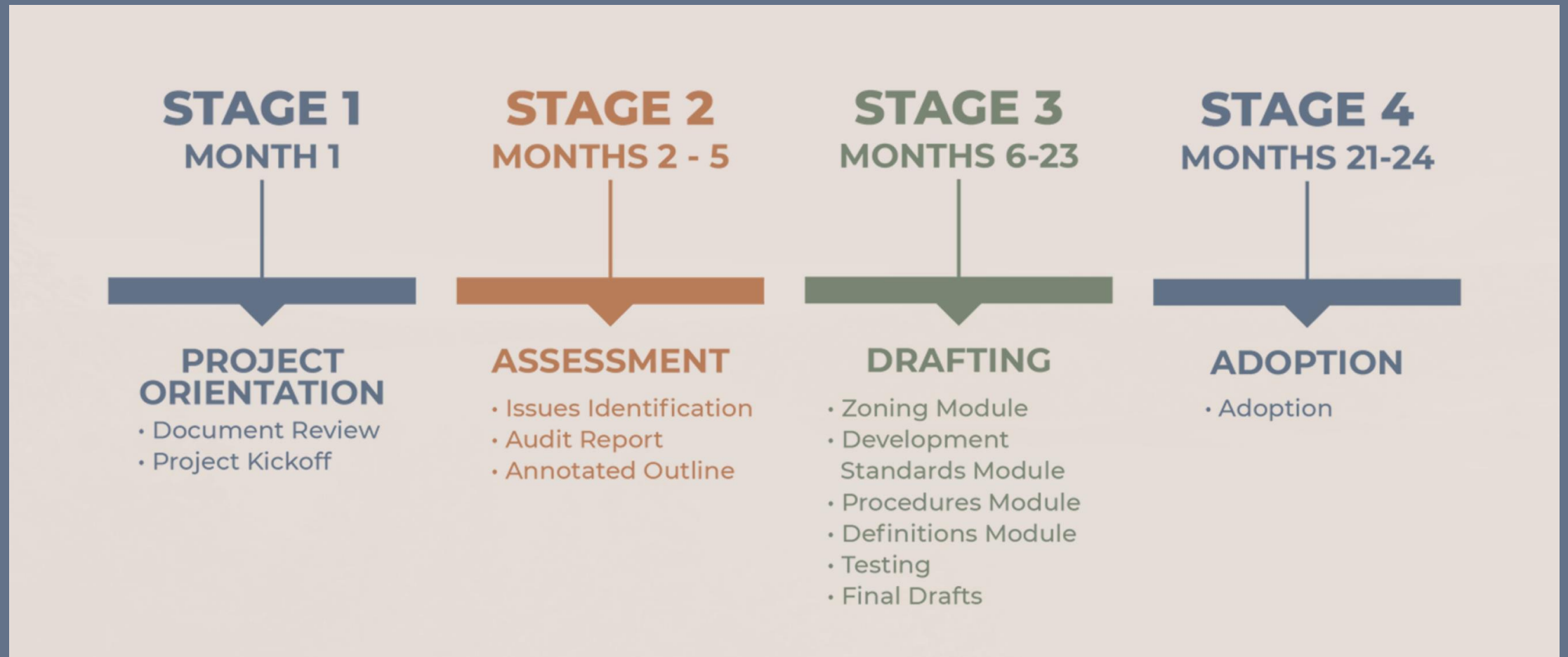
Stage 2: Assessment

Code Audit • *Drafting Blueprint (Annotated Outline)*

Stage 1: Project Orientation

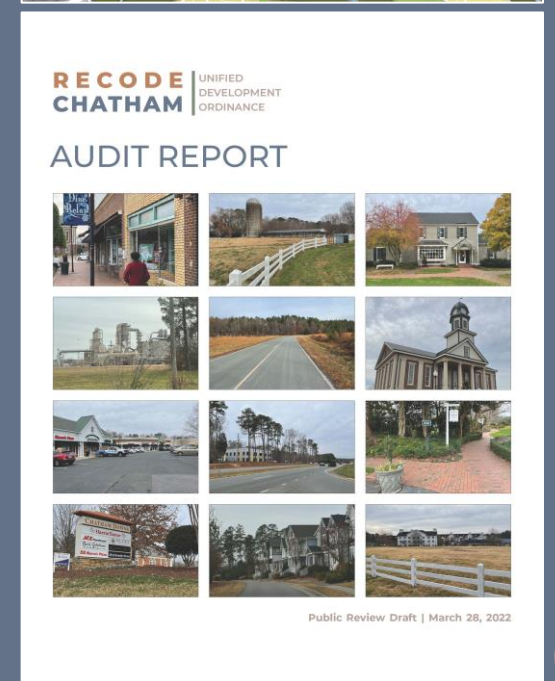
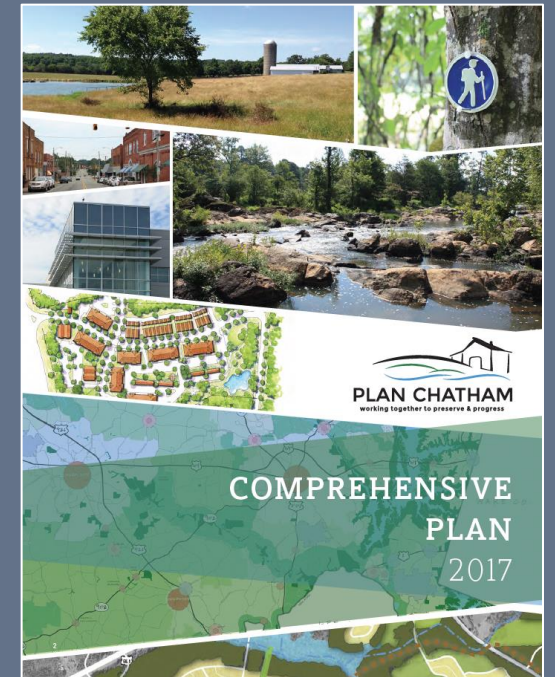
Focus Group Listening Sessions • Document Review

ESTIMATED TIMELINE



WHAT GUIDES THE INITIAL UDO DRAFTS?

1. *Plan Chatham*
2. The input of the Focus Groups, public, Planning Board, Board of Commissioners, and County advisory committees (*Audit Report*)
3. Staff direction as we go



FOCUS GROUP MEETINGS



- Virtual and in-person meetings (Nov and Dec 2021)
- Comments received from Focus Groups
 - Incorporated into the Audit Report
 - Informing the Code Blueprint/Outline
 - Will inform Board and staff direction and the Team's initial code drafts
- **Meeting summaries included in Appendix A of the Audit Report**

Focus Groups:

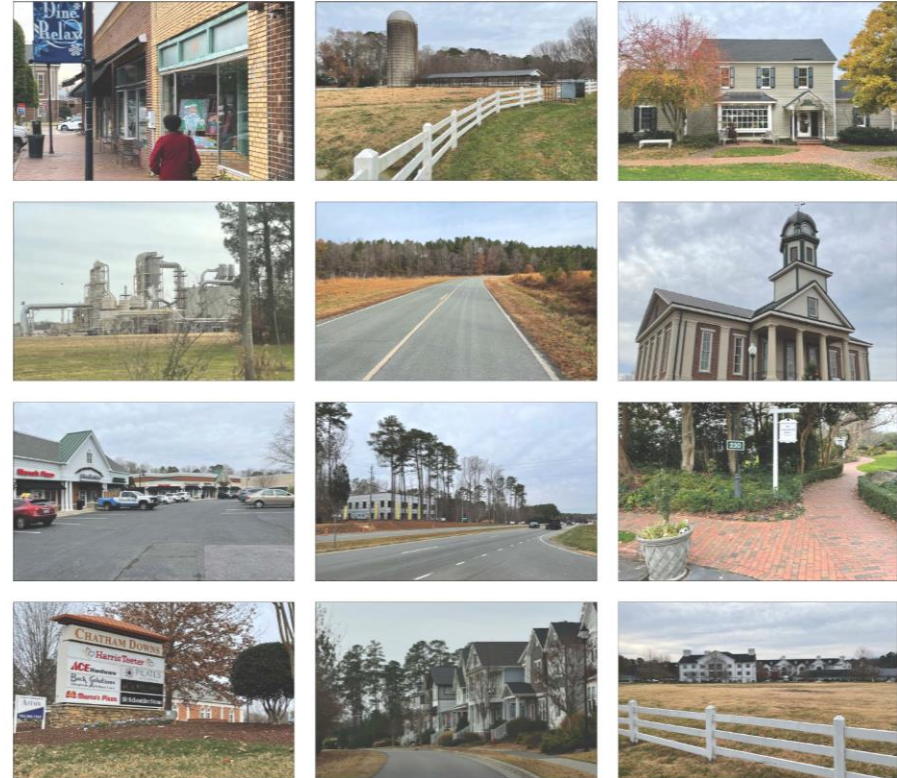
Board of Commissioners
Affordable Housing Advisory Committee
Agriculture Advisory Board
Appearance Commission
Board of Health
Climate Change Advisory Committee
Environmental Review Advisory Committee
Planning Board
Recreation Advisory Committee
Technical Review Committee
Chatham County Staff

AUDIT REPORT

- Available on:
www.recodechathamnc.org
- Navigation features:
 - Bookmarks
 - Hyperlinked table of contents
 - Internal and external hyperlinks within the document

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AUDIT REPORT



Public Review Draft | March 28, 2022

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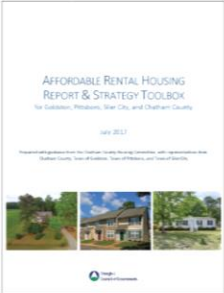
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Bookmarks

- Front Cover
- Contents
- 1 - Introduction
 - 1.1 Project Background
 - 1.2 How This Report is Written
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RECODE CHATHAM UNIFIED DEVELOPMENT ORDINANCE

8 - Affordable Housing



As noted in *Top Implementation Issues from Plan Chatham*, affordable housing is a critical need in Chatham County. There is a need to revisit the County's current approach in order to meet changing needs and demands of the community. The issue of housing affordability relates to many other issues of great importance to the community, including into equity; transportation access; environmental resources, health, and protection; and mental health. Stakeholders feel the UDO should **accommodate and encourage housing across the income spectrum and ensure all neighborhoods include access to open space**. Further, stakeholders recognize that **achieving the County's housing goals may require increased density in appropriate areas**.

There is a sentiment that there may be community resistance to multi-family dwellings and increased density, but many concerns can be addressed through design, equal access to amenities, equal representation on HOAs, and other techniques to encourage neighborhood cohesion. There is some support for mixing density and small multi-family (studios to two bedroom units) into residential areas, as stakeholders see a significant need for smaller dwellings. Again, design is an important component. From the exterior, "affordable" dwellings generally should be indistinguishable from market-rate dwellings (e.g., materials/finishes, front façades, setbacks). Relevant factors that should be considered in locating mixed housing types include:

- » Availability of transit and other mobility options;
- » Proximity to schools, employment centers, retail areas, and community services; and
- » Other criteria used by the [Chatham County Housing Trust Fund](#) or typical affordable housing funding agencies (e.g., qualified allocation plans).

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PUBLIC REVIEW DRAFT AUDIT REPORT

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Recode Chatham can use the *Affordable Rental Housing Report & Strategy Toolbox*, produced by the Triangle 3 Council of Governments in 2017, to inform its approach to addressing affordable housing in the Unified Development Ordinance.

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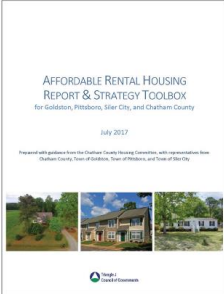
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RECODE CHATHAM UNIFIED DEVELOPMENT ORDINANCE

Affordable Housing

AFFORDABLE RENTAL HOUSING REPORT & STRATEGY TOOLBOX
for Goldston, Pittsboro, Siler City, and Chatham County
July 2017

Prepared with guidance from the Chatham County Housing Committee, with representatives from Chatham County, Town of Goldston, Town of Pittsboro, and Town of Siler City



Triangle J Council of Governments

Recode Chatham can use the Affordable Rental Housing Report & Strategy Toolbox, produced by the Triangle J Council of Governments in 2017, to inform its approach to addressing affordable housing in the Unified Development Ordinance.

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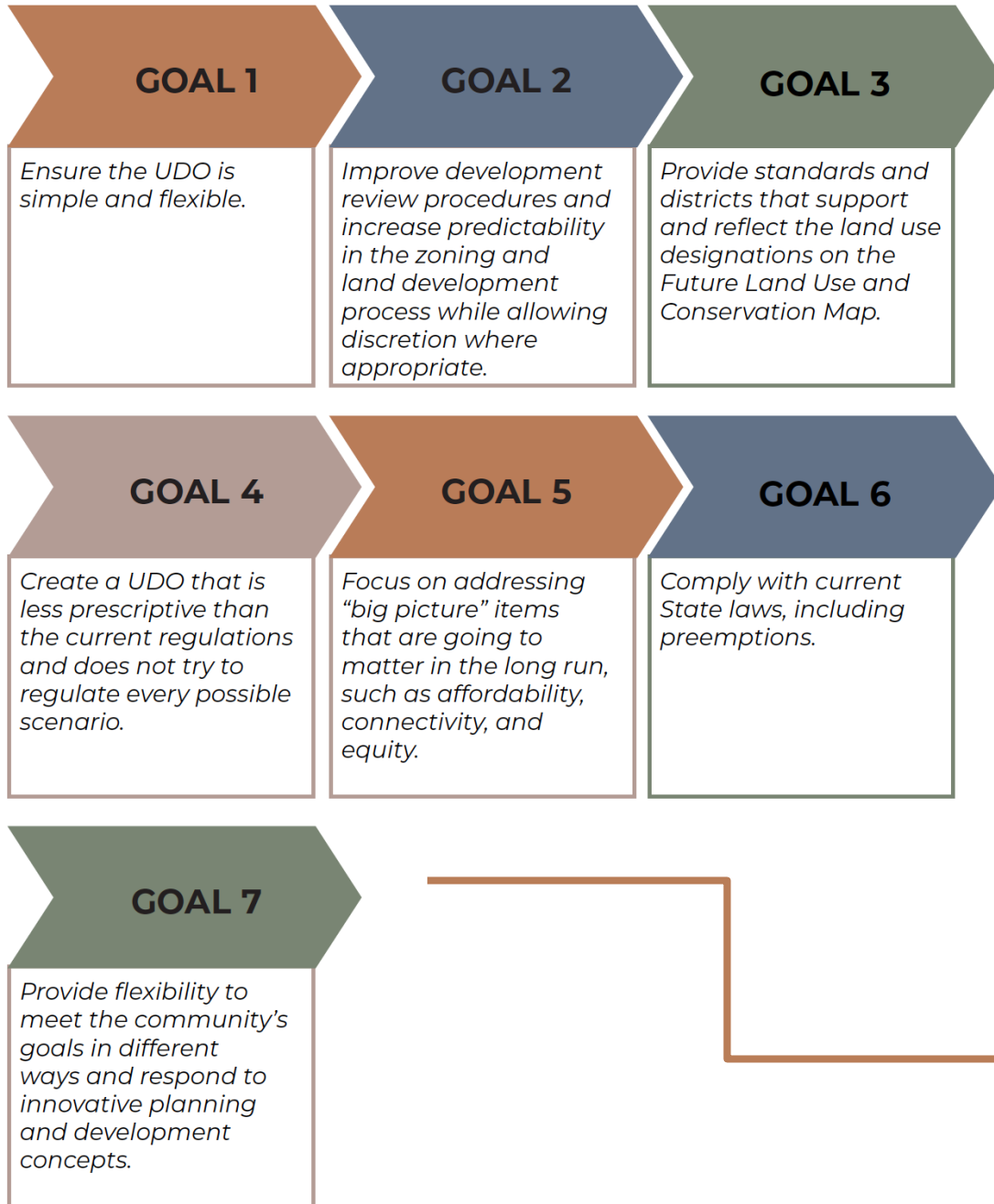
AUDIT REPORT

- **Introduction (Section 1)**
- **Goals (Sections 2-3)**
- **High-Level Issues (Sections 4-9)**
- **Primary Development Ordinances (Sections 10-18)**
- **Focus Group Meeting Summaries (Appendix A)**

Recommendations provided in **bold text** throughout report

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GOALS

2. Top Implementation Issues from *Plan Chatham*

- Rural preservation
- Open space connectivity and access
- Concentrate development in nodes
- Sustainability
- Housing affordability
- Support appropriate businesses in TIP and employment centers
- Encourage small businesses

3. Overarching Goals for the UDO

HIGH-LEVEL ISSUES

4. **Equity**

5. **Future Growth**

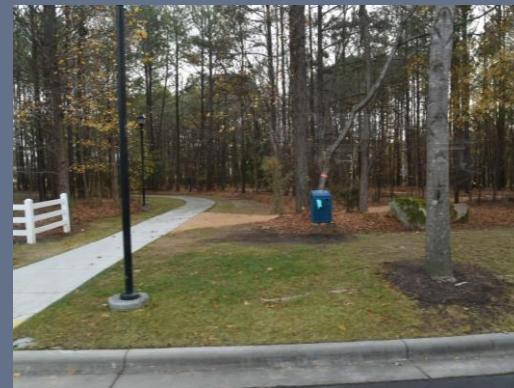
6. **Mobility**

7. **Density**

8. **Affordable Housing**

9. **Natural Resources**

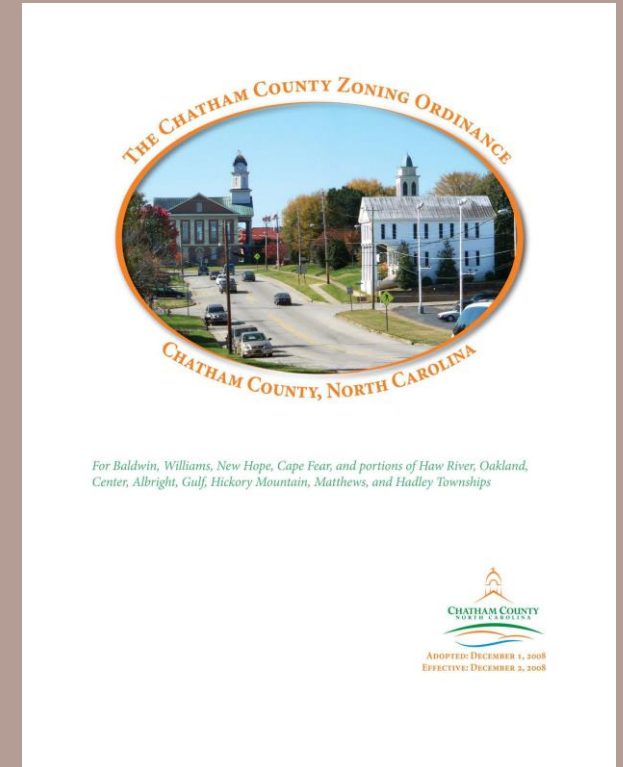
- Natural Resources Protection
- Conservation/Open Space & Recreation
- Agricultural Preservation



PRIMARY DEVELOPMENT ORDINANCES

- 10. Watershed Protection Ordinance
- 11. Stormwater Ordinance
- 12. Soil Erosion & Sedimentation Control Ordinance
- 13. Flood Damage Prevention Ordinance
- 14. Subdivision Regulations
- 15. Zoning Ordinance
- 16. Approval Procedures
- 17. Submittal Requirements
- 18. Administrative Manuals

} Includes
recommendations
applicable to
all ordinances
listed above



RECOMMENDATIONS

- The following slides include some of the **major recommendations** related to the primary development ordinances.
- Additional recommendations related to the primary development ordinances and to the high-level issues are provided in **bold text** in the Audit Report.

RECOMMENDATIONS

- **Clarify riparian buffer requirements** and determination procedure
- **Consider expanding flood regulations** to include the 500-year floodplain, which could effectively increase riparian buffer areas
- Consider the **most effective way to integrate zoning regulations with watershed regulations** (e.g., through an overlay zoning district)
- **Reevaluate current approach to stormwater** control and stream protection and **better address cumulative impacts** of development
- **Update Soil Erosion & Sedimentation Control Ordinance** to align with new State law (Session Law 2021-121)
- **Reevaluate erosion control permitting thresholds**

RECOMMENDATIONS

- Consider the appropriateness of requiring all new major subdivisions in certain areas or zoning districts to be **conservation subdivisions**
- Reconsider standards for **conservation space** in new subdivisions
- **Add new subdivision types:**
 - Agrihoods
 - Equestrian subdivisions
- Consider including **up to 15 lots in minor conventional subdivisions** for consistency with conservation subdivisions
- **Clarify standards related to minor subdivisions**

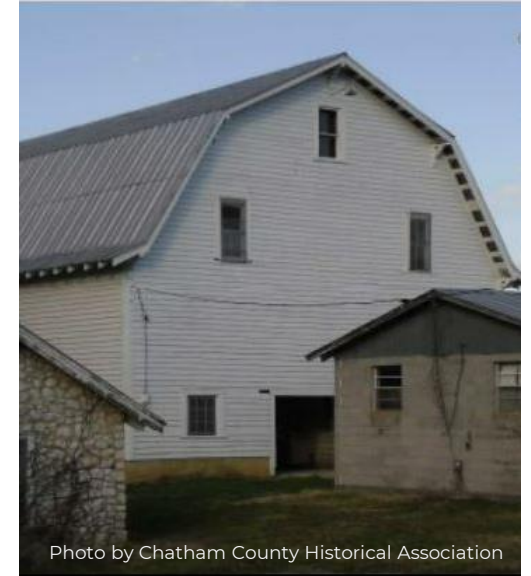
RECOMMENDATIONS

- **Align zoning districts and associated densities with the FLUC Map and *Plan Chatham's* land use area descriptions**
- **Create new zoning districts**
 - Corridor districts
 - Rural districts
 - Parks/Protected Lands
- **Review and revise current zoning districts**
 - Mixed use districts
 - Conditional districts
 - Compact Communities Ordinance

Note: This map is a guide showing the general future land use pattern using various land use areas. Land use areas for these 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 solutions, decision-makers are encouraged to use this map as a guide to help inform their decisions.

RECOMMENDATIONS

- **Review and update allowed land uses**
 - Address unique and emerging land uses
 - Home occupations
 - Housing types
 - Historic preservation & infill
 - Clean energy



RECOMMENDATIONS

- **Add tree protection, removal, and mitigation standards**
- **Comprehensively update:**
 - ZO Sec. 12: *Landscaping and Buffering Standards*
 - ZO Sec. 13: *Lighting*
 - ZO Sec. 14: *Off-Street Parking and Loading*
 - ZO Sec. 15: *Regulations Governing Signs*
- Consider adding **architectural standards**
- Review and potentially update **height limits** as well as the list of height exceptions

RECOMMENDATIONS

- **Clarify and streamline procedures**
 - Consider the most effective ways to incorporate equity into the development review procedures
 - Add summary tables and flowcharts
- **Clarify the roles and authorities** of the BOC and appointed boards and commissions
- **Establish two or more tiers of major subdivisions** with different requirements and approval processes based on subdivision size
- **Develop administrative manuals**

Sample Standard Workflow for Procedures

- » Purpose
- » Applicability
- » Initiation
- » Completeness
- » Notice
- » Decision-Making Process
- » Approval Criteria
- » Scope of Approval
- » Appeals
- » Reapplication
- » Modifications

SAMPLE SUMMARY TABLE & FLOWCHART

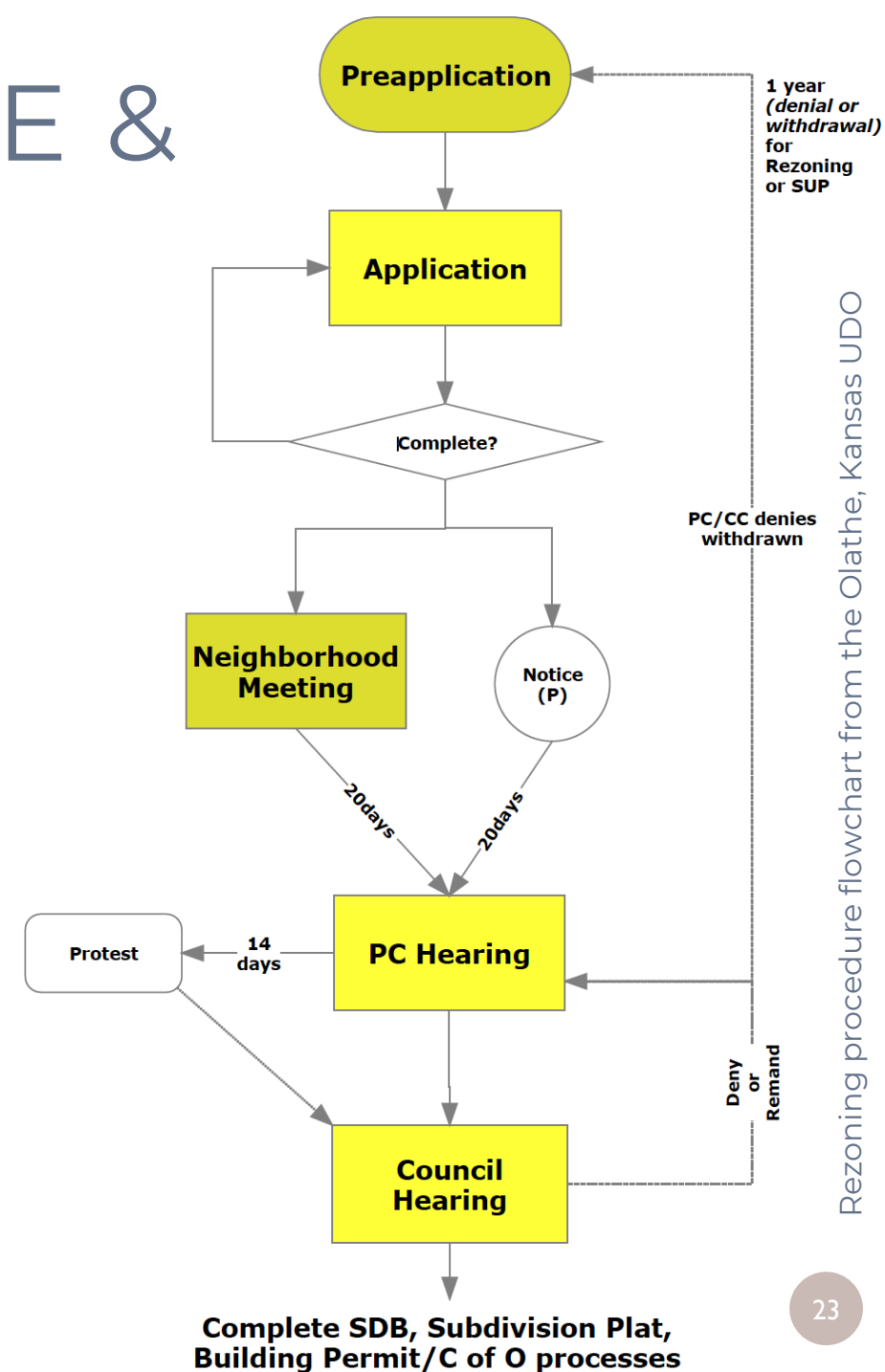
Summary of Current Subdivision Procedures

Procedure	Review, Decision-Making, & Appeal Bodies						Pre-Application Meeting Required	Community Meeting Required	Public Hearing Required (Held By)
	Staff	TRC	AC	BOA	PB	BOC			
Administrative Review (Appeals of Administrative Decisions)				D			No	No	Yes (BOA)
Major Subdivisions									
<i>Concept Plan</i>	R	R					Yes	Yes	No
<i>First Plat</i>	R	R			R	D	No	No	Yes (PB)
<i>Construction Plan</i>	D	R				A	No	No	No
<i>Final Plat</i>	D	R				A	No	No	No
Minor Subdivisions									
<i>Conventional (5 or fewer lots)</i>	D ¹			A			Yes	No	No
<i>Conservation (15 or fewer lots)</i>	D ²					A	No	No	No
Variations	R			D			No	No	Yes (BOA)

Key: Staff = Planning Department staff | TRC = Technical Review Committee | AC = Appearance Commission | BOA = Board of Adjustment | PB = Planning Board | BOC = Board of County Commissioners | R = Review Body | D = Decision-Making Body | A = Appeal Body

¹ Also includes review by CCNC "Division of Environmental Health of the Chatham County Health Department or the Division of Environmental Management" (Subdivision Regulations Section 5.3.B).

² Also includes review by CCNC Environmental Health Department if development will not be served by public sewer.



Rezoning procedure flowchart from the Olathe, Kansas UDO

RECODE CHATHAM

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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. The goal is that the UDO will develop clear procedures and guidelines that are simple, flexible, and easily administered.

Review of Audit Report | BOE Meeting 04/04/2022

News & Updates

Code Audit Available for Public Review and Comment

March 2022

The public review draft of the Recode Audit is available under the “Documents & Work Products” tab above.

The Audit serves as the “plan” for preparing draft revisions to the County’s land use codes during the Recode process. It reflects the

Participate

There are many ways to learn about Recode Chatham and to provide your input.

- Sign up to receive project updates so that you always have the latest information.
- Attend public events.
- Review draft material and provide your comments.

All interested parties are encouraged to participate in Recode Chatham, because the project will be most successful with input from a broad cross section of the community. **To sign up to receive project updates, input your information below.**

First Name

Last Name

Email

Phone

Submit

About the

Chatham County land-use regulatory the policy direction 2017. The project v that serves as the land use within th

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Updates

available for Public
mment

draft of the Recode under the "Work Products" tab

above.

The Audit serves as the "plan" for preparing draft revisions to the County's land use codes during the Recode process. It reflects the

NEXT STEPS

- **Finalize Drafting Blueprint** (UDO Outline)
- **Zoning Module** (Zoning Districts & Use Regulations)
 - Staff Review Draft
 - Public Review Draft
 - Public Outreach Session

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