

UDO Changes Final Draft

Per BOC direction at their meeting on November 4th, 2024, the Board directed changes to be made to the draft UDO on several topics that included outstanding policy questions, feedback from the Planning Board, and public comments from the community. Therefore, the list below provides insight into the changes that have been made and are reflected in the final draft.

BOC Outstanding Question/Topic Revisions:

1. **Ag Subdivisions:** We initially proposed a sliding scale density approach for agricultural subdivisions, aiming to implement a concept from Plan Chatham. However, after careful consideration, the BOC directed staff to remove this approach and instead incorporate the conventional subdivision model within the RA and AG districts.
 - The final draft has included that revision of removing the sliding scale density for ag subdivision. We have revised the UDO now allow for conventional subdivisions to be made in AG and RA districts with a minimum lot area of 1 ac with a residential density of 1 du per 5 acres.
2. **Open Space Density Bonus Calculation:** In the previous draft, we noted the need to finalize key components of the open space density bonus incentive. The BOC provided direction on these elements at their November 4th meeting.
 - Revisions were made to section 6.1.10 Incentive for Providing Additional Open Space that include when a development is in one of the compact or centers conditional districts (CD-CR, CD-CMU, CD-CN, CD-NC, and CD-AC) proposes to provide more open space than required, the density may be increased as specified in the table 6.1.10-1.
 - 5% of site area of additional open space is required for both single-family detached dwellings, duplexes, townhouses, and apartment complexes.
 - The max density bonus is 1 additional du/ac for single-family detached dwellings, and duplexes.
 - The max density bonus is 2 additional du/ac for townhouses, and apartment complexes.
3. **Net vs. Gross Acreage Calculations for Zoning Districts:**
 - General Use Zoning Districts will utilize gross acreage calculations.
 - Gross acreage includes the total area within a property boundary, covering all land—whether developable or not. This approach provides a straightforward metric for assessing density and zoning compliance across a property, without distinguishing between usable and unusable areas.
 - Conditional Districts will utilize a net acreage calculation.
 - Net acreage includes only the usable land within a property, excluding roads, easements, floodplains, and protected areas. Net calculations

provide a more precise assessment of density for conditional districts, which often require customized zoning based on specific site features, helping with compatibility, preservation, and density control.

4. Affordable Housing

- The optional incentive for including affordable housing was modified to only be applicable in compact & centers conditional districts. The incentive is available for an CD-CR, CD-CMU, CD-CN, CD-NC, or CD-C conditional zoning district that provides at least 15% of the total number of dwelling units in the district as affordable dwelling units as defined in the Chatham County Affordable Housing Policy Manual (to be developed prior to the UDO effective date).
- In districts meeting the eligibility criteria, incentives include a density bonus allowing for an increase of up to 25% in the total number of dwelling units allowed in the district.
- Density thresholds in the districts were also decreased since the affordable housing percentage increased to ensure a balanced development.

5. Tree Planting: Incentive Approach

- A developer of a site can still qualify for an incentive by planting trees on the site as provided in the subsection of the UDO stating:
 - Incentive Calculation. For each acre of trees planted in a TSA, the total TSA required for the site is reduced by 0.25 acres.
 - Planting Rates. To qualify for the incentive, the planted trees must:
 - Be large native trees listed in Appendix A: Plant List;
 - Be planted at the rate of 85 trees per acre; and
 - Comply with the planting standards for large trees provided in 4.4.4: General Landscaping Standards.

6. Open Space & Tree Preservation

- The Open Space Chapter and the Tree Preservation section have been merged together to allow for a more user-friendly format and ease of doing calculations. The tree preservation section requirements were maintained, and the open space requirements were modified to accommodate the tree preservation more effectively.

BOC Approved Planning Board Motions

- **Motion #2: Motion passed to make climate change integrated with the design principles to be more of a guiding force in the UDO document.**
 - We revised the UDO to integrate climate into the document more. This is demonstrated in the Introduction & Chapter 4 Development & Design Standards.
- **Motion #4: Motion passed for more clarity within the document specifically to cross references.**
 - We revised the UDO to include more cross references and ensure they reference sections more appropriately.
- **Motion #5: Motion passed to consolidate and relocate the design principles in the Building Design chapter into the purpose section.**
 - We revised Chapter 4 to have those within the purpose section of that chapter.
- **Motion #6: Motion passed to eliminate the restriction for street orientation on buildings and consider other options that might encourage passive solar designs.**
 - Revisions were made to section 4.2.3 Building Orientation to remove that restriction and instead encourage passive solar design regardless of the location of adjacent streets.
- **Motion #7: Motion passed to recommend increasing the major building addition threshold above 10%.**
 - A change was made to Chapter 4 Development & Design standards in 4.2.2.C.3 Building Additions. The change reflected that major building additions greater than 50% of the gross floor area rather than the previous 10% of the taxed value.
- **Motion #9: Motion passed for more considerations into sections 4.4.4.C and section 4.4.4.D with regards to cost, landscaping requirements, and the size of trees used.**
 - While staff agreed with this Planning Board motion, our recommendation was to have this evaluated further by the Appearance Commission prior to the effective date. That is our intended course of action.
- **Motion #10: Motion passed to consider in section 4.4.7.D the balance of vegetation around parking lots for climate and security considerations.**
 - While staff agreed with this Planning Board motion, our recommendation was to have this evaluated further by the Appearance Commission prior to the effective date. That is our intended course of action.
- **Motion #11: Motion passed to consider updating section 4.5.2.B to address outdoor lighting for amenity areas within residential subdivisions.**
 - A revision was made to 4.5.2 Applicability under item 4 to reflect that amenity areas in residential subdivisions are included.
- **Motion #15: Motion passed to consider, in section 6.1.5.F.4.a, an increase from 10% to allow more of the riparian buffers and perimeter buffers to count towards required open space.**
 - A revision was made to Chapter 6: Conservation & Open Space to count towards 30% of TSA requirement.

Public/Advisory Board & Committee Input Revisions

Based on the feedback received, staff incorporated several changes into the final draft, prioritizing comments that addressed key topics of interest for the UDO project.

Public Input

- Climate Change should be included in Design Principles and added throughout the UDO in such a way as to directly support the approach and reasoning for many of the ordinances, so that we don't lose sight of this very strong reason for the strength of our conservation aspects. If integrated, it may also aid decision-makers as well as developers in meeting these objectives. Staff made several changes to the document to address these concerns.
- Given the need for affordable living options in Chatham County, it may be reasonable to encourage ADU's with pre-set, approved floorplans (stock plans that don't have to go through planning again) be checked for setbacks and ready to be approved by the County. This will be researched further and considered to be added to the Affordable Housing Incentives Manual.
- Crossroads community development type was incompatible with the Rural Highway Commercial district and staff agreed. This development type was removed from RHC.
- Several comments emphasized the importance of incorporating terminology into the code that more effectively addresses environmental and ecosystem preservation to better support avian species & flora.

Advisory Board & Committees

- Additional language was added to the Chapter 4 Development & Design standards description to clarify that it establishes development standards for building design, landscaping, screening, lighting, and signage.
- Language was added to Chapter 4 "encourage vegetated buffers that are compatible with the County's natural lands and habitats."
- The definition for native plants and species was updated after discussion with NCSU cooperative extension.
- A comment suggested revising language to add "The use of shrubs, grasses, perennials, and groundcovers are preferred over mulch or turf grass. The use of mulch is preferred over turf grass". Staff made the changes.
- Staff made several changes regarding Sight Triangles and Naturalistic Design.
- Staff added the suggestions related to perimeter screening of parking lots that face public streets and/or adjacent sites without A or B buffers. Furthermore, more revisions to the interior parking lot landscaping were made based on the commission's recommendations.
- Staff made several edits to the language regarding transitional buffers. For instance, the following "require the installation, enhancement, or preservation of vegetated buffers, to ensure a natural..." was added to 4.4.8 A.

- The commission suggested that “the entirety of NC 87 within the county” be added to the I. Required Street Buffer Type, and it was.
- The Appearance Commission did a thorough review of Chapter 4 Development and Design Standards. The edits, deletions, typos, and suggested revisions were almost all completed by staff and the consultants.
- A comment was expressed that they may not always be able to guarantee that they will have a volunteer member with technical expertise to make a cogent recommendation. However, we still will always include the CCHA to have the opportunity to provide one.
- A comment was expressed that they would prefer language be revised in section 6.2.3 Cemetery Buffer Standards to include that vegetation removal within the cemetery or buffer should use methods that do not disturb the soil. Therefore, language was added that “any vegetation removal is accomplished without soil disturbance or the use of heavy equipment or herbicides”. The UDO final draft reflects that.
- A comment was expressed that item B under the 6.2.2 Applicability section of Cemetery Buffers needs to be revised to reflect some additional language regarding the subject parcel and those in proximity that may contain a cemetery. The language was revised to state the following “A lot located within 100 feet of the subject parcel(s) on submitted surveys, concept plans, and plats that contains a cemetery shown on Chatham County’s online Cemeteries & Historical Sites Map.412 The standards in this Section apply when a lot line of the lot proposed for development or subdivision is located less than 30 feet from all headstones, grave markers, and known or obvious unmarked burial sites on an adjacent lot”.
- A comment was expressed that the Appendix A Plant List is a standard list of plants for landscaping in Chatham and includes many nonnative exotic species. Staff will have the Appearance Commission reevaluate that list and if changes are needed then they will be made after adoption but prior to the effective date.