



COUNTY COMMISSIONERS

Mike Dasher, Chair
Karen Howard, Vice Chair
Franklin Gomez Flores
David Delaney
Katie Kenlan

COUNTY MANAGER: Dan LaMontagne

Ordinance of the Chatham County Board of Commissioners

AN ORDINANCE AMENDING THE ZONING MAP OF CHATHAM COUNTY

Drafting and Design Services, Inc on behalf of BOHG Financial LLC

WHEREAS, the Chatham County Board of Commissioners has considered the request to rezone approximately 1.331 acres, being all or a portion of Parcel No/s 5132, located at/off 4133 Old US 1, Cape Fear Township, from R-1 Residential to Neighborhood Business to develop the site for uses allowed within the Neighborhood Business (NB) zoning district, 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 claimed; 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 public health, safety and general welfare. The adjacent 193-acre parcel 5585, was rezoned to Light Industrial in 2022 as well as parcel 5588 to Neighborhood Business. This parcel could also be utilized to provide smaller scale supporting services to the area where growth in non-residential development is planned. Due to the other rezonings in this area, it is no longer suitable for residential use. Although the commercial suitability map in Plan Moncure does show this just outside commercial suitability, due to the rezonings adjacent to this parcel, commercial use would be more consistent.; and

No. 3: The manner in which the proposed amendment will carry out the intent and purpose of any adopted plans or parts thereof. The land use plan shows this parcel within the Rural designation and Plan Moncure has it within an Employment Center designation.

Page 14-Economics and Growth- encourages supporting commercial uses to be located within Employment Center designated areas. With the rezonings of several parcels in this area in the past two years, small scale commercial will provide that opportunity.

Page 18-Land Use- designates these growth areas employment opportunities for residents and commercial use needs within a centralized area. This helps to ensure the heavy residential areas remain rural.

Page 39-Goals- Goal 4 is met by providing additional jobs in the support industry of the manufacturing type uses.; and

No. 4: The requested amendment is either essential or desirable for the public convenience or welfare. Old US 1 can support 14,000 vehicles per day. In 2020, the ADT was 3,700. The proposed rezoning of this parcel could generate 300-400 vehicular trips per day keeping the use well below the allowable capacity. Landscaping, lighting, signage, and parking will comply with the zoning ordinance minimum requirements.; and

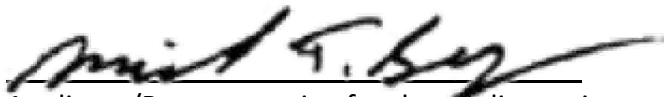
No. 5: All other circumstances, factors and reasons which the applicant offers in support of the proposed amendment. The property will have access to the county water system. On-site private septic is planned to be utilized with a projection of 2,900 gpd needed for peak build out. The property is located within the WSIV-Protected Area watershed not within the Jordan Lake buffer area. Up to a maximum of 36% built upon area without curb and gutter can be utilized for development of the site.; 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. 5132 and being approximately 1.331 acres as depicted on Attachment "A", located at/off 4133 Old US 1, from R-1 Residential to Neighborhood Business, 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:
 1. None
3. This ordinance shall become effective upon its adoption.

Adopted this 19th day of August, 2024

Mike Dasher, Chair
Chatham County Board of Commissioners



Applicant/Representative for the applicant signature

(By signing this Ordinance, you agree to its findings and any subsequent conditions or approvals that may be required upon development of the site)

ATTEST:

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



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ATTACHMENT A

Tax Parcel 5132, being 1.331 acres, located at 4133 Old US 1, Cape Fear Township, rezoned from R-1 Residential to NB Neighborhood Business general use district.

