



Zoning Initiative

**PLANNING BOARD DISCUSSION TO CONSIDER THE EXTENSION OF
ZONING TO CURRENTLY UNZONED AREAS OF THE COUNTY 8/15/16**

Zoning Unzoned Areas

- ▶ **Discussions started in 2014**
 - ▶ **Planning Board evaluated options in 2014 and again in 2015**
 - ▶ **Recommendations provided to the Commissioners in both years**
- ▶ **November and December 2015 Board of Commissioners meetings**
 - ▶ **Discussion to consider options to extend zoning to currently unzoned areas**
- ▶ **June 6, 2016 Public Hearing to receive comments to extend zoning.**
- ▶ **July 12, 2016 Planning Board review and recommendation**

Proposed Zoning Map

New County Zoning Districts w/Parcels

-  New R-1
-  New R-5
-  Currently Zoned
-  Parcels
-  Roads

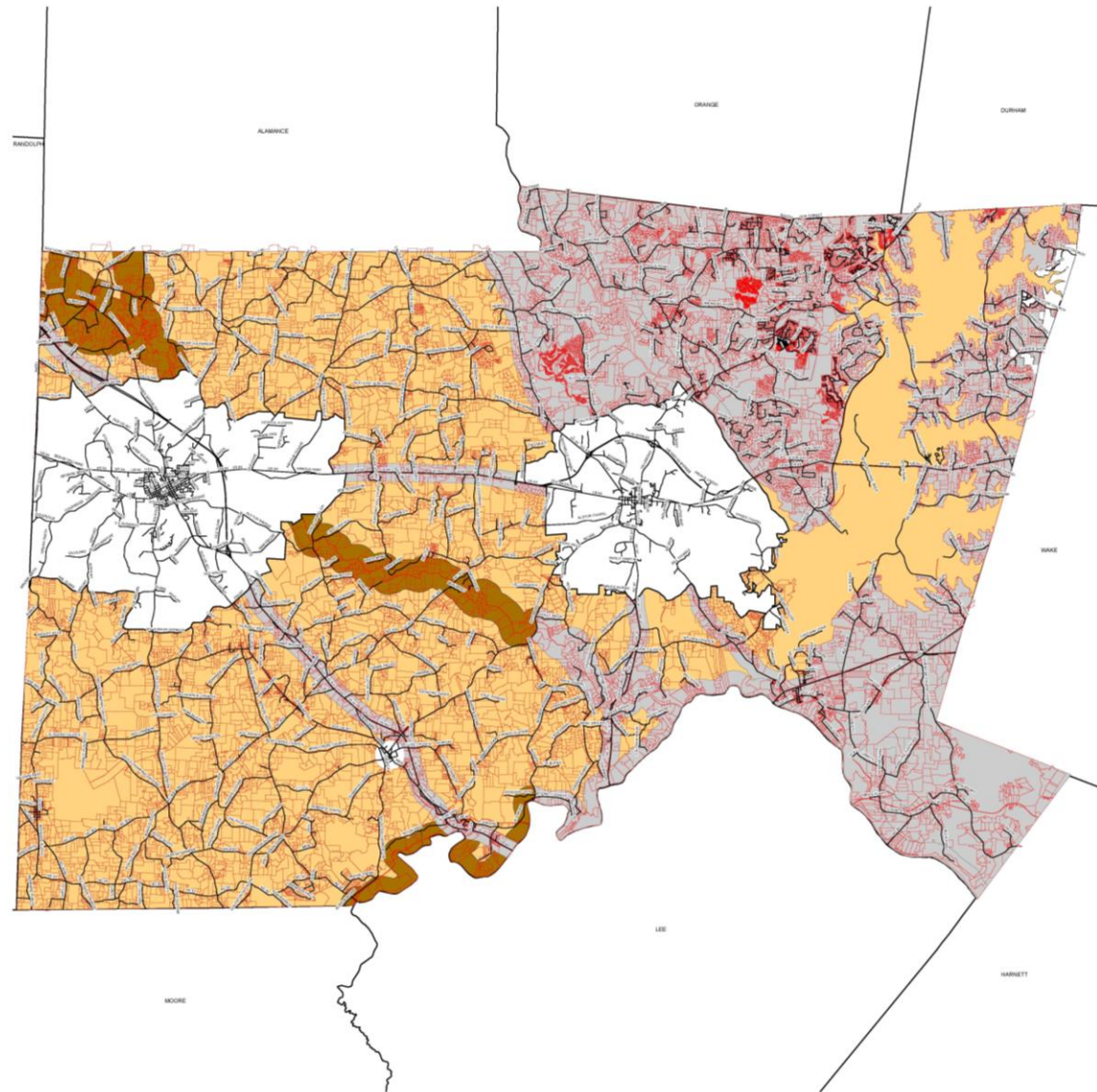


Prepared by the
Chatham County
Planning Department
April 2016



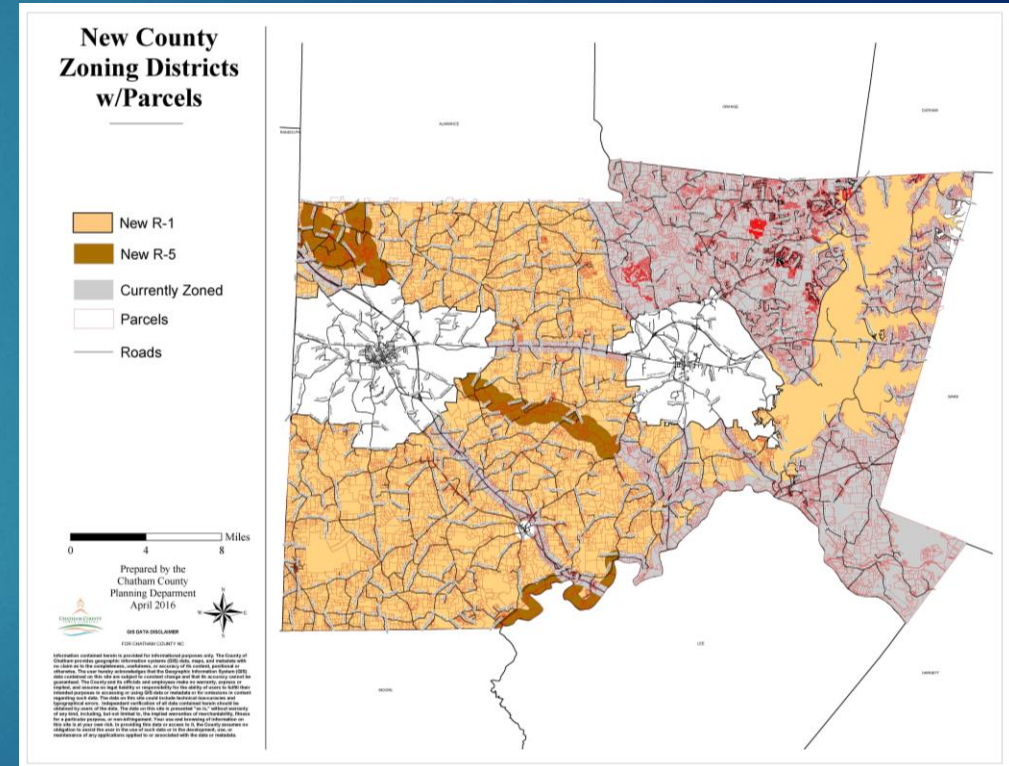
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General Information

- ▶ Number of Parcels – approximately 11,800
- ▶ Area – approximately 388 square miles
- ▶ Public hearing signs posted starting May 16th
- ▶ Letters mailed to property owners May 20th
- ▶ Website – www.chathamnc.org/county zoning
- ▶ Includes Corps of Engineers owned property associated with Jordan Lake ~ 60 square miles in Chatham County.
- ▶ R- 5 zoning proposed for property along the major rivers.
- ▶ R-1 zoning proposed for all other areas.
- ▶ Other regulations already enforced countywide such as Subdivision Regulations, Watershed Protection Ordinance and others.



What does R-1 and R-5 Mean?

- ▶ Zoning Ordinance includes residential, business, and industrial districts.
- ▶ There are three residential districts – R-1, R-2, and R-5.
 - ▶ R-1 = 1 dwelling unit per 40,000 square feet (approx. 1 acre)
 - ▶ R-2 = 1 dwelling unit per 90,000 square feet (approx. 2 acres)
 - ▶ R-5 = 1 dwelling unit per 5 acres
- ▶ Residential districts primarily allow for single family residential development.
- ▶ Also allows schools, fire departments, and a small set of other uses by right or through a conditional use permit.
- ▶ Businesses are not allowed as a primary use and are subject to a rezoning process.

What does R-1 and R-5 Mean?

- ▶ **Building setbacks**
 - ▶ Front = 40', Sides and Rear = 25'
- ▶ Private (non-commercial) cemeteries are not regulated through zoning.
- ▶ Manufactured/Mobile Homes are not treated differently than stick built or modular homes.
- ▶ Bona fide farm uses are exempt from regulation.
- ▶ Existing businesses are “grandfathered”.
- ▶ New businesses require a rezoning.
- ▶ Provisions for home occupations, including the use of accessory buildings with limits on square footage.

Businesses

- ▶ Existing businesses will become non-conforming uses/grandfathered
 - ▶ No effect on continued operations
 - ▶ Use can be extended to additional buildings on the property, but property setbacks apply
 - ▶ Expansions to existing buildings are allowed
- ▶ Business listing forms provided with notification letter
- ▶ A non-conforming use cannot be extended to additional parcels.
- ▶ A non-conforming use cannot be changed to another non-conforming use.
- ▶ If a non-conforming use is discontinued for 365 days the property can only be used for a conforming use or a rezoning is required.
- ▶ New businesses will be subject to a rezoning process that includes a public hearing, Planning Board review, and Commissioner approval or denial.

Farm/Agricultural Uses

- ▶ **Bona fide farm uses are exempt from zoning**
 - ▶ The application of zoning will have no effect on bona fide farm operations.
 - ▶ Examples include chicken houses, cattle operations, crop production, pastures, horticultural operations, timber management, etc.
 - ▶ The exemption applies to the structures and buildings used for farm purposes.
 - ▶ New bona fide farms also fall under the exemption.
- ▶ **Business listing forms do not need to be submitted for farm/agricultural uses.**
- ▶ **Business listing forms need to be submitted for non-farm related businesses.**

Home Occupations

- ▶ The Zoning Ordinance includes two categories of home occupations.
- ▶ Administrative approval
- ▶ Neighborhood Home Occupations
 - ▶ Allows up to 3 non-resident employees and a total of 4 resident and non-resident. Employee limit does not apply to employees who work off-site.
 - ▶ No outdoor display of goods or items.
 - ▶ Can be conducted in an accessory building up to 1,000 square feet.
- ▶ Rural Home Occupations
 - ▶ Only allowed on parcels 3 acres or larger in size
 - ▶ Allows up to 3 non-resident employees and a total of 4 resident and non-resident. Employee limit does not apply to employees who work off-site.
 - ▶ Can be conducted in accessory building up to 2,500 square feet.
 - ▶ Buildings, material storage, and operations setback at least 40 feet from front property line and 50 feet from all other property lines.

Planning Board Recommendation

1. Recommend adoption of the zoning from the June 6, 2016 public hearing. The motion was approved by a vote of 7-4.
2. Look at existing businesses and consider for the appropriate zoning, allow for rezoning with no fee, and follow the same process from 2009. The motion was approved by a vote of 11-0 (1 vote was an abstention).
3. Recommend zoning the Corps of Engineers property R-5 instead of R-1. The motion was approved by a vote of 11-0.
4. Recommend adoption of the following consistency statement “The Land Conservation and Development Plan includes the following recommendations: Summary of Major Recommendations #2 “Extend land use regulations to the entire county in order to guide development to appropriate locations, provide more certainty for landowners and establish a basis for farmland preservation strategies” and #3 “Retain the current 5-acre average lot size in the areas designated in the county's watershed protection ordinance and shown as resource protection areas on the community plan map.” The motion was approved by a vote of 8-2 (1 member stepped out of the meeting prior to the vote).