



Chatham County, NC

Meeting Agenda - Final

Board of Commissioners

Tuesday, January 16, 2018

6:00 PM

Historic Courthouse Courtroom

Work Session - 1:30 p.m. - Historic Courthouse Courtroom

SPECIAL PRESENTATION

[18-2480](#) Vote on a Request to adopt a Resolution Honoring Social Work Supervisor Margaret Awtrey-Kirkman

Attachments: [MKirkman BOC Resolution](#)

[18-2479](#) Vote on a Request to adopt a Resolution Honoring Assistant Finance Officer Kathryn Scott

Attachments: [KScott BOC Resolution](#)

PUBLIC INPUT SESSION

The Public Input Session is held to give citizens an opportunity to speak on any item. The session is no more than thirty minutes long to allow as many as possible to speak. Speakers are limited to no more than three minutes each and may not give their time to another speaker. Speakers are required to sign up in advance. Individuals who wish to speak but cannot because of time constraints will be carried to the next meeting and given priority. We apologize for the tight time restrictions. They are necessary to ensure that we complete our business. If you have insufficient time to finish your presentation, we welcome your comments in writing.

BOARD PRIORITIES

[18-2466](#) Vote on a request to approve a request for a hearing by Attorney Chad Riggsbee for a refund for overpayment of excise tax.

Attachments: [1789 Andrews Store Road Deed and CD, from Mr. Riggsbee](#)

[18-2460](#) Presentation of Audit

Attachments: [Audit Presentation](#)

[18-2468](#) Presentation on Go Global NC

Attachments: [GGNC PowerPoint LI- 2018 Eco-Workforce](#)
[Latino Initiative EcoWork 2018 Flyer](#)
[LI Comm Pol 2018 Flyer 12.19.17](#)

[17-2458](#) Presentation on the CCCC Health Sciences Building

Attachments: [CCCC - Chatham Health Sciences](#)

[18-2465](#) Presentation on Haw River Trail and the Lower Haw Trails Master Plan

Attachments: [Haw River Trail Corridor Presentation Chatham BOC](#)
[Complete-Paddle-Trail-Map-Alamance](#)
[Land-Trail-Map-2016-Alamance](#)

[18-2472](#) Presentation on the five year joint assessment of the Chatham County-Town of Cary Joint Land Use Plan per the interlocal agreement

Attachments: [Presentation](#)

[17-2450](#) Vote on a request by the Planning Department to schedule legislative public hearings for February 19, 2018 to consider revisions to the Chatham County Subdivision Regulations and Zoning Ordinance.

Attachments: [Subdivision Regulations REDLINE](#)
[Zoning Ordinance 12 28 17-REDLINE](#)
[Table Attachment-Legislative Changes](#)
[Table Attachment #2-Planning Department Changes](#)

[18-2474](#) Vote on a request to appoint an alternate to the Board of Equalization and Review.

[18-2482](#) Vote to Submit and Approve Appointments to the Temporary Human Relations Task Force

CLOSED SESSION

[17-2459](#) Closed Session to discuss matters relating to attorney-client privilege and economic development.

ADJOURNMENT

End of Work Session

Regular Session - 6:00 PM - Historic Courthouse Courtroom**INVOCATION and PLEDGE OF ALLEGIANCE****CALL TO ORDER****APPROVAL OF AGENDA and CONSENT AGENDA**

The Board of Commissioners uses a Consent Agenda to act on non-controversial routine items quickly. The Consent Agenda is acted upon by one motion and vote of the Board. Items may be removed from the Consent Agenda and placed on the Regular Agenda at the request of a Board member or citizen. The Consent Agenda contains the following items:

[17-2457](#) Vote on a request to approve the December 18, 2017 Work and Regular Session Minutes.

Attachments: [Draft Minutes 12.18.2017](#)

[18-2463](#) Vote on a request to approve appointments to the Climate Change Advisory Committee.

[18-2464](#) Vote on a request to approve the re-appointment of Herbert Gaines to the Board of Equalization and Review.

[18-2483](#) Vote on a request to appoint Hope Tally, Financial Operations Manager, as Deputy Finance Officer

[18-2467](#) Vote on a request to adopt a Resolution Proclaiming February 2018 as We Love Seniors Month in Chatham County.

Attachments: [we love seniors month resolution](#)

[18-2484](#) Vote on a Request to adopt a revised Resolution Establishing Check, Purchase Order and Disbursement Voucher Signing Procedures

Attachments: [Check Purchase Order and Disbursement Voucher Resolution 01-2018](#)

[18-2469](#) Vote on a request by Kirk T. Metty, PE., President, Lewis Metty Development, Inc. on behalf of Cedar Mountain Subdivision for a **twelve (12) month extension of the preliminary plat deadline to extend the deadline from January 16, 2018 to January 16, 2019.**

Attachments: [More Information from Planning Board Website](#)

- [18-2470](#) Vote on a request by Fitch Creations, Inc. for subdivision Final Plat approval of **Fearrington - Section X - Area C - Richmond Close**, consisting of 21 lots on 18.281 acres located off SR-1813, East Camden and SR-1817, Millcroft, parcel #18998
Attachments: [More Information from Planning Board Website](#)
- [18-2471](#) A request by the Chatham County Board of Commissioners to consider a technical revision to the Chatham County Comprehensive Plan.
Attachments: [Proposed revision](#)
- [18-2475](#) Vote on a Request to Approve the Ordinance Amending the Chatham County Code of Ordinances to Add New Exceptions Allowing Duly Appointed Animal Services Officers, Basic Law Enforcement Training Cadets, and Other Specifically Authorized Non-Law Enforcement Civilians to Use Law Enforcement Gun Range Facilities for Training
Attachments: [121917 Weapons Ordinance Allowing animal services officers to train at LE gun](#)
- [18-2477](#) Vote on a request to approve Tax Releases and Refunds
Attachments: [December 2017 Release and Refund Report](#)
[December 2017 NCVTS Pending Refund Report](#)
[November 2017 Manual NCVTS Pending Refund Report](#)

End of Consent Agenda

PUBLIC INPUT SESSION

The Public Input Session is held to give citizens an opportunity to speak on any item. The session is no more than thirty minutes long to allow as many as possible to speak. Speakers are limited to no more than three minutes each and may not give their time to another speaker. Speakers are required to sign up in advance. Individuals who wish to speak but cannot because of time constraints will be carried to the next meeting and given priority. We apologize for the tight time restrictions. They are necessary to ensure that we complete our business. If you have insufficient time to finish your presentation, we welcome your comments in writing.

BOARD PRIORITIES

- [18-2481](#) Vote on a request to approve the purchase agreement for Henry Siler School and notice of real property acquisition and authorize the County Manager to execute documents.
Attachments: [17 QAP Notice of Real Property Acquisition](#)
[Purchase Agreement](#)
[letter to Third Wave Housing january 2018](#)

[18-2473](#)

Vote on a request by Nicolas Robinson, on behalf of NNP-Briar Chapel, LLC, for a Compact Communities Ordinance (CCO) waiver to allow a riparian buffer encroachment and stream crossing between phases 16 South and North.

Attachments: [More Information from Planning Department Website](#)

[18-2489](#)

Vote on a request to adopt a Resolution Urging a State-Level Response to Protect Water Resources From Contamination.

Attachments: [resolution urging state funding for contamination of waters jan 2018](#)

MANAGER' S REPORTS

COMMISSIONERS' REPORTS

ADJOURNMENT



Chatham County, NC

Text File

File Number: 18-2480

Agenda Date: 1/16/2018

Version: 1

Status: Board Priorities

In Control: Human Resources

File Type: Resolution

Agenda Number:

Vote on a Request to adopt a Resolution Honoring Social Work Supervisor Margaret Awtrey-Kirkman

Action Requested: Vote on a Request to adopt a Resolution Honoring Social Work Supervisor Margaret Awtrey-Kirkman

Introduction & Background: Margaret Kirkman started her career with Chatham County in the Library in September of 1988 as a Library Assistant, then moving to social services and an Income Maintenance Caseworker in January 1990. In 1991, she was promoted to a social worker position in the Family Services division of Social Services and as the member of the team that provides adult protective services to the older and fragile adult population of Chatham County. Margaret has worked tirelessly to help those who have no one or cannot manage on their own and maintain state standards for care homes and advocate for those that need protection. Her reputation in the community is known and respected by human service agencies and law enforcement, and she has served in leadership roles in interagency and state level committees, and the North Carolina Adult Foster Care Association. Margaret will be greatly missed when she retires on January 26, 2018.

Discussion & Analysis: N/A

How does this relate to the Comprehensive Plan: N/A

Budgetary Impact: N/A

Recommendation: Adopt a resolution honoring Margaret Awtrey-Kirkman's service to Chatham County



CHATHAM COUNTY COMMISSIONERS

Diana Hales, Chair
Mike Dasher, Vice Chair
Jim Crawford
Karen Howard
Walter Petty

COUNTY MANAGER

Renee Paschal

P. O. Box 1809, Pittsboro, NC 27312-1809 • Phone: (919) 542-8200

Resolution of the Chatham County Board of Commissioners

A Resolution Honoring Social Work Supervisor Margaret Awtrey-Kirkman

WHEREAS, Margaret Kirkman has been held several key positions in the Chatham County during her tenure and has served with distinction in each position; and

WHEREAS, Margaret Kirkman started her career with Chatham County in the Library in September of 1988 as a Library Assistant, then moving to social services and an Income Maintenance Caseworker in January 1990; and

WHEREAS, in 1991 Margaret was promoted to a social worker position in the family services division of social services and as the member of the team that provides adult protective services to the older and fragile adult population of Chatham County, Margaret has worked tirelessly to help those who have no one or cannot manage on their own, maintain state standards for care homes and advocate for those that need protection; and

WHEREAS, Margaret's reputation in the community is known and respected by human service agencies and law enforcement, and she has served in leadership roles in interagency and state level committees, and the North Carolina Adult Foster Care Association; and

WHEREAS, Margaret Kirkman will be greatly missed when she retires on January 26, 2018.

NOW, THEREFORE, BE IT RESOLVED by the Chatham County Board of County Commissioners that we applaud Margaret Kirkman's accomplishments and contributions during her service and wish her a long and happy retirement.

Adopted, this the ____ day of _____.

Diana Hales, Chair
Chatham County Board of Commissioners

ATTEST:

Lindsay K. Ray, NCCCC, Clerk to the Board
Chatham County Board of Commissioners



Chatham County, NC

Text File

File Number: 18-2479

Agenda Date: 1/16/2018

Version: 1

Status: Board Priorities

In Control: Human Resources

File Type: Resolution

Agenda Number:

Vote on a Request to adopt a Resolution Honoring Assistant Finance Officer Kathryn Scott

Action Requested: Vote on a Request to adopt a Resolution Honoring Assistant Finance Officer Kathryn Scott

Introduction & Background: Kathy Scott was hired in January of 1986 as an Accounting Technician in the Chatham County Finance Office. She has held several key positions in the Chatham County Finance Office during her tenure and has served with distinction in each position. After her promotion to accountant in 1991, Kathy worked to grow and modernize the financial framework and operations of Chatham County, facilitating two software transitions, overseeing millions of dollars investments, and establishing and managing the procurement card program. As a key manager of Chatham County's investment funds, Kathy has consistently maximized interest earnings and contributed significantly to the outstanding fiscal health of Chatham County and AAA bond rating. Kathy retires on January 31, 2018

Discussion & Analysis: N/A

How does this relate to the Comprehensive Plan: N/A

Budgetary Impact: N/A

Recommendation: Adopt a resolution honoring Kathryn Scott's service to Chatham County



CHATHAM COUNTY COMMISSIONERS

Diana Hales, Chair
Mike Dasher, Vice Chair
Jim Crawford
Karen Howard
Walter Petty

COUNTY MANAGER

Renee Paschal

P. O. Box 1809, Pittsboro, NC 27312-1809 • Phone: (919) 542-8200

Resolution of the Chatham County Board of Commissioners

A Resolution Honoring Assistant Finance Officer Kathryn Scott

WHEREAS, Kathy Scott has held several key positions in the Chatham County Finance Office during her tenure and has served with distinction in each position; and

WHEREAS, Kathy Scott was hired in January of 1986 as an Accounting Technician in the Chatham County Finance Office; and

WHEREAS, after her promotion to accountant in 1991, Kathy worked to grow and modernize the financial framework and operations of Chatham County, facilitating two software transitions, overseeing millions of dollars investments, and establishing and managing the procurement card program; and

WHEREAS, as a key manager of Chatham County's investment funds, Kathy has consistently maximized interest earnings and contributed significantly to the outstanding fiscal health of Chatham County and AAA bond rating; and

WHEREAS, Kathy Scott will be greatly missed when she retires on January 31, 2018.

NOW, THEREFORE, BE IT RESOLVED by the Chatham County Board of County Commissioners that we applaud Kathy Scott's accomplishments and contributions during her service and wish her a long and happy retirement.

Adopted, this the ____ day of _____.

Diana Hales, Chair
Chatham County Board of Commissioners

ATTEST:

Lindsay K. Ray, NCCCC, Clerk to the Board
Chatham County Board of Commissioners



Chatham County, NC

Text File

File Number: 18-2466

Agenda Date: 1/16/2018

Version: 1

Status: Work Session

In Control: Board of Commissioners

File Type: Agenda Item

Agenda Number:

Vote on a request to approve a request for a hearing by Attorney Chad Riggsbee for a refund for overpayment of excise tax.

Action Requested: Vote on a request to approve a request by Attorney Chad Riggsbee for a refund for overpayment of tax.

Introduction & Background:

North Carolina General Statute 105-228.37 explains the process to refund overpayment of tax.

(a) Refund Request. - A taxpayer who pays more tax than is due under this Article may request a refund of the overpayment by filing a written request for a refund with the board of county commissioners of the county where the tax was paid. The request must be filed within six months after the date the tax was paid and must explain why the taxpayer believes a refund is due.

(b) Hearing by County. - A board of county commissioners must conduct a hearing on a request for refund. Within 60 days after a timely request for a refund has been filed and at least 10 days before the date set for the hearing, the board must notify the taxpayer in writing of the time and place at which the hearing will be conducted. The date set for the hearing must be within 90 days after the timely request for a hearing was filed or at a later date mutually agreed upon by the taxpayer and the board. The board must make a decision on the requested refund within 90 days after conducting a hearing under this subsection.

Discussion & Analysis: Attached is a copy of the recorded Deed and Closing Disclosure for a real estate closing Mr. Chad Riggsbee completed for 1789 Andrews Store Road, Pittsboro, NC 27312. Unfortunately, at the time of electronically recording the Deed with the County, the Revenue Stamps amount was mistyped as \$1100.00, when the correct amount of revenue stamps was actually \$110.00. The County accepted the Deed, charging \$1100 to Mr. Riggsbee's Debit Card. As you can see from the enclosed Closing Disclosure, the Purchase Price of the property was actually \$55,000.00 - therefore, the correct amount of revenue stamps should have been \$110.00 (not \$1100.00, with the extra zero being typed in by mistake). Given that this was a numerical typographical error, Mr. Riggsbee would like to request, then, a refund for overpayment of tax from the Chatham County Board of Commissioners.

How does this relate to the Comprehensive Plan: N/A

Budgetary Impact: \$1,000

Recommendation: Vote on a request to approve a request by Attorney Chad Riggsbee for a refund for overpayment of tax.

FILED ELECTRONICALLY
CHATHAM COUNTY NC
LUNDAY A. RIGGSBEE
REGISTER OF DEEDS

FILED Oct 30, 2017
AT 03:32:06 PM
BOOK 01954
START PAGE 0608
END PAGE 0612
INSTRUMENT # 12208
EXCISE TAX \$1,100.00

Revenue Stamps: \$1100.00

Parcel ID #0066120

Prepared by: Chad Wesley Riggsbee, Attorney at Law, P.O. Box 147, Pittsboro, NC 27312

Return to Grantee

Description for the Index: 1789 Andrews Store Road, Pittsboro, NC 27312

STATE OF NORTH CAROLINA)
) GENERAL WARRANTY DEED
COUNTY OF CHATHAM)

THIS DEED made this 26th day of October, 2017, by
and between

GRANTOR: **JAMES D. ELLIS and LINDA A. ELLIS**
 A Married Couple
 110 East Raleigh Street
 Siler City, NC 27344

EDWARD L. WEINTRAUB
An Unmarried Man
1789 Andrews Store Road
Pittsboro, NC 27312

GRANTEE: **SUSAN FRANCES SMYTH BOLLING and ROBERT S. BOLLING**
 A Married Couple
 1789 Andrews Store Road
 Pittsboro, NC 27312

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

Submitted electronically by "The Law Office of Chad W. Riggsbee"
in compliance with North Carolina statutes governing recordable documents
and the terms of the submitter agreement with the Chatham County Register of Deeds.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all those certain lots or parcels of land situated in Chatham County, North Carolina, and more particularly described as:

CONTAINING 2.000 ACRES AND BEING ALL OF LOT A OF CAROLINA FARM, AS PER PLAT THEREOF ON FILE AT PLAT SLIDE 2007-133, CHATHAM COUNTY REGISTRY.

The property herein described was acquired by Grantor via instrument recorded in Deed Book 1673, Page 646, Chatham County Registry. This property was not the personal residence of the Grantor.

TO HAVE AND TO HOLD the aforesaid lots or parcels of land and all privileges and appurtenances thereto belonging to Grantees in fee simple.

And the Grantor covenant with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated. Title to the property hereinabove described is subject to the following exceptions: Restrictions, rights of way and easements of record.

IN WITNESS WHEREOF, the Grantors have caused this instrument to be signed and sealed this the day and year first above written.

SIGNATURE PAGES TO FOLLOW

James D. Ellis (SEAL)
JAMES D. ELLIS

State of North Carolina

County of Chatham

I, Victor H. Alcantara Vences Y Casas, a Notary Public for said State and County, do hereby certify that JAMES D. ELLIS appeared before me this day and acknowledged his due execution of the foregoing instrument for the purposes therein expressed.

WITNESS my hand and notarial seal, this the 18th day of October, 2017.

Victor H. Alcantara Vences Y Casas
Notary Public

My Commission Expires: 8-10-20

Victor H Alcantara Vences Y Casas
Notary Public
Randolph County
North Carolina
My Commission Expires 8-10-20

Linda A. Ellis (SEAL)
LINDA A. ELLIS

State of North Carolina

County of Chatham

I, Victor H. Alcantara Vences Y Casas, a Notary Public for said State and County, do hereby certify that LINDA A. ELLIS appeared before me this day and acknowledged his due execution of the foregoing instrument for the purposes therein expressed.

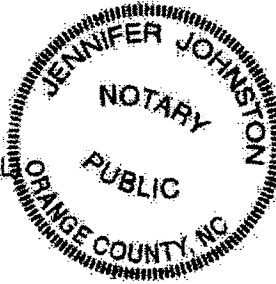
WITNESS my hand and notarial seal, this the 17 day of October, 2017.

Victor H. Alcantara Vences Y Casas
Notary Public

My Commission Expires: 8-10-20

Victor H Alcantara Vences Y Casas
Notary Public
Randolph County
North Carolina
My Commission Expires 8-10-20


EDWARD L. WEINTRAUB



State of North Carolina

County of Orange

I, Jennifer Johnston, a Notary Public for said State and County, do hereby certify that **EDWARD L. WEINTRAUB** appeared before me this day and acknowledged his due execution of the foregoing instrument for the purposes therein expressed.

WITNESS my hand and notarial seal, this the 26 day of October, 2017.


Notary Public

My Commission Expires: 11/15/20

Closing Disclosure

This form is a statement of final loan terms and closing costs. Compare this document with your Loan Estimate.

Closing Information

Date Issued 10/25/2017
Closing Date 10/30/2017
Disbursement Date 10/30/2017
Settlement Agent The Law Offices of Chad Wesley Riggsbee, PLLC
File # 17020178004
Property 1789 Andrews Store Rd. PITTSBORO, NC 27312
Sale Price \$55,000.00

Transaction Information

Borrower ROBERT S BOLLING and SUSAN FRANCES SMYTH BOLLING
 190 HATLEY RD.
 PITTSBORO, NC 27312
Seller EDWARD WEINTRAUB and DOUGLAS ELLIS
 PO BOX 1354
 CHAPEL HILL, NC 27514
Lender Benchmark Community Bank

Loan Information

Loan Term 5 years
Purpose Purchase
Product Year 5 Balloon Payment, Fixed Rate
Loan Type ☒ Conventional ☐ FHA ☐ VA ☐ _____
Loan ID # 17020178004
MIC #

Loan Terms		Can this amount increase after closing?
Loan Amount	\$44,000	NO
Interest Rate	5.09%	NO
Monthly Principal & Interest <i>See Projected Payments below for your Estimated Total Monthly Payment</i>	\$350.04	NO
Does the loan have these features?		
Prepayment Penalty	NO	
Balloon Payment	YES • You will have to pay \$33,210 at the end of year 5	

Projected Payments		
Payment Calculation	Year 1-5	Final Payment
Principal & Interest	\$350.04	\$33,209.81
Mortgage Insurance	+ 0	+ 0
Estimated Escrow <i>Amount can increase over time</i>	+ 0	+ 0
Estimated Total Monthly Payment	\$350.04	\$33,209.81
Estimated Taxes, Insurance & Assessments <i>Amount can increase over time See page 4 for details</i>	\$42.02 a month	This estimate includes <input checked="" type="checkbox"/> Property Taxes <input type="checkbox"/> Homeowner's Insurance <input type="checkbox"/> Other: <i>See Escrow Account on page 4 for details. You must pay for other property costs separately.</i>
		In escrow? NO

Costs at Closing	
Closing Costs	\$1,893.90 Includes \$1,656.30 in Loan Costs + \$237.60 in Other Costs – \$0.00 in Lender Credits. See page 2 for details.
Cash to Close	\$11,893.90 Includes Closing Costs. See Calculating Cash to Close on page 3 for details.

Closing Cost Details

Loan Costs	Borrower-Paid		Seller-Paid		Paid by Others
	At Closing	Before Closing	At Closing	Before Closing	
A. Origination Charges	\$700.00				
01 % of Loan Amount (Points)					
02 Appraisal Desk Review Fee	\$50.00				
03 Document Preparation Fee	\$150.00				
04 Loan Origination Fee	\$500.00				
05					
06					
07					
08					
B. Services Borrower Did Not Shop For	\$275.00				
01 Appraisal Fee to Appraisal Fee	\$250.00				
02 Credit Report Fee to Kroll Factual Data	\$10.00				
03 Flood Certification to ServiceLink National Flood	\$15.00				
04					
05					
06					
07					
08					
09					
10					
C. Services Borrower Did Shop For	\$681.30				
01 Title - Lenders Coverage Premium to Investors Title	\$131.30				
02 Title - Settlement/Closing Fee to Law Office of Chad Wesley Riggsbee	\$550.00				
03					
04					
05					
06					
07					
08					
D. TOTAL LOAN COSTS (Borrower-Paid)	\$1,656.30				
Loan Costs Subtotals (A + B + C)	\$1,656.30				
Other Costs					
E. Taxes and Other Government Fees	\$100.00				
01 Recording Fees Deed: \$26.00 Mortgage: \$74.00	\$100.00				
02					
F. Prepaids	\$85.65				
01 Homeowner's Insurance Premium (mo.)					
02 Mortgage Insurance Premium (mo.)					
03 Prepaid Interest (\$0 per day from to)					
04 Property Taxes (2 mo.) to Chatham County Tax	\$85.65				
05					
G. Initial Escrow Payment at Closing					
01 Homeowner's Insurance per month for mo.					
02 Mortgage Insurance per month for mo.					
03 Property Taxes per month for mo.					
04					
05					
06					
07					
08 Aggregate Adjustment					
H. Other	\$51.95				
01 Title - Owners Coverage Prem. (optional) to Investors Title	\$51.95				
02					
03					
04					
05					
06					
07					
08					
I. TOTAL OTHER COSTS (Borrower-Paid)	\$237.60				
Other Costs Subtotals (E + F + G + H)	\$237.60				
J. TOTAL CLOSING COSTS (Borrower-Paid)	\$1,893.90				
Closing Costs Subtotals (D + I)	\$1,893.90				
Lender Credits					

CLOSING DISCLOSURE

© 2016-2017 Compliance Systems, Inc. 619729b0-6b094bdd - 2017.72.1.19

Calculating Cash to Close

Use this table to see what has changed from your Loan Estimate.

	Loan Estimate	Final	Did this change?
Total Closing Costs (J)	\$2,788	\$1,893.90	YES • See Total Loan Costs (D) and Total Other Costs (I)
Closing Costs Paid Before Closing	\$0	\$0.00	NO
Closing Costs Financed (Paid from your Loan Amount)	\$0	\$0.00	NO
Down Payment/Funds from Borrower	\$11,000	\$11,000.00	NO
Deposit	- \$1,000	- \$500.00	YES • You decreased this payment. See Deposit in Section L
Funds for Borrower	\$0	\$0.00	NO
Seller Credits	\$0	\$0.00	NO
Adjustments and Other Credits	\$0	- \$500.00	YES • See details in Sections K and L
Cash to Close	\$12,788	\$11,893.90	

Summaries of Transactions

Use this table to see a summary of your transaction.

BORROWER'S TRANSACTION

K. Due from Borrower at Closing	\$56,893.90
01 Sale Price of Property	\$55,000.00
02 Sale Price of Any Personal Property Included in Sale	
03 Closing Costs Paid at Closing (J)	\$1,893.90
04	
Adjustments	
05	
06	
07	
Adjustments for Items Paid by Seller in Advance	
08 City/Town Taxes to	
09 County Taxes to	
10 Assessments to	
11	
12	
13	
14	
15	
L. Paid Already by or on Behalf of Borrower at Closing	\$45,000.00
01 Deposit	\$500.00
02 Loan Amount	\$44,000.00
03 Existing Loan(s) Assumed or Taken Subject to	
04	
05 Seller Credit	
Other Credits	
06 Due Diligence Fee from Seller	\$500.00
07	
Adjustments	
08	
09	
10	
11	
Adjustments for Items Unpaid by Seller	
12 City/Town Taxes to	
13 County Taxes to	
14 Assessments to	
15	
16	
17	
CALCULATION	
Total Due from Borrower at Closing (K)	\$56,893.90
Total Paid Already by or on Behalf of Borrower at Closing (L)	-\$45,000.00
Cash to Close <input checked="" type="checkbox"/> From <input type="checkbox"/> To Borrower	\$11,893.90

SELLER'S TRANSACTION

M. Due to Seller at Closing	\$55,000.00
01 Sale Price of Property	\$55,000.00
02 Sale Price of Any Personal Property Included in Sale	
03	
04	
05	
06	
07	
08	
Adjustments for Items Paid by Seller in Advance	
09 City/Town Taxes to	
10 County Taxes to	
11 Assessments to	
12	
13	
14	
15	
16	
N. Due from Seller at Closing	\$4,478.58
01 Excess Deposit	
02 Closing Costs Paid at Closing (J)	
03 Existing Loan(s) Assumed or Taken Subject to	
04 Payoff of First Mortgage Loan	
05 Payoff of Second Mortgage Loan	
06 Closing costs paid at closing	\$3,978.58
07 Due diligence fee	\$500.00
08 Seller Credit	
09	
10	
11	
12	
13	
Adjustments for Items Unpaid by Seller	
14 City/Town Taxes to	
15 County Taxes to	
16 Assessments to	
17	
18	
19	
CALCULATION	
Total Due to Seller at Closing (M)	\$55,000.00
Total Due from Seller at Closing (N)	-\$4,478.58
Cash <input type="checkbox"/> From <input checked="" type="checkbox"/> To Seller	\$50,521.42

Additional Information About This Loan

Loan Disclosures

Assumption

If you sell or transfer this property to another person, your lender

- ☐ will allow, under certain conditions, this person to assume this loan on the original terms.
- ☒ will not allow assumption of this loan on the original terms.

Demand Feature

Your loan

- ☐ has a demand feature, which permits your lender to require early repayment of the loan. You should review your note for details.
- ☒ does not have a demand feature.

Late Payment

If your payment is more than 15 days late, your lender will charge a late fee of 4.000% of the amount of the regularly scheduled payment then past due, subject to a maximum charge of \$500.00 and a minimum charge of \$0.01.

Negative Amortization (Increase in Loan Amount)

Under your loan terms, you

- ☐ are scheduled to make monthly payments that do not pay all of the interest due that month. As a result, your loan amount will increase (negatively amortize), and your loan amount will likely become larger than your original loan amount. Increases in your loan amount lower the equity you have in this property.
- ☐ may have monthly payments that do not pay all of the interest due that month. If you do, your loan amount will increase (negatively amortize), and, as a result, your loan amount may become larger than your original loan amount. Increases in your loan amount lower the equity you have in this property.
- ☒ do not have a negative amortization feature.

Partial Payments

Your lender

- ☒ may accept payments that are less than the full amount due (partial payments) and apply them to your loan.
- ☐ may hold them in a separate account until you pay the rest of the payment, and then apply the full payment to your loan.
- ☐ does not accept any partial payments.
- If this loan is sold, your new lender may have a different policy.

Security Interest

You are granting a security interest in

1789 Andrews Store Rd., PITTSBORO, NC 27312

You may lose this property if you do not make your payments or satisfy other obligations for this loan.

Escrow Account

For now, your loan

- ☐ will have an escrow account (also called an "impound" or "trust" account) to pay the property costs listed below. Without an escrow account, you would pay them directly, possibly in one or two large payments a year. Your lender may be liable for penalties and interest for failing to make a payment.

Escrow		
Escrowed Property Costs over Year 1		Estimated total amount over year 1 for your escrowed property costs:
Non-Escrowed Property Costs over Year 1		Estimated total amount over year 1 for your non-escrowed property costs: You may have other property costs.
Initial Escrow Payment		A cushion for the escrow account you pay at closing. See Section G on page 2.
Monthly Escrow Payment		The amount included in your total monthly payment.

- ☒ will not have an escrow account because ☐ you declined it ☒ your lender does not offer one. You must directly pay your property costs, such as taxes and homeowner's insurance. Contact your lender to ask if your loan can have an escrow account.

No Escrow		
Estimated Property Costs over Year 1	\$504.24	Estimated total amount over year 1. You must pay these costs directly, possibly in one or two large payments a year.
Escrow Waiver Fee		

In the future,

Your property costs may change and, as a result, your escrow payment may change. You may be able to cancel your escrow account, but if you do, you must pay your property costs directly. If you fail to pay your property taxes, your state or local government may (1) impose fines and penalties or (2) place a tax lien on this property. If you fail to pay any of your property costs, your lender may (1) add the amounts to your loan balance, (2) add an escrow account to your loan, or (3) require you to pay for property insurance that the lender buys on your behalf, which likely would cost more and provide fewer benefits than what you could buy on your own.

Loan Calculations

Total of Payments. Total you will have paid after you make all payments of principal, interest, mortgage insurance, and loan costs, as scheduled.	\$55,518.47
Finance Charge. The dollar amount the loan will cost you.	\$10,927.17
Amount Financed. The loan amount available after paying your upfront finance charge.	\$42,935.00
Annual Percentage Rate (APR). Your costs over the loan term expressed as a rate. This is not your interest rate.	5.719%
Total Interest Percentage (TIP). The total amount of interest that you will pay over the loan term as a percentage of your loan amount.	22.414%



Questions? If you have questions about the loan terms or costs on this form, use the contact information below. To get more information or make a complaint, contact the Consumer Financial Protection Bureau at www.consumerfinance.gov/mortgage-closing

Other Disclosures

Contract Details

See your note and security instrument for information about

- what happens if you fail to make your payments,
- what is a default on the loan,
- situations in which your lender can require early repayment of the loan, and
- the rules for making payments before they are due.

Liability after Foreclosure

If your lender forecloses on this property and the foreclosure does not cover the amount of unpaid balance on this loan,

- ☒ state law may protect you from liability for the unpaid balance. If you refinance or take on any additional debt on this property, you may lose this protection and have to pay any debt remaining even after foreclosure. You may want to consult a lawyer for more information.
- ☐ state law does not protect you from liability for the unpaid balance.

Refinance

Refinancing this loan will depend on your future financial situation, the property value, and market conditions. You may not be able to refinance this loan.

Tax Deductions

If you borrow more than this property is worth, the interest on the loan amount above this property's fair market value is not deductible from your federal income taxes. You should consult a tax advisor for more information.

Contact Information

	Lender	Settlement Agent
Name	Benchmark Community Bank	The Law Offices of Chad Wesley Riggsbee, PLLC
Address	12335 Wake Union Church Rd, Unit 206 Wake Forest, NC 27587	288 East Street Suite 2004 Pittsboro, NC 27312
NMLS ID	402611	27312
__ License ID		
Contact	Holly Blackwell	Chad Wesley Riggsbee
Contact NMLS ID	709466	48279
Contact __ License ID		
Email	holly.blackwell@bcbonline.com	chad@riggsbeelaw.com
Phone	(434)447-4256	(919)542-6262

Confirm Receipt

By signing, you are only confirming that you have received this form. You do not have to accept this loan because you have signed or received this form.

ROBERT S BOLLING

Date

SUSAN FRANCES SMYTH BOLLING

Date



Chatham County, NC

Text File

File Number: 18-2460

Agenda Date: 1/16/2018

Version: 1

Status: Work Session

In Control: Board of Commissioners

File Type: Agenda Item

Presentation of Audit



MARTIN • STARNES

 & ASSOCIATES, CPAs, P.A.

Chatham County

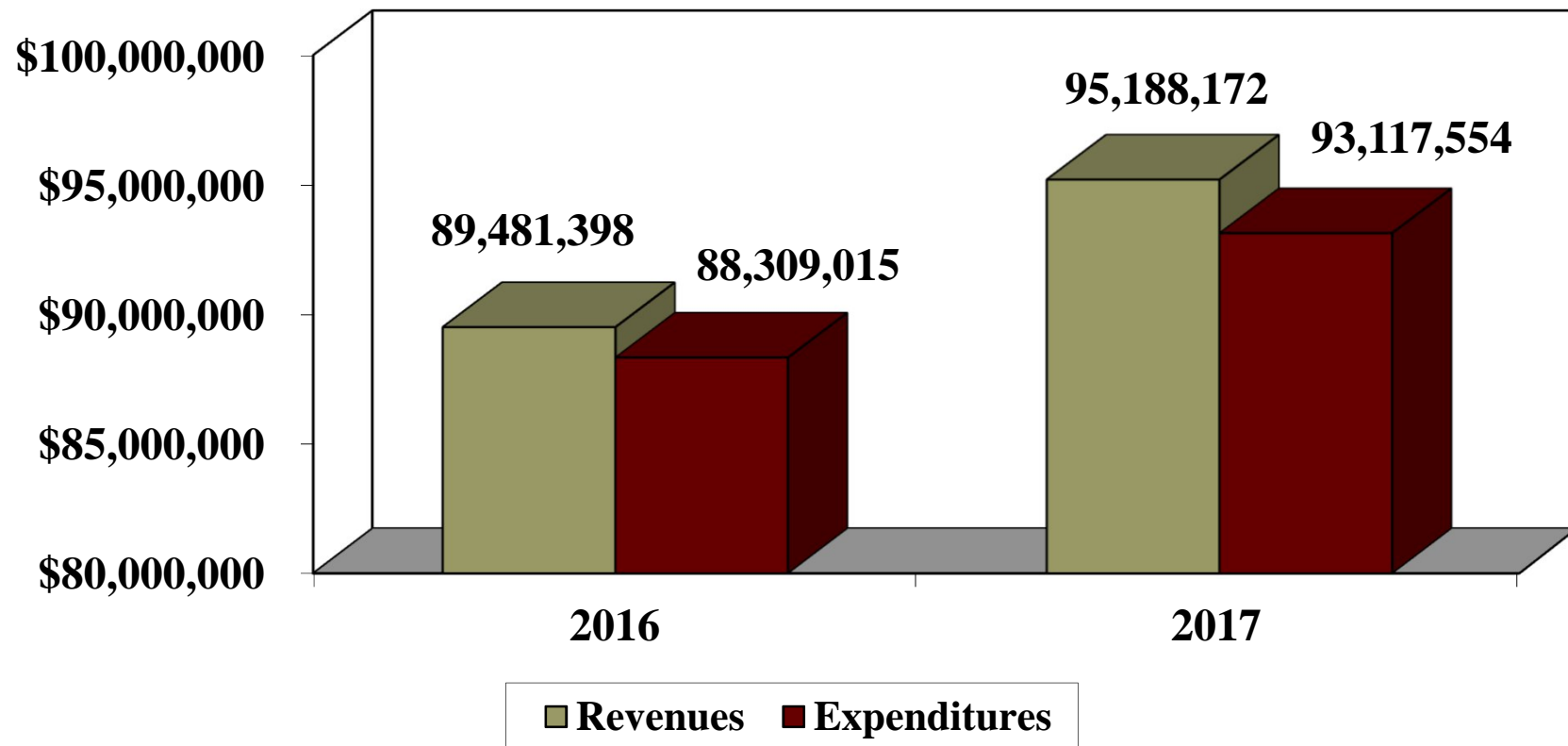
2017 Audited Financial Statements



Audit Highlights

- ❑ Unmodified Opinion
- ❑ Cooperative staff

General Fund Summary





Fund Balance

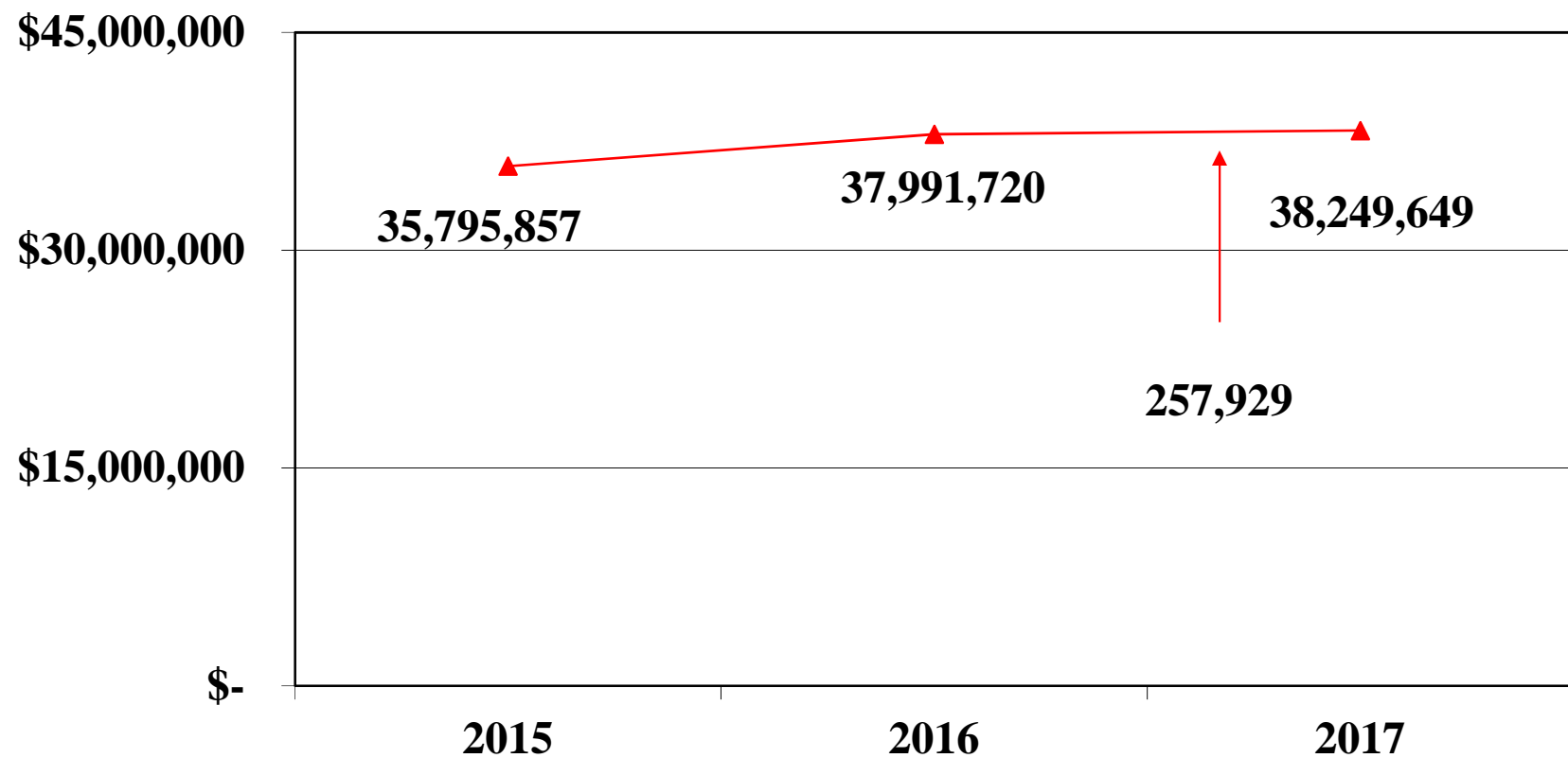
- Serves as a measure of the County's financial resources available.

5 Classifications:

- **Non spendable** - not in cash form
- **Restricted** - external restrictions (laws, grantors)
- **Committed** - internal constraints at the highest (Board) level-do not expire, require Board action to undo
- **Assigned** - internal constraints, lower level than committed
- **Unassigned** - no external or internal constraints

Total Fund Balance

General Fund





Fund Balance

Available fund balance as defined by the Local Government Commission (LGC) is calculated as follows:

Total Fund Balance

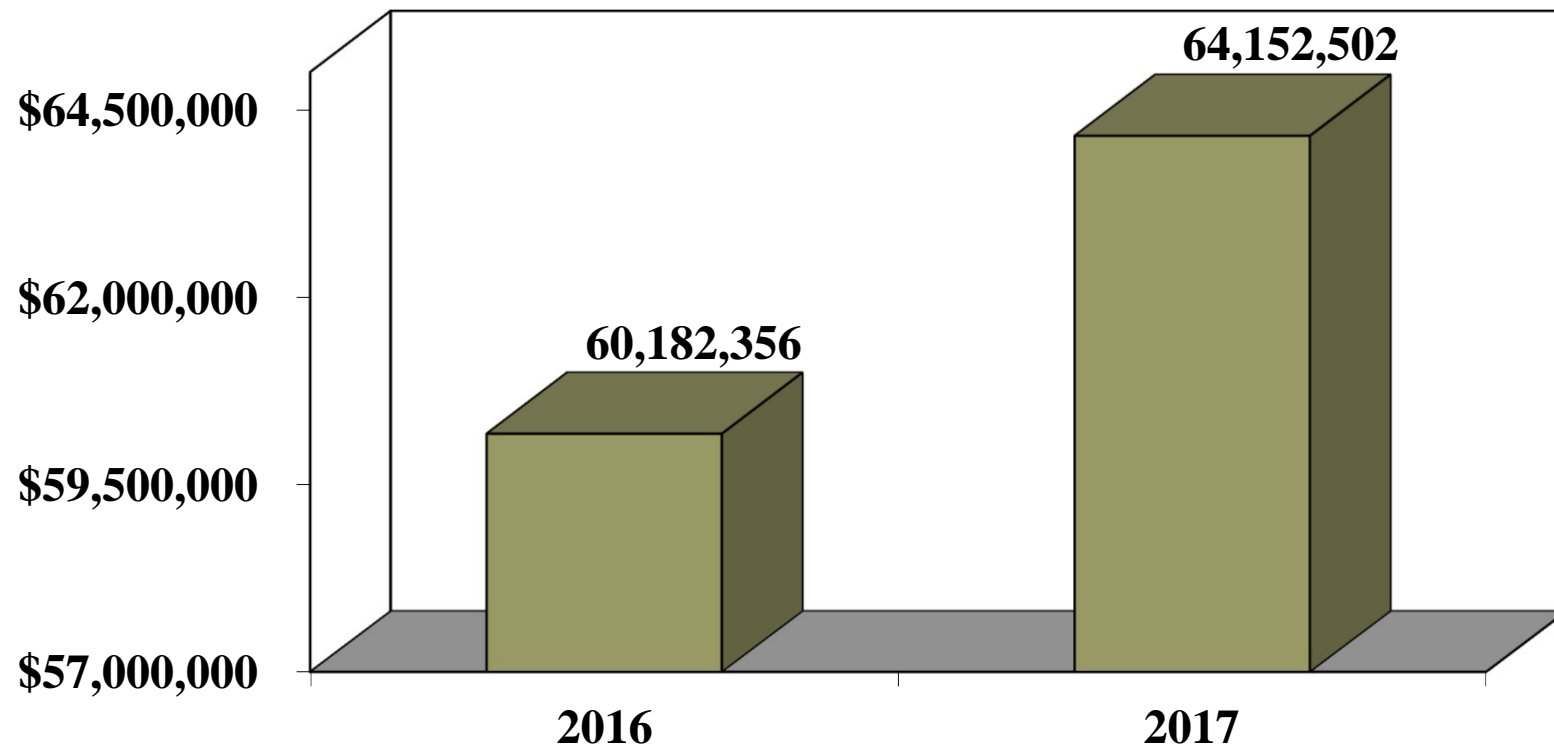
Less: Non spendable (not in cash form, not available)

Less: Stabilization by State Statute (by state law, not available)

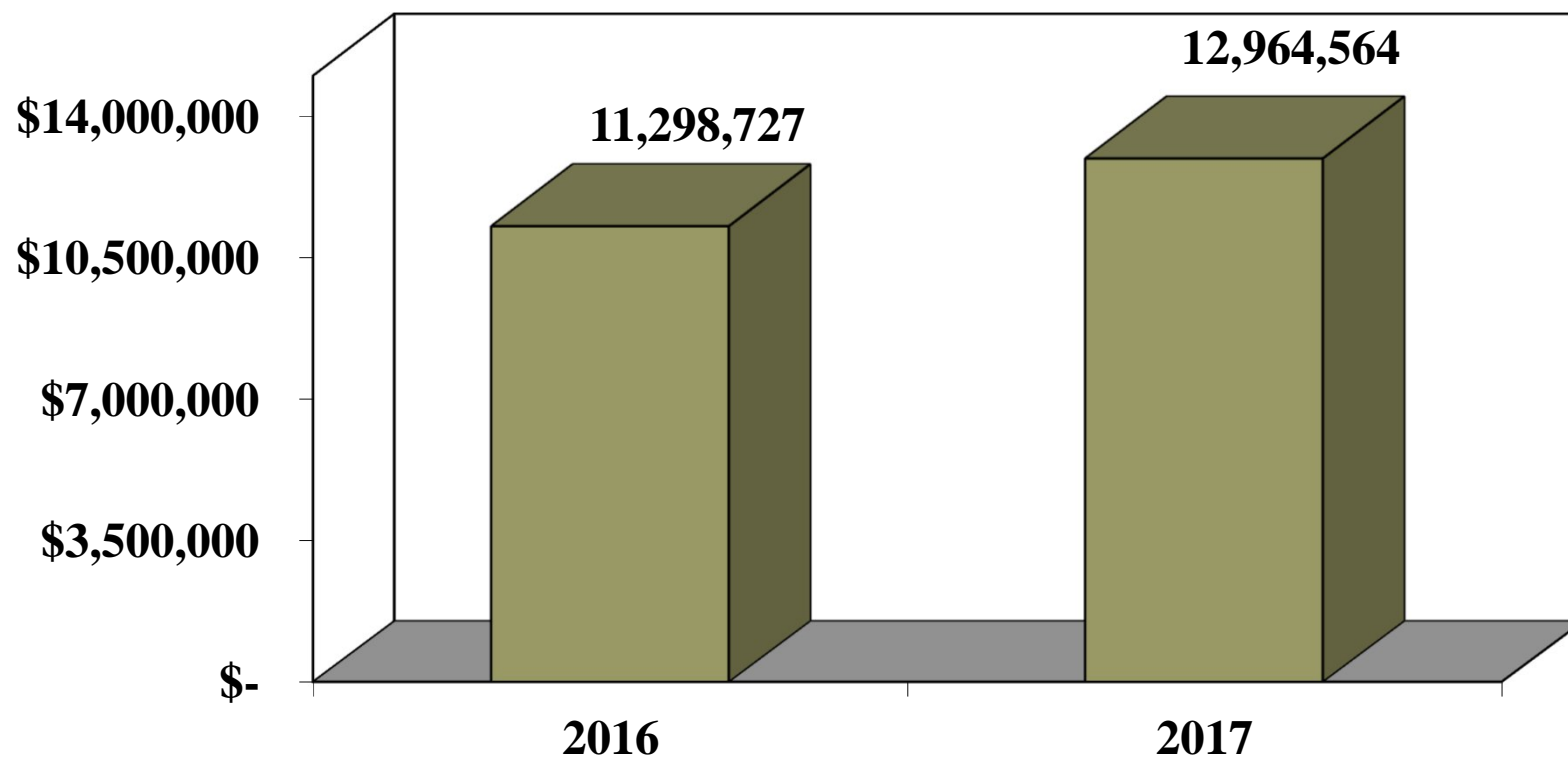
Available Fund Balance

This is the calculation utilized as the basis for comparing you to other units and calculating your fund balance percentages.

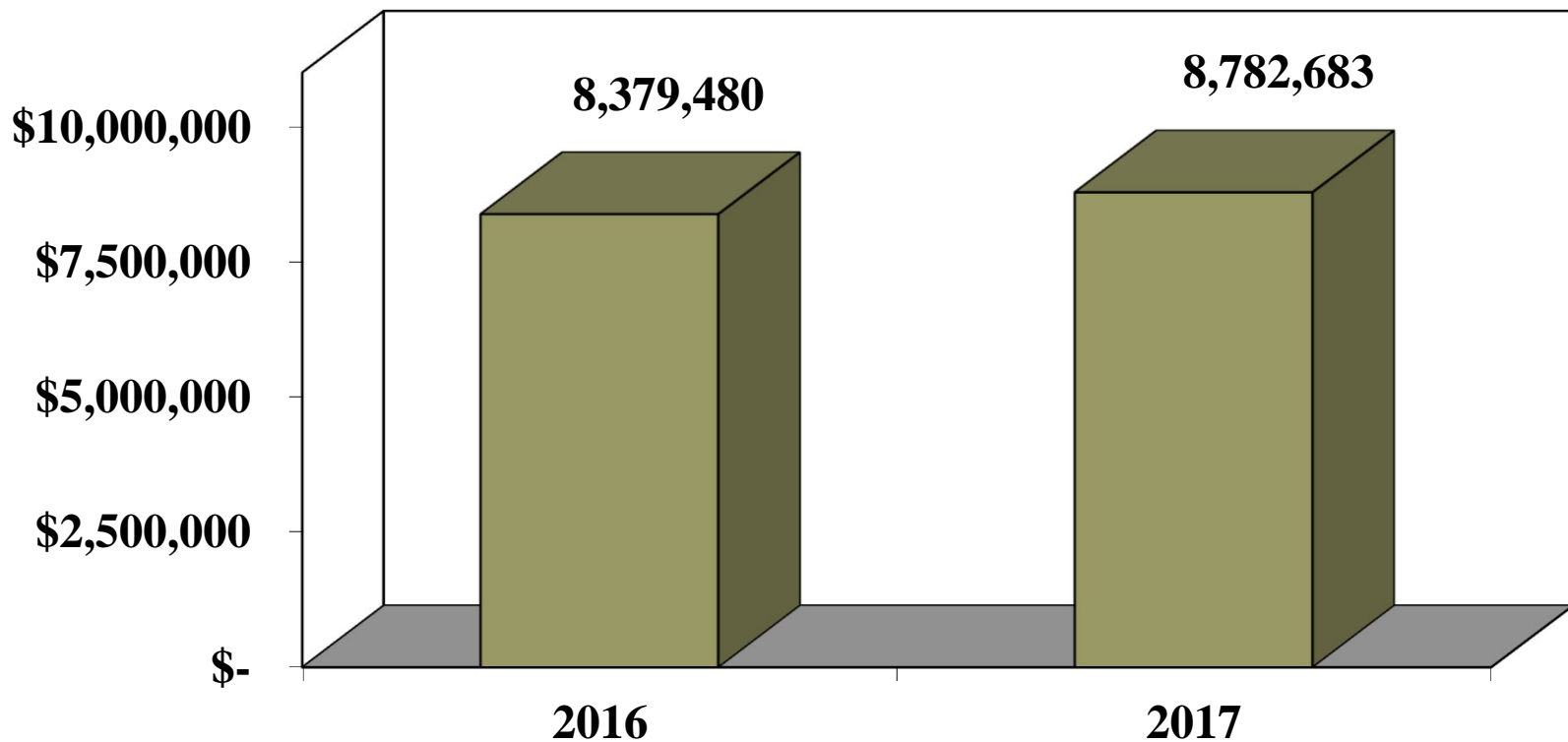
Property Tax



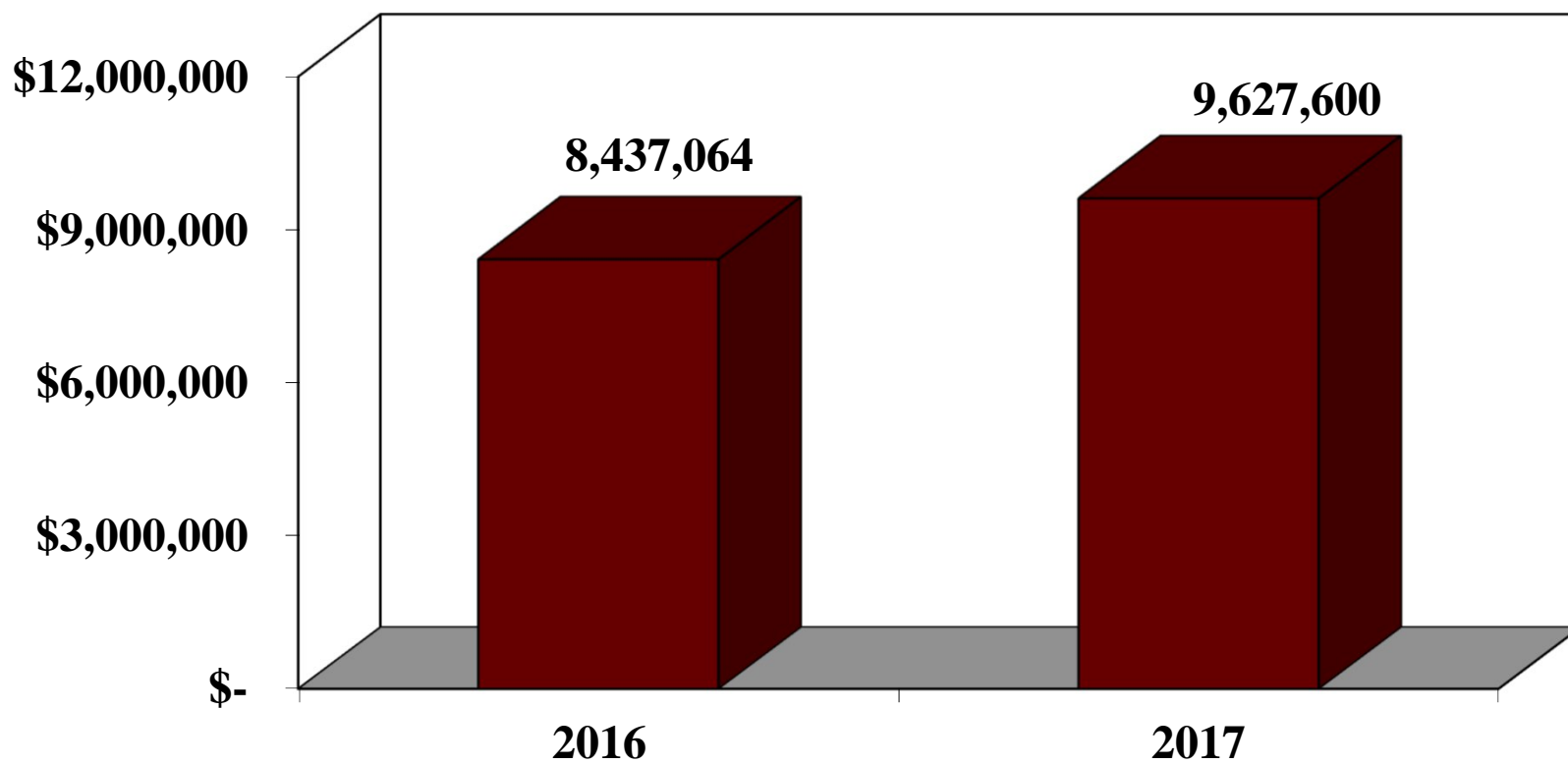
Sales Tax



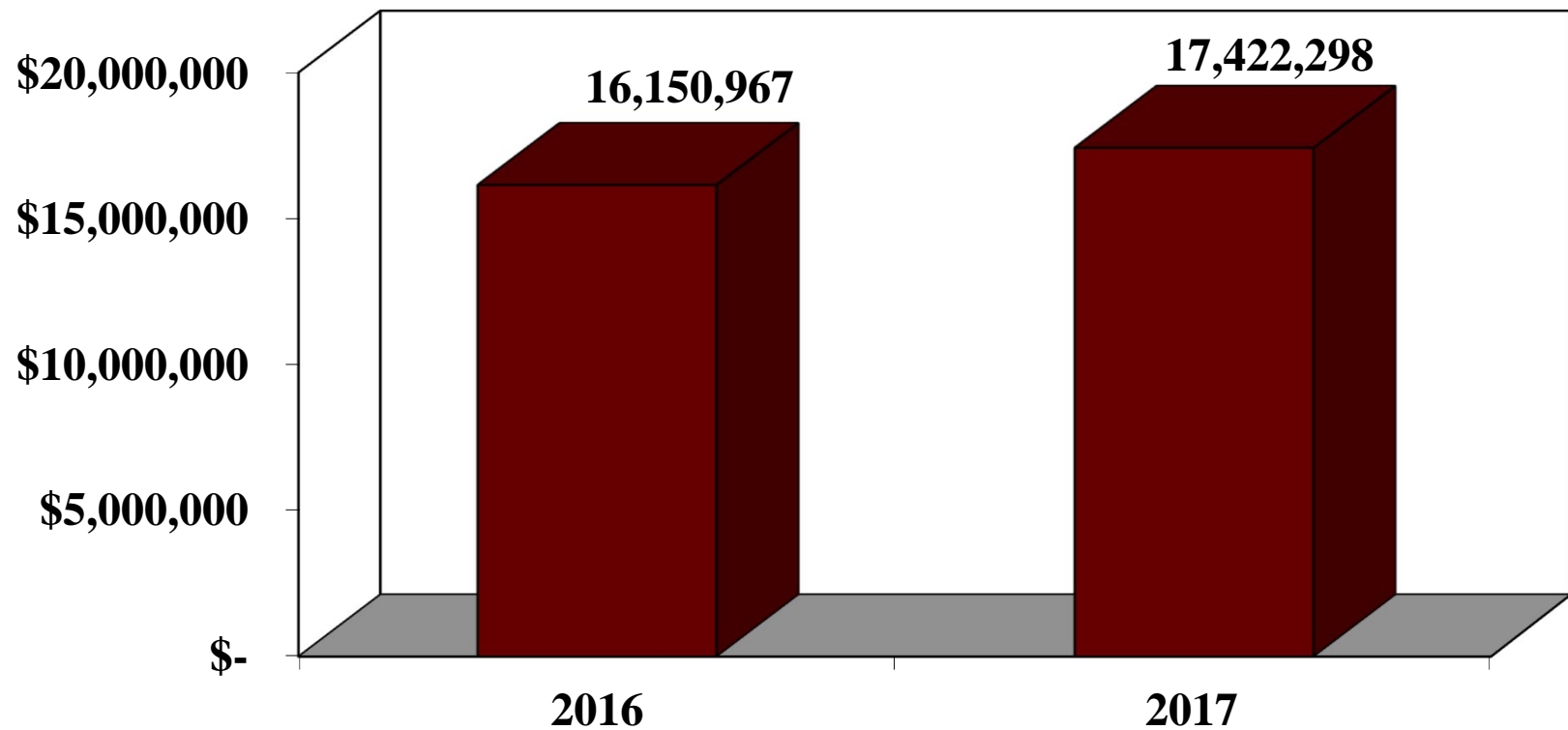
Restricted Intergovernmental



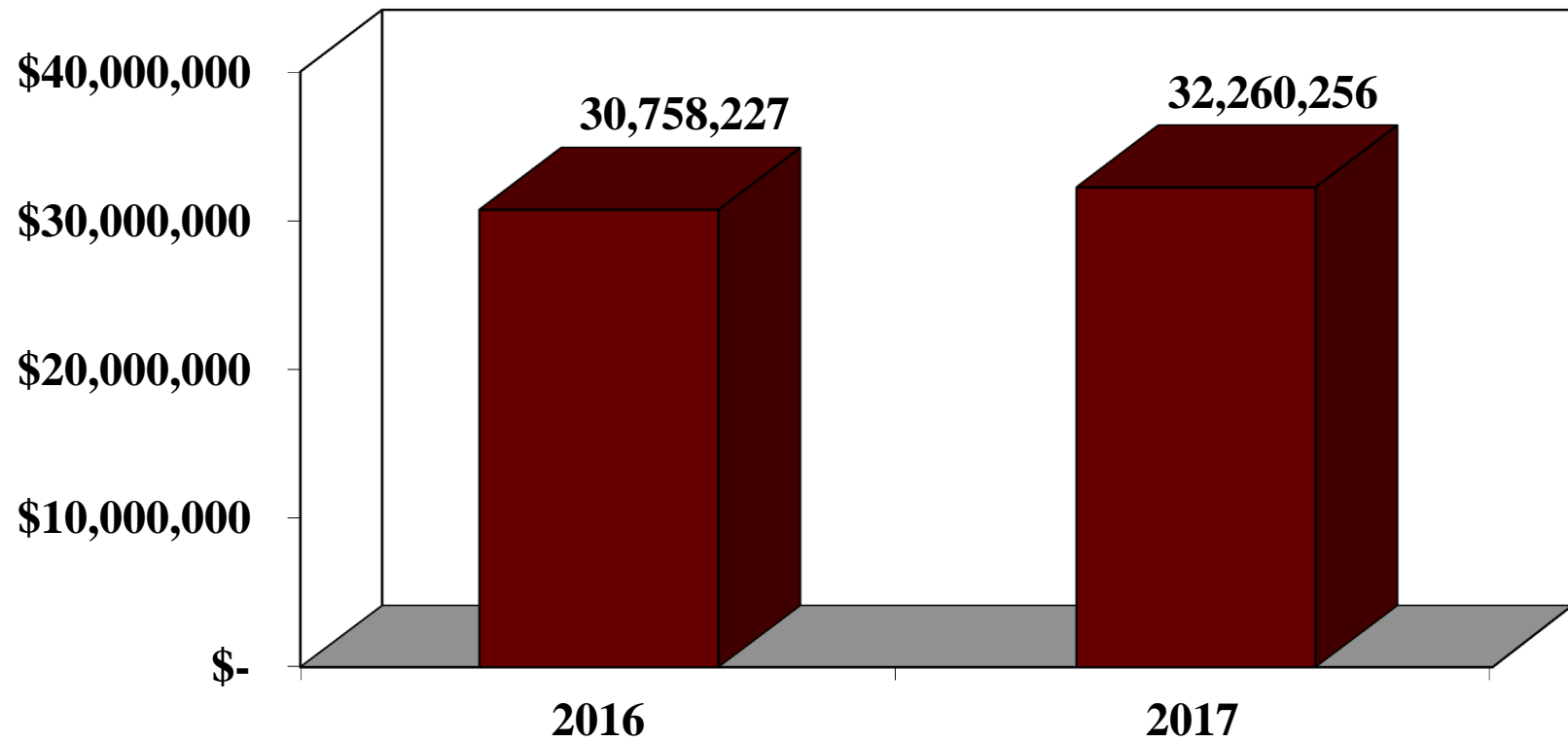
General Government



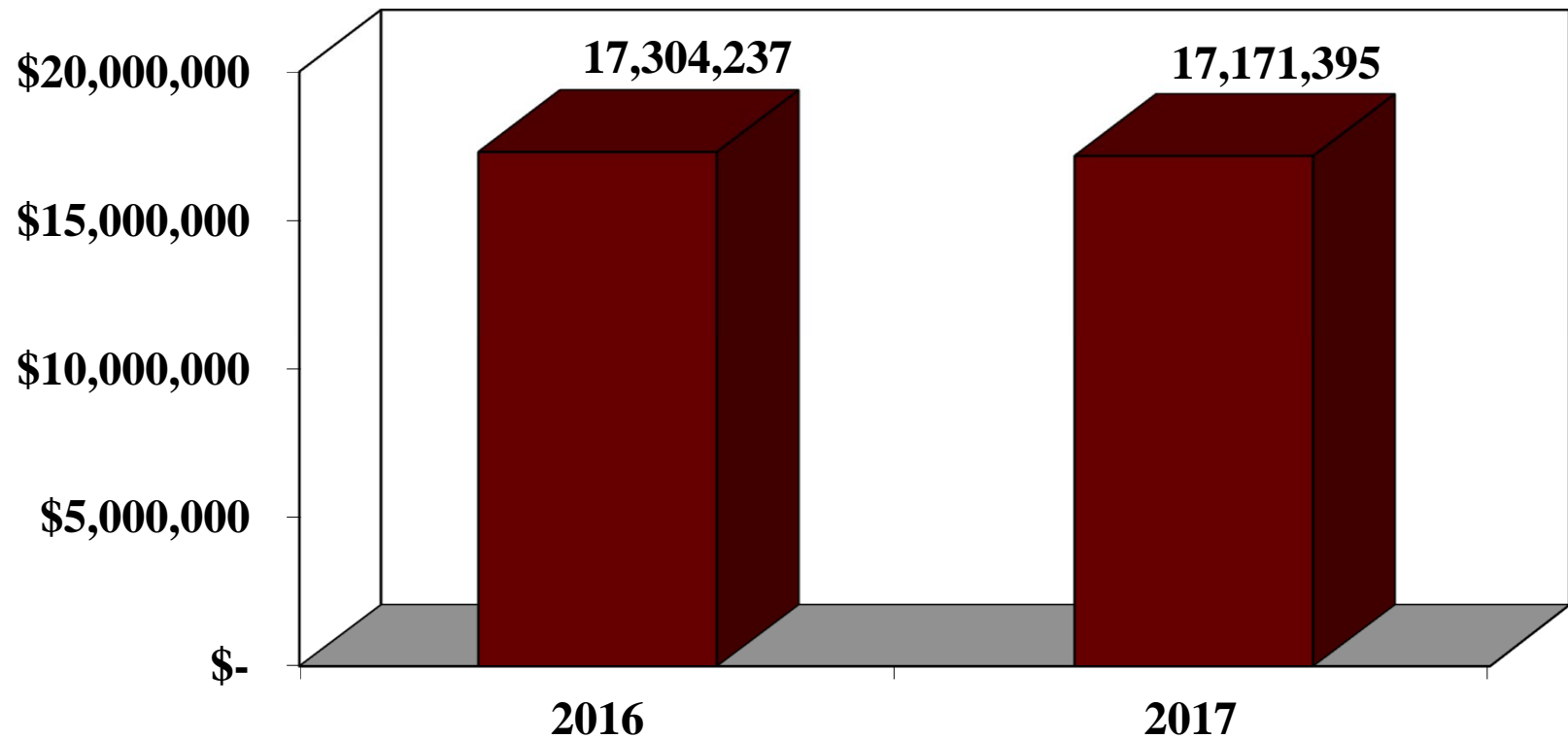
Public Safety



Education



Human Services





Debt Position

Governmental and Business-Type Activities

□ Outstanding debt at 6/30/17: \$ 145,370,669

□ Debt Margin at 6/30/17: \$ 689,420,520



Enterprise Funds

Utility	<u>2017</u>	<u>2016</u>
Operating Revenues	\$ 7,632,185	\$ 7,638,429
Operating Expenses	8,526,066	5,633,303
Operating Income (Loss)	(893,881)	2,005,126
Cash	21,067,783	22,091,360
Total Net Position	56,701,223	57,852,158
Cash Flow Provided by Operations	411,101	3,343,145



Enterprise Funds

Southeast Water District	<u>2017</u>	<u>2016</u>
Operating Revenues	\$ 670,485	\$ 667,814
Operating Expenses	458,533	310,050
Operating Income (Loss)	211,952	357,764
Cash	382,763	313,008
Total Net Position	396,160	355,706
Cash Flow Provided by Operations	319,001	462,606



Enterprise Funds

Solid Waste Management	<u>2017</u>	<u>2016</u>
Operating Revenues	\$ 3,064,260	\$ 2,964,407
Operating Expenses	3,117,342	2,711,886
Operating Income (Loss)	(53,082)	252,521
Cash	4,043,034	4,362,894
Total Net Position	6,904,653	6,572,828
Cash Flow Provided by Operations	133,971	435,943



OPEB – GASB 75

- ❑ What's to come?
- ❑ What does this mean for you?
- ❑ Like LGERS and LEO, you will have a prior period adjustment, deferreds for pension, pension expense, and a larger liability



Compliance

- Changes that we know for FY 2018:
 - Direct benefit programs' expenditures will be coming off Schedule of Expenditures of Federal and State Awards
 - Office of State Auditor will require Agreed Upon Procedures engagement for State selected programs, separate from audit engagement



Discussion & Questions



Chatham County

MARTIN • STARNES

& ASSOCIATES, CPAs, P.A.



Chatham County, NC

Text File

File Number: 18-2468

Agenda Date: 1/16/2018

Version: 1

Status: Work Session

In Control: Board of Commissioners

File Type: Agenda Item

Presentation on Go Global NC



LATINO INITIATIVE

**Economic & Workforce
Development
2018**



LATINO INITIATIVE

- Started in **1998**
- 850+ North Carolina leaders studied in Mexico
- Focus areas from 1998 to 2014 were:

Education

Health

Policy and Community



LATINO INITIATIVE

- **Focus areas today:**

Education

Health

Law Enforcement

Economic & Workforce Development

PROGRAM OBJECTIVE

- To increase understanding of the Latino/Hispanic community.
- To promote economic development including untapped economic resources.
- To learn from Mexican models combining Private/Public/Institutional partnerships.
- To learn from the automobile and aerospace manufacturing industry in Mexico.

NUTS AND BOLTS

- Traveling in **August 6-14, 2018**
- Visiting Mexico City for Historical and Cultural content
- Traveling to rural communities in Guanajuato state
- Ending in Guanajuato City



PARQUE INDUSTRIAL CASTRO DEL RIO





LATINO INITIATIVE

Three major phases of program:

- Community Assessment
- Immersion Study
- Action Planning and Implementation

WHY MEXICO?

- Mexico is the second largest market for goods from North Carolina.
- Mexico is the country from which North Carolina has received the most immigrants in the past two decades.
- In 2013, 183,377 jobs in North Carolina depended on trade with Mexico.
- In 2015 \$3.19 billion worth of N.C. goods were exported to Mexico.

WHO SHOULD PARTICIPATE?

- Government officials
- Community College and higher education officials
- Manufacturing industries and economic developers
- Any leader in your community that is key in helping create the adequate environment for economic growth

TEAM COMMITMENT

- Participation in Community needs assessment
- Participation in a full day pre-departure orientation workshop
- Travel to Mexico for immersion study
- Participation in a full day follow-up workshop to develop action plan
- Application of action plan by county
- Check-in meeting six months after returning from travel
- Host a one year reunion



YEAR PROGRAM COST

- The cost of the program is \$6,375 including airfare

Year Program includes:

Meetings, Orientation and follow-up workshops
in North Carolina

Lodging

Ground transportation

Meals in Mexico

International health insurance

Spanish – English interpreter fees

Mexican partners administrative fees and other expenses



Questions?



Thank you! Gracias!

For more information contact
Lorena Patterson
lpatterson@northcarolina.edu
(919)237-7961

Visit our website
www.goglobalinc.org



SUMMER 2018 ECONOMIC AND WORKFORCE DEVELOPMENT - PROGRAM OVERVIEW

The University of North Carolina **Go Global NC** proudly announces its summer **2018 Latino Initiative Program to Mexico**, with a focus on **Economic and Workforce Development**. A delegation of North Carolina policy and community leaders will participate in an in-depth program for economic and workforce development, with three phases: I) orientation; II) immersion program in Mexico; and III) follow-up workshop. The goals of the program are:

- Increase understanding of the Latino/Hispanic community in order to promote economic development, including the integration of a skilled workforce
- Experience innovative manufacturing approaches combining Private/Public/Institutional Partnerships
- Acquire an appreciation of cultural attitudes, values, and behaviors that are important for understanding best practices and strengthening economic relationships
- Develop an action plan for developing local workforce and economic initiatives that benefit all residents
- Belong to a regional network of leaders and diverse stakeholders who are working across professional disciplines to improve economic and workforce development in their communities
- Gain access to a local network of experienced peers for collaboration during the program and well beyond as Latino Initiative alumni

The **Latino Initiative** was established in 1998 as a result of the increase in the Latino/Hispanic population in the state of North Carolina. The initiative has a network of more than 800 alumni who are leaders in their communities. Some of their innovative projects have impacted the areas of health, education, and policy at all levels.

THE DELEGATION

The delegation will consist of 20+ North Carolina policy and community leaders, including Government Community College, education and representatives from manufacturing industries and economic developers.

PHASES OF EVENTS

Phase I - Orientation - This workshop includes presentations on demographic changes, historical content of Mexico, intercultural training, current context of relationship with NC, and initial discussion on how to apply their experiences upon return from Mexico.

Phase II - Immersion Program in Mexico - The delegation will visit historical sites, community centers, and manufacturing industries. Additionally, the delegations will dialogue with leaders and professionals from diverse fields and converse with families of immigrants living in the United States.

Phase III - Follow-up Workshop – This workshop includes a structured approach to analyze experiences in Mexico, to develop action plans to apply learnings from their experience Mexico to North Carolina's communities, and to identify next steps (e.g., six month/one year follow-up meeting)

PROGRAM DESCRIPTION

The delegation will study Mexico's history, culture, and the impact of industry on Mexican communities. The delegation will have the opportunity to meet Mexican government officials, tour innovative aerospace and automotive industries, and learn about unique collaboration models for developing and sustaining a pipeline for a skilled workforce. The delegation will learn best practices and how to capitalize on Mexico's approach to increase capacity for innovation through advances in manufacturing.

North Carolina leaders will benefit from learning how Mexican industry operates and contributes to overall economic development to more effectively access and cultivate the resources within the Latino communities of North Carolina. At the same time, the delegation will benefit from lessons learned bringing practical, innovative solutions to better integrate immigrants into the fabric of communities across North Carolina.

Today, immigrants play a role in North Carolina's economy in the areas of manufacturing, agriculture, construction, and food services, among other industries. As one of the states with the fastest growing Latino population in the nation, North Carolina is well positioned to establish integrated communities where all residents contribute their full potential to make North Carolina a thriving and vibrant 21st century state.

The program will open in the metropolis of Mexico City, with visit to national monuments and areas of historical significance. The program in Mexico will include site visits to local industries, community projects in rural areas, and innovation hubs. The delegation will visit the state of Guanajuato, a region where many of the Mexican nationals living in North Carolina have migrated from. The delegation will visit different manufacturing plants, including auto and aviation industries. Participants will meet with Mexican leaders from diverse fields and have dialogues with families of immigrants living in the United States. The program will conclude in Guanajuato City with Mexican host families and a closing debrief session to analyze lessons learned prior to departure for North Carolina. In each Mexican town, there will be cultural and educational activities tailored to the delegation to provide a greater understanding of the history, culture, and philosophy of Mexico.

WHY MEXICO?

Mexico is not only our neighboring country to the south, but it is the country from which North Carolina has received the most immigrants in the past two decades. Mexico is the second largest market for goods from North Carolina; in 2015 \$3.19 billion worth of NC goods were exported to Mexico. In 2014, the Census Bureau accounted more than 848,000 Latinos living in the state of North Carolina, with a 111% increase in Latino population since 2000 and an increase of 14.7% in Latino/Hispanic births, representing a significant increase in a new population migrating to the state of North Carolina.

GO GLOBAL NC

We are Go Global NC and we connect North Carolina to the world and the world to North Carolina. For 38 years our international education and training programs have empowered North Carolina leaders with the skills, understanding, connections, and knowledge to succeed in a global community. Go Global NC (formerly the Center for International Understanding) is part of the world-class, 17-campus University of North Carolina system. Our work strengthens North Carolina to act, grow, and prosper.

Latino Initiative: Mexico 2018

Economic and Workforce Development:
Private/Public/Institutional Partnerships

Engaging Changing Communities in North Carolina

PROGRAM SCHEDULE

(Attendance required to all)

- **January – February** - Informational meetings
- **March – April** (TBD) Community needs assessment meetings
- **July 18** – Orientation Pre-departure Workshop
- **August 6 to 14** – Immersion Study in Mexico
- **September 19** – Follow- Workshop
- **February 2019** – Six Months success and review meetings
- **August 2019** – Year reunion

PROGRAM COST

The cost of participation is \$6,375 per person. Program fees include informational meetings, orientation and follow-up workshops in North Carolina. Nine days programing in Mexico, airfare, ground transportation, meals, international health insurance, Spanish-English Interpreters, partner administrative fees, and other expenses.



LATINO INITIATIVE: ECONOMIC AND WORKFORCE DEVELOPMENT 2018



**For more information or
to apply, please contact:
Lorena Patterson
Director, Latino Initiative
lpatterson@northcarolina.edu
(919) 237-7964**

Go Global NC Latino Initiative programs provide a fresh approach to North Carolina government and community leaders to better understand their new neighbors. The program develops relationships and strategies and provide resources that positively integrate the changing population into the fabric of their new North Carolina communities.

WHY MEXICO?

Mexico is not only our neighbor to the south, but it is the country from which North Carolina has received the most immigrants in the past two decades. Mexico is the second largest market for goods from North Carolina; in 2015, \$3.19 billion worth of North Carolina goods were exported to Mexico. In 2013, there were 183,377 jobs in North Carolina that depended on trade with Mexico. In order to optimize global economic development, North Carolina has the opportunity to utilize its untapped economic resources. Immigrant communities provide North Carolina with the opportunity to grow its workforce and prosper in a global economy.

WHO IS INVOLVED

The Go Global NC Latino Initiative – Economic and Workforce Development 2018 delegation will include 20-25 North Carolina policy and community leaders, including community college delegates, university deans and professors, representatives from manufacturing industries, and economic developers.

PROGRAM GOALS

- Increase understanding of the Latino/Hispanic community in order to promote economic development, including the integration of a skilled workforce
- Experience innovative manufacturing approaches combining private/public/institutional partnerships

**To believe the value
of this program, you
must experience it.
To experience it, you
must realize that
everything you
thought you knew
about Mexico
is simply wrong...**

Melinda Plue
Executive Director,
The Arc of Union County
Alumni, Latino Initiative 2014

- Acquire an appreciation of cultural attitudes, values, and behaviors that are important for understanding best practices and strengthening economic relationships
- Develop an action plan for developing local workforce and economic initiatives that benefit all residents
- Belong to a regional network of leaders and diverse stakeholders who are working across professional disciplines to improve economic and workforce development in their communities
- Gain access to a local network of experienced peers for collaboration during the program and well beyond as Latino Initiative alumni

COST

The cost of participation is \$6,375 per person. Program fees include airfare, orientation, and follow-up workshops in North Carolina, eight days of programming in Mexico, ground transportation, meals, international health insurance. Spanish-English Interpreters, partner administrative fees, and other expenses.

PROGRAM SCHEDULE

Informational Meetings: January-February 2018
Community Needs Assessment: March-April 2018
Orientation Pre-Departure Workshop: July 18, 2018
Immersion Study in Mexico: August 6-14, 2018
Follow-up Workshop: September 19, 2018

ABOUT GO GLOBAL NC

Go Global NC connects North Carolina and the world. Since 1979, our international education and training programs have empowered North Carolina leaders with the skills, understanding, connections, and knowledge to succeed in a global community. Go Global NC is part of the world-class, 17 campus University of North Carolina system. Our work strengthens North Carolina to act, grow, and prosper.



Right to left
Miguel Marquez, Marquez, Governor of Guanajuato
Adriana Cortes Jimenez, Executive Director Fundacion
Comunitaria del Bajio
Miguel Coronado Hunter, Chief of Operations, Mexico,
Inter- American Development Bank



Chatham County, NC

Text File

File Number: 17-2458

Agenda Date: 1/16/2018

Version: 1

Status: Work Session

In Control: Board of Commissioners

File Type: Agenda Item

Presentation on the CCCC Health Sciences Building



New Health Sciences Building

Central Carolina Community College

Chatham County, North Carolina

January 2018





AERIAL VIEW



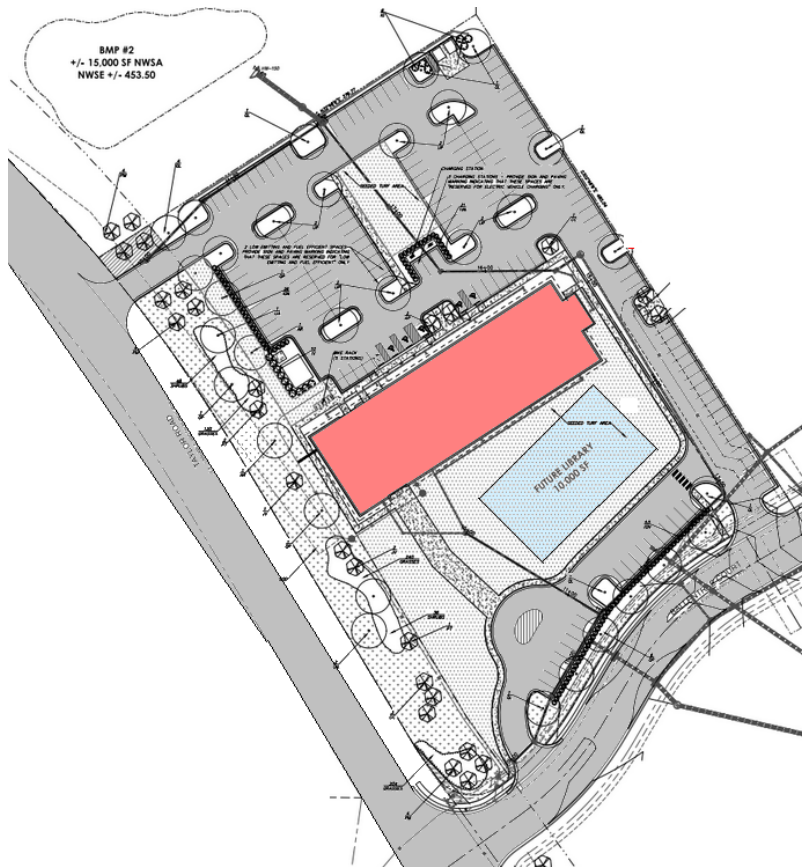


15/501 VIEWSHED CORRIDOR-PLANTING CONCEPT | BRIAR CHAPEL - SD WEST COMMERCIAL - 09.05.2017

SITE MASTER PLAN

Newland COMMUNITIES Surface





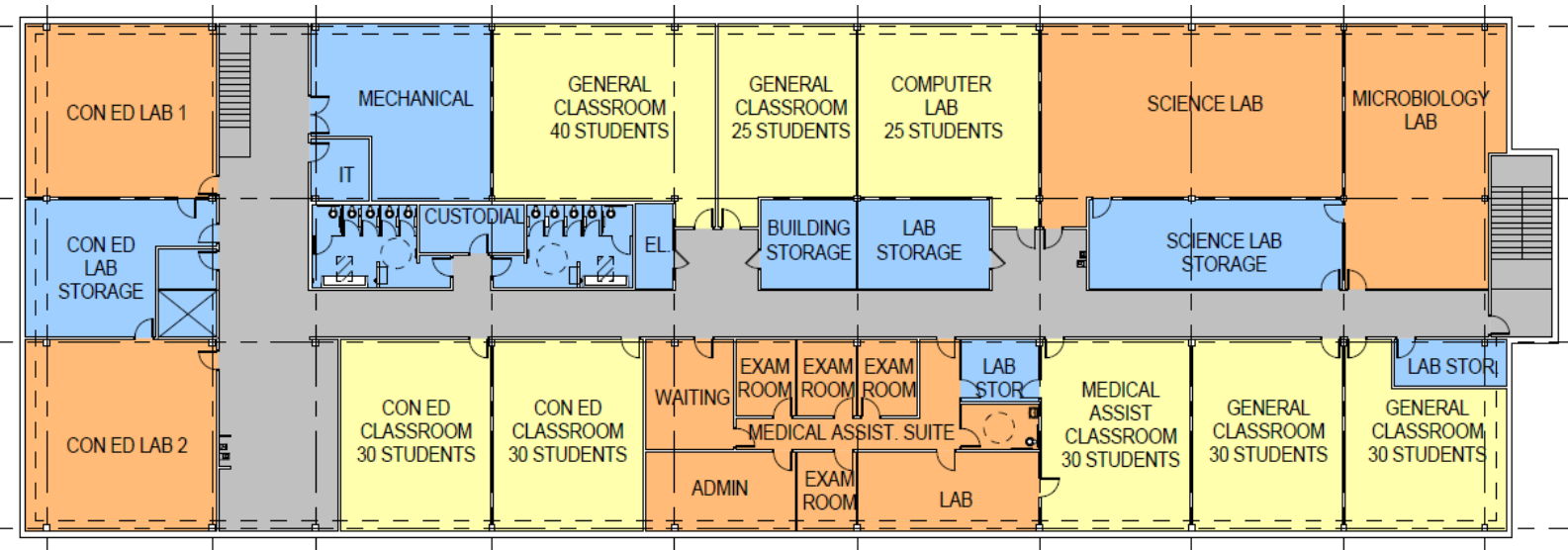
SITE PLAN

Programmed Spaces

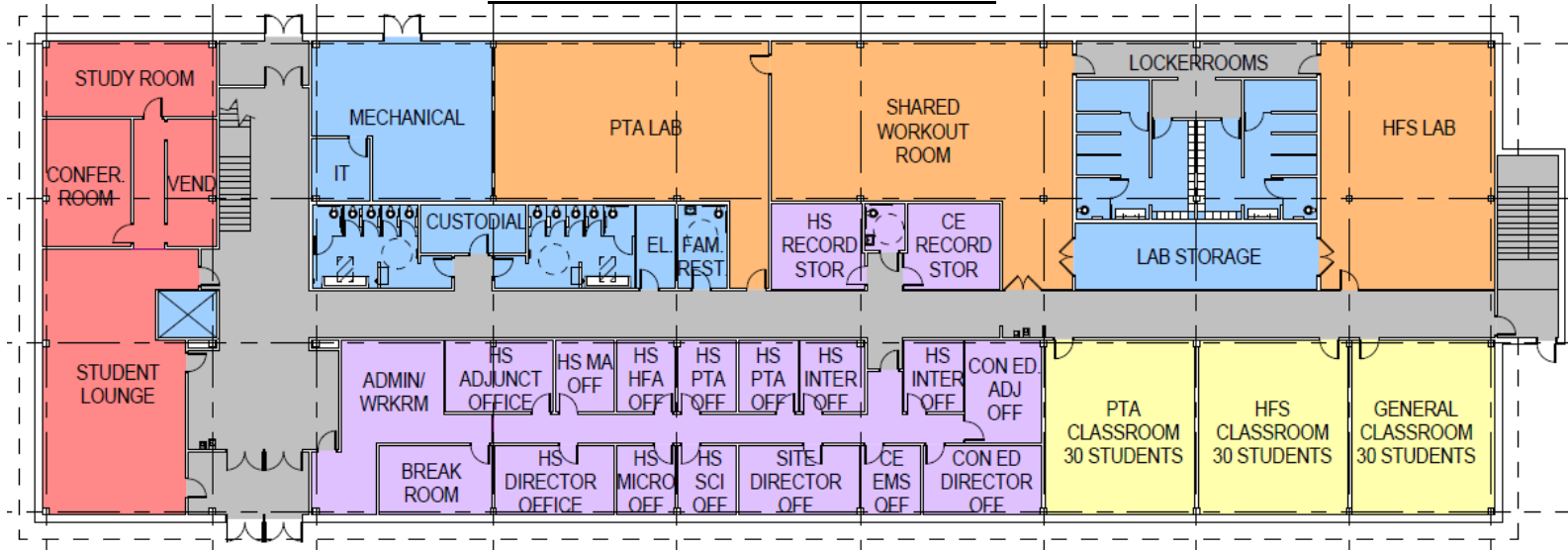
Administration	3,000 sf
Common Areas	2,000 sf
Support Areas	6,000 sf
Classrooms	8,700 sf
Lab Areas	8,900 sf
<u>Common Areas / Misc.</u>	<u>11,400 sf</u>
Total Area	<u>±40,000 sf</u>

SPACE PROGRAMMING





SECOND FLOOR PLAN



FIRST FLOOR PLAN

FLOOR PLANS



PERSPECTIVE VIEW





PERSPECTIVE VIEW



Schedule:

Out to Bid	April 2018
Open Bids	May 2018
Start Construction	July 2018
End Construction	July 2019

PROJECT SCHEDULE





New Health Sciences Building

Central Carolina Community College

Chatham County, North Carolina

January 2018





Chatham County, NC

Text File

File Number: 18-2465

Agenda Date: 1/16/2018

Version: 1

Status: Work Session

In Control: Board of Commissioners

File Type: Agenda Item

Presentation on Haw River Trail and the Lower Haw Trails Master Plan

The Haw River Trail Corridor

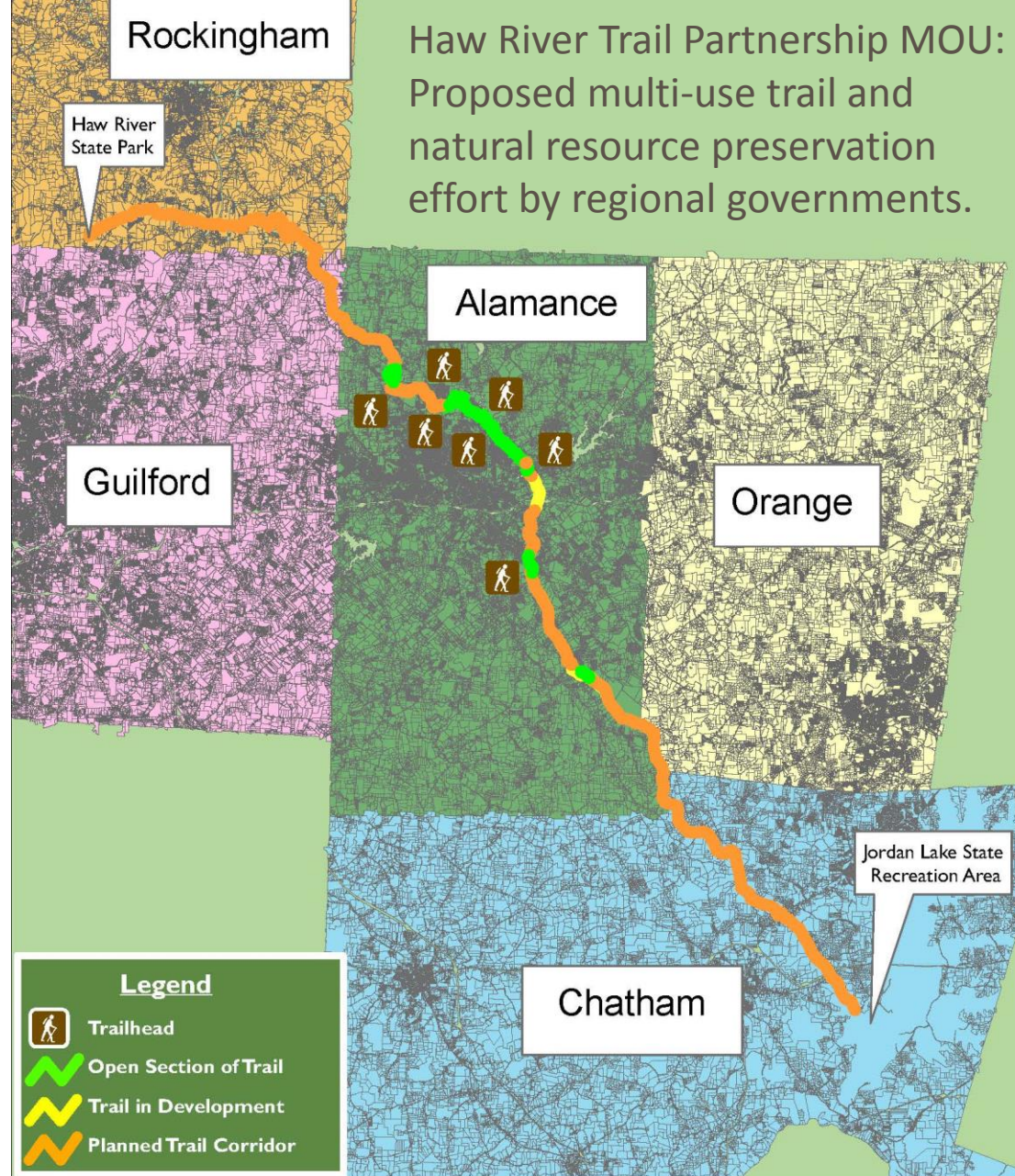


Chatham County Board of Commissioners Meeting 1/16/2018

Presented By

Guil Johnson, Haw River Trail Coordinator for Alamance County

Gretchen Smith, President of Friends of Lower Haw River State Natural Area



Haw River Trail Corridor
Haw River State Park to Jordan Lake State Recreation Area

Haw River Trail in Alamance County

Progress From 2006-2017





Haw River Trail in Alamance County Progress From 2006-2017

Resources

- Hired a Haw River Trail Coordinator

Conservation

- 475 acres conserved
- 60+ trail easements
- 32,000 linear ft. Haw River conserved
- 15,000 linear ft. perennial streams conserved

**Conservation in Alamance County all done with
voluntary cooperation of willing landowners and
local governments!**

Haw River Trail in Alamance County

302,000 people visited Haw River Trail sites last fiscal year!

Paddle Trail

- Grown from 4 “formal” paddle accesses to 14
- Paddle Trail is now COMPLETE!
 - 40+ miles with 4 dam portages



Land Trail

- 20+ miles of land trail built
- Sustainable pace building 2 new miles per year
- 3 new parks with 15+ acres



Haw River Trail in Alamance County

Progress From 2006-2017

Facilities

- Restrooms and vault toilets
- Gazebos
- Picnic tables and shelters
- Steel staircases for paddle access
- Parking lots with gates opened and closed daily
- Kiosks with signage
- Trashcans and recycle bins



Haw River Trail in Chatham County Plans Underway





- ❖ Added to State Park system in 2004
- ❖ Over 1,025 acres along both sides of Haw River in Chatham County
- ❖ Stretches from above US 15-501 near Bynum to below US 64 at Jordan Lake



Projects Underway in Chatham

- Recreational Trails Program Grant to county for Pokeberry Creek pedestrian bridge and trail
- Chatham County Recreation Grant to Friends of Lower Haw for paddle access kiosks and signage
- Triangle Community Foundation Grant to Friends of Lower Haw for Lower Haw Trails Master Plan



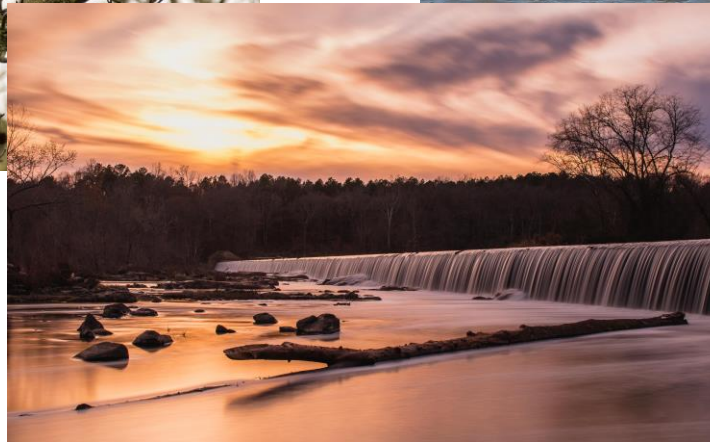
Lower Haw Trails Master Plan

- Funded by grant from Triangle Community Foundation's Support for Places Awareness Program
- Recreation Resources Service hired to develop plan and concept designs for future sustainable development of official hiking and paddle trails
- Collaborating with State Parks, other stakeholders, general public
- First draft in January, final plan by June 2018

Friends of Lower Haw Contact: Gretchen Smith

www.lowerhaw.org

lowerhawfriends@gmail.com



Photos by Chris Whitted

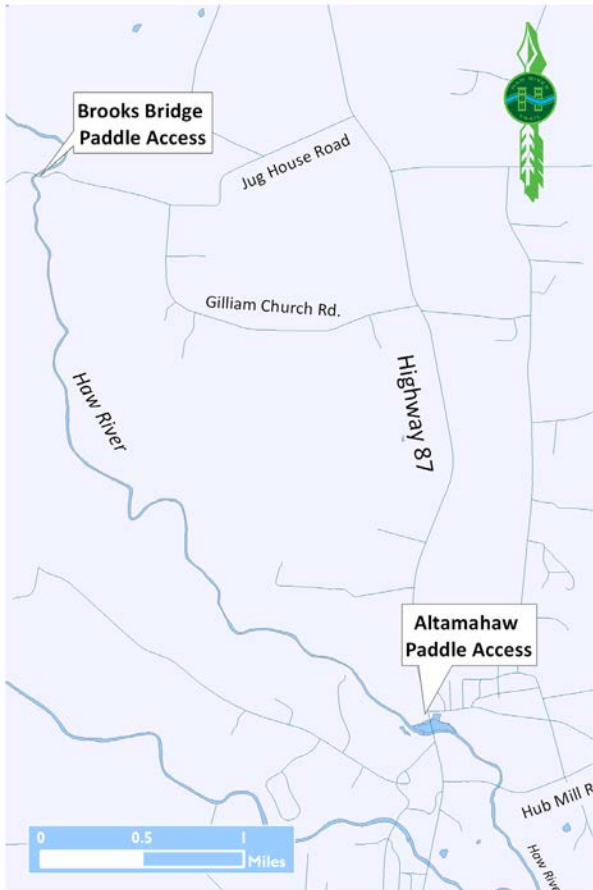


Haw River Trail Contact: Guil Johnson

www.thehaw.org

Guil.Johnson@alamance-nc.com

Brooks Bridge Road to Altamahaw Paddle Access



Launch Point: Brooks Bridge Paddle Access

7403 Brooks Bridge Road, Gibsonville



Take Out: Altamahaw Paddle Access

2996 NC Hwy 87 N, Elon



Distance: 4.0 Miles/2.5 Hours

Skill Level: Intermediate

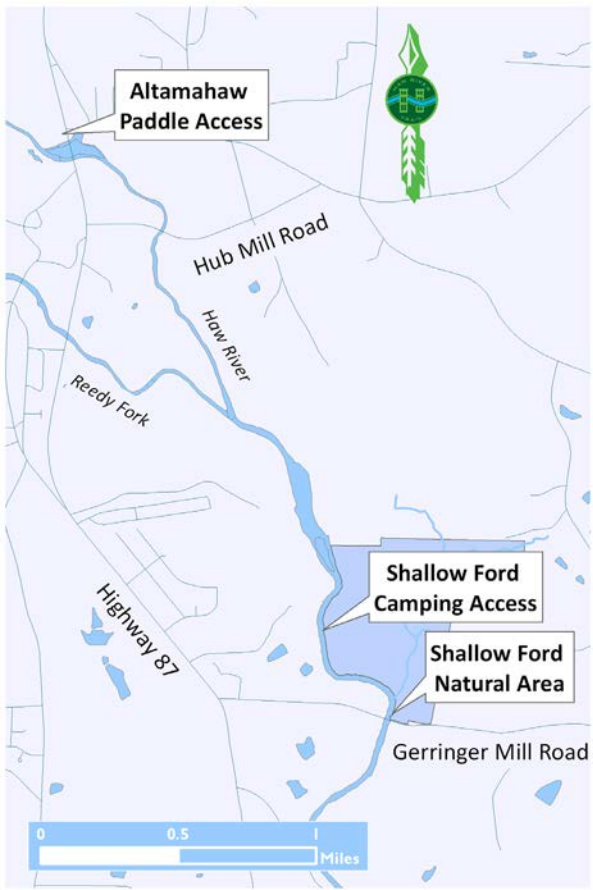
Minimum USGS Gauge Level: .75 ft. at Reedy Fork

Description:

At the Brooks Bridge put-in you get an amusing tease of what's to come a ways down river: a feisty Class I rapid that encourages some quick maneuvering from the rock slab put-in. From there, the intimate, narrow Haw, rarely more than 20 feet from bank to bank, hushes itself with a quiet passage beneath a bottomland forest canopy that blocks the sun and a dense understory that blots out the developing world beyond. A gentle flow carries paddlers for the first half of the trip. After the first 2 miles, as you pass into Alamance County, the dam below backs up water and requires the paddler to do all the work.

The dam at Altamahaw comes up quickly- once you pass the abandoned building on river right, keep an eye out, river left, for the brown sign for Altamahaw Paddle Access. Be advised, this section is cleared of fallen trees about once a year, but there is often an obstacle to two to overcome along the way.

Altamahaw Paddle Access to Shallow Ford Natural Area



Launch Point: Altamahaw Paddle Access

2996 NC Hwy 87 N, Elon



Upstream:

Skill Level: Beginner

Minimum USGS Gauge Level: 1.5 ft at Haw River

Description:

For the flat-water paddler, the water above the Altamahaw Dam is always right for an up and back paddle. The dam backs up the water for nearly two miles and makes an excellent trip for beginners or during the dry summer.

Downstream:

Take Out: Shallow Ford Natural Area

1955 Gerringer Mill Road, Burlington



Distance: 2.7 Miles/2.0 Hours

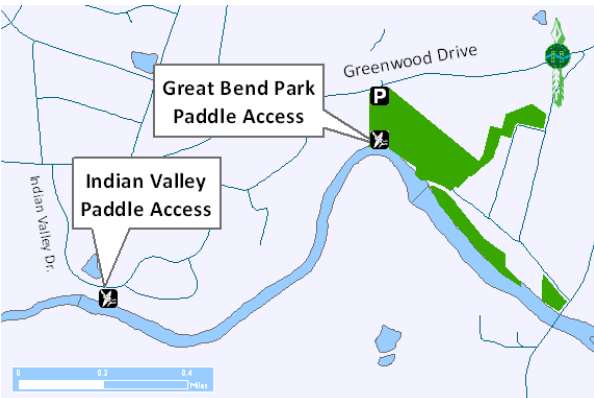
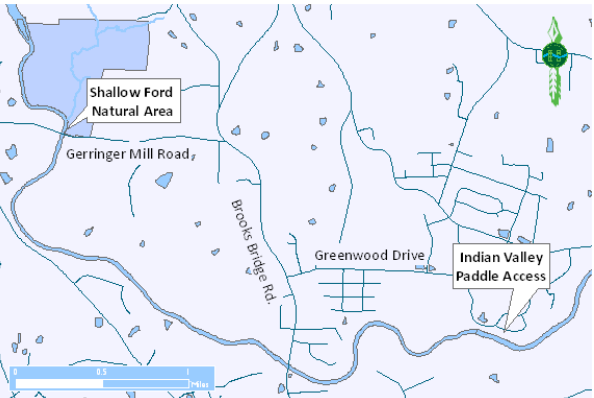
Skill Level: Advanced

Minimum USGS Gauge Level: 2.5 ft at Haw River

Description:

For more experienced paddlers, this section is one of the best on the river. Check the gates on the mill race before putting in- if they are open the first 100 yards will require some dragging until the water from the race comes back in. A significant drop is found river left at the old Hub Mill Dam raceway, although a calmer option is available in the main water channel. After the Hub Mill Road bridge, a nice stretch of Class II rapids leads to the take-out for the Shallow Ford Natural Area campsites at mile 2.3. Call 336/229-2410 for camping reservations. Main take out is .4 miles river left.

Shallow Ford Natural Area to Indian Valley & Indian Valley to Great Bend Park



Launch Point: Shallow Ford Natural Area

1955 Gerringer Mill Road, Burlington



Take Out: Indian Valley Paddle Access

930 Indian Valley Drive, Burlington



Distance: 4.0 Miles/2.0 Hours Skill Level: Beginner
Minimum USGS Gauge Level: 2.0 ft at Haw River
Description: A good stretch of river for paddlers looking to advance from flat-water, this section includes seven Class I rapids. At the end of the paddle you will encounter Indian Valley Dam. It's only a two-foot drop, but a drop an inexperienced paddler would not want to attempt. The best option is to maneuver through a narrow tunnel in the dam support on river left. The only danger is the rock wall of the mill race that comes upon you quickly after you pass through the tunnel. Alternatively, portage is available just above the dam river right. Take out is river left below the dam.

Lauch Point: Indian Valley Paddle Access

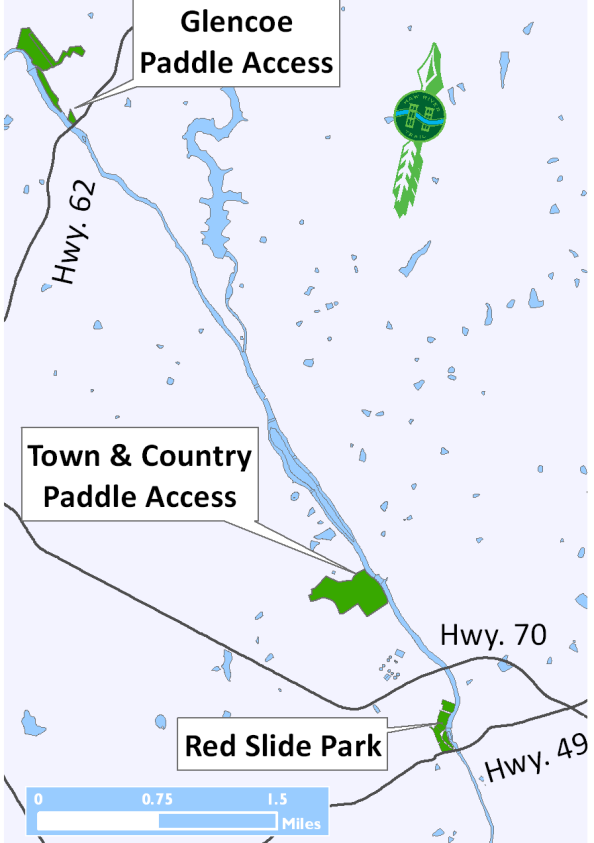
Take Out: Great Bend Park at Glencoe

2348 Glencoe Street, Burlington



Distance: 1.5 Miles/1 Hour Skill Level: Beginner
Minimum USGS Gauge Level: 1.5 ft at Haw River
Description: This short, flat-water stretch is perfect for beginning paddlers. The water backed-up by the Glencoe Dam holds little or no current under normal conditions. The river is accessible from either Indian Valley or Great Bend Park and a round-trip is possible from either location. Both accesses require carrying the boats a short-distance, but the Indian Valley Access is closer to the parking area.

Glencoe Paddle Access to Town and Country Paddle Access & Red Slide Park



Launch Point: Glencoe Paddle Access

2348 Glencoe Street, Burlington



First Take Out: Town and Country Nature Park

501 Riverside Drive, Burlington



Distance: 3.5 Miles/2.0 Hours

Second Take Out: Red Slide Park

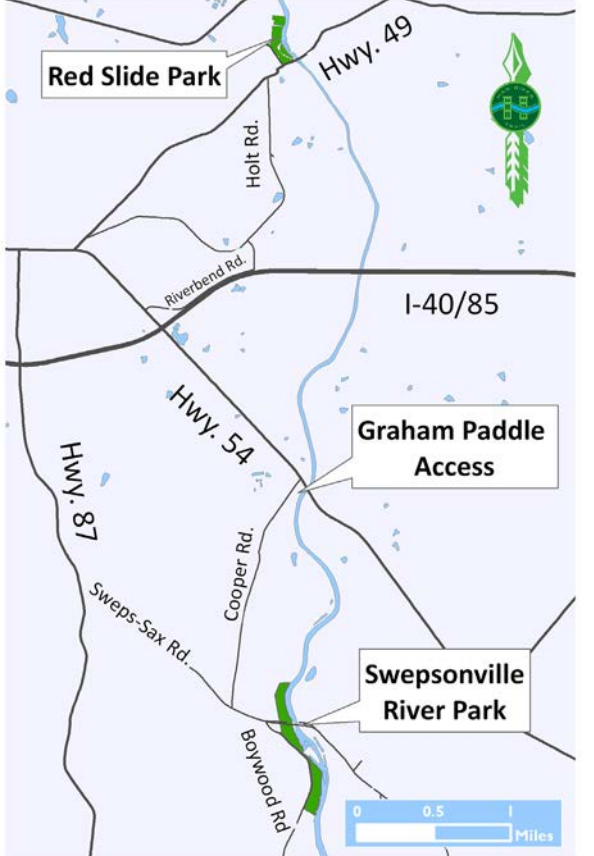


389 Lang Street, Burlington

Distance: 1.5 miles/1.0 hour Skill Level: Intermediate

Minimum USGS Gauge Level: 2.25 ft at Haw River
Description: The five miles from Glencoe to Haw River is truly one of the Haw River's showcase paddles. Rocky ledges make the paddling challenging while a solid current removes all trace of drudgery. This stretch of river was the first to be populated by Europeans 300 years ago, yet the only sign of civilization is historic textile mills that tower over the river. At just under 2.5 miles the river cleaves around Goat Island. Nearly a mile long, Goat Island is the longest island on the Haw, and probably the most celebrated, with a history that includes an abandoned school bus, an abandoned 18-wheeler, goats, and Chris-Chris, an ape-like monster said to be a full-time resident. The first take out is at mile 3.5, river right at the Town & Country Paddle Access. A little over a mile later, you're at Red Slide Park and the take-out, river right.

Red Slide Park to Graham Paddle Access & Graham to Swepsonville River Park



Launch Point: Red Slide Park

389 Lang Street, Burlington



First Take Out: Graham Paddle Access

1124 Cooper Road, Graham



Distance: 3.5 miles/2.0 hours

Skill Level: Beginner

Second Take Out: Swepsonville River Park

2472 Boywood Road, Swepsonville



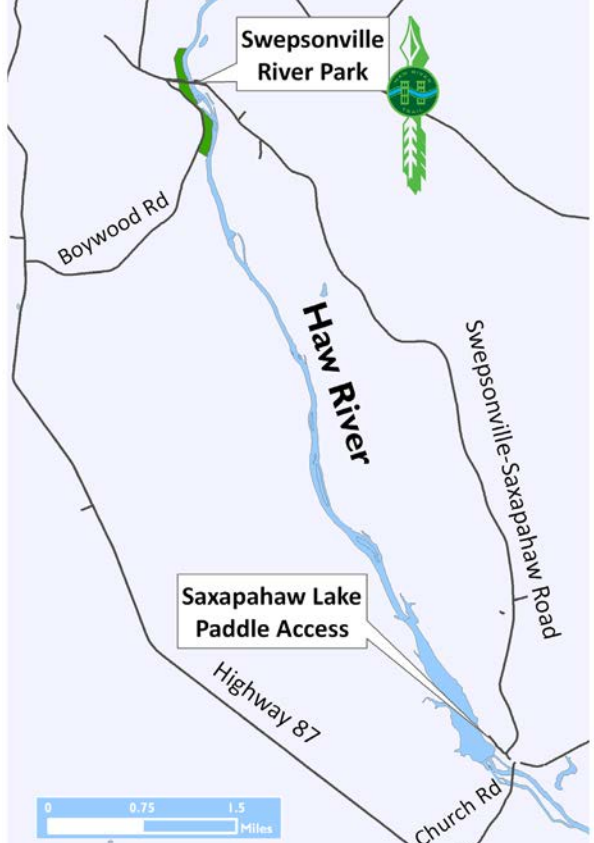
Distance: 2.0 miles/1.5 hours

Skill Level: Beginner

Minimum USGS Gauge Level: 1.7 ft at Haw River

Description: First impressions aren't always accurate, as you'll quickly discover on the 3.5-mile stretch of the Haw between Red Slide Park and the Graham Paddle Access. After putting in at Red Slide Park, you have about 20 yards to figure out how to attack a frisky Class I-II set of rapids that drops three feet within 30 feet, the result of a dam, now decommissioned, that once helped power the old Granite Cotton Mill. The easiest passage is on the far side of the river, river left. Once you pass beneath the NC 49 bridge, you've got about 3.2 miles of mellow paddling ahead. Graham Paddle Access, river right, comes upon you quickly after you pass under the NC 54 bridge. The way to Swepsonville features several Class I rapids including a challenging stretch at the Swepsonville-Saxapahaw Road bridge. The take-out is just river right.

Great Alamance Creek to Swepsonville River Park & Swepsonville to Saxapahaw Lake Paddle Access



Launch Point: Great Alamance Creek Paddle Access

2229 S. Main Street, Graham



First Take Out: Swepsonville River Park

2472 Boywood Road, Swepsonville



Distance: 2.0 miles/1.0 hours

Skill Level: Beginner

Second Take Out: Saxapahaw Lake Paddle Access

6096 Jordan Drive, Saxapahaw



Distance: 5.5 miles/3 hours

Skill Level: Beginner

Minimum USGS Gauge Level: 1.5 ft at Haw River

Description: Any of these 3 access points make a great place for a beginner's first paddle, as two dams create a calm lake in this section of the Haw. From Swepsonville River Park it's 0.7 miles downstream to the Puryear Dam, or you can paddle upstream on Great Alamance Creek. From the Saxapahaw Lake Paddle Access you can paddle five miles upstream before hitting the Puryear Dam. In both instances it's an easy paddle upstream against a mellow, almost imperceptible current. If you proceed downstream from Great Alamance Creek or Swepsonville, note that portage of Puryear Dam is available river left. With little current, it is a long paddle to Saxapahaw. Make sure you have ample energy before crossing the Puryear Dam.

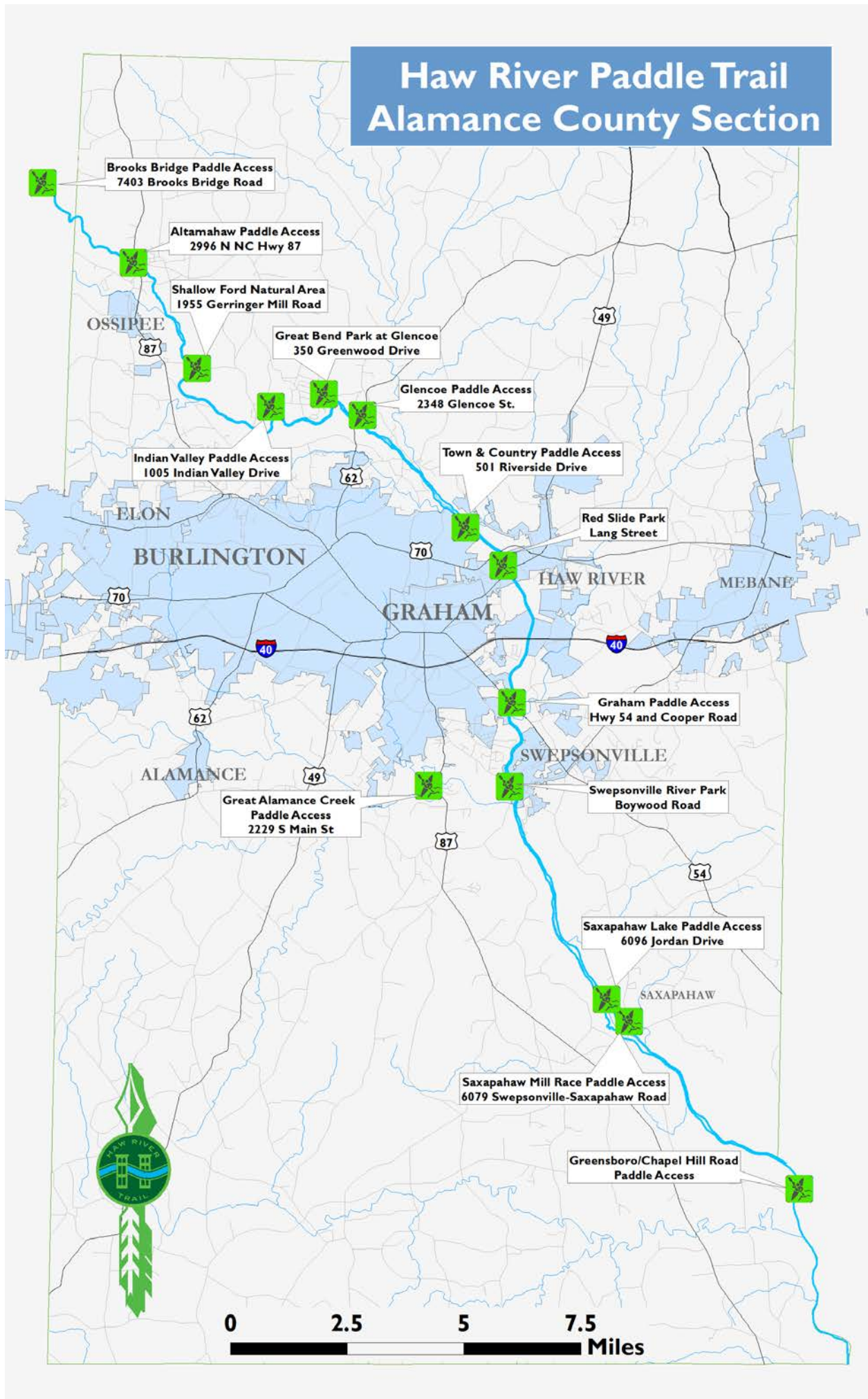
About the Haw River Trail

The Haw River Trail Partnership was formed in 2006 with the express goal of helping the public enjoy and conserve the natural resources of the Haw River Corridor. The Haw River Trail is being built on the belief that the first step to conservation is appreciation, and that allowing the community to experience the Haw River first hand via land and paddle trails will create respect and interest in the River. At the heart of that effort are the Haw River Trail and Haw River Paddle Trail. The trails follow the 70 mile journey of the Haw connecting Haw River State Park in Guilford and Rockingham Counties to Jordan Lake State Recreation Area in Chatham County. For over 40 miles of the journey, the Haw River Trail will combine with the statewide Mountains-to-Sea Trail beginning at Clingsman's Dome on the North Carolina/Tennessee border and ending at Jockey's Ridge on the Outer Banks. In addition to trail building, our conservation efforts help to improve water quality, create habitat for the river's plants and animals and improve property values in the region. Thanks for helping us protect the future of the Haw River.



History on the Haw River Trail

The Haw River Paddle Trail allows novice and expert paddlers alike to experience the Haw as it was meant to be seen. For locals, seeing their home from the river provides a new perspective and a rediscovery of the natural beauty that surrounds them. For visitors, paddling the Haw is an exciting way to experience the natural and historical features of the Haw River Corridor. The Haw River has been the driving force of the region for centuries. The banks of the Haw were home to the first Native American communities, and the first European settlers to the area. In the 1800s, the Haw powered grist mills for the communities that sprung up alongside it, and pushed the turbines that carried the Industrial Revolution to the Piedmont. The factories and villages on the Haw River shaped who we have become, and much of that history remains waiting to be discovered. Brochures are available at the paddle accesses that detail the history and natural features of the Haw along our most popular paddle routes. These guides are meant to be taken in the boat with you, and are keyed to mile markers visible from the water. Be sure to pick one up for your next trip.



Camping

Overnight camping is available at the following parks:

Shallow Ford Natural Area

Three primitive backcountry campsites are available by reservation. Campsites are located approximately one mile from the parking area, or via a dedicated paddle access on the Haw River. Water and restrooms are available only at the parking area. Camping is \$10/night. Reservations can be made by calling 336/229-2410 during normal business hours.

Swepsonville River Park

Four primitive campsites are available on a first come first serve basis. Restrooms are available at the parking area. No water is available.

Additional Camping Areas Operated By Private Businesses

Spirit Island

Operated by the Haw River Canoe and Kayak Co., Spirit Island is accessible only via canoe or kayak on the Haw River. The island is located approximately one mile south of Swepsonville River Park. The island features two camping platforms and can be reserved by contacting Haw River Canoe and Kayak Co. at www.hawrivercanoe.com or 336/260-6465.

River Landing Inn

River Landing Inn is a full service bed and breakfast located in Saxapahaw. The Inn also offers trail users a place to camp on the property. Contact River Landing Inn at www.riverlandinginn.com or (919) 602-0296.

Flat Water River Sections

Part of the beauty of the Haw River is that it offers multiple types of paddling within very close proximity to each other. The shallow rocky sections create excellent rapids for paddling when the water is at normal level. However, these same features make some sections of the Haw difficult to paddle during low water periods.

Due to the historic dams left from the river's manufacturing past, several sections of the river are backed up to create a lake-like "flat water" paddling experience. These areas are excellent places for beginners to try their first river paddle and are a good choice for dry summer days when the water is low. For flat-water paddling, look for the following sections:

- Altamahaw Paddle Access - Upstream
- Indian Valley to Great Bend Park (either access)
- Great Alamance Creek Paddle Access
- Swepsonville Paddle Access (downstream to Saxapahaw or up Great Alamance Creek)
- Saxapahaw Lake Paddle Access

Park Rules

The following actions are prohibited at all Haw River Trail facilities:

- Possession or Use of Alcohol or Illegal Drugs
- Use of Motor Vehicles Outside of Parking Area
- Littering or Defacing of County Property
- Possession of Firearms in Violation of State Law
- Solicitation of Any Kind
- Failure to Have Pets on a Leash
- Fishing from Boat Launch Area
- Removal of Plants or Other Natural Materials
- Hunting or Trapping of Wildlife
- Cooking Fires are Permitted Only in Designated Areas
- Camping is Allowed in Designated Areas by Permit Only

Park Hours

January 1- February 28	8:00am – 5:00pm
March 1 - April 30	8:00am – 7:00pm
May 1 - August 31	8:00am – 8:00pm
September 1 - October 31	8:00am – 7:00pm
November 1- December 31	8:00am – 5:00pm

Gated accesses are locked at closing time. Do not leave your vehicle parked at a trailhead after the posted closing time.

Safety On Water

Although the Haw River is a wonderful river to paddle under normal conditions, the river is subject to extreme changes in water level and flow amounts during periods of rain or drought. During high water events, the Haw River is extremely dangerous.

Immediately prior to your trip:

Check the USGS river gauge for the section of the river you are paddling. Rough guidelines for minimum and maximum water levels are listed in the section descriptions. However, these levels are not one size fits all. Use your judgment before leaving- if the river feels too dangerous for you, postpone your trip.

Real-time water level information can be found at:
<http://waterdata.usgs.gov/>

The gauges are located at the following sites:

- Reedy Fork near Greensboro
- Haw River south of Red Slide Park
- Bynum

If you encounter trouble on the water:

Dial 911 and report the most recently passed mile marker to the operator.

Paddle Trail Map



Mountains to Sea Trail

North Carolina

a part of the

Haw River Trail

Haw River Trail

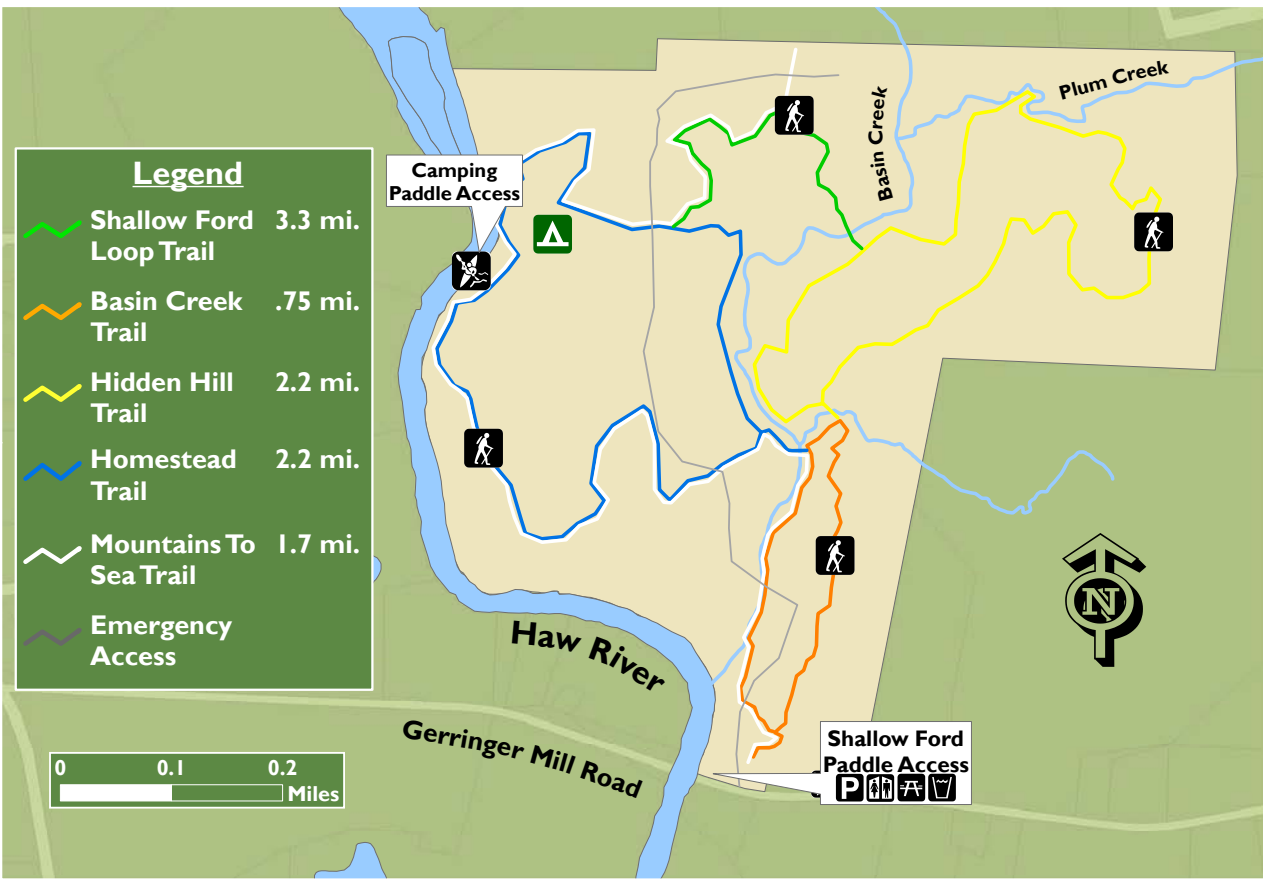
for more information visit

www.thehaw.org
or contact

Haw River Trail Coordinator
336/229-2380
info@thehaw.org



Shallow Ford Natural Area



Shallow Ford Natural Area - 1955 Gerringer Mill Road, Elon
Total Acres: 197
Operated By: Alamance Parks
(336) 229-2410, www.alamance-nc.com/rec

Prior to the installation of modern bridges, the Haw River was a major barrier for travelers through Alamance County. The river could only be crossed by ferry or at the few places where rocks and low water created a natural crossing, called a ford. The most popular ford in northern Alamance County was “The Shallow Ford,” located near this spot. The Shallow Ford became an important crossing for travelers, traders, and soldiers in the 18th and 19th centuries. The first bridge across The Shallow Ford was built by 1835. Over time, a small community called Shallow Ford arose near the crossing. The Shallow Ford Post Office was a short distance northeast of the park. This park is named in remembrance of the crossing and the travelers who used it.

Basin Creek Trail Distance: .75 Miles
Difficulty: Easy/Moderate
Blaze: Orange
This .75 mile loop leads through mature forests and open fields to the site of the original grist mill constructed by Lewis Gerringer in the late 1800s. The trail returns along the banks of Basin Creek past beech trees and unique rock formations.

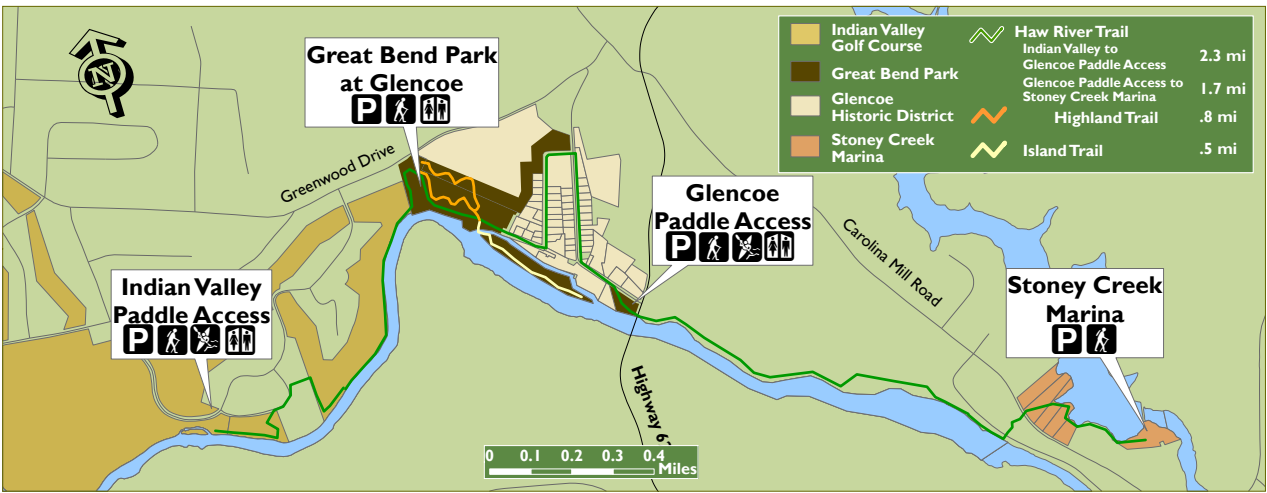
Hidden Hill Trail Distance: 2.2 Miles
Difficulty: Moderate
Blaze: Yellow
The Hidden Hill Trail travels through a wide diversity of habitats on its 2.2 mile journey. After diverging from the Basin Creek Trail, the trail winds through pine thickets of reclaimed farmland, revealing furrows left from decades of plowing.

The trail then climbs to the highest point on the property at 679 feet before winding down the banks and bluffs of Plum Creek, where a rich diversity of plant life thrives on the north-facing slopes. The return leads past vernal pools and wetlands that are home to a variety of turtles, salamanders and frogs. Begin on Basin Creek Trail- the Hidden Hill Trail branches off at the .4 mile mark.

Homestead Trail Distance: 2.2 Miles
Difficulty: Moderate
Blaze: Blue
The Homestead Trail leads up Basin Creek to the Tickle/Gerringer Homestead. The site was originally the home of Michael and Hannah Tickle in the early 1800s. The rock chimney, hand-dug well and root cellar are still visible. The trail returns along the Haw River, passing the site of the original grist mill on Basin Creek. Begin on Basin Creek Trail- the Homestead Trail begins across the bridge over Basin Creek.

Shallow Ford Loop Trail Distance: 3.3 Miles
Difficulty: Moderate
Blaze: Green
The longest trail in the park, the Shallow Ford Loop Trail combines elements of all three trails to provide a complete overview of the park. The trail climbs up Hidden Hill Trail, winds down Plum Creek, and crosses Basin Creek on the northern end of the park. It then continues past the Tickle/Gerringer Homestead and along the Haw River, before rejoining Basin Creek on the return trip. Begin on Basin Creek Trail, turning onto the Hidden Hill Trail at .4 miles. At 1.5 miles, turn right, crossing the upper bridge over Basin Creek. At 1.9 miles, turn right again onto the Homestead Trail. After 3.0 miles, cross back over Basin Creek on the lower bridge and return via Basin Creek Trail.

Glencoe & Sellers Falls Sections



Falls Section, the newest 4-mile stretch of HRT/MST. The trail meanders through mature hardwood forest with prominent views of the Haw River, ending at Red Slide Park. It completes a total of 8 miles of contiguous trail from Indian Valley south to Red Slide. Parking is available at Stoney Creek Marina. Follow Carolina Rd. past historic Copland Fabrics then cross the bridge over Stoney Creek and enter the forest to your right. Continue to follow the HRT trail blazes. The trail crossing at Boyd's Creek (Trail Blaze: HRTL 4065) is via a rocky footpath across the water. If the water is high please use caution crossing or turn around. If hiking the entire section, please be advised that you will have to leave the HRT and cross the Highway 70 Bridge to re-access the trail on the other side. The Highway 70 bridge is not marked for pedestrian use. This section ends at Red Slide Park, a 15 acre park offering a paddle access, hiking trails, picnic areas, and a playground. The area around Red Slide Park is historically significant as a prominent river crossing on the Indian Trading Path that predates white settlement of the area. The mill that dominates the views from Red Slide Park is the old Granite Cotton Mill, built by General Benjamin Trollinger in 1844. At one point, Granite Mills produced 10% of all the cloth manufactured in the United States.

Indian Valley Golf Course - 930 Indian Valley Dr., Burlington
Great Bend Park - 350 Greenwood Dr., Burlington
Glencoe Paddle Access - 2348 Glencoe St., Burlington
Stoney Creek Marina - 1785 Carolina Mill Rd., Burlington
Red Slide Park – 389 Lang Street, Haw River

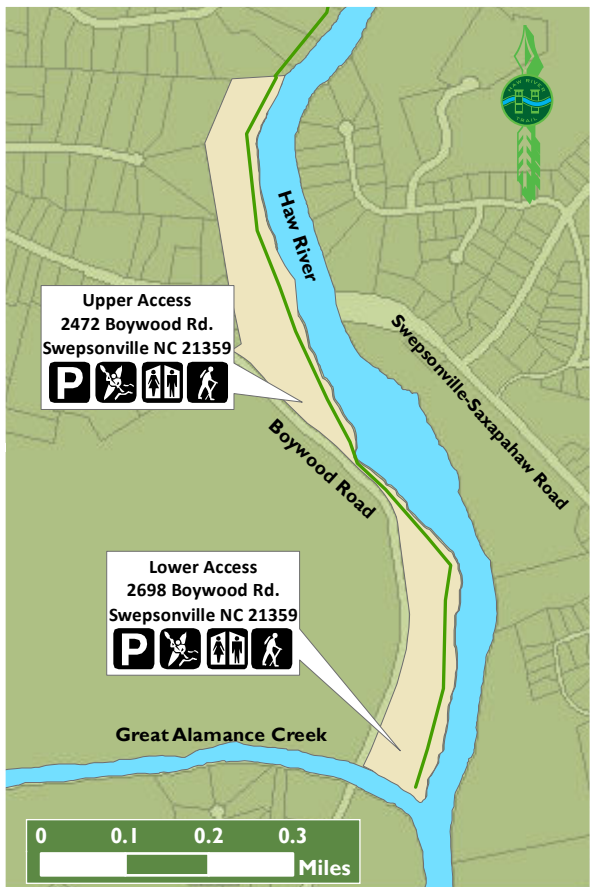
Indian Valley Access and Stoney Creek Marina
Operated By: Burlington Recreation and Parks Department
(336) 222-5030, <http://www.ci.burlington.nc.us>
Great Bend Park and Glencoe Paddle Access
Operated By: Alamance Parks
(336) 229-2410, www.alamance-nc.com/rec

Red Slide Park **Operated By:** Town of Haw River Parks and Recreation Department (336) 578 5600 <http://www.townofhawriver.com>

Part of the longest stretch of currently completed trail along the Haw River, the Glencoe Section is by far the most diverse. It offers a cross-section of the human and natural history to be found along the Haw River. The northern trailhead begins near the clubhouse of the Indian Valley Golf Course and for the first mile skirts the golf course. At Great Bend Park the trail leads to the preserved mill town of Glencoe. If you're hiking on a Saturday or Sunday between 1 and 4 p.m., make time to visit the Textile Heritage Museum, which showcases life in the mill towns that thrived along the Haw for more than a century, beginning in the early 1800s. Beyond Glencoe, the trail takes on a more natural feel, spending a mile along the banks of the Haw before passing the old Carolina Mill, then heading upland along the upper shoreline of Stoney Creek Reservoir.

From Stoney Creek Marina, continue on to the Sellers Falls Section, the newest 4-mile stretch of HRT/MST. The trail meanders through mature hardwood forest with prominent views of the Haw River, ending at Red Slide Park. It completes a total of 8 miles of contiguous trail from Indian Valley south to Red Slide. Parking is available at Stoney Creek Marina. Follow Carolina Rd. past historic Copland Fabrics then cross the bridge over Stoney Creek and enter the forest to your right. Continue to follow the HRT trail blazes. The trail crossing at Boyd's Creek (Trail Blaze: HRTL 4065) is via a rocky footpath across the water. If the water is high please use caution crossing or turn around. If hiking the entire section, please be advised that you will have to leave the HRT and cross the Highway 70 Bridge to re-access the trail on the other side. The Highway 70 bridge is not marked for pedestrian use. This section ends at Red Slide Park, a 15 acre park offering a paddle access, hiking trails, picnic areas, and a playground. The area around Red Slide Park is historically significant as a prominent river crossing on the Indian Trading Path that predates white settlement of the area. The mill that dominates the views from Red Slide Park is the old Granite Cotton Mill, built by General Benjamin Trollinger in 1844. At one point, Granite Mills produced 10% of all the cloth manufactured in the United States.

Swepsonville River Park



Swepsonville River Park: 2472 Boywood Road, Swepsonville
Total Acres: 30
Operated By: Town of Swepsonville
(336)578-5644, <http://www.swepsonvilletownof.net>

Opened in 2006, this 30 acre park was one of the first on the Haw River Trail. Protecting over a mile of riverfront, the park also conserves one of the most historically important river crossings in Alamance County. The park offers nearly two miles of walking trails, fishing and camping. Camping is offered on a first-come, first-served basis. There are two entrances to the park. The upper entrance allows access to the take-out for paddlers coming downstream from Haw River and Graham. The lower entrance provides a put-in for paddlers heading downstream to Saxapahaw or paddling up Great Alamance Creek.

Just downstream from the upper parking lot at Swepsonville River Park is the remnant of an old dam. The first mill at this site was constructed by John Armstrong around 1760. The site was purchased by Senator Archibald DeBow Murphey in 1804 and later by Chief Justice Thomas Ruffin. Ruffin's financial trouble led to the sale of the property at sheriff's auction by George W. Swepson. In 1868, Swepson began Falls Neuse Manufacturing Company on the east bank of the river. Swepson used mule-drawn and poled barges to transfer goods to the mills in Haw River. The complex eventually became Virginia Cotton Mills and remained until the mill closed in 1970. It was destroyed by fire in 1989.

Saxapahaw



Saxapahaw Mill Race Paddle Access: 6079 Swepsonville-Saxapahaw Rd., Graham, NC 27253
Operated By: Alamance Parks
(336) 229-2410, www.alamance-nc.com/rec

This section of Haw River Trail/Mountains-to-Sea Trail winds through the eclectic community of Saxapahaw. The community centers around Saxapahaw Rivermill. The first mill was constructed here in the 1840s by John Newlin. The mill became known as Saxapahaw Cotton Factory before closing in 1994. Over the past twenty years, Saxapahaw has been reborn as a regional center for culture, music, food and outdoor adventure.

After parking at the Saxapahaw Mill Race Paddle Access, use the crosswalk across Church Road and follow the sidewalk until the trail begins at the bottom of a metal staircase. The trail then parallels a special section of the Haw River that is home to the endangered Yellow Lampmussel and the threatened Eastern Creekshell.

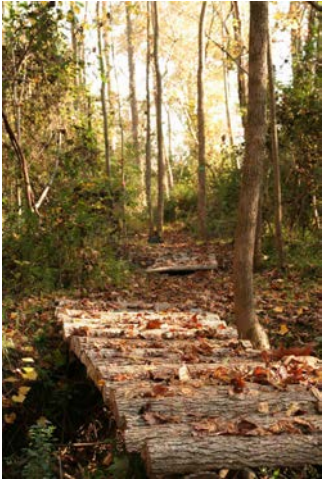
A network of community-maintained trails winds along the ridge between the river and Lake Louise. Don't leave Saxapahaw without a stop at the numerous shops and restaurants in the Saxapahaw Rivermill.

About the Haw River Trail

The Haw River Trail Partnership was formed in 2006 with the express goal of helping the public enjoy and conserve the natural resources of the Haw River Corridor. The Haw River Trail is being built on the belief that the first step to conservation is appreciation, and that allowing the community to experience the Haw River firsthand via land and paddle trails will create respect and interest in the River.

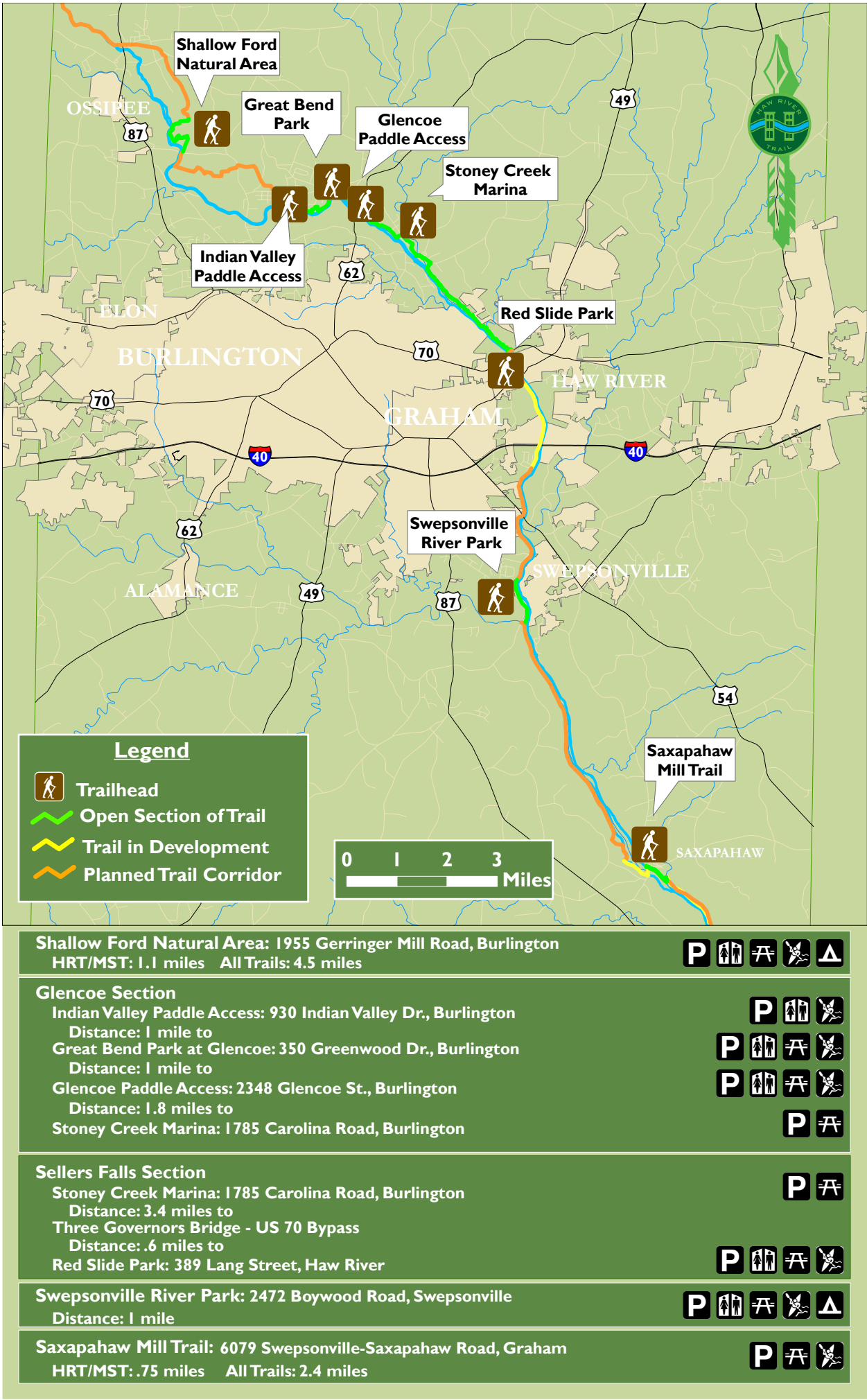
At the heart of that effort are the Haw River Trail and Haw River Paddle Trail. The Haw River Trail is a planned 70 mile footpath connecting Haw River State Park in Guilford and Rockingham Counties to Jordan Lake State Recreation Area in Chatham County. For over 40 miles of the journey, the Haw River Trail will combine with the statewide Mountains-to-Sea Trail beginning at Clingsman's Dome on the North Carolina/Tennessee border and ending at Jockey's Ridge on the Outer Banks.

In addition to trail building, our conservation efforts help to improve water quality, create habitat for the river's plants and animals and improve property values in the region. Thanks for helping us protect the future of the Haw River.



History on the Haw River Trail

For the hiker and outdoorsman, the Haw River Trail offers the promise of a truly unique experience not found anywhere else in our region. Before the outlet malls and I-40, the Haw River was truly the lifeline of our region. The banks of the Haw were home to the first Native American communities, and to the first European settlers to the area. In the 19th century, the Haw powered grist mills for the communities that sprung up alongside it, and pushed the turbines that carried the Industrial Revolution to the Piedmont. The factories and villages on the Haw River shaped who we have become, and much of that history remains waiting to be discovered. The Haw River Trail offers hikers an opportunity to walk through our human history, while seeing the natural masterpiece that has been the backdrop for it all.



Camping

Overnight camping is available at the following parks:

Shallow Ford Natural Area

Three primitive backcountry campsites are available by reservation. Campsites are located approximately one mile from the parking area, or via a dedicated paddle access on the Haw River. Water and restrooms are available only at the parking area. Camping is \$10/night. Reservations can be made by calling (336) 229-2410 during normal business hours.

Sweptonville River Park

Four primitive campsites are available on a first-come, first-served basis. Restrooms are available at the parking area. No water is available.

Additional Camping Areas Operated By Private Businesses

Spirit Island

Operated by the Haw River Canoe and Kayak Co., Spirit Island is accessible only via canoe or kayak on the Haw River. The island is located approximately one mile south of Sweptonville River Park. It features two camping platforms and can be reserved by contacting Haw River Canoe and Kayak Co. at www.hawrivercanoe.com or (336) 260-6465.

River Landing Inn

River Landing Inn is a full service bed and breakfast located in Saxapahaw. The Inn also offers trail users a place to camp on the property. Contact River Landing Inn at www.riverlandinginn.com or (919) 602-0296.

North Carolina Mountains-to-Sea Trail

From the Haw River Trail's beginning at the Haw River State Park and throughout its journey along the Haw River through Alamance County, the Haw River Trail is designated as part of the statewide Mountains-to-Sea Trail. The Mountains-to-Sea Trail runs the length of North Carolina, beginning at Clingsman's Dome on the State's western border and ending at Jockey's Ridge on the Outer Banks.

More than just a walk in the woods, the trail traces the diversity that is North Carolina. Experience ancient mountains and small Piedmont farms, coastal swamps and colonial towns, changing textile villages, and barrier islands. More than 500 miles of footpath are now completed. With temporary routes on back roads and bicycle paths, hikers can now follow the trail on an adventure across North Carolina.

Much like its older sibling the Appalachian Trail, the Mountains-to-Sea Trail will bring countless visitors to the region on their quest to hike the entirety of the Variety Vacationland.

More information on the Mountains-to-Sea Trail can be found from the Friends of the Mountains-to-Sea Trail: <http://www.ncmst.org>

Park Rules

The following actions are prohibited at all Haw River Trail facilities:

- Possession or Use of Alcohol or Illegal Drugs
- Riding of Bikes or Horses on Trails
- Setting Fires Outside of Fire Rings or Grills
- Use of Motor Vehicles Outside of Parking Area
- Littering or Defacing of County Property
- Possession of Weapons in Violation of State Law
- Solicitation or Advertising of Any Kind
- Failure to Have Pets on a Leash
- Fishing from Boat Launch Area
- Removal of Plants or other Natural Materials
- Camping Outside Designated Areas

Park Hours

November 1 - February 28	8:00am – 5:00pm
March 1 - March 31	8:00am – 6:00pm
April 1 - April 30	8:00am – 7:00pm
May 1 - August 31	8:00am – 8:00pm
September 1- October 31	8:00am – 7:00pm

Gated Accesses are locked at closing time. Do not leave your vehicle parked at a trailhead after the posted closing time.

Leave No Trace

Please Practice Leave No Trace Outdoor Ethics on the Trail

- Plan Ahead
- Stick to the Trails
- Bag Your Trash
- Leave What You Find
- Be Careful With Fire
- Keep Wildlife Wild
- Respect Other Visitors

Trail Blazes

Every section of trail along the Haw River Trail in Alamance County is blazed to ensure the safety of hikers on the trail. Each diamond-shaped blaze is marked with a four digit code that allows emergency responders to find the precise location of hikers in the event of an emergency.

If you are in need of emergency assistance, dial 911 and report the four digit code on the nearest trail blaze to the operator.

Land Trail Map



Mountains-to-Sea Trail

North Carolina

a part of the

Haw River Trail

Haw River Trail

for more information visit

www.thehaw.org
or contact

Haw River Trail Coordinator
(336) 229-2410
info@thehaw.org





Chatham County, NC

Text File

File Number: 18-2472

Agenda Date: 1/16/2018

Version: 1

Status: Work Session

In Control: Planning

File Type: Agenda Item

Agenda Number:

Presentation on the five year joint assessment of the Chatham County-Town of Cary Joint Land Use Plan per the interlocal agreement

Action Requested:

Presentation on the five year joint assessment of the Chatham County-Town of Cary Joint Land Use Plan per the interlocal agreement

Introduction & Background:

The Chatham-Cary Joint Land Use Plan (JLUP) was adopted by the Chatham County Board of Commissioners and Town of Cary Board in June, 2012 with an effective date of July 1, 2012. The Plan is an official policy document intended to guide future land use, public infrastructure improvements and development in the Plan Area. The plan covers an area that is generally west of Jordan Lake, south of the Durham County line, east of the Wake County line, and north of White Oak Creek. The County and Town also approved an interlocal agreement regarding the plan, which can be viewed on the following website - <http://www.chathamnc.org/index.aspx?page=441> . Section 10 of the agreement includes that both jurisdictions will participate in a joint assessment every 5 years from the adoption date to evaluate the performance and utility of the plan and determine whether a joint update is needed.

Discussion & Analysis:

The joint Chatham-Cary plan was developed over seven years starting with a resolution adopted by both jurisdictions in 2005. Community meetings were held in 2006 followed by joint meetings of both boards. In late 2007 both jurisdictions decided to form a joint issues committee comprised of elected officials from both jurisdictions. Section 2.4 of the plan includes more information about the plan history. The plan and interlocal agreement can be viewed on the following website -

<http://www.chathamnc.org/government/departments-programs/planning/plans-and-guidelines> and background information about the development of the plan is available at the following links -

<http://www.chathamnc.org/government/departments-programs/planning/joint-planning-projects/joint-plan-with-cary>

<http://www.chathamnc.org/government/departments-programs/planning/joint-planning-projects/joint-plan-with-cary/history-of-joint-planning-effort>

<http://www.chathamnc.org/government/departments-programs/planning/joint-planning-pr>

[jects/joint-plan-with-cary/history-of-joint-planning-effort/joint-plan-history-years-2006-2>](#) .

Activities since plan adoption

Plan Interpretations: Section 4 of the Interlocal Agreement allows for the Planning Directors of both jurisdictions to consider interpretations of the plan and issue a joint determination. If there is no agreement then a plan amendment is required.

1. January 2013 - interpretation that rezoning applications for telecommunication towers is allowable as a compatible and complementary use in the Parks, Open Space, Golf Course land use category. The County Zoning Ordinance has since been amended to allow telecommunication towers with a conditional use permit in residential zoning districts.
2. February 2016 - interpretation that certain low impact uses that require a conditional use permit by either jurisdiction are considered conforming. Those uses that could have a more significant impact depending on the scope, scale, and size of the project require additional review and an interpretation based on a site specific application.

Rezoning Cases:

Chatham County (map included with presentation)

1. May 2003 - R1, Residential, to CD-IL, Conditional Use Light Industrial, for a telecommunications tower (0.27 acres).
2. November 2014 - R1, Residential, to NB, Neighborhood Business, to expand the business zoning of an area identified in the joint plan as "Commercial/Retail" (6.5 acres).

Town of Cary (map included with presentation)

1. July 2013 - R1, Residential, to TRCU, Transitional Residential Conditional Use, is limited to single family age-restricted, maximum of 2.9 du/ac, 80% of units age-restricted to age 55+ (13-REZ-01).
2. August 2013 - R1, Residential, to Residential 8 District Conditional Use, is limited to 2 dwellings per acre; lots on southern and western boundaries are 17,500 sq. ft.; all other lots will be a min. of 12,000 sq. ft.; special buffer on southern boundary (12-REZ-33).
3. November 2013 - R1, Residential, to R12CU = Residential 12 District, Conditional Use is limited to single family detached; max. of 1.4 du/ac.; special buffers; lots at northern boundary will be min. of 19,000 sq. ft. (13-REZ-04).
4. February 2014 -R1, Residential, to R12CU = Residential 12 District, Conditional Use is limited to detached residential; max. of 3 lots (13-REZ-24).
5. April 2015 - R1, Residential, to Residential 40 District Conditional Use, is limited to a gross density of 1.09 units per acres (14-REZ-32).
6. June 2015 - R1, Residential, to TRCU = Transitional Residential, Conditional Use is limited to age-restricted housing, maximum of 3.1 du/ac, 80% of units age-restricted to age 55+; and buffer on western edge (14-REZ-37).
7. August 2015 - R1, Residential, to R40, Residential, is limited to a fire station and/or public safety purposes (15-REZ-09).
8. September 2015 - Application Withdrawn
9. December 2015 - R40CU, Residential 40 District Conditional Use, to R40CU = Residential 40 District, Conditional Use and CROD = Conservation Residential Overlay District to add the conservation overlay district to the existing approval (15-REZ-20).

10. February 2016 - TRCU, Transitional Residential Conditional Use, to R12CU = Residential 12 District, Conditional Use is limited to single family detached; max. of 50 dwellings/ 1.4 du/acre; min. lot size of 17,500 sq. ft. (15-REZ-24).
11. January 2017 - TRCU, Transitional Residential Conditional Use, to TRCU, Transitional Residential Conditional Use, is limited to 20 single family detached units; streetscape; one acre of open space (16-REZ-26).
12. Pending Case - PDD Major to amend the existing approval to reconfigure areas designated for residential and non-residential uses (specifically for a school) (17-REZ-13).

Major Subdivisions & Annexations (maps included with the presentation)

Plan Amendments (requires submittal to both jurisdictions and approval by both to be adopted)

1. June 2016 - Amendment to delete section 3.4.2 which established a 400 foot buffer adjacent to the Corps of Engineers property when public utilities are utilized for development.
2. August 2017 - Amendment to the joint plan map to reconfigure the MDR, Medium Density Residential, and Office/Institutional designations on a portion of parcel 19865.

Town of Cary Parks, Recreation & Cultural Resources Master Plan Update

In late 2015 the Town of Cary issued a Request for Proposals for an update to the Town's Parks, Recreation and Cultural Resources Master Plan. The update has focused on the area in Chatham County located east of the Rural Buffer boundary, and will become an addendum to the Town's existing Parks, Recreation and Cultural Resources Master Plan. This area is identified on the joint plan map and described in the plan as potentially being served by Town utilities. The Town invited the County to participate in the process, including meetings with the County Recreation Advisory Committee. The Town has provided regular updates to the County and County staff have participated in planning sessions, meetings with the consultant, and participation at community meetings. The Town anticipates finalizing the plan addendum in early 2018.

How does this relate to the Comprehensive Plan:

Goal 1: Preserve the rural character and lifestyle of Chatham County.

Goal 3: Promote a compact growth pattern by developing in or near existing towns, communities, and in designated, well planned, walkable, mixed use centers.

Goal 4: Diversify the tax base and generate more high-quality, in-county jobs to reduce dependence on residential property taxes, create economic opportunity and reduce out-commuting.

Goal 5: Conserve natural resources.

Goal 7: Provide infrastructure to support desired development and support economic and environmental objectives.

Goal 9: Provide equitable access to high-quality education, housing and community options for all.

Recommendation:

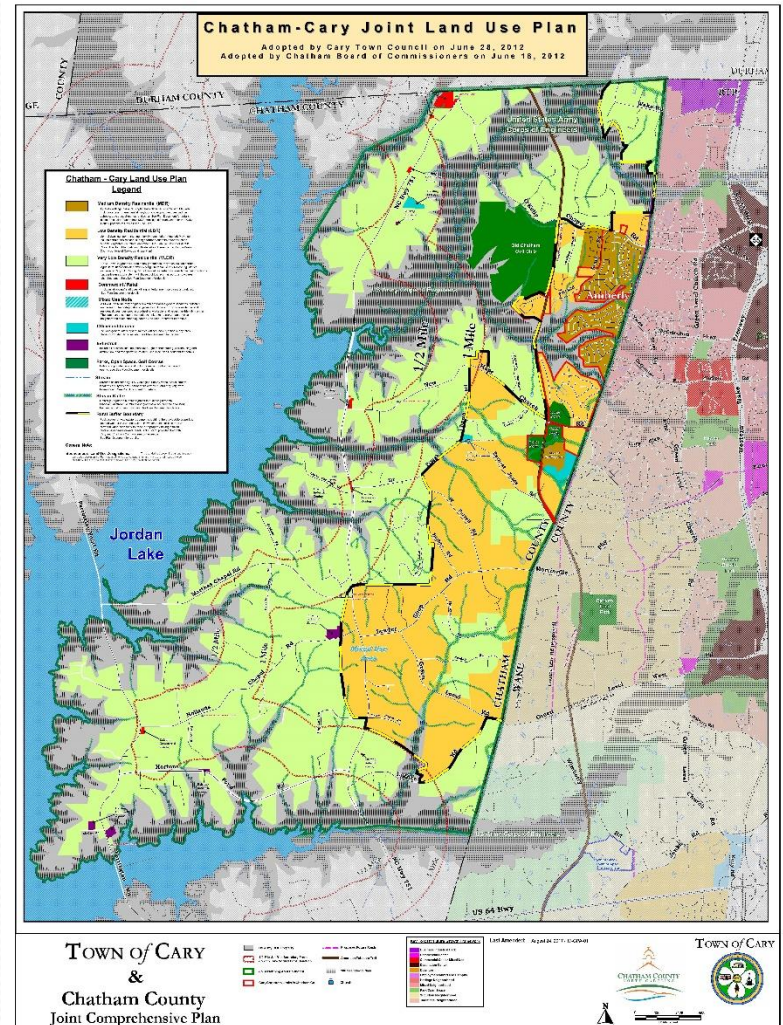
Receive the presentation and discuss

Chatham County Town of Cary Joint Land Use Plan

Five Year Assessment
January 16, 2018

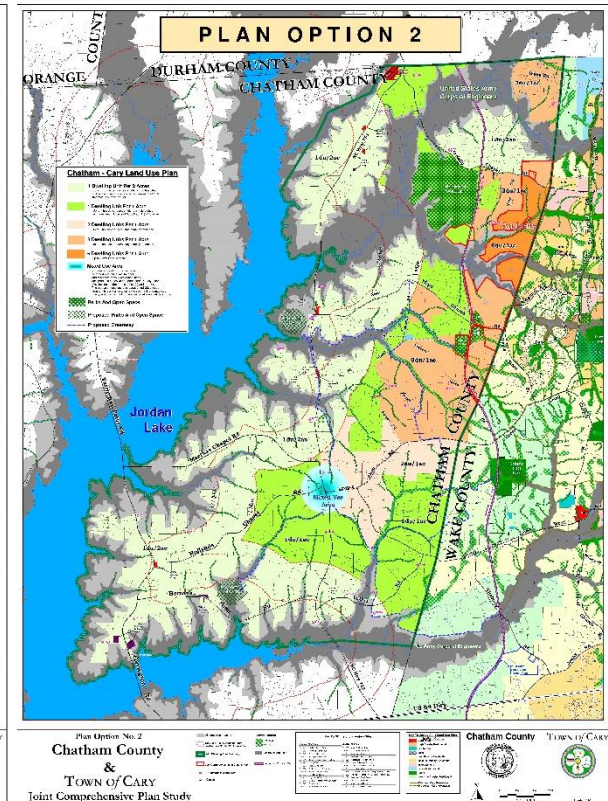
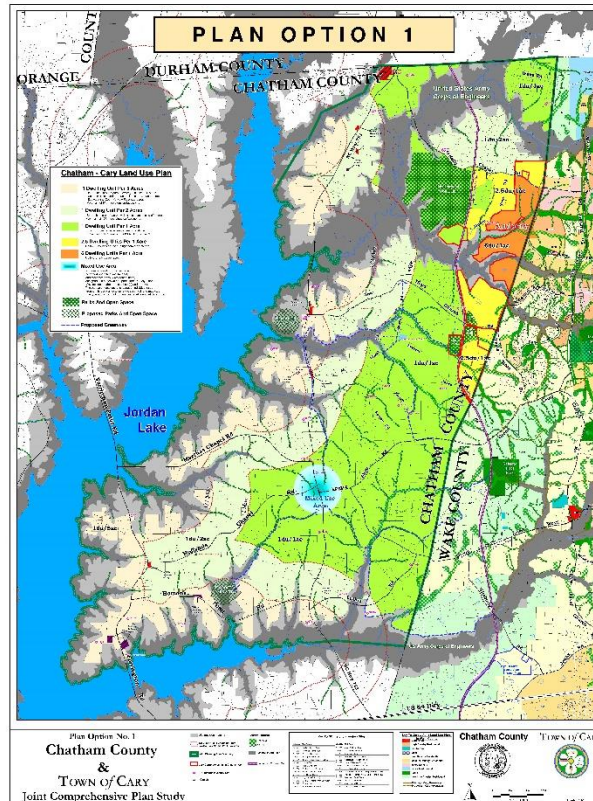
Joint Plan 5 Year Assessment

- Background
- Interlocal Agreement
- Plan & Map Overview
- Activities Since Adoption
 - Plan Interpretations
 - Rezoning Cases (both jurisdictions)
 - Major Subdivisions & Annexations
 - Plan Amendments
 - Town Parks, Recreation & Cultural Resources Master Plan Update
 - Transportation Planning
- Questions



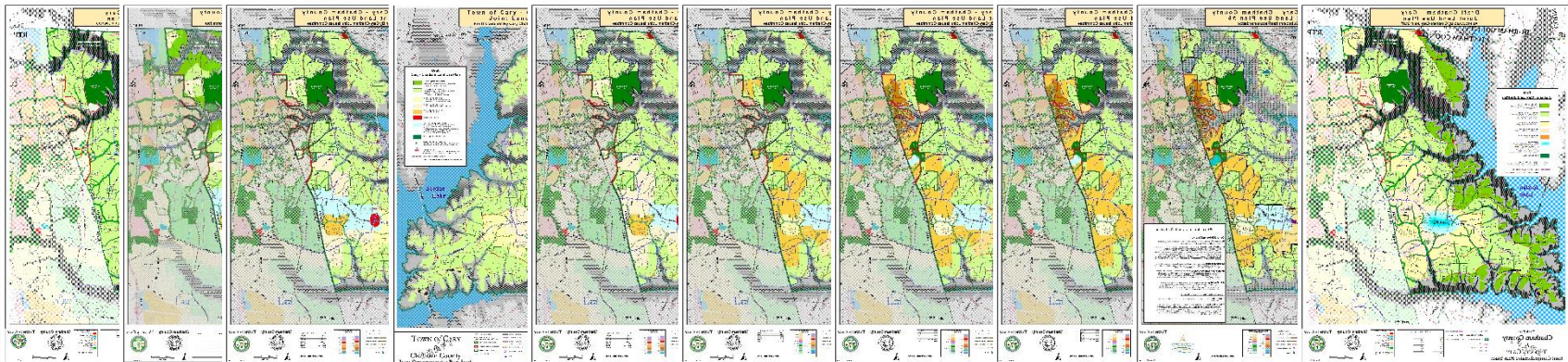
Background

- December 2005 – Resolution adopted initiating joint planning process
- Community meetings held throughout the process
- Staff generated plan options
- 2006-2007 – Joint meetings of both boards
- Late 2007 – Joint issues committee formed
- Plan Adoption Summer 2012



Background

- ~23 Map options generated between 2006 and 2012
- Plan history is available online
 - [2011-Adoption](#)
 - [2009-2010](#)
 - 2008 – JIC break while county worked on ordinance amendments and the town commissioned a watershed impact study
 - [2006-2007](#)
 - [Map Versions](#)
- During seven year process the Town did not entertain annexations
- Both jurisdictions requested special legislation regarding involuntary annexations that was approved in 2011 (SL 2011-151)



Interlocal Agreement

- Provides guidance on plan administration, implementation, and amendment process
 - Plan interpretations
 - Plan amendment process
 - Rezoning determinations
 - Public and Private utilities
 - Annexations
 - Subdivision conformity
 - Information sharing
 - Five year assessment
 - Renewal terms

Interlocal Agreement Regarding the Chatham-Cary Joint Land Use Plan

This Interlocal Agreement Regarding the Chatham-Cary Joint Land Use Plan ('Agreement') made and entered into this the 1st day of July, 2012, by and between **Chatham County**, a political subdivision of the State of North Carolina established and operating pursuant to the laws of the State of North Carolina, ('COUNTY') and the **Town of Cary**, a municipal corporation organized and existing under the laws of the State of North Carolina, ('TOWN')

WITNESSETH:

WHEREAS, the COUNTY and TOWN have identified the protection of the B. Everett Jordan Lake to be of primary interests to both parties as a source of drinking water, a recreational amenity, wildlife habitat and an area of special environmental concern; and

WHEREAS, in December, 2005 TOWN and COUNTY adopted a resolution calling for joint planning of an area of common interest described as east of Jordan Lake, north of White Oak Creek, west of the Chatham County line with Wake County and south of the Durham County Line ('Joint Planning Area'); and

WHEREAS, after thorough, careful and diligent study and review, and with extensive public input, the parties have jointly prepared the "Chatham County-Town of Cary Joint Land Use Plan" ('PLAN') which consists of a written PLAN Document and PLAN Map, and each find PLAN be an agreeable policy document designed to guide future land use and other planning decisions of both COUNTY and TOWN; and

WHEREAS, the parties desire to provide additional guidance on how PLAN is to be administered, implemented, and from time to time, amended, so that it continues to be a useful and viable document for both the COUNTY and TOWN for land use and other planning decisions within the Joint Planning Area.

Interlocal Agreement

- **10. Overall Plan Update.** For as long as this Agreement is in effect, TOWN and COUNTY will participate in a Joint Assessment of the PLAN every five (5) years. As part of the Joint Assessment, both parties will evaluate the performance and utility of the PLAN over the preceding five years, and each party will use the assessment to determine whether a joint update is needed. Such an update would occur in a fashion similar to the original development of PLAN, as determined by both governing boards at the respective times.
- **11. Term and Renewal of Agreement.** This Agreement shall exist and continue for ten years from July 1, 2012 ('Effective Date'). This Agreement will then automatically renew for two consecutive five (5) year periods.

Interlocal Agreement Regarding the Chatham-Cary Joint Land Use Plan

This Interlocal Agreement Regarding the Chatham-Cary Joint Land Use Plan ('Agreement') made and entered into this the 1st day of July, 2012, by and between **Chatham County**, a political subdivision of the State of North Carolina established and operating pursuant to the laws of the State of North Carolina, ('COUNTY') and the **Town of Cary**, a municipal corporation organized and existing under the laws of the State of North Carolina, ('TOWN')

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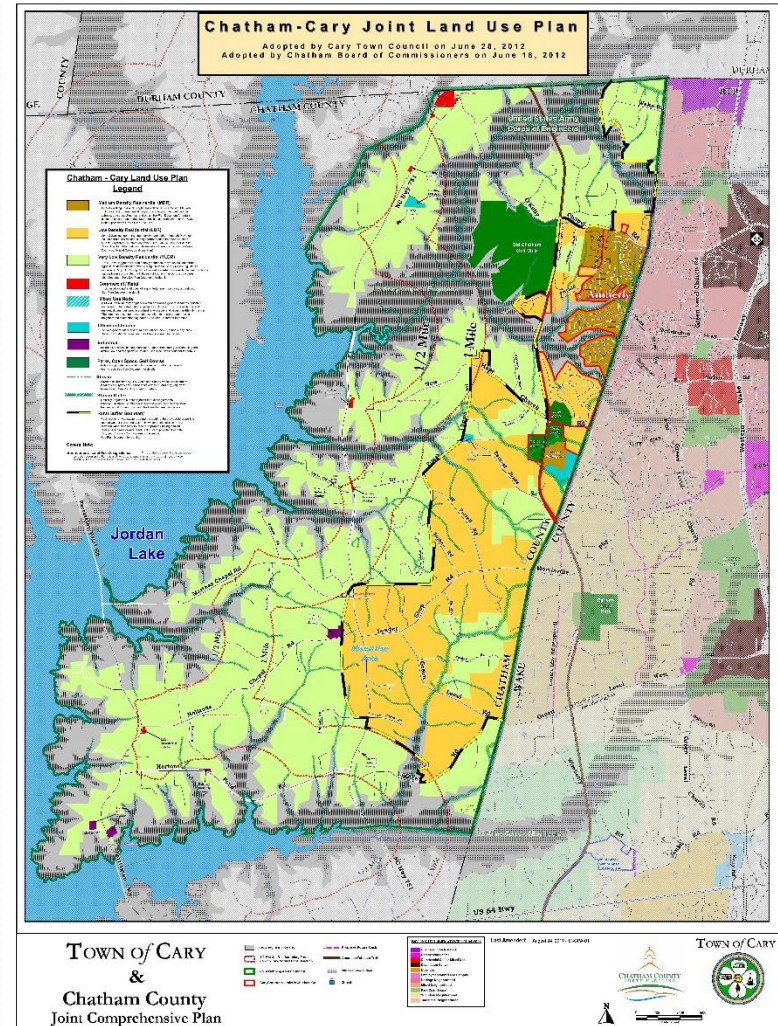
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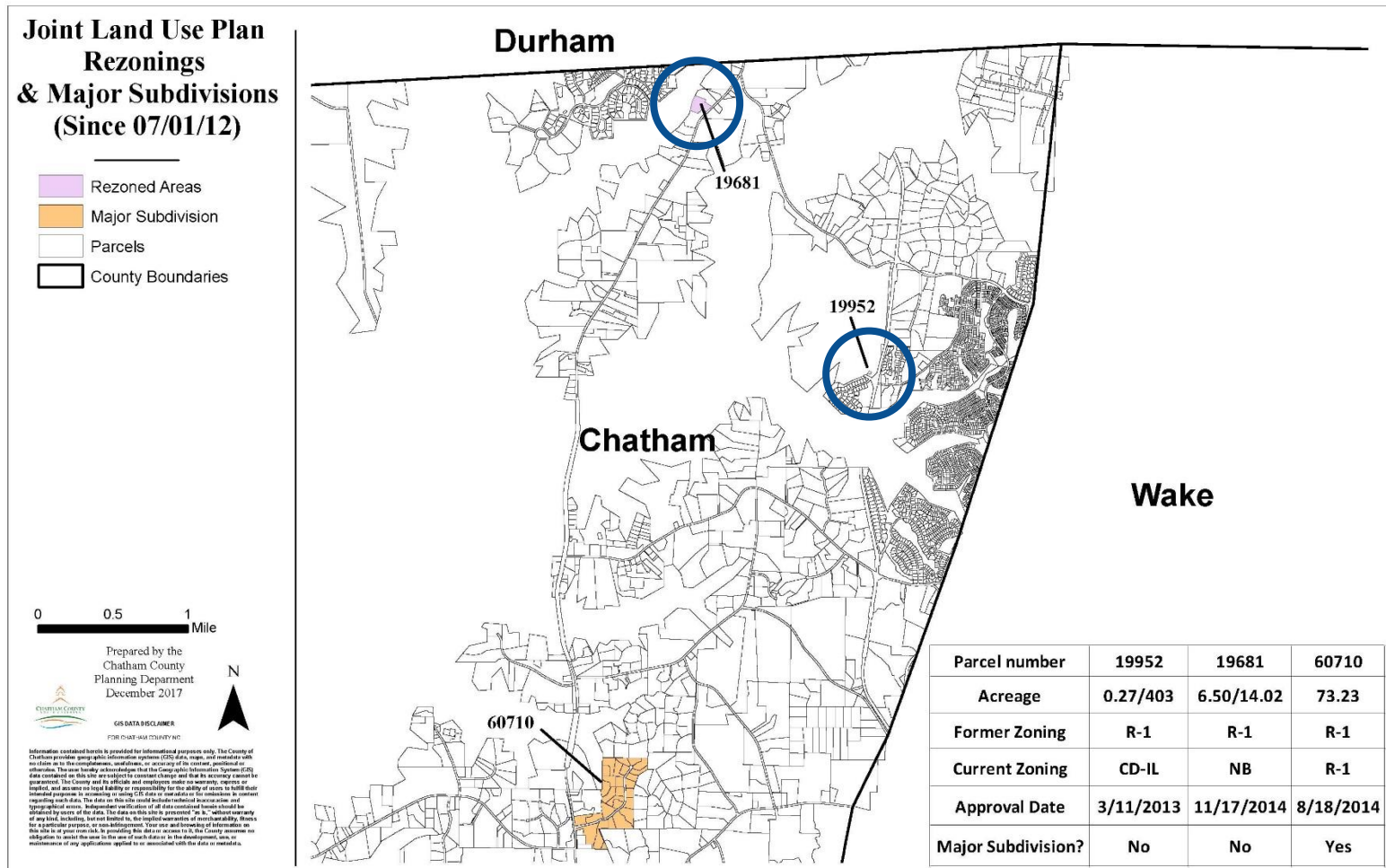
Plan and Map Overview

- Plan ([link to documents](#))
 - Detailed land use designation descriptions
 - Examples for comparison
 - Utility extensions & rescue provision
 - Watershed protection
 - Plan implementation
- Map
 - MDR – Medium Density Residential
 - Up to 4 DU per acre
 - LDR – Low Density Residential
 - Up to 2 DU per acre
 - VLDR – Very Low Density Residential
 - Up to 1 DU per acre
 - MXD - Mixed Use Node
 - Mix of residential and non-residential
 - Walkable, pedestrian friendly
 - Neighborhood scale shopping center
 - Existing Uses
 - Office & Institutional
 - Commercial/Retail
 - Light Industrial



Activities Since Adoption

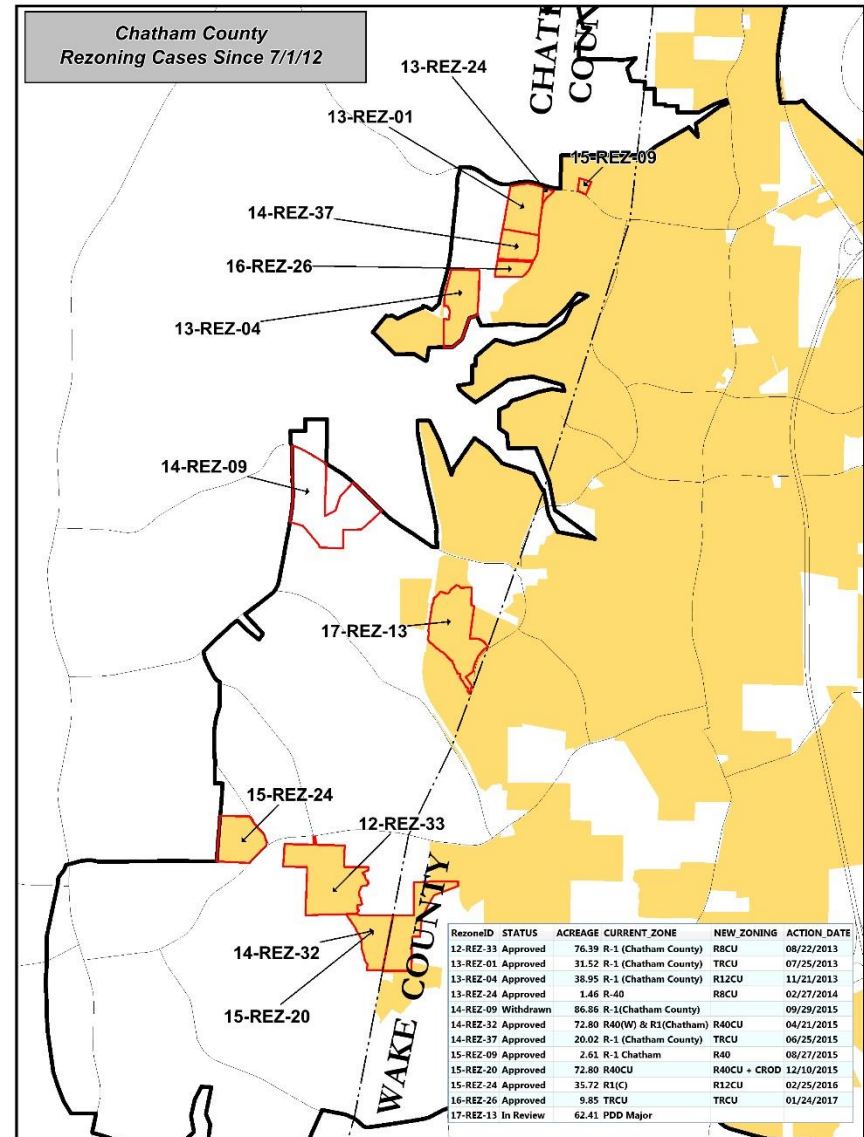
- Rezoning Cases – County (2)



Activities Since Adoption

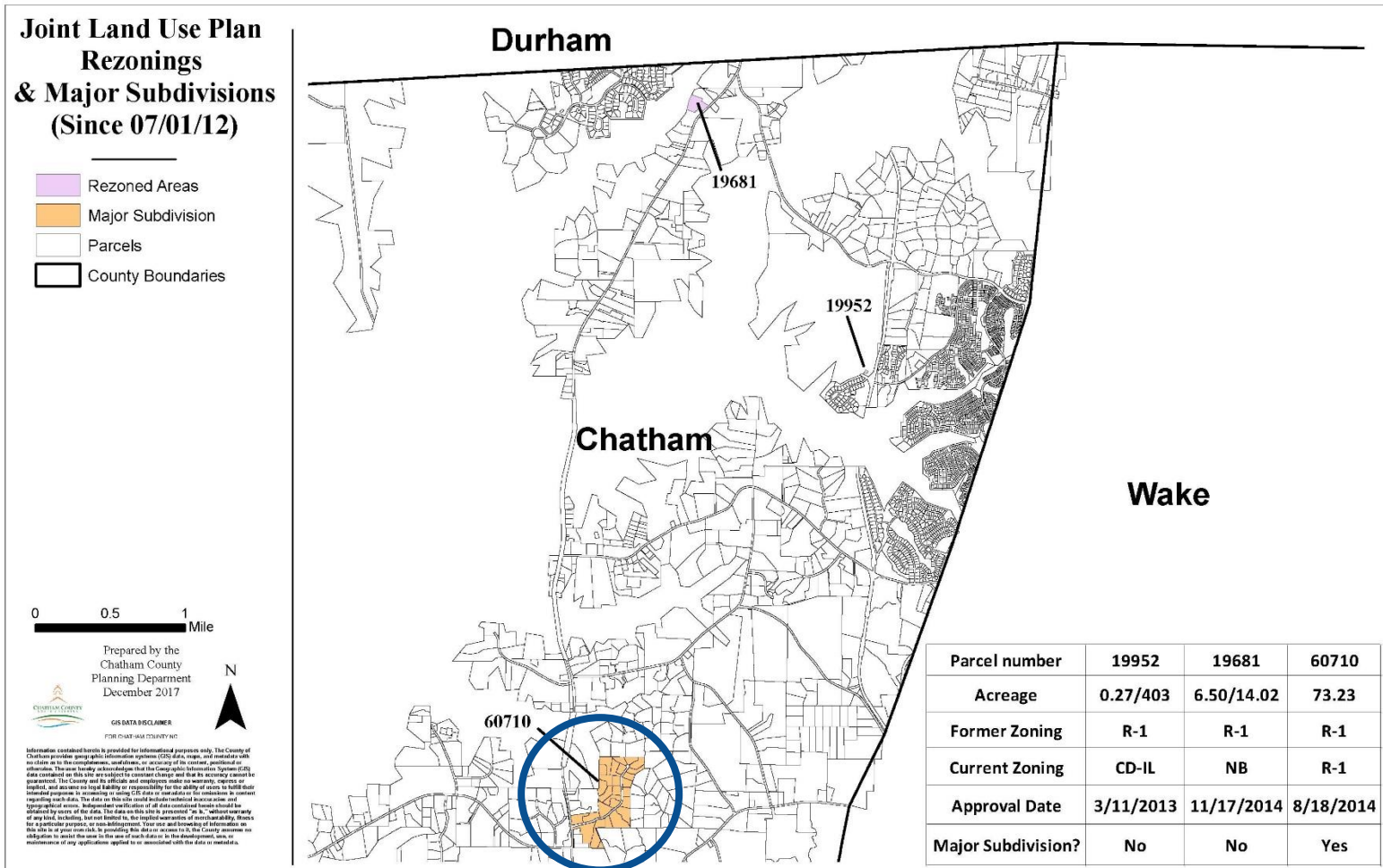
- Rezoning Cases – Town (12)
 - 10 approved, incl. 1 for a fire station, and 1
 - 1 withdrawn
 - 1 in review

RezoneID	STATUS	ACREAGE	CURRENT_ZONE	NEW_ZONING	ACTION_DATE
12-REZ-33	Approved	76.39	R-1 (Chatham County)	R8CU	08/22/2013
13-REZ-01	Approved	31.52	R-1 (Chatham County)	TRCU	07/25/2013
13-REZ-04	Approved	38.95	R-1 (Chatham County)	R12CU	11/21/2013
13-REZ-24	Approved	1.46	R-40	R8CU	02/27/2014
14-REZ-09	Withdrawn	86.86	R-1(Chatham County)		09/29/2015
14-REZ-32	Approved	72.80	R40(W) & R1(Chatham)	R40CU	04/21/2015
14-REZ-37	Approved	20.02	R-1 (Chatham County)	TRCU	06/25/2015
15-REZ-09	Approved	2.61	R-1 Chatham	R40	08/27/2015
15-REZ-20	Approved	72.80	R40CU	R40CU + CROD	12/10/2015
15-REZ-24	Approved	35.72	R1(C)	R12CU	02/25/2016
16-REZ-26	Approved	9.85	TRCU	TRCU	01/24/2017
17-REZ-13	In Review	62.41	PDD Major		



Activities Since Adoption

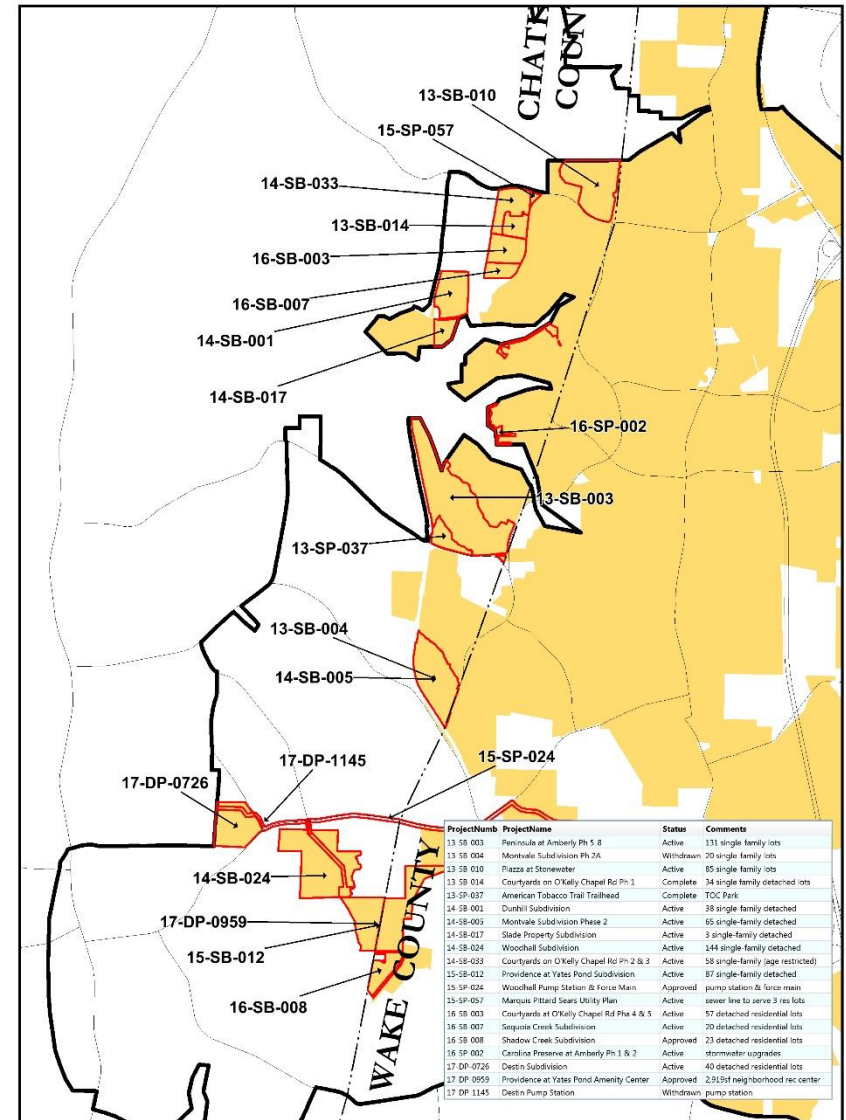
- Major Subdivisions – County



Activities Since Adoption

- Major Subdivisions – Town

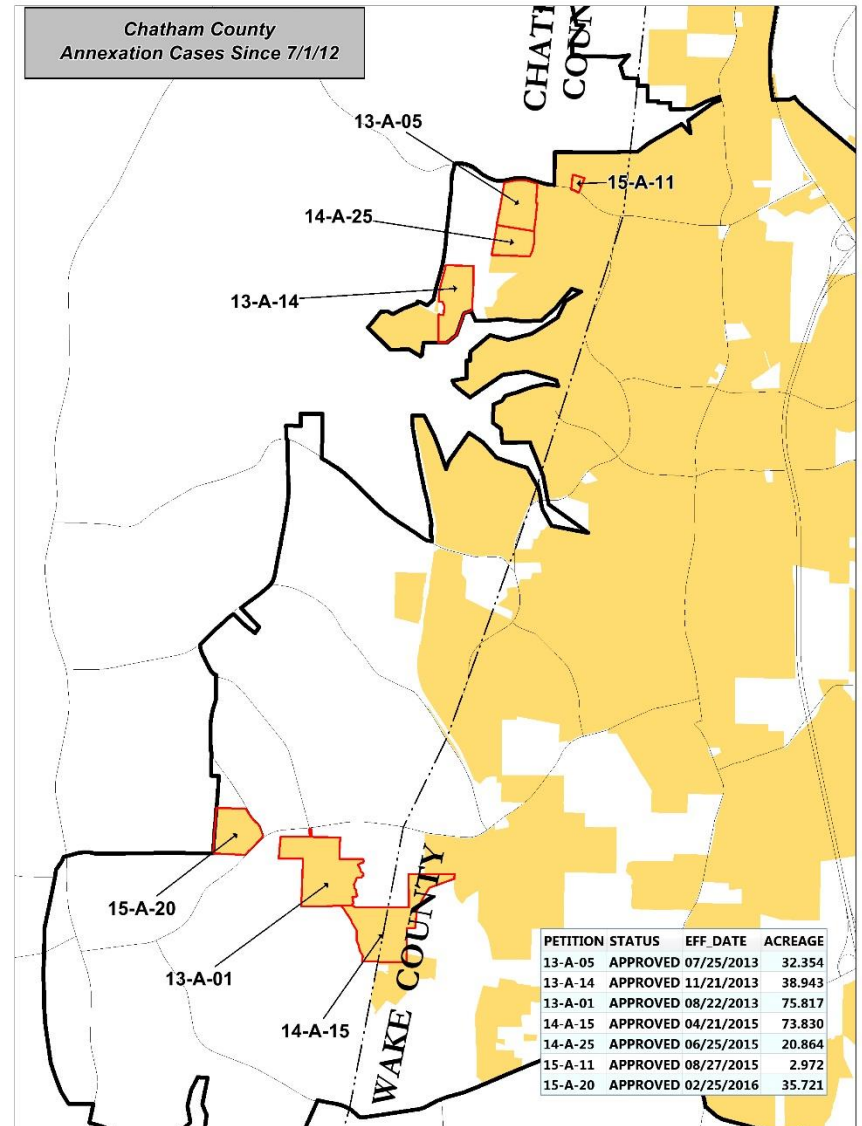
ProjectNumb	ProjectName	Status	Comments
13-SB-003	Peninsula at Amberly Ph 5-8	Active	131 single-family lots
13-SB-004	Montvale Subdivision Ph 2A	Withdrawn	20 single-family lots
13-SB-010	Piazza at Stonewater	Active	85 single-family lots
13-SB-014	Courtyards on O'Kelly Chapel Rd Ph 1	Complete	34 single family detached lots
13-SP-037	American Tobacco Trail Trailhead	Complete	TOC Park
14-SB-001	Dunhill Subdivision	Active	38 single-family detached
14-SB-005	Montvale Subdivision Phase 2	Active	65 single-family detached
14-SB-017	Slade Property Subdivision	Active	3 single-family detached
14-SB-024	Woodhall Subdivision	Active	144 single-family detached
14-SB-033	Courtyards on O'Kelly Chapel Rd Ph 2 & 3	Active	58 single-family (age restricted)
15-SB-012	Providence at Yates Pond Subdivision	Active	87 single-family detached
15-SP-024	Woodhall Pump Station & Force Main	Approved	pump station & force main
15-SP-057	Marquis Pittard Sears Utility Plan	Active	sewer line to serve 3 res lots
16-SB-003	Courtyards at O'Kelly Chapel Rd Pha 4 & 5	Active	57 detached residential lots
16-SB-007	Sequoia Creek Subdivision	Active	20 detached residential lots
16-SB-008	Shadow Creek Subdivision	Approved	23 detached residential lots
16-SP-002	Carolina Preserve at Amberly Ph 1 & 2	Active	stormwater upgrades
17-DP-0726	Destin Subdivision	Active	40 detached residential lots
17-DP-0959	Providence at Yates Pond Amenity Center	Approved	2,919sf neighborhood rec center
17-DP-1145	Destin Pump Station	Withdrawn	pump station



Activities Since Adoption

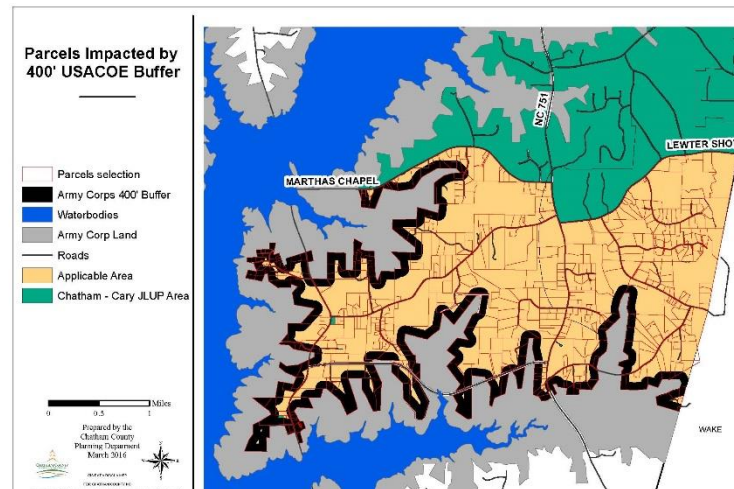
- Annexations

PETITION	STATUS	EFF_DATE	ACREAGE
13-A-05	APPROVED	07/25/2013	32.354
13-A-14	APPROVED	11/21/2013	38.943
13-A-01	APPROVED	08/22/2013	75.817
14-A-15	APPROVED	04/21/2015	73.830
14-A-25	APPROVED	06/25/2015	20.864
15-A-11	APPROVED	08/27/2015	2.972
15-A-20	APPROVED	02/25/2016	35.721



Activities Since Adoption

- Plan Amendments
 - June 2016 – Delete section 3.4.2 which established a 400 foot buffer adjacent to the Corps of Engineers property when public utilities are utilized for development.
 - August 2017 – Amendment to the joint plan map to reconfigure the MDR, Medium Density Residential, and Office/Institutional designations on a portion of parcel 19865.



Activities Since Adoption

- Comprehensive plans adopted by the Town and County
 - Both plans reflect the joint plan
- Town Parks, Recreation & Cultural Resources Master Plan Update
- Transportation Planning
 - Bicycle Signage Study (2016)
 - Evaluated bicycle signage options (DCHC MPO area)
 - Reviewed the multi-use American Tobacco Trail crossing at O'Kelly Chapel Road
 - American Tobacco Trail
 - Rectangular Rapid Flashing Beacons





Chatham County, NC

Text File

File Number: 17-2450

Agenda Date: 1/16/2018

Version: 1

Status: Work Session

In Control: Planning

File Type: Agenda Item

Vote on a request by the Planning Department to schedule legislative public hearings for February 19, 2018 to consider revisions to the Chatham County Subdivision Regulations and Zoning Ordinance.

Action Requested:

A request by the Planning Department to schedule legislative public hearings for February 18, 2018 to consider revisions to the Chatham County Subdivision Regulations and Zoning Ordinance.

Introduction & Background:

In 2015 and 2017, the Legislature adopted new legislation narrowing local governments' ability to regulate zoning and subdivisions. In 2017, the Legislature also adopted new legislation which added another category of legal subdivision, as well as clarifies some details on Comprehensive Plan Consistency Statements. The new pieces of legislation became effective October 1, 2015, July 1, 2017, and October 1, 2017, respectively, and have implications for the County's Subdivision Regulations and Zoning Ordinance.

In addition to the revisions needed due to changes in state law, Planning staff has also added some minor revisions that largely deal with improving process facilitation and language clarification.

Discussion & Analysis:

The aforementioned legislation passed in 2015 and 2017 have implications for the County's current standards and practices. The main impacts of these legislative changes are listed in the attached table labeled "Table Attachment-Legislative Changes". Planning staff has also added some minor revisions that largely deal with improving process facilitation and language clarification. The main impacts of these proposed changes are listed in the attached table labeled "Table Attachment #2-Planning Department Changes".

How does this relate to the Comprehensive Plan:

Goal 4: Diversify the tax base and generate more high-quality, in-county jobs to reduce dependence on residential property taxes, create economic opportunity and reduce out-commuting.

Recommendation:

Planning Staff recommends that the Board schedule a legislative public hearing for February 19, 2018 to consider the aforementioned revisions to the Chatham County Subdivision Regulations and Zoning Ordinance.

CHATHAM COUNTY
SUBDIVISION REGULATIONS

ADOPTED JUNE 29, 1980
EFFECTIVE JULY 1, 1980

REVISED DECEMBER 2, 2008

AMENDED SEPTEMBER 6, 2011

AMENDED MAY 21, 2012

AMENDED SEPTEMBER 16, 2013 (EFFECTIVE JANUARY 1, 2014)

AMENDED DECEMBER 15, 2014

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SECTION 1 GENERAL PROVISIONS

1.1 Title

This document shall be known; cited and referred to as the Chatham County Subdivision Regulations.

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1.2 Authority

By the authority of Chapter 153-A Article 18 of the General Statutes of North Carolina the Chatham County Board of Commissioners does hereby exercise the powers and authority to regulate the subdivision of land within its territorial jurisdiction.

1.3 Purpose

This ordinance is adopted for the following purposes:

- A.** To protect and provide for the public health, safety and general welfare of Chatham County.
- B.** To provide for the orderly growth and efficient development of the County.
- C.** To provide for the coordination of subdivision streets with existing and/or planned streets.
- D.** To insure an adequately planned street system and to avoid sharp curves, steep grades and hazardous intersections.
- E.** To provide for safe and adequate water and sewer systems, schools, parks and playgrounds.
- F.** To provide for the dedication of right-of-ways for streets and utilities.
- G.** To insure against flood damage.
- H.** To facilitate an orderly system for the design and layout of land.
- I.** To insure the proper legal description, and documenting of land.
- J.** To provide for the re-subdivision of land.
- K.** To avoid overcrowding of the land and extreme concentration of the population.
- L.** To provide for the orderly safe flow of traffic and to avoid congestion and traffic hazards.
- M.** To provide for the protection of lakes, streams, rivers, and wetlands within the jurisdiction.
- N.** To help implement the Chatham County Land Conservation and Development Plan.

The minimum standards specified herein are adopted and shall be considered as achieving the purposes listed above.

1.4 Jurisdiction

A. This document shall govern each and every subdivision of land, as herein defined, lying within Chatham County and outside the extraterritorial jurisdiction of any incorporated municipality as provided in Chapter 160A-360(d) of the General Statutes of North Carolina.

B. Whenever a subdivision of land takes place as herein defined, a plat shall be prepared, approved and recorded pursuant to the provisions specified herein. Since the definition of subdivision refers to the division of land into lots or building sites for sale or building development whether immediate or in the future, this shall be interpreted to mean that any time a separate residential structure is to be situated on a parcel of land, a separate lot shall be created and said lot shall, prior to any construction thereon, be reviewed according to the procedure set forth herein, unless said lot is exempted from the definition of subdivision. Parcels of land, which an owner does not intend to transfer, but upon which a mobile home(s) is located whether in a rental mobile home park or not in such a park are not required to comply with these regulations provided said land meets the requirements of the Health Department, provided that prior to any transfer of such a parcel except by will or intestacy, the owner shall comply with these regulations.

C. The owner of land shown on a subdivision plat submitted for recording, or his/her authorized agent, shall sign a statement on the plat stating whether or not any land shown thereon is within the jurisdiction of the subdivision regulations of Chatham County. (See Appendix A).

D. Whenever land shown on a plat for recordation is within the territorial jurisdiction of the subdivision regulations of Chatham County, but is exempt from the regulations, the owner of the land shown or his/her authorized agent shall sign a statement giving the reasons why.

1.5 Enactment

In order that land may be subdivided in accordance with these purposes and policy, these subdivision regulations are hereby adopted December 1, 2008 and become effective December 2, 2008.

1.6 Interpretation

The parts and provisions of this document in their interpretation and application shall be considered to be the minimum requirements for the promotion of the public health, safety and general welfare.

1.7 Conflict with Public Provisions

This document is not intended to interfere with, annul or abrogate any other ordinance, rule or regulation, statute or other provision of law applicable to Chatham County. Where any provisions of this document imposes limitations different from those imposed by any other provision of the document or any other ordinance, rule or regulation, or other provision or law, whichever provisions are more restrictive or impose higher standards shall control.

1.8 Conflict with Private Provisions

This document is not intended to abrogate any easement, covenant, or any other private agreement or restriction, provided that where the provisions of this document are more restrictive or impose higher standards or regulations than such easement, covenant, or other private agreement or restriction, the requirements of this document shall govern.

Where the private provisions impose more restrictive or higher standards than this document then such private provisions shall be operative and supplemental to these regulations.

1.9 Separability

If any part or provision of these regulations or application thereof to any person or circumstances is held invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision or application directly involved in all controversy in which such judgment shall have been rendered. Such judgment shall not affect or impair the validity of the remainder of this document even without any such part, provision or application.

1.10 Saving Provision

These regulations shall not affect any litigation or enforcement action commenced prior to the effective date of these regulations as set forth in Section 1.5

Any subdivision for which (i) a sketch plan approval application is pending or (ii) sketch plan approval has been granted prior to the effective date of these regulations as set forth in Section 1.5 shall remain subject to the subdivision regulations in effect on the date of such application or approval, respectively; provided any approval remains valid throughout the review process. The intent of this section is that all such subdivisions should be allowed to be developed and to proceed to final plat approval in accordance with the regulations, and subject to any conditions of approval, that were in effect prior to the effective date of these regulations.

1.11 Reservations

Upon the adoption of these regulations according to law the Subdivision Regulations of Chatham County, North Carolina, effective prior to December 2, 2008, as amended, are hereby repealed, except as to such sections expressly retained herein.

1.12 Amendments

For the purpose of providing for the public health, safety and general welfare, the Chatham County Board of Commissioners may amend, when deemed necessary, the provisions imposed by these regulations. Public hearings on all proposed amendments shall be held in the manner prescribed by Chapter 153A-323 of the General Statutes of North Carolina.

1.13 Variances

A. General

[Any variances to the Chatham County Subdivision Regulations shall follow the procedure outlined in Section 18 of the Chatham County Zoning Ordinance.](#)

1.14 Prohibited Acts, Enforcement, and Penalties

A. No owner or agent of the owner, of any land located within the territorial jurisdiction of the County, shall subdivide his/her land in violation of these regulations or transfer or sell land by reference to, exhibition of or any other use of a plat showing a subdivision of land

Deleted: Where the Planning Board finds that extraordinary hardships or practical difficulties may result from strict compliance with these regulations and/or the purposes of these regulations may be served to a greater extent by an alternative proposal, it may recommend variances to these subdivision regulations to the Board of Commissioners so that substantial justice may be done and the public interest secured, provided that such variance shall not have the effect of nullifying the intent and purpose of these regulations; and further provided the Planning Board shall not recommend nor the Board of Commissioners grant such variances unless it shall make findings based upon the evidence presented to it in each specific case: ¶

¶
(1) That there are special circumstances or conditions affecting said property such that the strict application of the provisions of this ordinance would deprive the applicant of the reasonable use of his/her land.¶

¶
(2) That the variance is necessary for the preservation and enjoyment of a substantial property right of the petitioner. ¶

¶
(3) That the circumstances giving rise to the need for the variance are peculiar to the parcel and are not generally characteristic of other parcels in the jurisdiction of this ordinance.¶

¶
(4) That the granting of the variance will not be detrimental to the public health, safety and welfare or injurious to other property in the territory in which said property is situated.¶

Conditions¶

In approving variances, the Board of Commissioners may require such conditions as will, in its judgment, secure substantially the objectives of the standards or requirements of these regulations.¶

Procedures¶

A petition for any such variance shall be submitted in writing by the subdivider for the consideration of the Planning Board. The petition shall state fully the grounds for the application and all of the facts relied upon by the petitioner. Applicants shall pay any administrative fee established by the County at the time of the application or request.

before the plat has been properly approved under these regulations and recorded in the office of the Register of Deeds. The description by metes and bounds in the instrument of transfer or other documents used in the process of selling or transferring land does not exempt the transaction from these regulations.

B. The Register of Deeds shall not record a plat of any subdivision unless the plat has been approved in the manner prescribed by these regulations, ~~the Planning Department has reviewed and confirmed that the subdivision is exempt from these regulations, and the owner has also certified~~ that the subdivision is exempt from these regulations. (See 1.4C and D)

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C. As provided in NCGS §153A-334, no officer or agency of the County may issue permits for the construction of any building or structure located on, or authorize the extension, connection or construction of any public or private facilities or services to a lot or other division of land that has not been properly created and approved, as provided by these regulations.

D. The Planning Department is responsible for enforcing these regulations.

E. The County may enjoin illegal subdivision, transfer or sale of land by action of injunction. Any violation of these regulations shall constitute a misdemeanor and violations of such provisions shall be punished by a fine or by imprisonment for a term not exceeding 30 days, as provided in NCGS §153A-334.

F. As provided in NCGS §153A-123, any violation of the provisions of these regulations or a failure to comply with any of its requirements may subject the offender to a civil penalty of \$50.00 per day for the first violation. If the same violation occurs on the same property within six (6) years after the initial violation is remedied, a civil penalty in the amount of \$100.00 per day shall automatically apply. If the same violation occurs on the same property within six (6) years after the second occurrence of the violation is remedied, a civil penalty in the amount of \$200.00 per day shall automatically apply. If the same violation occurs on the same property within six (6) years after the third or any subsequent occurrence of the violation is remedied, a civil penalty in the amount of \$500.00 per day shall automatically apply. For the purposes of assessing civil penalties each day such violation continues shall be considered a separate and distinct offense. In the case where a stop work order is violated, the fine can immediately be assessed at \$500 per day.

G. In situations where the property for which First Plat approval is sought was timbered in violation of development regulations, and the timber harvest results in the removal of all or substantially all of the trees that were protected under County regulations governing development of that tract, the County may withhold approval for up to three (3) years after the completion of the timber harvest.

The County may withhold approval of a First Plat for up to five (5) years after the completion of a timber harvest if the harvest results in the removal of all or substantially all of the trees that were protected under County regulations governing development of the tract for which the approval is sought, and the harvest was a willful violation of County regulations.

1.15 Fees

Reasonable fees sufficient to cover the costs of administration, inspection, technical review, publication of notice and similar matters may be charged to applicants for subdivision plat approval, variances and other administrative relief. The amount of the fees charged shall be as set forth in the County's annual budget or as established by resolution of the Board of Commissioners. Fees established in accordance herewith shall be paid upon submission of an application.

SECTION 2 DEFINITIONS

2.1 Meaning of Words Generally

Words and terms used in this document have their commonly accepted, dictionary meaning unless specifically defined or the context in which they are used in this document clearly indicates otherwise.

2.2 Meaning of Common Words

All words use in present tense include future tense.

All words in the plural include the singular, and all words used in the singular include the plural.

The word "shall" is mandatory, and the word "may" is permissive.

The word "building" includes the "structure and any part thereof".

The word "lot" includes the words "plot", "parcel", and "tract".

The word "person" includes the words "association", "company", "corporation", "firm", "individual", "organization" and "partnership".

2.3 Meaning of Specific Words and Terms

401 Certification-- The state certification required pursuant to Section 401 of the Clean Water Act (33 U.S.C. 1341) that the proposed activity for which an applicant is seeking a federal permit or approval will not degrade Waters of the State or otherwise violate water quality standards (See 15A North Carolina Administrative Code 2H.0500).

404 Permit - A federal permit required pursuant to Section 404 of the Clean Water Act before dredged or fill material may be discharged into waters of the United States, unless the activity is exempt from Section 404 regulation (e.g. certain farming and forestry activities).

Accessory Dwelling Unit (i.e. guest house, pool house, garage apartment, in-house apartment) - An accessory dwelling unit that is smaller than the principal residential dwelling. The accessory dwelling unit is situated on the same lot as the principal residence and may be located within the principal residence or in a separate building with a separate access. The accessory dwelling unit is restricted to 1,500 square feet of heated living space. The use is to conform to the character of the existing structures and neighborhood, i.e. mobile homes are not allowed as an accessory dwelling unit on lots smaller than 80,000 square feet.

Adjacent -Having a common border such as a lot line or street right-of-way.

Affordable Housing - A commonly accepted standard for affordability is that a household's monthly housing costs should not exceed 30 percent of its monthly net household income. Housing is usually considered "affordable" if it would meet this 30 percent standard for families considered "low-income," meaning they earn below 80 percent of the area median income (AMI). For example, the Raleigh-Durham-Chapel Hill MSA 2001 AMI is \$66,100; under this case $\$66,100 \times .80 = \$52,880$ $\times .30 = \$15,864$ / 12 (months) = \$1,322 per month for housing cost.

Alley - A strip of land, publicly or privately owned, set aside primarily for vehicular service access to the back or side of properties otherwise abutting a street.

Applicant - The owner of land proposed to be subdivided or his/her representative. Consent shall be required from the legal owner of the premises prior to the Board of Commissioners or staff granting final approval of a subdivision plat. See also subdivider.

Architect - A person certified and currently licensed to practice architecture in North Carolina. This includes landscape architects.

Block - A tract of land bounded by visible physical boundaries such as streets, public parks, cemeteries, railroad right-of-ways, shorelines of waterways, or boundary lines of municipalities.

Board - The Chatham County Planning Board.

Board of Commissioners - The Chatham County Board of Commissioners.

Bona Fide Farm Activities – Any activity including the production and activities relating or incidental to the production of crops, fruits, vegetables, ornamental and flowering plants, dairy, livestock, poultry, and all other forms of agricultural products as defined in NCGS §106-581.1 having a domestic or foreign market. For purposes of determining whether a property is being used for bona fide farm purposes, any of the following shall constitute sufficient evidence that the property is being used for bona fide farm purposes:

- a. A farm sales tax exemption certificate issued by the Department of Revenue.
- b. A copy of the property tax listing showing that the property is eligible for participation in the present use value program pursuant to NCGS §105-277.3.
- c. A copy of the farm owner's or operator's Schedule F from the owner's or operator's most recent federal income tax return.
- d. A forest management plan.
- e. A Farm Identification Number issued by the United States Department of Agriculture Farm Service Agency.

Bond - Any form of security, including a cash deposit, surety bond, collateral, property, or instrument of credit in an amount and form satisfactory to the Planning Department.

Building - Any structure having a roof supported by walls or columns constructed or used for residence, business, industry or other public or private purposes.

Building Setback Line - A line in the interior of a lot which is generally parallel to, and a specified distance from, the street right-of-way line or other lines; which creates a space between such lines in which no building shall be placed.

Community Water System - A private water company formed by a developer to serve a new subdivision.

Community Sewage System - A private sewer system including collection and treatment facilities established by a developer to serve a new subdivision.

Concept Plan – The initial map and supporting documentation submitted by a subdivision applicant for use by County staff, other agencies, and the public. This map will show general concepts and layout of streets, lots, open space, environmental constraints, and major easements for utilities or other associated common use such as drainage or pedestrian access. The Concept Plan is less detailed than the First Plat, which follows sequentially in the subdivision process.

Conservation Development - A net density approach where lot sizes are reduced and the land that is saved through such reductions is preserved as open space on separate lots owned and maintained through a homeowner's association, a nonprofit land conservancy or unit of State or local government.

Construction Plan - This map is similar to the First Plat, but will be more refined and detailed in certain cases where outside agency permits required minor changes. This plan will be submitted with outside agency permits issued.

County - Chatham County, North Carolina or the governing body of.

CU-CC Conditional Use – Compact Community - A compact residential development with a mixed commercial use village center with a conditional use permit required as a prerequisite to any use or development, as provided in the Compact Communities Ordinance.

Cul-de-sac - A street with only one end open to traffic and the other end being permanently terminated and a vehicular turn-around provided for the safe and convenient reversal of traffic movement. Length is measured from the center point of the turn-around to the center line of the connecting non-cul-de-sac street.

Dedication - The object or the act of an owner offering property or property rights to the public. Since a transfer of property rights is involved, dedications must be made by written recordable instruments.

Developer - The owner of land proposed to be subdivided or his/her representative. Consent shall be required from the legal owner of the premises.

District 1, Division of Highways - The Division of Highways of the North Carolina Department of Transportation; both agency and persons.

Double Front Lot - A continuous (through) lot which is accessible from both streets upon which it fronts.

Easement - The right to use another person's property, but only for a limited and specifically named purposes; the owner generally continues to make use of such land since he/she has given up only certain, not all, ownership rights.

Environmental Impact Assessment - A document that must be prepared for any proposed development project that is subject to and meets the criteria in Section 6.2 of the Subdivision Regulations which discusses the potential environmental impact of the proposed project and the methods proposed to mitigate or avoid significant adverse environmental impacts.

Environmental Impact Statement - A document that must be prepared pursuant to the National Environmental Policy Act of 1969, or the North Carolina Environmental Policy Act of 1971, regarding proposed federal or certain State actions respectively that significantly affect the quality of the human environment.

Environmental Review Board - The advisory body set up by the Board of Commissioners.

Exempt Subdivision – Certain kinds of land division not covered by this ordinance; see SECTION 4C, **Exempt Subdivisions** for details.

Expedited Review - The County may require only a plat for recordation for the division of a tract or parcel of land in single ownership if the criteria in Section 4 (D) of this ordinance are met. An expedited review application and associated fee(s) shall apply and be submitted to the County prior to approval of the plat.

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Family Subdivision - One or more divisions of a tract of land (a) to convey the resulting parcels, with the exception of parcels retained by the grantor, to a relative or relatives of direct lineage, or to the surviving spouse, if any, of any deceased lineal descendant, as a gift or for nominal consideration, but only if no more than one parcel from such tract is conveyed by the grantor to any one relative or such relative's surviving spouse; or (b) to divide land from a common ancestor among tenants in common, all of whom inherited by intestacy or by will. This provision shall apply only where the grantor or decedent already owned the land so divided before January 1, 1994.

Fast Track - An expedited review procedure for projects that meet certain criteria.

Final Plat - The map or plan of record of a subdivision and any accompanying material, as described in these regulations.

First Plat - This is a map and supporting documentation in sufficient detail to satisfy all review requirements and begin the process of applying for outside permits once it is approved. This document follows the Concept Plan and is followed by the Construction Plan in the subdivision process.

Flood Hazard Area - The minimum area of the flood plain that, on average, is likely to be flooded once every one hundred years (i.e., that has a one percent chance of being flooded each year) as identified on the most current Flood Insurance Rate Map Chatham County, North Carolina Unincorporated Area as referenced in the Chatham County Flood Damage Prevention Ordinance.

Grade - The slope of a road, street, or other public way, specified in percentage (%) terms.

Green Space - Natural undeveloped areas such as pastures, farmland, forests, wetlands, and lakes. Green space may also include landscaped perimeters and green landscape reserves along thoroughfares.

Health Department - The agency and person designated to administer local health regulations. This is the Chatham County Health Department.

Horizontal Plan - Part of the concept process; it is a map of the site in two dimensions showing where environmental constraints such as, flood zones and access exist, and then the conceptual map of the new development is shown for the site. This differs from a full-blown plan in that simple spatial data (such as those used by the County Geographic Information Systems department) are sufficient, and engineering level data, such as surveyed topography in three dimensions and a higher level of precision are not necessary.

Individual Septic Systems - A sewage disposal system developed to function on an individual lot basis. A septic tank, seepage tile sewage disposal system, or any other approved sewage treatment device.

Interior Lot - A lot other than a corner lot with frontage on only one street.

Land Use Plan - The Chatham County Land Conservation and Development Plan.

Local Road - See *Rural Road*

Lot - A tract, plot, parcel or plat of land intended as a unit for the transfer of ownership or for development.

Lot Area - The total horizontal area included within lot lines.

Lot Area (Useable) - The area within the lot lines which is a contiguous or non-contiguous area suitable for a septic field, well, house and access. This area does not include public right-of-ways, flood hazard areas, ~~water features requiring riparian buffers~~, or floodways. Riparian Buffer Areas may be used to meet useable lot area measurement requirements and other development-related regulatory requirements based on property size specified in Section 7.1B.

Deleted: Lot area suitable for septic fields.

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Lot Improvement - Physical changes made to raw land and structures on or under the land surface in order to make the land more useable for human activities. Typical improvements in these regulations would include, but not be limited to grading, street pavement, drainage ditches, and street name signs. Certain lot improvements shall be properly bonded as provided in these regulations.

Low Impact Development - See the Chatham County Stormwater Ordinance.

Major Collector - See *Rural Road*

Major Subdivision - All subdivisions not classified as minor subdivisions, consisting of six (6) or more lots, or any size subdivision requiring any new street, or extension, or the creation of any public improvements.

Major Utility - All utility facilities other than minor utilities. Includes public utilities serving regional areas and public utility service and storage yards. Examples include, but are not limited to, electrical substations and wastewater treatment plants. This definition excludes public utility transmission lines.

Minor Arterial - See *Rural Road*

Minor Collector - See *Rural Road*

Minor Subdivision - Any subdivision containing five (5) lots or less, fronting on an existing public street, not involving any new streets or road, or the extension or the creation of any public improvements.

Minor Utility - Any above-ground structures or facilities owned by a governmental entity, a nonprofit organization or corporation used in connection with the transmission, delivery, collection, or storage of water, sewage, electricity, gas, oil, or electronic signals. Minor utilities are necessary to support development within the immediate vicinity and involve

only minor structures. Examples include, but are not limited to, pump stations, community well houses and above ground utility cabinets. Excepted from this definition are Major Utilities.

Monuments - Markers placed on or in the land. Metal pins not less than three-fourth (3/4) inches in diameter and 18 inches long or concrete monuments four (4) inches in diameter or square and three feet long.

National Pollutant Discharge Elimination System Permit (NPDES) - Authorized by the Clean Water Act, this permit program controls water pollution by regulating point sources that discharge pollutants into waters of the United States.

Non-cul-de-sac Street - A street with more than one end open to traffic or which may be opened in the future, such as a stub street.

Non-Discharge Permit - Permit from the North Carolina Division of Water Quality to allow discharge of processed wastewater onto the land (i.e., such as spray irrigation).

Non-residential Subdivision - A subdivision whose intended use is other than residential, such as commercial, institutional or industrial. Any subdivision lot whose intended use is for bona-fide farm activities, with no residential component, is included in this definition.

Official Submission Date -The date of the meeting at which a plat is deliberated for approval.

Off-Site - Any premises not located within the area of the property to be subdivided, whether or not in the same ownership of the applicant requesting subdivision plat approval.

Official Maps or Plans - Any maps or plans officially adopted by the Board of Commissioners as a guide to the development of Chatham County. The Zoning Map and Thoroughfare Plan are examples of an official map and plan, respectively.

Open Space - A restricted reservation of land located within a development with limited low-impact amenities. Amenities may be passive or active. A few examples include but are not limited to: green space both natural and landscaped, detention areas, trails, lakes, pavilions, benches, outdoor cooking facilities, and active recreational facilities such as ball and soccer fields, playgrounds, and the like.

Owner - Any person, group of persons, firm or firms, corporation or corporations, or any other legal entity having legal title to or sufficient proprietary interest in the land sought to be subdivided under the regulations.

Park - See *Recreation Area*

Permanent means of ingress and egress – an easement or road that meets the applicable requirements listed in this ordinance.

Planning Board - The Chatham County Planning Board.

Planned Unit Development (PUD) - Development with a unique design that is comprised of a mixture of housing densities and types (detached and attached) and land

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uses, including open space. The open space shall be deeded to a property owner's association or an appropriate governmental body. A PUD shall be developed according to the master plan as specified in Section 9 of these regulations.

Principal Arterial - See *Rural Road*

Private Street - An un-dedicated private right-of-way which affords access to abutting properties according to the standards of this ordinance and requires a subdivision streets disclosure statement in accordance with the North Carolina General Statutes.

Public Improvement - Any drainage ditch, roadway, sidewalk, lot improvement or other facility for which the local government may ultimately assume the responsibility for maintenance and operation, or which may affect an improvement for which local government responsibility is established.

Public Sewer - A system to provide the public with the collection and treatment of wastewater which shall be owned and operated by a county, municipal government, or service district.

Public Street - A dedicated public right-of-way which affords access to abutting property and meets the standards of this ordinance and the most recent North Carolina Department of Transportation minimum construction standards for subdivision roads.

Public Water - A system to provide or furnish water to the public which shall be owned and operated by a county, municipal government, or service district.

Recreation Area - An area of land and/or water resources that is developed for active and/or passive recreation pursuits with various man-made features that accommodates such activities.

Recreation Exaction Fee - A payment in lieu of land dedication paid to Chatham County to defray the cost of providing recreation services to new development.

Register of Deeds - Chatham County Register of Deeds.

Reservation - An obligation to keep property free from development for a stated period of time for the purpose of making the land available for a specified use at a later time.

Residential Subdivision - A subdivision whose intended use is single- or multi-family residential or duplex development.

Right-of-way - A strip of land occupied or intended to be occupied by a street, crosswalk, railroad, road, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, or for another special use. The usage of the term "right-of-way" for land plating purposes shall mean that every right-of-way hereafter established and shown on a Final Plat is to be separate and distinct from the lots or parcels adjoining such right-of-way and not included within the dimensions or areas of such lots or parcels. Right-of-ways intended for streets, crosswalks, water mains, sanitary sewers, storm drains, or any other use involving maintenance by a public agency shall be dedicated to public use by the owner of the property on which such right-of-way is established.

Riparian Buffers - A natural or vegetated area that provides protective distance between a stream, perennial water body or wetland and an adjacent land area. The

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riparian buffer shall be measured horizontally on a line perpendicular from the top of bank or from the normal pool elevation of a perennial water body or wetland. The required riparian buffer distances are specified in the Chatham County Watershed Protection Ordinance.

Road Right-of-way Width - The distance between property lines measured at right angles to the centerline of the street.

Rural Road - For purposes of this ordinance the following classification of rural roads apply:

Principal Arterial: A rural link in a network of continuous routes serving corridor movements having trip length and travel density characteristics indicative of substantial statewide or interstate travel and existing solely to serve traffic. This network would consist of interstate routes and other routes designed as principal arterials.

Minor Arterial: A rural link in a network joining cities and larger towns and providing intrastate and inter-county service at relatively high (55mph) overall travel speeds with minimum interference to through movement. The network would primarily serve through traffic.

Major Collector: A road which serves major inter-county travel corridors and traffic generators and provides access to the arterial system.

Minor Collector: A road which provides service to small local communities and links with locally important traffic generators with their rural hinterland.

Local Road: A road which primarily provides access to adjacent land and for travel over relatively short distances.

Setback - The distance between a building and the street line or property line nearest thereto.

Staff - Chatham County employees.

Street Line - The legal line between street right-of-way and abutting property.

Street Sign - The sign designating the official name and/or number of the street.

Stub Street (Stub Out) - A street with one end open to traffic and one end temporarily closed, with a temporary turn around for the safe and convenient reversal of traffic movement. The end that is temporarily closed shall have access reserved on site for future extension.

Structure - Anything constructed or erected, including but not limited to buildings, which requires location on the land or attachment to something having permanent location on the land.

Subdivider - Any person who (1) having an interest in land, causes it, directly or indirectly, to be divided or who, (2) directly or indirectly, sells, leases, or develops, or offers to sell, lease, or develop, or advertises for sale, lease, or development, any interest, lot, parcel, site, unit, or plat in a subdivision, or who (3) engages directly or

through an agent in the business of selling, leasing, developing, or offering for sale, lease, or development a subdivision, of any interest, lot, parcel, site, unit, or plat in a subdivision, and who (4) is directly or indirectly controlled by, or under direct, or indirect common control with any of the foregoing.

Subdivision - All divisions of a tract or parcel of land into two or more lots, building sites, or other divisions when any one or more of those divisions are created for the purpose of sale or building development (whether immediate or future) and includes all division of land involving the dedication of a new street or a change in existing streets; however, those instances listed under SECTION 4C, **Exempt Subdivisions** are not subject to these regulations pursuant to this document.

Subdivision Agent - Any person who represents, or acts for or on behalf of a subdivider or developer, in selling, leasing, or developing, or offering to sell, lease, or develop any interest, lot, parcel, unit, site or plat in a subdivision, except an attorney-at-law whose representation of another person consists solely of rendering legal services.

Subdivision Plat - The final map or drawing, described in these regulations, on which the subdivision may be submitted to the Register of Deeds for recording.

Surveyor - A qualified land surveyor registered and currently licensed to practice surveying in the State of North Carolina.

Technical Review Committee - A committee composed of staff from various departments in Chatham County government and representatives of other local, state and federal agencies. Representatives of other outside agencies or groups may be included as well.

Temporary Improvement - Improvements built and maintained by a subdivider during construction of the subdivision and prior to release of any performance bond.

Unit or Dwelling Unit - A building or portion thereof designed, arranged or used for living quarters for one family.

Unobstructed - Free of obstacles that delay, impede or hinder passage and/or access. An unobstructed roadway allows the two-way movement of vehicles, free of on-street vehicular parking and other obstacles.

Usable Land - See *Lot Area (Useable)*

Water Hazard Area - The area adjacent to continuously flowing waterways and intermittent streams as designated on the most recent USGS quadrangle sheets which due to its proximity to the waterway, soils and/or other topographic information is deemed not suitable for structures or septic fields due to potential water pollution. (Note: This is a historic referenced that may appear on older plats. It is no longer used in the ordinance after December 2, 2008)

Zoning Ordinance - The Chatham County Zoning Ordinance for Baldwin, Williams, New Hope, Cape Fear, and portions of Haw River, Oakland, Center, Albright, Gulf, Hickory Mountain, Matthews, and Hadley Townships.

SECTION 3 SECURITY FOR COMPLETION OF IMPROVEMENTS

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3.1 Improvement and Adequate Security

A. Completion of Improvements

Before the plat is signed by the Chair of the Board of Commissioners or his/her designee, all applicants shall be required to complete, in accordance with the County's requirements, all the street, sanitary, and other improvements in the subdivision, including without limitation, improvements on the individual lots of the subdivision as required in these regulations, specified in the final subdivision plat, and as approved by the County and to dedicate same to the appropriate government body, free and clear of all liens and encumbrances on the property and public improvements thus dedicated.

B. Adequate Security

- (1)** When seventy-five (75) percent of the improvements based on the total estimated cost of the improvements to be installed have been completed, all weather access for emergency vehicles has been provided, and waterlines are completed and ready for acceptance by the County if public water is available; upon request the County may enter into a contract with the applicant under which the applicant agrees to complete all required improvements. Once the contract has been executed by the County and the applicant and the security required herein is provided, the final plat may be signed and recorded if all requirements of this Ordinance, except the completion of the improvements, have been met. To secure the obligation under the contract, the applicant shall provide any one or a combination of the guarantees set forth below to cover the costs of the uncompleted improvements. The amount of the security shall not be less than 125% of an amount determined by a licensed architect, registered landscape architect, registered engineer, surveyor, or licensed contractor acceptable to the County as sufficient to secure to the County the satisfactory construction, installation, and dedication of the incomplete portion of required improvements including labor and material payments. The security shall also assure all lot improvements on the individual lots of the subdivision as required in these regulations. The performance guarantee shall only be used for completion of the required improvements and not for repairs or maintenance after completion.
- (2)** Such adequate security shall comply with all statutory requirements and shall be satisfactory to the County Attorney as to form and manner of execution as set forth in these regulations, and the Planning Director as to sufficiency (i.e., inflation or rising construction costs shall be taken into account of security amount). A copy of the power of attorney for any countersigning agent shall be attached. The period in which required improvements must be completed shall be specified by the County prior to the recordation of the final subdivision plat and shall be incorporated in the contract. If the improvements are not complete and the current performance guarantee is expiring, the performance guarantee shall be extended, or a new performance guarantee issued, for an additional period until such required improvements are complete. A developer shall demonstrate reasonable, good faith progress toward completion of the required improvements that are the subject of the performance guarantee or any extension. The form of any extension shall remain at the election of the developer. The County Attorney may at any time during the period of such security accept a substitution of

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principal or sureties on the security. The security shall take one of the following forms:

a. Surety Performance Bond(s)

- i. The applicant shall provide a surety bond from a bonding company authorized to issue such bonds in North Carolina.
- ii. The bond shall be payable to Chatham County and shall be in an amount equal to at least 125% of the entire estimated cost, as approved by the County, of installing all uncompleted improvements. Applicants must submit a request for bonding including a detailed construction cost estimate upon submission of the final plat.
- iii. The bond amount and term shall be as approved by the Planning Director and such consultants as deemed necessary.
- iv. The County Attorney shall review the submitted bond and make a recommendation regarding its legal sufficiency to the Planning Director.

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b. Cash or Equivalent Security

- i. The applicant shall deposit cash, an irrevocable letter of credit (issued by any financial institution licensed to do business in this State), or other form of guarantee that provides equivalent security to a surety bond or letter of credit, with the County. Any irrevocable letter of credit or other instrument shall be made payable to Chatham County. The amount of deposit shall be equal to at least 125% of the entire estimated cost, as approved by the County, of installing all uncompleted improvements.
- ii. The amount and term of such security shall be as approved by the Planning Director and such consultants as deemed necessary.
- iii. The County Attorney shall review the submitted security and make a recommendation regarding its legal sufficiency to the Planning Director.

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- (3) A contract, satisfactory to the County as to form, shall accompany any security accepted by the County for improvements, and shall be signed and approved prior to recordation of the Final Plat.

C. Temporary Improvement

The applicant shall build and pay for all costs of temporary improvements required by the County and shall maintain the same for the period required by the County. Prior to construction of any temporary facility or improvement, the applicant may be required to file with the County a separate suitable financial guarantee for temporary facilities, such guarantee assuring that the temporary facilities will be properly constructed, maintained and removed.

D. Costs of Improvements

All required improvements shall be made by the applicant, at his/her expense, without reimbursement by the County.

E. Failure to Complete Improvement

In those cases where the required improvements have not been installed in accordance with the contract, an authorized agent of the County may declare the applicant to be in default and require that all the improvements be installed regardless of the extent of the building development at the time of default. The authorized agent of the County may take

such actions necessary to collect on the security and provide for the completion of the required improvements.

F. Acceptance of Dedication Offers

Acceptance of formal offers of dedication of public areas, easements, and parks shall be by deed or other instrument acceptable to the County. The approval by the County of a subdivision plat shall not be deemed to constitute or imply the acceptance by the County of any easement, or park shown on said plat.

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3.2 Inspection of Improvements

A. General Procedure

The County and other reviewing agencies may provide for inspection of required improvements during construction to assure their satisfactory completion. If the reviewing agencies find upon inspection that any of the required improvements have not been constructed in accordance with the construction standards and specifications of the County or agencies involved, the applicant shall be responsible for completing the improvements. Wherever the cost of improvements is covered by a financial security, the applicant and the bonding company, if applicable, shall be jointly and severally liable for completing the improvements according to specifications.

B. Release or Reduction of security

- (1) Certificate of Satisfactory Completion**
The County will not accept the required improvements, nor will an authorized agent of the County release or reduce said security, until the District Engineer of the North Carolina Department of Transportation (NCDOT), or other appropriate authority, has submitted a certificate stating that all required public street improvements have been satisfactorily completed, or until an engineer, surveyor, licensed architect, registered landscape architect, or contractor acceptable to the County has certified that all other required improvements have been completed in conformity with the requirements of this ordinance. Upon such certification, the County may thereafter accept the improvements in accordance with the established procedure and release the financial guarantee.
- (2) Reduction of Security**
A guarantee may be reduced upon actual completion of required improvements and then only to the ratio that the required improvements completed bears to the total required improvements for the subdivision.

3.3 Deferral or Waiver of Required Improvements

A. Conditions

The County may defer or waive at the time of final approval, subject to appropriate conditions, the provision of any or all such improvements as, in its judgment, are not requisite in the interests of the public health, safety, and general welfare, or which are inappropriate because of inadequacy or lack of connecting facilities.

B. Payment in Lieu of Improvements

Whenever it is deemed necessary by the County to defer the construction of any improvement required herein because of incompatible grades, future planning, inadequate or lack of connecting facilities, or for other reasons, the applicant may be required to pay his/her share of the costs of the future improvements to the County prior to signing of the final subdivision plat, or the applicant shall post financial security assuring completion of said improvements upon demand of the County.

3.4 RESERVED

Deleted: Maintenance Guarantees – Public Roads

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Maintenance guarantees shall be required for the purpose of ensuring that roads that are to be dedicated to the public are properly maintained and free from defects between the time of construction and the time of formal acceptance for maintenance by the NCDOT. ¶

¶

Timing¶

A maintenance guarantee shall be in place before the recordation of any Final Plat for subdivisions containing public road improvements. If an applicant provided security for public road improvements as specified in Section 3.1, a maintenance guarantee shall be in place before any such security is released.¶

¶

Agreement¶

Maintenance guarantees for public road facilities shall stipulate that the applicant will maintain all required public road improvements, drainage improvements, and sedimentation and erosion control improvements to the standards of any County Ordinances and/or state or federal regulations until the public road improvements are added to the state-maintained road system. The guarantee shall also state that the applicant will be responsible for correcting any defects that may arise during the maintenance period and shall remove temporary sedimentation and erosion control measures. ¶

¶

Form and Amount¶

Maintenance guarantees shall be in the form of a performance bond, irrevocable letter of credit, or cash escrow account, and shall include a contract, approved to form by the County Attorney, between the County and applicant.¶

The amount of the guarantee shall be at least 15% of the total cost of constructing the public road improvements, excluding the costs of clearing and rough grading. ¶

¶

The estimated cost of the required improvements must be itemized and certified by a licensed architect, registered engineer, surveyor, or licensed contractor acceptable to the county. ¶

¶

Cost estimates must be based on industry norms within Chatham County.¶

¶

The Planning Director, County Manager or Board of Commissioners may require a higher guarantee amount when deemed necessary to address higher potential correction costs due to the subdivision's size and site characteristics, but in no event may the amount exceed 25% of estimated construction costs. ¶

¶

Term¶

The maintenance guarantee shall have an initial term of two years and shall provide for renewal of the maintenance guarantee at the option of the County for additional two-year terms with an updated cost estimate to be provided prior to renewal.¶

¶

Release of Maintenance Guarantee¶

The maintenance guarantee shall be released by the County once the NCDOT has officially accepted the public road(s) covered by the maintenance ...

SECTION 4 Types of Subdivisions

For the purposes of these regulations, subdivisions shall be classified into ~~four~~ (4) types. This ordinance only regulates the first two, major and minor. Exempt Subdivisions are included in the list to help applicants determine which category they are in. The specific review procedure the subdivision plat follows depends upon its classification. Subdivision plats shall be classified as follows (Note: Conservation Subdivisions can be Major or Minor Subdivisions; for information see section 7.7):

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A. Major Subdivisions

All subdivisions not classified as minor subdivisions, including but not limited to subdivisions of six (6) or more lots, or any size subdivision requiring any new street, the creation of any public improvements, or the request for a variance.

B. Minor Subdivisions

Any subdivisions containing five (5) lots or less with access to an existing public street, not involving any new street or road, the creation of any public improvements, or the request for a variance.

C. Exempt Subdivisions

The following are not subject to any subdivision regulations pursuant to this document:

1. The combination or recombination of portions of previously platted lots if the total number of lots is not increased and the resultant lots are equal to or exceed the standards of the county as shown in its subdivision regulations;
2. The division of land into parcels greater than ten (10) acres if no street right-of-way dedication is involved;
3. The public acquisition by purchase of strips of land for widening or opening streets or other public transportation corridors or greenways;
4. The division of a tract in single ownership, the entire area of which is not greater than two acres, into not more than three lots if no street right-of-way dedication is involved and if the resultant lots are equal to or exceed the standards of the county as shown by its subdivision regulations;
5. A conveyance made for the purpose of dividing up the estate of a decedent among his/her heirs and devisees, by will or the courts; and
6. The combination or recombination of previously recorded lots or portions of previously recorded lots if the total number of lots is not increased, provided the resultant lots meet or exceed the standards of the Health Department.

The Planning Department must determine if a subdivision is exempt from the subdivision regulations under Section 4 (C). An exempt review application and associated fee(s) shall apply and be submitted to the County prior to approval of the plat. Only when the Planning Department has made such a determination will the subdivision be exempt from any subdivision regulations.

Deleted: The Planning Department must determine if a subdivision is exempt from the regulations

D. Expedited Review

The County may require only a plat for recordation for the division of a tract or parcel of land in single ownership if all of the following criteria are met:

1. The tract or parcel to be divided is not exempted under exempt subdivision (2) of subsection (C) of this section.
2. No part of the tract or parcel to be divided has been divided under this subsection in the 10 years prior to division.
3. The entire area of the tract or parcel to be divided is greater than five acres.
4. After division, no more than three lots result from the division.
5. After division, all resultant lots comply with all of the following:
 - a. Any lot dimension size requirements of the applicable land-use regulations, if any.
 - b. The use of the lots is in conformity with the applicable zoning requirements, if any.
 - c. A permanent means of ingress and egress is recorded for each lot.

An expedited review application and associated fee(s) shall apply and be submitted to the County prior to approval of the plat.

E. Recording of Non-Building Lots

Subdivision lots which are not approved for building development may be approved for recording through the exempt, subdivision procedure and must include a signature from the owner acknowledging that the lot is not approved for building development. Such plats shall display a note stating that the lots are not approved for building development and do not meet the requirements of the subdivision regulations, but are approved for recording purposes only.

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SECTION 5 Procedure for Subdivisions

5.1 General Purpose

The purpose of this section is to establish the procedure that shall be followed by the developer in submitting plats to the Planning Board and other agencies. Major and Minor Subdivisions follow different procedures outlined below. Exempt subdivisions are not regulated by this ordinance.

5.2 Major Subdivision

A. General Procedure

The procedure consists of four main steps:

- (1) Concept Plan
- (2) First Plat
- (3) Construction Plan
- (4) Final Plat

The overriding consideration in having a four step procedure is to assure that subdivisions develop soundly. Other objectives are as follows:

- (1) Assist the developer in the sound, environmentally appropriate, and economical development of his/her property through the examination of the suitability of the property for subdivision development before surveying expenses and improvement costs are incurred.
- (2) All appropriate county departments, state and federal agencies, administrative and utility agencies aid in the design of proposed subdivisions.
- (3) The community is engaged and is informed through the process.
- (4) Adequate time is allowed for the review of the proposed subdivision.
- (5) Environmental concerns are adequately and completely addressed.
- (6) Adequate time is allowed at the onset of the process to provide feedback before the proposed subdivision is designed.

B. Concept Plan

(1) Purpose

The concept plan is a process by which the applicant engages the community in discussion regarding the goals of the development. Environmental documentation showing existing site conditions will be required. Data layers available from the Chatham County GIS office will meet this requirement, unless additional documentation is required to show existing site conditions.

The developer has the choice to design conventionally, or present a conservation design with Low Impact Development (LID) and Best Management Practice (BMP) features. A Conservation Subdivision (see Section 7.7) encourages the preservation of open space. This voluntary preservation allows for a density bonus giving the applicant more lots than would be allowed under conventional patterns.

Chatham County staff will review the concept designs. However, limited surveying and engineering are required by applicant. The goal is to achieve a better site plan for the developer and the public that reduces environmental impacts.

Developers are encouraged to be innovative with their design and go beyond minimum regulations for safe and orderly growth by advocating sustainable planning and development practices that encourage the types and patterns of land development that will preserve and enhance what is best about our community.

(2) Process for Concept Plan Review

- a. Pre-application meeting - This initial consultation with County staff is to provide information on the subdivision regulations and processes, including required environmental information and checklists.
- b. Initial Environmental Documentation Conducted - Utilizing the guidelines provided by the Planning and Environmental Quality Departments, the applicant will develop an overview of the constraints on the site that will need to be addressed during the process.
- c. Draft Initial Concepts - This is a horizontal plan giving general overviews of suggested layouts for development. It is encouraged that one of the concept drafts (if more than one is offered) be a sustainable development plan with a conservation design incorporating Low Impact Development (LID) options.
- d. Mandatory Meeting with Neighbors/Community - This is to offer an open dialogue between applicant and neighbors/community for better communication, to share goals of the development and gather information from neighbors about any concerns about the land, the goal being to achieve a balance for the environment, neighborhood/community and applicant. The result is a better overall plan up front that is, as much as possible, embraced by the community and county and also saves applicant from spending money on multiple plans, surveying and engineering. There are specific public notice requirements:
 - (1) Posting of the property with a "Development Input Meeting" sign along every road frontage. The signs will be the same dimensions and letter sizes as the County's notification signs for other land use notification requirements.
 - (2) Mail notification letters to residents within four hundred feet (400') of the property to be developed (adjacent right-of-way widths not

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counted as part of the 400') [20 days prior to the Meeting](#). The applicant will supply the addressed, stamped envelopes and letters to the planning department and the planning department will send the letters.

(3) Post the meeting notice on the County website.

- e. Revised Draft Concept Plan - This is still a horizontal plan by the applicant that may be revised based on previous meetings and discussions.
- f. Technical Review Committee - Applicant presents draft concept plan (and development timeline, if necessary) to Planning Department for scheduling to go before the Technical Review Committee (TRC). The TRC will meet with the applicant to go over the concept plan for conflicts with existing ordinances and policies.
- g. Applicant prepares First Plat - With feedback from above, applicant now prepares First Plat for submitting to Planning Board with the documentation required by these regulations and then to the Board of Commissioners for approval.

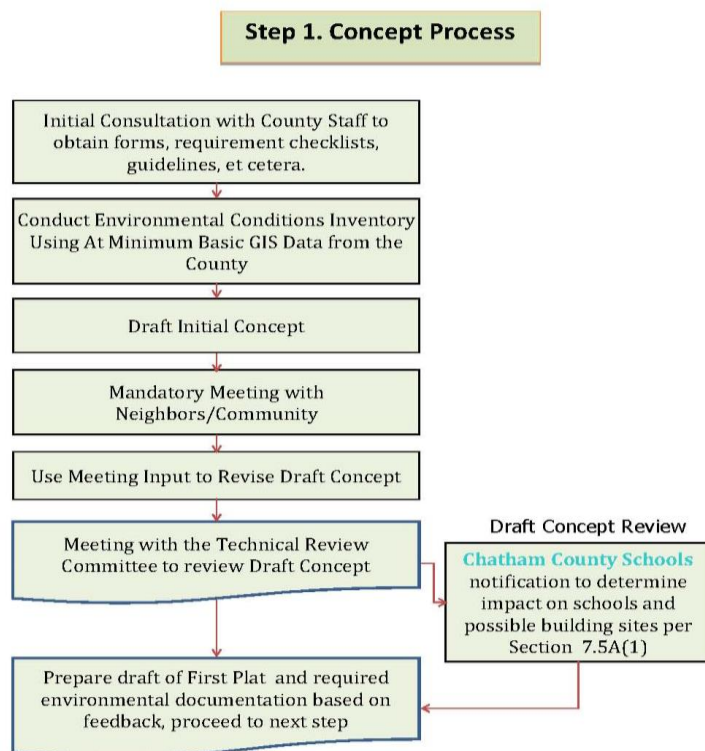


Figure 1: Concept Plan Process

C. First Plat

(1) Purpose

The First Plat is the point at which the applicant submits the detailed proposal to the County for review and approval by the Planning Board and Board of Commissioners. Approval of the First Plat allows the applicant to complete the engineering necessary to receive all required permits and submit the Construction Plan to the Planning Department for approval.

(2) Review of Environmental, Historical Structures and Cemeteries Information

Prior to submittal of the First Plat to the Planning Department, the applicant shall submit the required environmental information to the Environmental Quality Department for review. Depending on the number of proposed lots, the applicant is required to submit either general environmental documentation or an Environmental Impact Assessment. In addition, the applicant is required to submit copies of State, Federal and County reports regarding wetlands, streams and riparian buffer delineations to the Environmental Quality Department if natural water resources and riparian buffers are existing on the property. At this time the applicant shall also notify the Chatham County Historical Association of the presence of any historical structures or cemeteries on or adjacent to the property.

a. General Environmental Documentation Review Process

General Environmental Documentation is required to be submitted for all major subdivisions consisting of 49 or fewer lots, unless such subdivision otherwise meets one of the criteria established in Section 6.2(B) for submittal of an Environmental Impact Assessment.

Deleted: less than 50 lots

- (1) The applicant shall submit the General Environmental Documentation packet to the Environmental Quality Department for review.
- (2) Within 30 days of submittal, the Environmental Quality Department shall review the information and forward a report to the applicant and Planning Department.

b. Environmental Impact Assessment Review Process

An Environmental Impact Assessment is required to be submitted for all major subdivisions consisting of 50 or more lots, or which meet one of the other criteria established in Section 6.2(B) for submittal of an Environmental Impact Assessment. See Section 6.2(A).

Deleted: or more

- (1) The applicant shall submit the Environmental Impact Assessment to the Environmental Quality Department for review.
- (2) The Environmental Quality Department will forward the Environmental Impact Assessment to an environmental consultant hired by the County for a peer review. The cost of this peer review shall be paid by the applicant prior to submittal of the First Plat to the Planning Department.
- (3) Within 60 days, the Environmental Quality Department shall forward a report to the applicant and Planning Department.

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c. Historical Structures and Cemeteries Notification

- (1) The applicant shall notify the Chatham County Historical Association when structures of greater than 50 years in age or having historical significance are on the property or within 100 feet of the development on adjacent property.

- (2) If there is evidence of presence of a cemetery on the property, the applicant shall notify the Chatham County Historical Association.
- (3) The Chatham County Historical Association may forward recommendations for the historical structures or cemeteries to the Planning Department.

d. Existing Natural Water Resources and Riparian Buffers Reports

- (1) The applicant shall submit a copy of the State and Federal reports regarding wetlands and stream delineations.
- (2) The applicant shall submit a copy of the County report regarding riparian buffer delineations.

(3) Planning Department Review

- a. Applicant submits First Plat to Planning Department. This is to be received by the Planning Department at least forty-six (46) days prior to the Planning Board meeting, but not longer than six (6) months from the date of the Environmental Resources Department report.
- b. The Planning Department shall have 14 days from the date of submittal to notify the applicant if the First Plat contains detailed supporting information that is sufficient to allow for the review of the proposed subdivision under these regulations.
 - (1) If the Planning Department determines the information is not sufficient for review, the Department shall notify the applicant of the specific information that is required for review.
 - (2) The Planning Department shall take no further action on the First Plat until the applicant submits the required information.
 - (3) Once the applicant corrects the identified deficiencies, the applicant shall resubmit to the Planning Department at least forty-six (46) days prior to the next Planning Board meeting, and the Department shall have 14 days to review the information and notify the applicant that the information is sufficient for review.
 - (4) A determination that an application contains sufficient information for review as provided in this subsection (b) does not limit the ability of other county agencies, the Planning Board or the Board of Commissioners to request additional information during the review process.
- c. Once the Planning Department has determined sufficiency, the applicant shall provide time(s) during at least two separate days for site visits by County staff, advisory board and elected officials. This shall not limit County staff from making additional site visits at other times.
- d. The submittal is reviewed by the Technical Review Committee prior to the Planning Board meeting for comments and recommendations from other agencies, including the Chatham County Schools.
 - (1) The Planning Department may postpone review of the proposal by the Planning Board for one month prior to notification to the adjacent property owners.
 - (2) The Department shall notify the applicant within ten (10) days of the Technical Review Committee meeting of postponement.

- e. The Planning Department shall notify the applicant and adjoining property owners of the Planning Board review pursuant to Section H below.
- f. The Planning Department forwards the staff recommendation to the Planning Board and applicant.

(4) Planning Board Review

- a. The first Planning Board meeting shall include a Public Hearing to receive public comment on the proposed subdivision.
- b. Following the Public Hearing, the Planning Board shall review the proposal, staff recommendation and public comments and indicate their recommendation for approval, disapproval or approval subject to modifications. If the Board recommends disapproval or approval subject to modifications, the necessary reasons or modifications will be specified in the minutes of the meeting.
- c. The Planning Board shall have two (2) meetings in which to act on a proposal.

(5) Board of Commissioners Review

- a. The Board of Commissioners shall review the proposal and the record, including the staff recommendation, public comments and Planning Board recommendation.
- b. The Board of Commissioners shall have a maximum of sixty (65) days from the official submission date to the Board of Commissioners to approve, approve with modifications or disapprove the First Plat. If the Board of Commissioners gives approval subject to modifications or disapproval to the First Plat, the necessary reasons or modifications will be specified in the minutes of the meeting.
- c. If the Board of Commissioners denies the approval of the First Plat, the applicant must wait six months from the date of denial before resubmitting a new Concept Plan.
- d. Once the Board of Commissioners decision is filed, the applicant may begin working on the Construction Plan.

(6) Time limit on validity of First Plat approval

Approval of a First Plat shall be valid for a period of twelve (12) months following the date of approval by the Board of Commissioners. Approval shall remain valid provided the Construction Plan application is submitted during this time period. A one-year extension may be granted if the applicant demonstrates that delays beyond their control are responsible for the lapse and have the extension submitted and reviewed following the process outlined in Section 5.2(D)(4) prior to the expiration of approval. If First Plat approval expires the subdivision shall not be considered for construction approval until and unless another First Plat approval is granted according to applicable regulations and appropriate additional administrative fees are paid.

This time limit on the validity of First Plat approval shall not apply for Planned Unit Developments, also referred to as Planned Residential Developments, or subdivisions of 50 lots or more when a development schedule is submitted and approved. First Plat approval shall not expire for developments in these categories provided the development continues according to the overall phasing and time schedule established when First Plat is approved. The first phase of phased subdivision must submit Construction Plans within two (2) years of approval of First Plat. The Board of

Commissioners can grant extension of one year for phases using the same criteria listed above.

(7) Deadline for Submission of First Plat

Applicant submits First Plat to Planning Department. This is to be received by the Planning Department at least forty-six (46) days prior to the Planning Board meeting, but not longer than six (6) months from the Environmental Resources Department report. The Planning Department staff can then postpone the request for up to one regular meeting. The application can be continued for one regular meeting, then the Planning Board will indicate their approval, disapproval, or approval subject to modification. Failure of the Planning Board to act on the First Plat within two meetings will be deemed a favorable recommendation for approval of the plat by the Planning Board.

Boards may call special meetings to accommodate heavy [caseloads](#) in order to meet these deadlines.

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First Plats shall be submitted to the Board of Commissioners for consideration at the next available regular meeting after the Planning Board has acted or its time to act has expired. The Board of Commissioners shall review the First Plat and indicate its approval, disapproval or approval subject to modifications within sixty (65) days of the official submission date to the Board of Commissioners. Failure of the Board of Commissioners to act on the First Plat within sixty (65) days will be deemed approval of the plat as submitted. If the Planning Board or the Board of Commissioners disapproves or approves subject to modifications, the necessary reasons or modifications will be specified in the minutes of the meeting.

The approval of the First Plat by the Board of Commissioners serves as permission to begin acquiring permits according to the plans and as a basis for preparation of the construction plan.

(8) County review of water plans for acceptance into County system

Please see the [Chatham County Water System Operating Policies](#) for applicable rules and regulations.

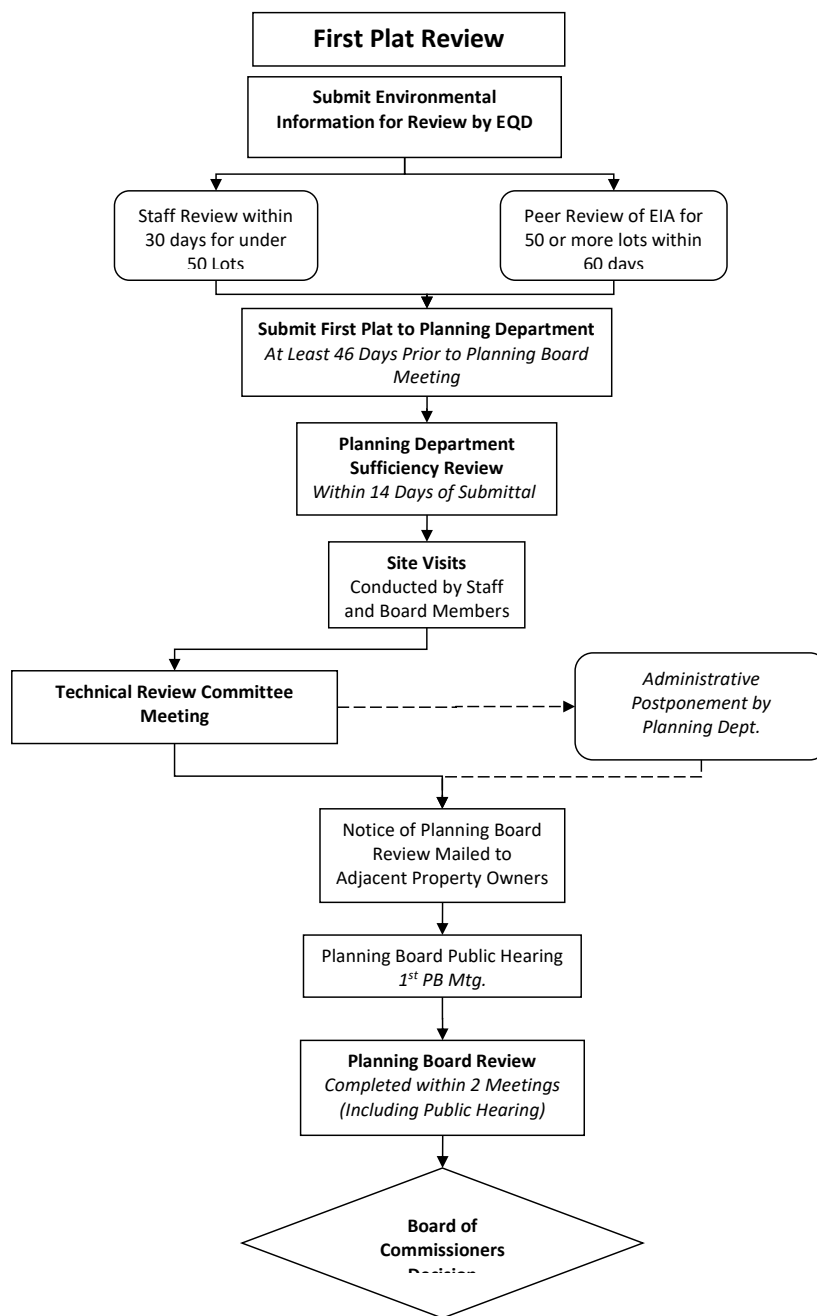


Figure 2. First Plat Review Process Diagram

D. Construction Plan

(1) Purpose

The construction plan review is required to properly identify the design standards for all public improvements and the layout of the development set forth in the First Plat are adhered to. This plan is used to begin construction of improvements.

(2) Additional Permits

The approved First Plat will be used to obtain any additional permits (Local, State and/or Federal) or approval letters that are required to obtain a valid Construction Plan. Approval is done by County Staff unless staff deems there are significant changes from the approved First Plat. The Staff shall approve the submitted Construction Plan or require approval of the Construction Plan by the Board of Commissioners if the following significant changes from the first plat are present:

- Increase in the number of lots by five percent (5%) or more
- Increase in the number of stream crossings
- Number of road lanes increases on any segment except where providing for turning, acceleration or deceleration lanes pursuant to recommendation of NCDOT
- Linear feet of road increases by five percent (5%) or more.
- Discovery of historically-significant structures or cemeteries after First Plat that may alter the overall design or layout of the subdivision.

If staff requires review of the Construction Plan by the Board of Commissioners due to significant changes, the Planning Board and Board of Commissioners will review the plan. Review of the Construction Plan by the Planning Board and Board of Commissioners shall follow the following process.

(3) Process for Construction Plan Review by Planning Department

- a. The applicant shall submit the Construction Plan and all required permits to the Planning Department at least twenty-one (21) days prior to the Technical Review Committee meeting at which the Construction Plan will be reviewed.
- b. The Planning Department shall have 14 days from the date of submittal to notify the applicant if the Construction Plan contains detailed supporting information that is sufficient to allow for review under these regulations, or if there are significant changes as defined in Section (2) above. If the Department determines that there are significant changes, the applicant shall follow the review process outlined in Section (4) below.
 - (1) If the Planning Department determines the information is not sufficient for review, the Department shall notify the applicant of the specific information that is required for review.
 - (2) The Planning Department shall take no further action on the Construction Plan until the applicant submits the required information.
 - (3) Once the applicant corrects the identified deficiencies, the applicant shall resubmit to the Planning Department at least twenty-one (21) days prior to the next Technical Review Committee meeting, and the Department shall have 14 days to review the information and notify the applicant that the information is sufficient for review.
 - (4) A determination that an application contains sufficient information for review as provided in this subsection (b) does not limit the ability of other

county agencies to request additional information during the review process.

- c. The Technical Review Committee shall review the Construction Plan for compliance with the approved First Plat and required permits.
- d. Once the Technical Review Committee completes its review, the Planning Department shall notify the applicant of any required changes to the Plan or give the applicant notice to proceed.
- e. If there are any changes required to the Construction Plan, the applicant shall re-submit the Construction Plan for review by the Technical Review Committee.
- f. If the applicant wishes to appeal any decision by the Planning Department concerning the Construction Plan, the appeal shall follow the process outlined below in Section (4) for review by the Board of Commissioners.

(4) Process for Construction Plan Review by Board of Commissioners

If the Planning Department determines that the Construction Plan must be reviewed by the Board of Commissioners due to significant changes from First Plat, the following process shall apply.

- a. The applicant shall submit the Construction Plan to the Planning Department no less than twenty-three (23) days prior to the Planning Board meeting at which the proposal will be reviewed.
- b. The submittal is reviewed by the Technical Review Committee prior to the Planning Board meeting for comments and recommendations from other agencies.
- c. Notice of the review shall be sent to the applicant and adjoining property owners as required in Section H below.
- d. The Planning Department forwards the staff recommendation to the Planning Board and applicant.
- e. The Planning Board shall review the Construction Plan and indicate their recommendation for approval, disapproval or approval subject to modifications. If the Board recommends disapproval or approval subject to modifications, the necessary reasons or modifications will be specified in the minutes of the meeting.
- f. The Planning Board forwards the recommendation to the Board of Commissioners for review. The recommendation shall be submitted to the Board of Commissioners for consideration not later than thirty (30) days after the Planning Board has acted or its time to act has expired.
- g. The Board of Commissioners shall review the Construction Plan and indicate approval, approval with modifications or disapproval of the Construction Plan. If the Board of Commissioners gives approval subject to modifications or disapproval to the Construction Plan, the necessary reasons or modifications will be specified in the minutes of the meeting.

(5) Deadline for Submission of Construction Plan for Board of Commissioners Review

If the Board of Commissioners is required to review the Construction Plan due to significant changes, the following apply. The Construction Plan shall be submitted twenty-three (23) days prior to the day on which approval is requested for subdivisions. Within sixty (60) days after the official submission date of the Construction Plan, the Planning Board will review it and indicate their recommendation for approval, disapproval, or approval subject to modification. Failure of the Planning Board to act on the Construction Plan within this sixty (60) day period will be deemed a favorable recommendation for approval. The Construction Plan shall be forwarded to the Board of Commissioners. The Board of Commissioners will review the Construction Plan and indicate their approval, disapproval, or approval subject to modifications within sixty (65) days of the official submission date to the Board of Commissioners. Failure of the Board of Commissioners to act on the Construction Plan within sixty (65) days will be deemed approval of the Plan as submitted. If the Planning Board recommends or the Board of County Commissioners gives disapproval or approval subject to modifications, the necessary reasons or modifications will be specified in the minutes of the meeting.

(6) Time Limit On Validity Of Construction Plan Approval

Approval of a Construction Plan shall be valid for a period of twenty-four (24) months following the date of approval by the Technical Review Committee or Board of County Commissioners unless a request for an extension has been submitted and reviewed following the process outlined in Section (4) above prior to the expiration of approval. Approval shall remain valid provided the Final Plat application is submitted during this time period. Upon expiration of Construction Plan approval, a Final Plat of the same subdivision shall not be considered by the Board of County Commissioners unless said Construction Plan (or First Plat, if necessary) is submitted for approval based on standards in effect at the time of resubmission.

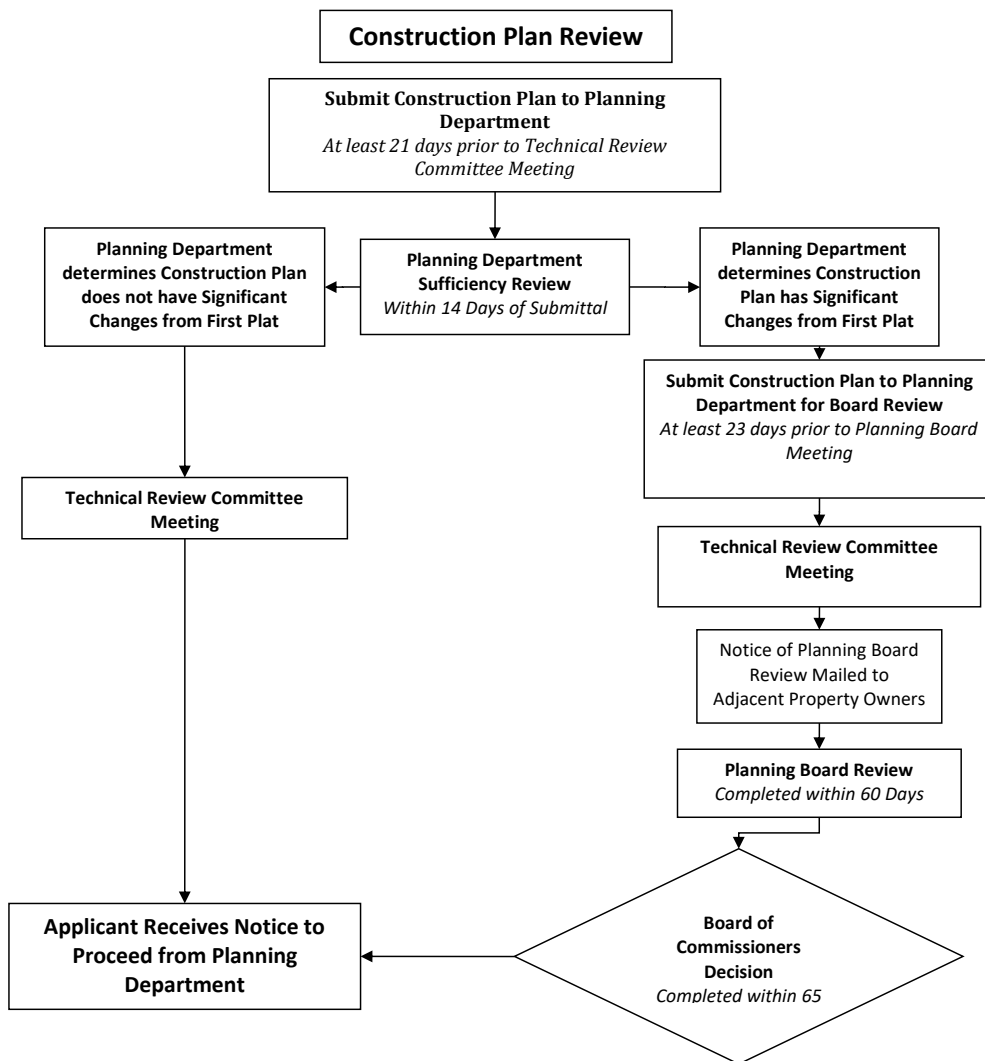


Figure 3. Construction Plan Process Review Diagram

E. Final Plat

(1) Purpose

The approved Final Plat, filed with the Register of Deeds, is the permanent record of the subdivision as constructed. It shows all property lines and other dimensions important for the accurate and legal transfer of property, and records the location of street lines, and easements.

(2) Preparation and Approval of Final Plat

The Final Plat shall be prepared in conformance with these regulations by a surveyor licensed in the State of North Carolina. Said plat may be submitted when the required improvements have been installed or appropriate financial assurance for completion of improvements has been filed. Applicants shall pay all required fees as established by the County. Review and approval of the Final Plat by the Planning Department shall follow the process outlined in Section (3) below. The Planning Department shall approve the Final Plat if it is in substantial conformance with the approved Construction Plan, and it shall be signed by authorized Planning Department staff. If the Planning Department determines that the Final Plat is not in compliance with the Construction Plan approval then this shall result in a denial of the Final Plat. Any decision by Staff can be appealed to the Board of Commissioners using the process outline in Section (F) below.

(3) Process for Final Plat Review by Planning Department

- a. The applicant shall submit the Final Plat and all required certifications to the Planning Department at least twenty-one (21) days prior to the Technical Review Committee meeting at which the Final Plat will be reviewed.
- b. The Planning Department shall have 14 days from the date of submittal to notify the applicant that the Final Plat contains detailed supporting information that is sufficient to allow for review under these regulations.
 - (1) If the Planning Department determines the information is not sufficient for review, the Department shall notify the applicant of the specific information that is required for review.
 - (2) The Planning Department shall take no further action on the Final Plat until the applicant submits the required information.
 - (3) Once the applicant corrects the identified deficiencies, the applicant shall resubmit to the Planning Department at least twenty-one (21) days prior to the next Technical Review Committee meeting, and the Department shall have 14 days to review the information and notify the applicant that the information is sufficient for review.
 - (4) A determination that an application contains sufficient information for review as provided in this subsection (b) does not limit the ability of other county agencies to request additional information during the review process.
 - (5) If the Department determines during this review that the Final Plat does not substantially conform to the Construction Plan or these Regulations, the Department shall deny the Final Plat.
- c. The Technical Review Committee shall review the Final Plat for compliance with the approved Construction Plat, required permits and certifications.

- d. Once the Technical Review Committee completes its review, the Planning Department shall notify the applicant of any required changes to the Final Plat or give the applicant notice of approval.
- e. If there are any changes required to the Final Plat, the applicant shall re-submit the Final Plat for review by the Technical Review Committee.
- f. After approval of the Final Plat, the reproducible plat shall be returned to the subdivider for his/her records and for filing with the County Register of Deeds as the official plat of record. One copy of the plat exhibiting certifications shall be retained by the Planning Department for its records.

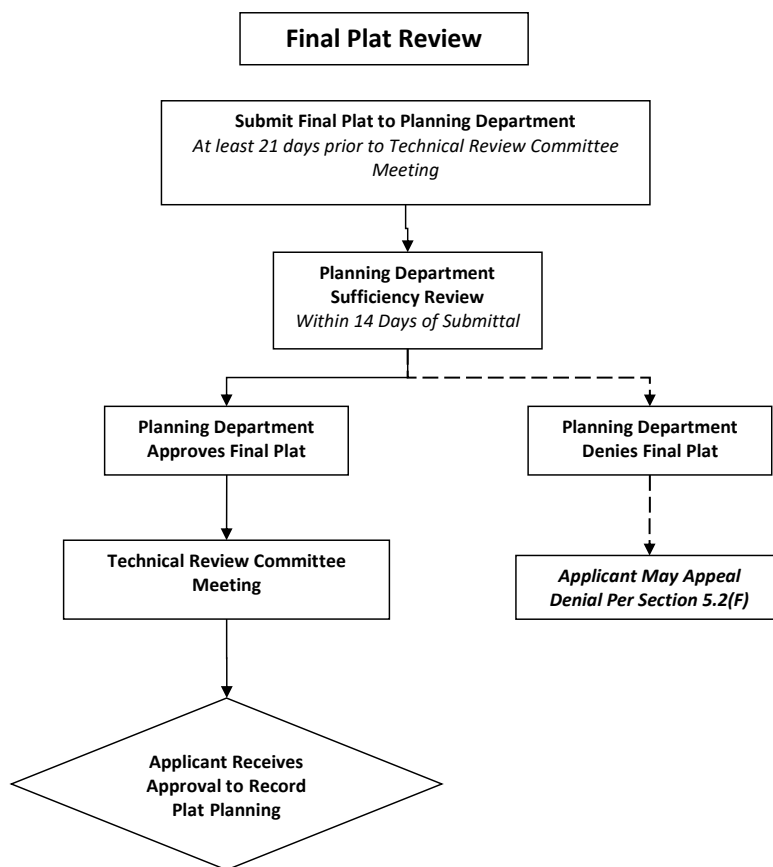


Figure 4. Final Plat Review Process Diagram

(4) Recording

The subdivider shall file the approved Final Plat with the Chatham County Register of Deeds for recording within sixty (60) days of the date of approval or such approval shall be null and void and the plat will be denied recordation, except as provided below. Final Plats not recorded in the Register of Deeds Office within sixty (60) days may be reviewed by the Planning Department for compliance with current regulations. Plats found to be in compliance may be approved by signature of the Planning Department authorized personnel, dated, and allowed to be recorded. Plats not in compliance shall not be approved by the Planning Department or recorded prior to review and approval outline in Section D(4).

F. Appeals

- (1)** The disapproval of a Final Plat by the Planning Department may be appealed to the Board of Commissioners if filed with the Planning Department within fifteen (15) days of notice of disapproval. The administrative fee for appeal is required in order to perfect the appeal. Any appeal shall follow the following process:
- (2)** The applicant shall submit the Final Plat to the Planning Department no less than twenty-three (23) days prior to the Planning Board meeting at which the proposal will be reviewed.
- (3)** The submittal is reviewed by the Technical Review Committee prior to the Planning Board meeting for comments and recommendations from other agencies.
- (4)** Notice of the review shall be sent to the applicant and adjoining property owners as required in Section H below.
- (5)** The Planning Department forwards the staff recommendation to the Planning Board and applicant.
- (6)** The Planning Board shall review the Final Plat and indicate their recommendation for approval, disapproval or approval subject to modifications. If the Board recommends disapproval or approval subject to modifications, the necessary reasons or modifications will be specified in the minutes of the meeting.
- (7)** The Planning Board forwards the recommendation to the Board of Commissioners for review. The recommendation shall be submitted to the Board of Commissioners for consideration not later than thirty (30) days after the Planning Board has acted or its time to act has expired.
- (8)** The Board of Commissioners shall review the Final Plat and indicate approval, approval with modifications or disapproval. If the Board of Commissioners gives approval subject to modifications or disapproval to the Final Plat, the necessary reasons or modifications will be specified in the minutes of the meeting.
- (9)** If the Final Plat is approved by the Board of Commissioners, the reproducible plat shall be returned to the subdivider for his/her records and for filing with the County Register of Deeds as the official plat of record. One copy of the plat exhibiting certifications shall be retained by the Planning Department for its records.

- (10) If the Board of Commissioners is required to review the Final Plat due to substantial changes, the following applies: within sixty (60) days after the official submission date of the Final Plat, the Planning Board will review it and recommend its approval, disapproval or conditional approval. Grounds for disapproval or conditional approval shall be stated upon the records of the Planning Board. Failure of the Planning Board to act on the Final Plat within this sixty (60) day period shall be deemed recommendation of approval of the plat. Final Plats shall be forwarded to the Board of Commissioners. The Board of Commissioners will review the Final Plat and indicate their approval, disapproval or approval subject to modifications within sixty (65) days of the official submission date to the Board of Commissioners. Failure of the Board of Commissioners to act on the Final Plat within sixty (65) days will be deemed approval of the plat as submitted. If the Board of County Commissioners gives disapproval or approval subject to modifications, the necessary reasons or modifications will be specified in the minutes of the meeting.
- (11) The disapproval of any plat by the Board of Commissioners may be appealed to the courts, following exhaustion of the review procedures specified herein.

G. Submission Dates

The official submission date shall be considered the date of the Planning Board or Board of Commissioners meeting at which a plat is considered for approval. This is not the date upon which the plat is submitted to the Planning Department for review.

H. Notice of Review

The Planning Department shall give reasonable notice of the time and place of any review by the Planning Board for major subdivisions. Notice shall also be given when a request is made for the extension of approval. Notice shall be sent by regular mail not less than fourteen (14) days prior to the date specified thereon and shall be mailed to the address of the adjacent property owners as specified on the plat or application. Failure to receive notice by the subdivider or adjacent property owners shall not be grounds for disapproval by the Board of Commissioners.

5.3 Minor Subdivisions

All subdivisions not classified as major subdivisions, including but not limited to subdivisions of five (5) or fewer lots, and not requiring any new street, nor the creation of any public improvements, nor the request for a variance.

Figure 5: OVERVIEW OF THE MINOR SUBDIVISION PLAT REVIEW PROCESS

1. Informal Consultation – Planning Board Staff
2. On-site riparian buffer determination, Erosion and Sedimentation Control Permit (including slopes review), and stormwater requirements.
3. Review by Chatham County Health Department Division of Environmental Health
4. Engineering and Surveying work as necessary
5. If necessary, road name approval by Emergency Operations Center and Board of Commissioners
6. Planning Staff Review
7. Record Plat

General Procedures

- A.** Minor Subdivisions may be submitted to the Planning Department for First Plat, Construction and Final Plat review simultaneously since there are no public improvements involved. Since minor subdivisions are easily reviewed by the Planning Department there is no deadline for submittal. The applicant shall submit the required number of prints of the plat to the Planning Department. Applicants shall pay any administrative fee established by the County at the time of the application or request. The staff shall inform the applicant of necessary modifications to the plat. Minor Subdivisions involving access to more than two lots shall have the access road name approved by the Emergency Operations Center (EOC) and Board of Commissioners.
- B.** Minor subdivisions shall be reviewed and approved by the Division of Environmental Health of the Chatham County Health Department or the Division of Environmental Management (issuance of a discharge permit and permit to construct.) This approval shall be in a form prescribed by the issuing agency.
- C.** The Planning Department shall review the plat and if everything is in order, the Director of Planning or his/her authorized agent shall approve the plat as a minor subdivision. (See Appendices)
- D.** The plat shall be submitted for recording by the applicant within the time limit specified in these regulations.
- E.** In order for a subdivision to be considered a minor subdivision the following requirements must be met:
 - (1) The subdivision must meet the requirements of the minor subdivision definition.
 - (2) The plat must meet all requirements and standards for Final Plats as required in section 6.4.
 - (3) There can be no variances requested from the subdivision regulations.

- (4) There cannot be, as a result of such subdivision, a creation of any lots which fail to meet all requirements of the subdivision regulations.
- (5) No subdivider may use the minor subdivision procedure in the same immediate location (approximately fifteen hundred [1,500] feet) for a period of twelve (12) months after getting subdivision approval using said procedure in said location, if he/she owns, has an option on, or has any legal interest in any property adjacent to the property to be subdivided, except as provided in these regulations, specifically in Section 7.4B(4). However, a subdivider may use the minor procedure more than once during a twelve month period to create as many as five (5) individual lots. The minor subdivision procedure may not be used to create more than five (5) lots unless there is a twelve month period after the approval of the fifth lot.
- (6) Additional street right-of-way dedication shall be shown on the plat in cases where the existing right-of-way does not meet the present minimum right-of-way width.
- (7) If a minor subdivision does not meet the above listed requirements it shall be reviewed as a major subdivision, unless otherwise provided.

F. Any appeals of a staff decision regarding a Minor Subdivision shall follow the process in Section 5.2(F).

SECTION 6 SPECIFICATIONS FOR DOCUMENTS TO BE SUBMITTED

6.1 First Plat

Plats submitted to the Planning Board shall be drawn to a convenient scale of not more than two hundred (200) feet to an inch when practical and shall show the following information. Documentation shall be submitted as double-sided copies whenever practical; a digital copy shall be submitted to the Planning Department.

A. Name

- (1)** Name of subdivision if property is within an existing subdivision.
- (2)** Proposed name if not within a previously plated subdivision. The proposed name shall not duplicate the name of any plat previously recorded.
- (3)** Name of property if no subdivision name has been chosen. (This is commonly the name of the property owner.)

B. Ownership

- (1)** Name and address, including telephone number, of legal owner or agent of property.
- (2)** Name and address, including telephone number, of the professional person(s) responsible for subdivision design, for the design of public improvements and for surveys.
- (3)** Citation of any existing legal rights-of-way or easements affecting the property.
- (4)** Reference to existing covenants on the property, if any.
- (5)** AKPAR Number

C. Description

Location of property by tax map and parcel number, when available. The Warranty Deed Book number and page on which the property is currently recorded, when available.

D. Features

The plat or application shall show the following information when available or note whether it is applicable.

- (1)** Location map showing relationship of the subdivision site to the surrounding area.
- (2)** Graphic scale, date, approximate North arrow, legend.
- (3)** The location of property with respect to the surrounding property and streets, the names of all adjacent property and streets, or the names of adjacent developments. The name and address of adjacent property owners according to the county tax records, which may be listed on a separate page from the plat. Property on the opposite side of an easement or public right-of-way shall also be considered adjacent property.

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- (4)** Zoning Classification of proposed subdivision and adjacent property, if applicable.
 - (5)** The approximate location of all boundary lines of the property.
 - (6)** Approximate total acreage of land to be subdivided in Chatham County, and other county if applicable.
 - (7)** Approximate lineal feet of the proposed street.
 - (8)** The approximate location of existing and platted streets, easements, water bodies, water courses and their associated riparian buffers (including sinkholes, dry stream beds, and pond overflow streams), railroads, parks, bridges, sewers, water mains, culverts, lands subject to flood and other pertinent features.
 - (9)** The location and width of all existing and proposed street right-of-ways and easements, and other public ways, and riparian buffers, where applicable.
 - (10)** The approximate location(s), type(s), and size(s) of all proposed stormwater devices and/or easements required by the Chatham County Stormwater Ordinance.
 - (11)** The approximate location, dimensions, and acreage of all proposed or existing lots.
 - (12)** The approximate location, dimensions and acreage of all property proposed to be set aside for a park or playground use, or other public or private reservation, with designation of the purpose thereof, and conditions, if any, of the dedication or reservation.
 - (13)** Names of all streets existing and proposed.
 - (14)** A notation on the use of any lots proposed for a use other than single family residential.
 - (15)** All lots in each subdivision shall be consecutively numbered.
 - (16)** A notation specifying that a public water system is not presently available to the subdivision.
 - (17)** A time schedule of development for subdivisions of more than 50 lots.
 - (18)** The approximate location of any significant cultural and/or historical sites as defined by NC Office of Archaeology, Department of Cultural Resources and/or Chatham Historical Association on the property.
 - (19)** The approximate location and age of any existing buildings (including mobile homes), cemeteries, or historical structures greater than 50 years in age on the property.
 - (20)** The approximate location of any cemeteries or historical structures located within 100 feet of the development on any adjacent property.

- (21) Indicate whether a Non-Discharge Permit for a land application waste disposal system is necessary.
- (22) Indicate whether a permit for any subsurface wastewater disposal system of 3000 gallons/day or larger is necessary.
- (23) Indicate whether a 404 permit/401 certification is necessary.
- (24) Indicate the water supply watershed district.
- (25) Indicate any state designated Well Head Protection Areas.
- (26) Indicate any element occurrences ("EO") of natural diversity, including rare species, as determined by and tracked by the NC Natural Heritage Program, NC Wildlife Resources Commission (WRC), and US Fish and Wildlife Service (FWS).
- (27) Indicate any whether the property contains or is adjacent to (shares at least one boundary with) a Significant Natural Heritage Area (SNHA) as recognized by the NC Natural Heritage Program.
- (28) Indicate whether the property is located within a designated 14 digit Hydrologic Unit drainage basin that supports aquatic species that are federally listed or listed as Federal Species of Concern.

6.2 Additional First Plat Information

A. Environmental Documentation

Any proposed major subdivision of forty-nine (49) or fewer lots, which does not otherwise meet one of the criteria established in Section 6.2(B) for submittal of an Environmental Impact Assessment, the Subdivision shall submit to the County the information required by the General Environmental Documentation Submittal Form developed by the Environmental Quality Department.

B. Environmental Impact Assessment

Pursuant to N.C. Gen. Stat. § 113A-8, the County requires the Subdivider to submit an Environmental Impact Assessment for any of the following proposed projects:

- a) A non-residential major subdivision development project, excepting bona fide farm activities, of ten (10) contiguous acres or more in extent that disturbs ten (10) or more acres;
- b) A residential subdivision development project of ten (1) contiguous acres or more in extent that will include fifty (50) or more dwelling units, whether detached or attached single family residences or in a multi-family structure or structures; or
- c) A major subdivision of fifty (50) or more lots.

Development activities for which a detailed statement of the environmental impact of the project is required pursuant to N.C. Gen. Stat. § 113A-4(2) or 42 U.S.C. §4332(C), or for which a functionally equivalent permitting process is required by federal or State law, regulation or rule, are exempt from the requirement of Section 6.2 A. However, a copy of such any such statement of environmental impact shall be provided to the County.

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Additionally, any action or activity specified in N.C. Gen. Stat. § 113A-12 for which an environmental document is not required shall also be exempt from any requirement by the County to submit an Environmental Assessment Document.

The Environmental Impact Assessment document shall include the following information as applicable:

Proposed Project Description and Need

- 1) Describe the overall project in detail, including all proposed phases.
- 2) Provide a project location map showing surrounding areas.
- 3) Provide a project site plan showing existing and proposed facilities.
- 4) Describe how this project fits into larger plans or connects with adjacent projects.
- 5) List and describe any public facilities or public benefits provided by the project.
- 6) Discuss the land acreage to be disturbed during each phase.
- 7) List square footage and height (in stories) of new buildings.
- 8) Describe proposed uses of all buildings and proposed facilities.
- 9) Show number of parking spaces in parking lots and decks.
- 10) Show areas to be cleared, graded, filled, paved, and landscaped.
- 11) Show connections to existing utility and sewer lines or new utilities.
- 12) Show wastewater management systems on a map.
- 13) Show proposed areas of impervious and semi-pervious surfaces.
- 14) Show and describe any proposed stormwater control devices.

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Alternatives Analysis

- 1) Discuss and compare all reasonable development alternatives (site selection, facility layout, utilities, stormwater management, construction methods, open space preservation, any other pertinent alternative considerations).
- 2) Discuss how the preferred alternative was selected and its benefits relative to other alternatives (including a no-build alternative, if applicable).

Existing Environment and Project Impacts

For each resource topic below, describe:

- A. Existing resources and conditions.
- B. Anticipated direct impacts (short-term construction impacts, and long-term operation impacts).
- C. Discuss how potential impacts to the resource will be avoided and minimized through alternative selection, design strategies, construction methods, and long-term maintenance procedures.
- D. For unavoidable impacts, describe whether any compensatory mitigation is planned or required.

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- 1) Geography
 - Discuss the geographic setting, geology, and topography of the project area and adjacent areas.
 - Provide a topographic map of the property and surrounding area, use the county GIS website topography (2' contour interval) data at a scale appropriate for the project size, i.e., 1" = 100', etc.).
 - Identify any 100-year floodplains (FEMA Special Flood Hazard Areas) on or adjacent to the property. If present, provide an appropriate-scale map of these flood-prone areas defined by the NC Flood Mapping Program.
 - Show areas that will be graded or filled, and provide estimated cut/fill volumes.

- If the project includes pond or dam work, show areas that will be flooded.
- 2) Soils and Prime Farmlands
 - Identify dominant soils in the project area (County GIS or NRCS website) and show on a map.
 - Discuss any soil constraints (fill, wetland soils, septic suitability, slopes, etc.), and indicate those areas on a map.
 - Describe any soil disturbance or contamination expected as a result of this project.
 - If contamination is expected, discuss containment plans and procedures.
 - If soil will be relocated, specify the number of square yards/feet to be moved, and its relocation site.
 - Describe runoff management plans for the project.
 - If soil disturbance is proposed, describe the off-site impacts expected from this activity.
 - Provide a map of any prime or unique farmland soils in the project or service areas, and include references used to make this determination.
 - Describe impacts to prime or unique farmland soils, including acreage estimates of lost farmland soils and retained farmland soils.
 - 3) Land Use
 - Provide a map showing current use of land on the site and surrounding properties.
 - Discuss how the current land use fits into the surrounding area (conservation, development, ecological function, etc).
 - Provide the current zoning of the project site and the surrounding area.
 - Discuss how the proposed uses fit into the intended land use of the area (conservation, development, ecological function, quality of life).
 - Indicate whether zoning or local land use plans will need to be changed after project completion.
 - 4) Existing and Natural Resources
 - Show on a map riparian buffers (locations and widths), wetlands, and ponds and watercourses (with name and direction of flow). Also show the special flood hazard areas.
 - Provide a copy of the State and Federal reports regarding wetlands and stream delineations.
 - Provide a copy of the County report regarding riparian buffer delineations
 - Provide a table of all anticipated temporary and permanent impacts to existing natural water resources and riparian buffers and discuss how the potential impacts will be avoided and minimized through alternative selection design strategies, construction methods, and long-term maintenance procedures. For unavoidable impacts, describe proposed mitigation.
 - 5) Public Lands and Scenic, Recreational, and State Natural Areas
 - Provide a map of County or municipal parks, scenic, recreational, or state natural areas (SNHAs, State or Federal Forests, etc.) on or adjacent to the site/project area.
 - 6) Areas of Archaeological or Historical Value

- Discuss any archaeological or historical studies of the project location; provide relevant references.
 - Describe and identify on a map any structures (i.e., walls, buildings, etc.) on the site and provide estimated ages of those structures.
 - Describe all impacts to any archaeological or historical resources in the proposed project area.
 - Describe plans for demolishing or rebuilding any structures.
 - Provide photographs of any significant resources, including all structures older than 50-years.
 - Provide relevant correspondence with the Chatham County Historical Association and NC SHPO.
- 7) Air Quality
- Describe the project's impacts on ambient air quality.
 - Describe plans for any open burning during or after construction.
 - Indicate the number of proposed parking spaces, if applicable.
 - Describe whether the project will increase odor levels, or the likelihood of odor complaints.
 - Provide a copy of any required traffic studies.
- 8) Noise Levels
- Discuss current noise levels; use a benchmark, if possible.
 - Describe any increases in noise levels expected from this project.
 - Specify the distance at which the increased noise will be heard.
 - Discuss whether surrounding properties will be affected by noise levels.
 - If commercial uses are proposed, specify the hours of operation.
- 9) Light Levels
- Describe lighting plans for the project, including how lighting will impact adjacent residents and wildlife.
- 10) Surface and Groundwater Resources and Watershed Area
- Describe groundwater (aquifers) in the project area.
 - Discuss any known groundwater quality issues.
 - Specify and show on a map the river basin in which the project is located.
 - List the type(s) of Watershed Area(s) on the property and show a map.
 - Discuss drinking water sources.
- 11) Fish and Aquatic Habitats
- Describe fish and aquatic habitats in and adjacent to the site/project area.
 - Discuss impacts to fish and aquatic life and their habitats, including a map showing those habitats.
- 12) Wildlife and Natural Vegetation
- Describe and provide a map of natural community types on and adjacent to the site/project area.
 - List the species of dominant plants and animals observed on the site that typify those communities.
 - Evaluate and discuss whether suitable habitat exists for rare, threatened, and/or endangered species, as described by the NC Natural Heritage Program.
 - If wildlife will be displaced, discuss any limitations of adjacent areas to support them.

- Identify, list, and describe the distribution of the invasive species present on the site. Consult the NC Botanical Garden's Web page, "Plants to Avoid in the Southeast US" for a list of invasive species common to the region.
- If forests will be cleared, discuss the extent of planned deforestation and specify the forestry methods to be used, including BMPs.

13) **Hazardous Materials**

- List all hazardous materials to be stored or introduced during construction or operation.
- For each hazardous material, other than in de minimis quantities or for routine housekeeping purposes, describe the procedures to be used to ensure their proper management, storage, and disposal.

References

Exhibits (Maps, Figures, Tables, Photos, etc.)

State and Federal Permits Required

C. Topographic Map

A topographic map with contours at vertical intervals of not more than five (5) feet, at the same scale as the First Plat, for all major subdivisions unless not deemed necessary by staff. Staff may require a topographic map for other subdivisions if necessary for adequate review. The date and method of preparing the topographic survey shall be stated.

D. Soils Evaluation

A soils evaluation shall be performed by a certified/licensed soil scientist or persons approved by the Health Department to perform such evaluations or investigations. Such evaluations shall be performed unless a central sewage disposal system is proposed. A soils map showing the location of suitable soils and a letter of explanation shall be submitted to perform such evaluations or investigations.

E. Utility Plans

Plans of proposed utility layouts for sewer and water where applicable, showing feasible connections to the existing utility system, or any proposed utility system.

F. U.S. Army Corps of Engineers and Division of Water Quality Permits or Certifications

Indicate if US Army Corps of Engineers and/or NC Division of Water Quality permits or certifications will be required. These permits and/or certifications may be required when development improvements may involve the placement of excavated material or fill material into streams, creeks, lakes, or wetlands. If any of these permits or certifications will be required, copies of the approved permits shall be submitted at time of Construction Plan submittal.

6.3 Construction Plan

The construction Plan shall include all the information required to be shown on the First Plat (see Section 6.1). The Construction Plan shall be drawn to a convenient scale of not more than two hundred (200) feet to an inch when practical.

6.4 Final Plat

A. General

The Final Plat shall conform substantially to the First Plat and Construction Plan as approved, and, if desired by the subdivider, it may constitute only that portion of the approved First Plat which he/she proposes to record and develop at the time, provided, however that such portion conforms to all requirements of these standards. [The Final Plat shall be subject to the requirements of N.C. Gen. Stat. § 47-30.](#)

B. Features

The Final Plat shall show the following information, [in addition to any information required by N.C. Gen. Stat. § 47-30:](#)

- (1) The Final Plat shall be drawn to an appropriate scale of not more than one (1) inch equals two hundred (200) feet on sheets having an outside marginal size of not more than twenty-four (24) inches by thirty-six (36) inches. When more than one sheet is required, an index sheet of the same size shall be labeled showing the entire subdivision with the sheets lettered in alphabetical order as a key, or the location map shall show the relationship of the separate sheets.
- (2) Location map showing relationship of the subdivision to the surrounding area.
- (3) Graphic scale, date, and north arrow accurately positioned and designated as
 - a. magnetic north,
 - b. true north, or
 - c. North Carolina grid north.
- (4) Name, and address of owner and person responsible for plans.
- (5) The location of the property with respect to surrounding property and streets, the names of all adjacent owners of record or the names of adjacent developments; and the book and page number of recordation, and the name and/or number of adjacent streets. Property on the opposite side of an easement or public right-of-way shall also be considered adjacent property.
- (6) The total acreage of land to be subdivided in Chatham County. If less than one (1) acre, the square footage of each lot and if one (1) acre or greater the acreage of each lot.
- (7) All lots in each subdivision shall be consecutively numbered throughout the several additions if there exists more than one.
- (8) The location, and width of all existing and proposed right-of-ways and easements, alleys, and other public ways, and riparian buffers if applicable. Septic system easements shall show bearings, distances, and area.
- (9) All streets shall be named and designated as either public or private.
- (10) The location, dimension and area of all property proposed to be set aside for park or playground use, or other public or private reservation, with designation of the purpose thereof and conditions, if any, of the dedication or reservation.
- (11) The approximate location of any buildings or structures that will remain.

(12) The approximate location of any cemeteries, with access provided from the nearest public road.

(13) Accurate description of all monuments and markers. Where the plat is the result of a survey, one or more corners shall be labeled with coordinates on the plat, shown as "X" (easting) and "Y" (northing) coordinates, traceable to a published geodetic datum or the North Carolina State Plane Coordinate System, or both.

(14) Sufficient data to determine readily the location, bearing, and length of all lines, and to reproduce such lines upon the ground; the location of all proposed monuments. This shall include but not be limited to (a) radius, (b) length, (c) cord bearing and distance.

(15) Any other information required on surveys as specified by the North Carolina State Board of Registration for Professional Engineers and Land Surveyors in its Manual of Practice for Land Surveying in North Carolina.

(16) When available, the tax map and parcel number of the property being subdivided and the AKPAR/parcel ID number.

(17) When appropriate major subdivisions shall contain a note which states that a public or community water system is not presently available to the subdivision lots.

(18) Certificate of Ownership and Dedication (See Appendices).

(19) Certificate of Survey and Accuracy.

(20) Certificate of Division of Highways (See Appendices).

(21) Certificate of Approval by the Planning Board or authorized person (See Appendices).

(22) Certificate of the Register of Deeds.

(23) On a Final Plats which show new publicly dedicated roads, a note shall be placed designating maintenance responsibility until acceptance of said roads by the Department of Transportation. The maintenance responsibility for private roads shall be disclosed by a note on the plat.

(24) Soil Scientist final Certification (for minor subdivisions, required environmental health permits).

(25) Name of Subdivision

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C. As-Built Utility Plans

When public or community water and/or sewage systems are installed as-built drawings of said systems shall be submitted at the time of final review or prior to the release of a financial guarantee by the County.

SECTION 7 REQUIREMENTS AND MINIMUM STANDARDS FOR IMPROVEMENTS, RESERVATIONS, AND DESIGN

7.1 Suitability of the Land

A. Land Areas Unsuitable for Development

If review agencies have found areas of land which do not or cannot meet the requirements of these and other regulations, the areas of land may not be approved for subdivision unless adequate methods are formulated by the developer for meeting the regulations.

B. Land Subject to Flood

Refer to the Flood Damage Prevention Ordinance. The 100 year floodplain (Special Flood Hazard Area) and floodway shall not be included when calculating the minimum useable lot area.

C. Land Subject to Erosion

Refer to the Soil Erosion and Sedimentation Control Ordinance.

D. Riparian Buffers

Riparian buffers are natural vegetated areas that provide a protective distance between a stream, perennial water body or wetland and an adjacent land area. Riparian buffers shall be provided in conformity with the requirements of the Chatham County Watershed Protection Ordinance. The riparian buffer areas, but not the water features to be buffered, may be included when calculating the minimum useable lot area and any other development-related regulatory requirements based on property size, including, but not limited to, residential density and nonresidential intensity calculations and yields, tree conservation purposes, open space or conservation area requirements, setbacks, perimeter buffers, and lot area requirements. Additionally, with regard to regulated riparian buffers located on portions of a subdivision that are designated as common areas or open space and neither the State nor its subdivisions holds any property interest in that riparian buffer area, a proportionate share of the buffer area shall be attributed to each lot abutting the riparian buffer area for purposes of satisfying development-related regulatory requirements based on property size.

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7.2 Rural Roads

A. Classification

Streets and roads are hereby classified according to the function which they are to serve, the type, speed, and volume they will carry. The broad categories shall be (a) arterials, (b) collectors, and (c) local roads. The designation in a transportation plan of arterials and collectors does not prevent other streets proposed in or adjoining subdivisions from being similarly classified. Classifications of rural roads are defined Section 2.

B. Relation to Present, Proposed and Future Road System

- (1)** The location and width of all streets and roads shall not be in conflict with any adopted Chatham County transportation plan. When a subdivision is proposed in an area designated for a future right-of-way on any County transportation plan and the construction of a road along this right-of-way is not necessary for the purpose of providing access to platted lots, or carrying the traffic that will be generated by the subdivision development, the construction of this road by the subdivider shall not be required. Such right-of-way shall, however, be reserved for dedication to the N.C. Department of Transportation for the purpose of implementing any transportation plan.

- (2) For the purpose of these design standards, existing streets which terminate at or adjoin a subdivision boundary shall be deemed a part of the subdivision. The proposed street system shall extend the right-of-way of existing streets at no less width than the required minimum width. Subdivisions that adjoin only one side of existing streets shall dedicate one-half of the additional right-of-way needed to meet minimum width requirements. If any part of the subdivision includes both sides of an existing street all the required additional right-of-way shall be dedicated.
- (3) Where necessary to provide public street access to adjoining landlocked property or connectivity to large tracts with future development potential, proposed public streets shall be extended by dedication of right-of-way to the boundary of such property. Legal documents shall be recorded assuring future public accessibility. Two of the issues to be reviewed when considering the extension of public roads are the improvement of traffic distribution to prevent unnecessary congestion and the improvement of public safety by providing increased access for law enforcement and emergency vehicles. When developments are proposed with private gravel roads, the Board of Commissioners may require said roads right-of-ways be reserved to adjacent properties where deemed appropriate for future access. The future disposition of said right-of-ways is left to the discretion of the owners of the development.

If the proposed public street to be extended is to be used as access for any lots, such stub street will be required to provide a temporary turn around, located within the public right-of-way and/or a dedicated easement, and in accordance with the standards shown either for cul-de-sacs in section 7.2C or for turnarounds in section 7.4B(3) and figure 8. See Form 14 for a note to be included on the plat.

- (4) When an arterial adjoins or is included in a subdivision, lots therein which abut the arterial shall have the number of access points limited or reduced with such conditions specified on the plat or shall be provided with another means of access, e.g.- (1) platting a single tier of lots which back to the arterial and front on a minor street, or (2) other method approved by the Planning Board such as a frontage road.
- (5) When land is subdivided into larger parcels than ordinary building lots, such parcels may be required to be arranged so as to allow for the opening of streets in the future and for logical further re-subdivision.

C. Design Standards for Roads

(1) General

Except as specified in these regulations all streets in subdivisions shall be public. The design and construction of all public streets and roads, including the grading, roadbed, shoulders, slopes, medians, ditches, drainage, driveway entrances to lots, right-of-way and pavement widths, grades, curves, intersections and other proposed features shall conform to the respective current standards of the North Carolina Department of Transportation Division of Highways, except as provided. The minimum cul-de-sac pavement radius for curb and gutter section and shoulder section is 40 feet. The minimum right-of-way radius for curb and gutter section and shoulder section is 55 feet. The roadway into the cul-de-sac shall remain unobstructed.

(2) Impervious Surface Area

All subdivisions shall comply with applicable watershed and stormwater regulations.

(3) Reserve Strips

There shall be no reserve strips controlling access to public streets except where the control of such strips is placed with the community under conditions approved by the Board of Commissioners.

(4) Street Names

Proposed streets which are obviously in alignment with others already existing and named shall bear the names of existing streets. In no case shall the name for a proposed street duplicate any existing street names in Chatham County or the towns therein, irrespective of the use of the suffix street, avenue, boulevard, road, pike, drive way, place, court, or other derivatives.

(5) Offer of Dedication

A developer of roads in subdivisions that are to be public roads shall provide an irrevocable offer of dedication prior to Final Plat approval.

D. Private Road

(1) Private roads may be allowed in the following types of developments:

- a. Developments which due to the very nature of their design could not occur if required to meet the requirements for subdivision roads by the Division of Highways. Such developments include conservation subdivisions, mobile home parks, apartment complexes, and planned unit developments.
- b. The division of land into tracts which are on the average five (5) acres or greater in size with no tract less than three (3) acres. The acreage of a tract is determined by the area located within lot lines. Tracts larger than ten (10) acres will not be included when calculating the average lot size of the subdivision. All land within the lot lines except public right-of-ways may be included in the lot area.

(2) Private Roads may be allowed when the following conditions exist.

- a. The subdivision does not include any part of a proposed thoroughfare or street shown on the Chatham County Thoroughfare Plan; and
- b. The developer shall reference on the Final Plat the recording of a roads instrument that provides the following:

- i Guarantees full right of access via any private road in the subdivision to any lot served by that road.
- ii Specifies the standards to which private roads in the subdivision have been designed and constructed.
- iii Affirms the developer's responsibility to maintain the private roads in the subdivision to the specified standards until such responsibility is formally transferred to a legally constituted association of subdivision homeowners.
- iv Includes a road maintenance agreement which at a minimum establishes the following:
 - *a legally constituted association of subdivision homeowners with specified authority to set and collect fees from members for road maintenance purposes*
 - *a sinking fund for emergency repair and long range improvement of subdivision roads*
 - *an association decision-making process*
 - *an association road maintenance policy with related standards.*
- v If a large lot subdivision has 24 or less lots and the road is to be paved then it shall be constructed to state standards although not designed to state standards.
- vi If there is an established (prior to subdivision) 60 foot wide easement to adjacent land on property and the developer proposes to use the easement as the road of access, then the road shall be designed and built to state standards.

(3) Design and Construction Standards for Private Roads:

Standards proposed for such developments as mobile home parks, apartment complexes, and planned unit developments shall be reviewed by the Board of Commissioners based on the type of requirements necessary for the development. Low density developments (as specified in D(1)b above) with private roads shall meet the following requirements:

- a. The minimum width of right-of-ways shall be sixty (60) feet. Where necessary for adequate drainage additional right-of-way may be required.
- b. The travel way width shall be not less than eighteen (18) feet, shall be unobstructed, and at a minimum shall be constructed to the design specifications shown in figure 6.
- c. The ditch slope shall be established according to best management practices which deter erosion.
- d. Cut and fill slopes shall be established to maintain stability and provide for maintenance where necessary.
- e. The maximum grade of the travel way shall be ten (10) percent. Grades at stop intersections shall not be greater than four (4) percent for a distance not less than fifty (50) feet from the intersection of right-of-ways.
- f. Private roads that are cul-de-sacs shall have an adequate turn around which has a road bed with a radius not less than forty (40) feet. The radius of the right-of-way of the turn-around shall not be less than fifty-five (55) feet. The roadway into the cul-de-sac shall remain unobstructed.
- g. Sight distance easements at the intersection of private roads with public state maintained roads shall be equal to or greater than those required by the Division of Highways.
- h. Drainage and erosion control measures shall be equal to those required for public roads.

- i. All roads which will provide direct or indirect access to twenty-five (25) or more subdivision lots shall be designed to meet N.C. Division of Highways' standards for subdivision roads, and travel ways shall be constructed to said standards.

(4) Certification of Private Roads

The design and construction of private roads shall be certified to be in compliance with these regulations by a licensed engineer.

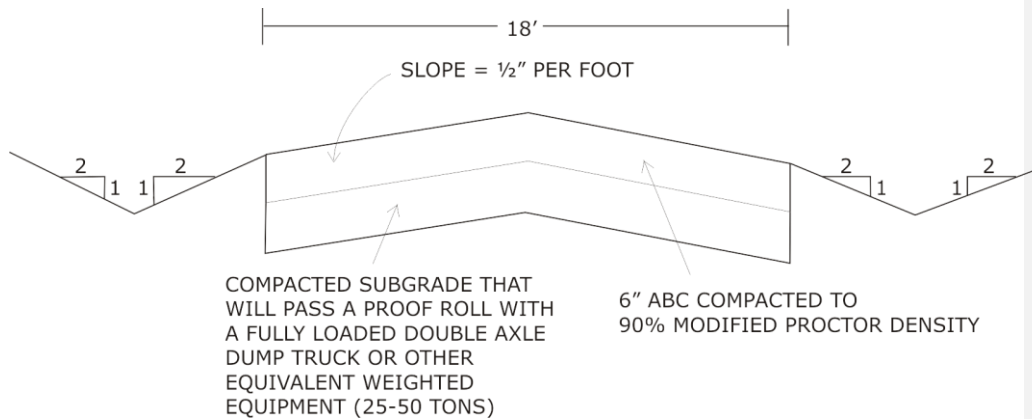


Figure 6: Minimum 18' Gravel Road Standard

7.3 Blocks

A. Length

Maximum block lengths will vary by zoning district, but are geared toward creating a connected street network that accommodates bicycle and pedestrian scale connections. Minimum block lengths are limited only by safety concerns such as sight distance and throat length, and by other provisions of this ordinance such as lot width.

District (s) or Density for Residential	Maximum Block Length (includes cul-de-sac length)
More than 8 units/acre net density (site acres minus open space & natural space)	480'
3 to 8 units/acre net density (site acres minus open space & natural space)	660' (one eighth mile)
Compact Community	660' in developed areas, 1320' through intervening open space
O&I, B-1, NC, CB, RB	660' (one eighth mile)
IL, IH	1320' (one quarter mile)

In blocks greater than six hundred and sixty (660) feet in length (or at the end of cul-de-sacs) the Board of Commissioners may require at locations it deems necessary one (1) or more public pedestrian through accesses of not less than ten (10) feet in width to extend entirely across the block, or pedestrian easements in lieu thereof. Blocks are allowed to exceed maximum length where environmental conditions make connections infeasible.

B. Width

Blocks shall be wide enough to allow two (2) rows of lots, except where reverse frontage on major streets is provided or where prevented by topographic conditions or size of the property or location next to an arterial, in which case the Board of Commissioners may approve a single row of lots.

7.4 Lots

A. Adequate Building Sites

Each lot shall contain a building site suitable for habitation as defined in 7.1, Suitability of the Land.

B. Arrangement

Insofar as practical, side lot lines shall be at right angles to straight street lines or radial to curved street lines. Every lot shall have frontage on a public street except as provided below.

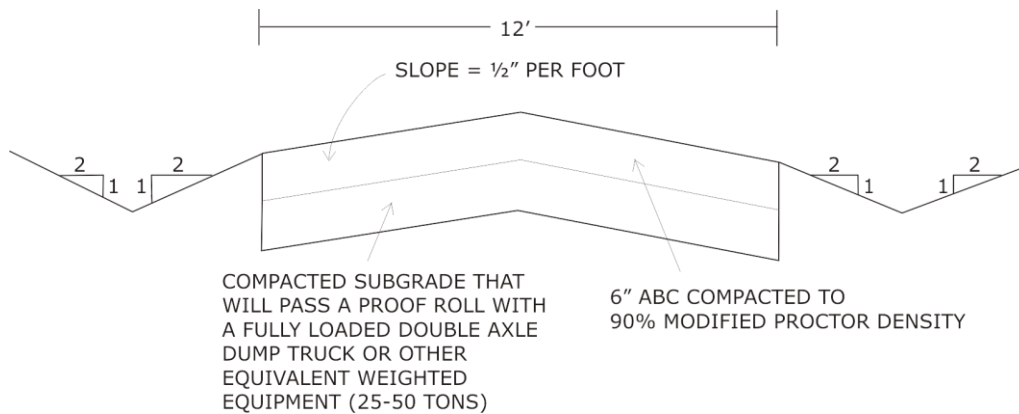
- (1) Subdivision lots may be allowed provided that every lot has frontage on a private road as specified in 7.2.
- (2) One additional subdivision lot may be allowed provided that the lot has frontage on a perpetual easement or private road that extends to meet a public road, if the easement or private road existed prior to October 1, 1975. Proof of the existence of said easement prior to said date and proof of its permanence shall be provided to the Planning Director and certified by the applicant's attorney. A subdivider shall not create any subdivision in the same immediate location that has this type of frontage, for a period of twelve (12) months after receiving approval of a subdivision with this type of frontage, if he owns, has an option on, or has any legal interest in any property adjacent to the property to be subdivided. The road shall be widened to 22 feet for a distance of 40 linear feet to provide a pull-out for safe passing and only applies to the newly created lot (see figure 9 for an example of a pull-out). The pull-out shall be constructed prior to obtaining a signed plat and the design and construction of the road shall be certified to be in compliance with these regulations by a licensed engineer.

Both the additional lot and the remaining parcel if ten (10) acres or less in size shall be plated and approved.

- (3) Up to four (4) subdivision lots may be allowed provided that every lot has frontage on a perpetual easement not less than thirty (30) feet in width that meets a public road. [The easement shall not be within one hundred \(100\) feet of another easement of this type, unless approved by the Board of County Commissioners after considering lot design, land ownership, topography, and other appropriate information.](#) If additional subdivision lots are to be created and served by the easement, it shall be sixty (60) feet in width and meet other standards required unless a variance is granted. Proof of the permanence of

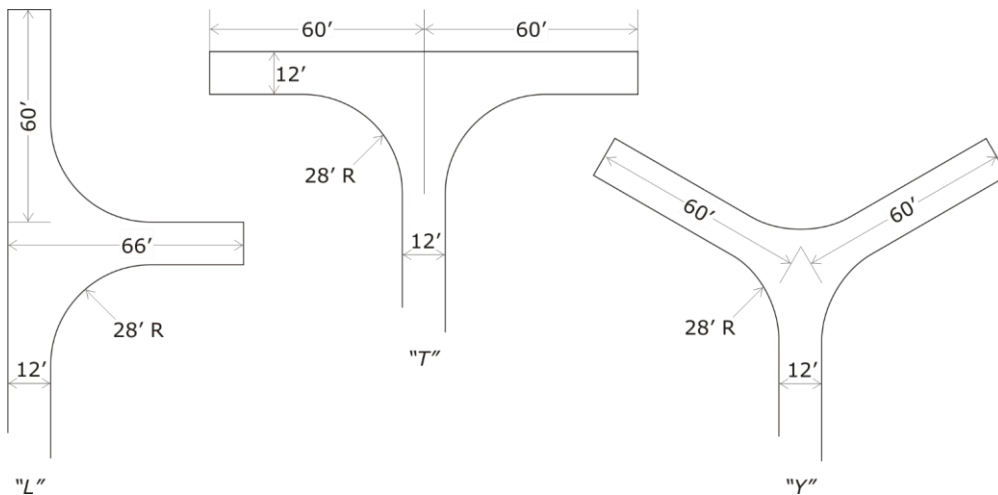
the easement shall be provided to the Planning Director and shall be certified by the applicant's attorney. The applicant shall contact the State Department of Transportation to determine if a driveway permit is needed and shall provide proof of such to the Planning Director.

Easements serving one lot shall be improved such that the road has a minimum clearance of 12 feet wide and 14 feet high and an all weather travel surface. Such improvement shall be made prior to the occupancy of any dwelling on said subdivision lot. Easements serving more than more one lot shall be improved such that the road has a minimum unobstructed clearance of 12 feet wide and 14 feet high, have an all weather travel surface, and at a minimum be designed to the specifications in figure 7. The design and construction of the private road shall be certified to be in compliance with these regulations by a licensed engineer. If the length of the road is more than 250 feet, then a turnaround shall be provided at the end of the road within the easement. Options for acceptable turnarounds are shown in Figure 8 below. If applicable, one or more legs of the turnaround may be the entrance to a private driveway, provided that the minimum dimensions of the turnaround are accommodated entirely within the easement. Additionally, for roads that are more than 500 feet in length, the road shall be widened to 22 feet wide for a distance of 40 linear feet to provide a pull-out for safe passing, at a maximum interval of 500 feet as measured from the center of the pull-out. The maximum distance between the turnaround and a pull-out shall be 500 feet. See Figure 9 below for an illustration of pull-outs for private roads. Such improvements shall be made prior to the issuance of a building permit for a building on said subdivision lot. See Form 13 for a note to be included on the plat.



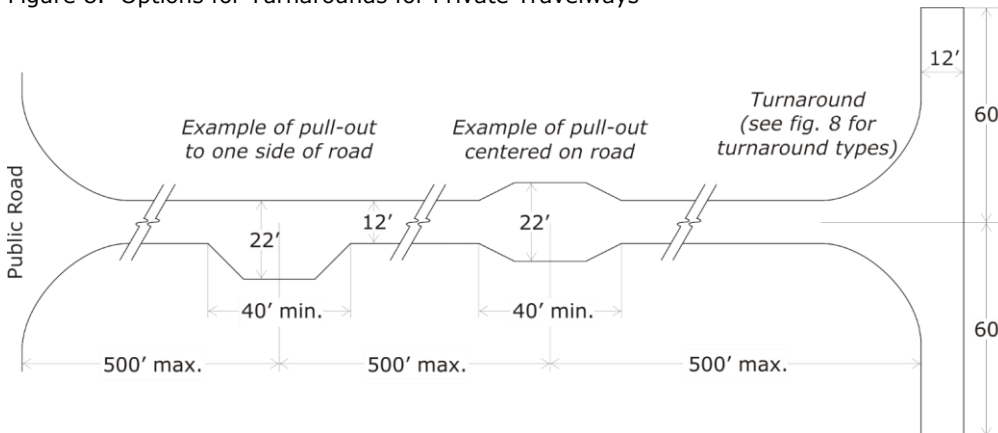
- * Must follow entire length of roadbed and the design and construction of private roads shall be certified to be in compliance with these regulations by a licensed engineer per Section 7.2.D

Figure 7: 12' Minimum Gravel Road Standard



* Must follow construction of entire length of roadbed and construction of private roads shall be certified to be in compliance with these regulations by a licensed engineer per Section 7.2.D

Figure 8. Options for Turnarounds for Private Travelways



*Additional pullouts must meet gravel detail (see Figure 7) and construction of private roads shall be certified to be in compliance with these regulations by a licensed engineer per Section 7.2.D

Figure 9. Illustration of Pull-outs for Private Travelways

- (4)** Lots designated for duplex development (two family dwellings) or other attached residential units may be divided provided:
- they meet the provisions of 7.4C (2)

- b. access from each unit to a public or private road as specified herein or to a previously platted and recorded sixty foot perpetual easement is had by an easement not less than ten feet in width.
- c. the total number of units allowed on said lots is not increased by said subdivision.

(5) The types of lot arrangements described in (2), (3), and (4) above may be reviewed according to the minor subdivision procedure described in SECTION 4B and 5.3, Minor Subdivisions. The lot arrangements described in (4) may follow the minor subdivision procedure with no limit on the number of lots or times the procedure may be used in this situation.

(6) Before additional lots may be created along a private road that was created after October 1, 1975 said lots must front on a public or private road as specified in these regulations unless said lots fit in one of the categories listed above.

C. Minimum Lot Dimensions and Areas

The size, shape and orientation of lots shall be such as the Board of Commissioners deems appropriate for the use contemplated, type of water supply and sewage disposal services, soil characteristics, improvements, and relation to the street system.

(1) Residential lots

Residential lots, unless developed as a Conservation Subdivision, shall meet the following minimum requirements:

Useable

Increase minimum lot size requirement for lots with individual wells and individual wastewater disposal systems from approximately 1 acre (40,000 square feet) to 1.5 acres (65,340 square feet).

Table 1: Residential Lot Frontage and Size Requirements

Classification of Street Access	Frontage on Street of Access	Lot Width at Building Line	Useable Lot Area with Public Water & Sewer (sq. feet)	Useable Lot Area without Public Water or Sewer (sq. feet)*	Useable Lot Area without Public Water and Sewer (sq. feet)**
Major Arterial	300' [†]	75'	40,000	40,000	65,340
Minor Arterial and Major Collector	150' [†]	75'	40,000	40,000	65,340
Minor Collector	100'	75'	40,000	40,000	65,340
Local Road	30'	75'	40,000	40,000	65,340

*For residential lots not served by a public sewage system greater lot area may be required for private sewage disposal if, in the opinion of the County, there are factors of drainage, soil conditions or other conditions to cause potential health problems.

**Lot(s) served by a private source of water (wells) and individual sewage disposal systems shall have a lot width in an area suitable for building not less than one hundred (100) feet.

[†]Access not recommended

Deleted: Minor Subdivisions

The frontage on street access for major and minor arterials and collectors may be reduced if the average lot frontage equals or exceeds the minimum and the reduction is not less than one third (1/3) the minimum specified.

Flag lots may have the minimum road frontage reduced but not below the minimum requirement for local roads and the minimum flag pole width shall be no less than 30 feet and must run the entire length of the easement. The flag pole is the narrow portion of the lot that provides access from the road to the main body of the lot.

There shall be no more than two flag lots adjacent to each other unless an easement is provided allowing one common access and such is approved by the Board of Commissioners. The maximum allowed length of a flag or access strip shall be two thousand five-hundred (2,500) feet unless it is providing access to previously landlocked property. Corner lots may be required to have greater area to allow for sight easements required by the Division of Highways.

Lots that have frontage along the rivers of the County shall have a minimum land area of five acres of which three acres shall be outside the 100 year flood plain area.

Deleted: c

Deleted: and the riparian buffer area.

- (2) The lot areas listed above shall be doubled in size for a two family dwelling. Said lots may be subdivided in order for each unit of the duplex to be situated on a separate lot, provided that each lot consists of not less than one half (1/2) the required lot area.
- (3) Properties reserved or platted for commercial, institutional or industrial purposes shall be adequate in size to provide for the type of use and development contemplated. Platting of individual lots should be avoided in favor of an overall design of the land to be used for such purposes.

Land shall not be platted for commercial, institutional or industrial purposes unless the subdivider can demonstrate the following; provided however these provisions shall not apply to bona fide farm activities:

- a. A site arrangement that prevents undue interference with through traffic. (Each industrial subdivision or area shall utilize a single collector for all heavy traffic between the area and the general system of streets and roads. Minor industrial streets and individual industrial parcels shall be oriented at right angles with the collector and with adjacent railroads.)
 - b. An integrated parking area.
 - c. Spatial, structural, or vegetative buffers, or combination thereof against any adverse effect on any present or future adjacent residences.
 - d. A parcel size sufficient in area to allow future expansion.
 - e. A stormwater plan pursuant to the Chatham County Stormwater Ordinance.
- (4) A comprehensive multi-family, group housing, or other unified and planned development, including unified design and construction of units together with necessary drives and ways of access, may be approved by the Board of Commissioners although the design of the project does not include standard

streets, lots, and subdivision arrangements, if departure from the foregoing standards can be made without destroying their intent.

- (5) Lots to be created for the express purpose of minor utilities are exempted from the Required Minimum Lot Area.

7.5 Public Use and Service Areas

A. Public Use Areas

(1) Reservation of School Sites

This ordinance provides for the reservation of school sites in accordance with the approved Land Development Plan. Before approving such a plan, the Board of Education and Board of Commissioners shall determine jointly the specific location and size of each school site to be reserved and shown as part of the plan.

Whenever a subdivision that included part or all of a school site to be reserved under the plan is submitted for approval, the Board of Commissioners shall immediately notify the Board of Education. The Board of Education shall promptly decide whether it still wishes the site to be reserved and shall notify the Board of Commissioners or planning agency of its decision.

If the Board of Education does wish the site to be reserved, the subdivision may not be approved without the reservation. The Board of Education must acquire the site within 18 months after the date the site is reserved, either by purchase or by exercise of the power of eminent domain. If the Board of Education has not purchased the site or begun proceedings to condemn the site within the 18 months, the subdivider may treat the land as freed of the reservation.

(2) Recreation Sites

All residential subdivisions shall provide public community recreation areas consistent with County plans, policies, and regulations including, but not limited to, the Chatham County Parks and Recreation Master Plan. For purposes of this section, public community recreation areas shall be areas developed for active recreational uses. The following are illustrative of the type of facilities that shall be deemed to serve active recreational needs: tennis courts, swimming pools, sauna and exercise rooms, meeting or activity rooms in clubhouses, basketball courts, ball fields, swings, slides, and play apparatus. Each subdivision development shall satisfy its public community recreational requirement by:

- a. Dedicating and conveying to the County the type of public recreational facilities that are most likely to be appropriate for the community consistent with the County's Parks and Recreation Master Plan. Each public community recreation area shall satisfy the standards set forth in the Master Plan as to size, shape, location, slope, access and usefulness to the community and shall be not less than the product of 1/35 of an acre multiplied by the maximum number of lots to be developed or maximum number of dwelling units proposed, whichever is greater. The County shall be authorized to sell any land dedicated pursuant to this section, but the proceeds shall be used only for the acquisition, or development of other public recreation facilities.

- b. In lieu of dedicating public community recreation areas, a fee shall be paid to the County. The fee shall be equivalent to the post-development tax value of the area of land required to be dedicated pursuant to a. above. In order to serve the public recreation needs of more than one development or subdivision, the County shall establish recreation service districts and fees paid in lieu of dedication hereunder shall be expended for acquisition or development of recreation or park facilities or areas.
- c. The County may require payment of the fee in lieu of dedication at the time of final approval upon finding that the land required to be dedicated is not suitable for public community recreation purposes or upon finding that the recreational needs of the proposed development can be met by other public recreational facilities planned or constructed by the County within the recreational service district where located. The County shall decide during the review and approval process as to which option shall be available.
- d. This section shall not apply to non-residential subdivisions or family subdivisions. Any lot created using subsection (d) shall place a certificate on the plat stating that any conversion of a non-residential lot to residential use shall require compliance with Section 7.5(A)(2) before the residential use may be made of the lot.

B. Easements, Dedications, and Reservations

All easements, dedications and reservations shall be shown on the plat with notes stating their purpose.

(1) Utility Easements

Easements shall be provided for utilities along lot lines where necessary to provide utilities to every platted lot. The subdivider and the utility companies shall agree on the width of easements needed. Easements for subsurface sewage disposal systems shall be staked prior to approval and shall be designated on the Final Plat as a utility easement and described by bearings and distances and acreage.

(2) Pedestrian Easements

In such cases and at such locations as the Board of Commissioners deems advisable, easements along side of rear lot lines not exceeding twenty (20) feet in width may be required for pedestrian or bicycle traffic to and from schools, neighborhood parks, and other public places.

(3) Drainage Easements

In cases in which a subdivision is traversed by a stream or drainage channel there shall be provided if requested a storm water easement of such width along each side of the stream as the Board of Commissioners deems necessary for the purpose of widening, deepening, protecting, relocation, or otherwise improving such drainage easement. Other drainage easements may be required for the proper drainage of all lots.

(4) Sight Distance Easements at Intersections

Triangular sight distance easements at all public and private street intersections shall be shown in dashed lines and so noted on the Final Plat. These easements will remain free of all structures, trees, shrubbery, driveways, and signs, except utility poles, fire hydrants, and traffic control signs. Sight distance easements shall be in accordance with the requirements of the State Division of Highways.

(5) Dedication of Waterways

Lakes, ponds, creeks, and similar areas will be accepted by the County for maintenance only if sufficient land is dedicated as a public recreation area or park or if such area constitutes a necessary part of the drainage control system. The suitability of such dedicated areas shall be evaluated by the Planning Board prior to being considered for acceptance by the Board of Commissioners.

C. Community Assets

In all subdivisions due regard may be shown for all natural features such as large trees and water courses and for historical spots and similar community assets which, if preserved will add attractiveness and value to the property.

7.6 Zoning or Other Regulations

No Final Plat of land within the force and effect of an existing zoning regulation shall be approved unless it conforms to such regulations.

Wherever there is a discrepancy between minimum standards or dimensions noted herein and those contained in the zoning regulations or other agencies regulations the more stringent standards shall apply.

7.7 Conservation Subdivision—Alternative Standards for Development

As an alternative to conventional layouts, Chatham County encourages the preservation of large, contiguous blocks of land, herein referred to as Conservation Space. Conservation Space shall consist of Open Space and Natural Space. When a project voluntarily preserves Conservation Space in accordance with this Section, a project can increase the number of units that would be allowed on the overall property by ten (10) percent. Calculation of the density bonus shall be based on the applicable underlying land use regulation(s) dictating allowable development density.

The requirements for this option are detailed below.

A. Conservation Space Requirement

A minimum of 40 percent of the project area shall be retained as Conservation Space for a conservation subdivision design. Land required to be protected under other regulatory provisions, such as riparian buffers and floodplain, are permitted to be included in the Conservation Space calculation.

B. Composition of Conservation Space

A maximum of 20% of the required Conservation Space shall be Open Space and a minimum of 80% of such Conservation Space shall be Natural Space, unless it can be demonstrated that no practical alternative exists for preserving that amount of Natural Space. See The Chatham County Conservation Subdivision Guidelines for Conservation Space Selection.

C. Connectivity of Conservation Space

At least 50 percent of the proposed Conservation Space shall consist of a contiguous tract. The Conservation Space should adjoin any neighboring areas of Conservation Space on other parcels whenever practicable.

D. Permitted Uses of Conservation Space

Provided it includes the required divisions of Open Space and Natural Space and otherwise conforms with the Chatham County Conservation Subdivision Guidelines, uses of Conservation Space may include the following:

(1) Conservation

Conservation of natural resources, archeological resources or historical resources

(2) Agriculture

Existing and ongoing bona fide agriculture, horticulture, or silviculture, provided that all applicable best management practices are used to minimize environmental impacts.

(3) Recreation

Active recreational uses of Open Space are permitted, given that active uses such as tennis courts, swimming pools, ball fields, playgrounds, et cetera are limited to a maximum of 5 percent of the total Conservation Space area.

(4) Stormwater Management

Use for stormwater management is permissible consistent with the Chatham County Stormwater Ordinance requirements.

(5) Utility Easements

Easements for drainage, access to utilities, and underground utility lines.

(6) Water, Septic, and Sewer Systems

Shared water, septic and sewer infrastructure is allowed in Open Space, but not in Natural Space areas unless approved by the Environmental Quality Department.

(7) Trails

All trails, provided that Best Management Practices and an approved Trail Management Plan are employed for recreational purposes, such as pedestrian, mountain biking, general recreation and equestrian uses.

E. Prohibited Uses of Conservation Space

(1) Use of Motor Vehicles

(Except for maintenance purposes as provided for in the Open Space Management Plan).

(2) Roads, Parking Lots and Impervious Surfaces

(Except when necessary for access to active recreational uses).

F. Ownership of Conservation Space

The applicant must identify the current and intended future owner(s) of the Conservation Space who is/are responsible for maintaining such area/facilities. The responsibility for maintaining the Conservation Space and any facilities located thereon shall be borne by the owner unless otherwise specified in a Conservation Space Management Plan approved by the County.

G. Management of Conservation Space

The applicant shall submit a management plan for all proposed Conservation Space. Upon initial approval of the management plan by the County, changes to the plan shall be allowed only when approved by the County Board of Commissioners. The plan shall be referred to as the "Conservation Space Management Plan" and shall include:

- (1)** A statement allocating maintenance responsibilities and establishing guidelines for the upkeep of Conservation Space and all associated facilities;

- (2) Cost estimates for all maintenance, operation and insurance needs for the Conservation Space, as well as a plan that outlines the means by which funds will be obtained for such expenses;
- (3) Establishment of criteria for enforcement of the plan.
- (4) Prior to any clearing or grading of the site, protective fencing should be established around all Natural Space areas. Fencing shall be placed outside the critical root zone or dripline, whichever is greater, of any trees.

H. Legal Instrument for Permanent Protection

Conservation Space proposed for a conservation subdivision shall be protected in perpetuity by a binding legal document that is recorded with the deed upon review and approval by the County. The document shall be one of the following three (3) options:

(1) Permanent Conservation Easement.

A permanent conservation easement in favor of either:

- A land trust or similar conservation-oriented non-profit organization with legal authority to accept such easements. The organization shall be bona fide and in perpetual existence and the conveyance instruments shall contain an appropriate provision for retransfer in the event the organization becomes unable to carry out its functions; or
- A governmental entity with an interest in pursuing goals consistent with the intentions of this Section.

(2) Permanent Restrictive Covenant.

A permanent restrictive covenant for conservation purposes.

(3) Alternative Land Use Restriction.

An equivalent legal tool that provides permanent protection, if approved by the County Attorney. The instrument for permanent protection shall include all use restrictions contained in this section, as well as any additional reasonable restrictions the applicant chooses to place on the use of the open space.

I. Density Bonuses

The base density for a conservation subdivision is determined by the underlying land use regulation, establishing otherwise allowable unit density (minus any regulated floodplain, where building is prohibited under Chatham County ordinances) in which the development parcel is located. Permitted housing densities shall not exceed the maximum allowances of any applicable water supply watershed requirements.

Deleted: riparian buffers

J. Agricultural Preservation Density Bonus

Conservation subdivisions proposed for the purposes of sustaining existing on-site bona fide agricultural operations are entitled to a five (5) percent increase in permitted density (this in addition to the ten (10) percent density bonus). Ideally, residential lots in such developments should be located in areas less suitable for agricultural production, while prime farmland areas of the property should be reserved as Conservation Space. It is strongly recommended that development parcels be located where agricultural operations do not interfere with the safety and/or well being of potential future residents. Upon completion such agricultural uses, all lands previously occupied by those uses shall be preserved in perpetuity as natural space, and shall not qualify for future development.

K. Lot and Structure Placement

(1) Lot Size

There is no minimum size for lots in a conservation subdivision; however the lot size shall be adequate to provide for minimum setbacks and any required infrastructure or services.

(2) Structure Placement.

a. Setbacks

Structures within a conservation subdivision should be placed as closely to internal roads as practical. The reviewing agency may reduce the front yard setback to a minimum of five (5) feet when necessary. In such cases, the reviewing agency must take into consideration sound engineering, public safety concerns and community character when applying standards. Vegetative buffers should be left between new development and existing residential development where possible.

b. Separation

Structures within conservation subdivisions may be located in the side yard setback required by the zoning district regulations. Structures may be placed as closely together as permitted by the North Carolina State Building Code.

(3) Lot Proximity to Open Space.

Open space shall be accessible to the largest possible number of lots within the development. To achieve this, the majority of lots should abut open space to provide residents with direct views and access. Safe and convenient pedestrian access to the open space from all adjoining lots shall be provided, except in the case of farmland or other resources areas vulnerable to human disturbance.

L. Private Driveway Easements

Private driveway easements may be used in place of public and/or private roads where proposed to provide access to two (2) or fewer lots. The minimum required easement width is 30 feet and shall have a centerline length of no more than 200 feet. Proposed driveway easements should be clearly identified on all plans and plats with a description of what lots the easement is proposed to serve. Final Plats creating driveway easements must contain a note that conveys maintenance responsibility of the easement to the home owners utilizing it to access their property. The note shall specifically state that the easement(s) must be maintained to allow clear passage for emergency response vehicles. Driveway easements are not subject to the requirements for public or private roads.

M. Public and Private Road Standards

All conservation subdivisions with proposed roads and rights-of-way shall follow the standards in Section 7.2.

(1) The Planning Department may accept public rights-of-way in conservation subdivisions of 15 or fewer lots.

(2) Conservation subdivisions of 15 or fewer lots shall follow the provisions of Section 3 in order to record a final plat prior to completion of the required improvements.

N. Review and Approval

(1) Conservation subdivisions of fifteen (15) or fewer Lots are reviewed and approved by the Planning Department using the following process:

- a. The applicant shall submit the required number of prints of the plat to the Planning Department. Applicants shall pay any administrative fee established by the County at the time of the application or request. The staff shall inform the applicant of necessary modifications to the plat. Conservation Subdivisions involving access to more than two lots shall have the access road name approved by the Emergency Operations Center (EOC) and Board of Commissioners.
 - b. Where public service is available, public sewer shall be provided and installed in such a manner as to serve adequately all lots within the subdivision. Where public service is not available, a soil scientist, licensed in North Carolina, shall certify that suitable soils are available for each lot in accordance with applicable state and local rules. The Chatham County Environmental Health Department will review soil scientist reports and maps and indicate its' adequacy prior to proceeding with final plat approval. Installation of all sewage disposal systems shall conform to appropriate regulations of any governmental agency having jurisdiction thereof.
 - c. The Planning Department shall review the plat and if everything is in order, the Director of Planning or his/her authorized agent shall approve the plat. (See Appendices)
 - d. The plat shall be submitted for recording by the applicant within the time limit specified in these regulations.
 - e. In order for a subdivision to be processed under these provisions, the following requirements must be met:
 - (1) The plat must meet all requirements and standards for Final Plats as required in section 6.4.
 - (2) There can be no variances requested from the subdivision regulations.
 - (3) There cannot be, as a result of such subdivision, a creation of any lots which fail to meet all requirements of the subdivision regulations.
 - (4) No subdivider may use the this procedure in the same immediate location (approximately fifteen hundred [1,500] feet) for a period of twelve (12) months after getting subdivision approval using said procedure in said location, if he/she owns, has an option on, or has any legal interest in any property adjacent to the property to be subdivided.
 - (5) Additional street right-of-way dedication shall be shown on the plat in cases where the existing right-of-way does not meet the present minimum right-of-way width.
 - (6) If a conservation subdivision does not meet the above listed requirements it shall be reviewed as a major subdivision, unless otherwise provided.
 - f. Any appeals of a staff decision regarding a Conservation Subdivision shall follow the process in Section 5.2(F).
- (2)** Conservation subdivisions in excess of fifteen (15) lots shall be reviewed as a major subdivision.

SECTION 8 DEVELOPMENT PREREQUISITE TO FINAL APPROVAL

The following tangible improvements are required before Final Plat approval in order to assure the physical reality of a subdivision for which recordation will establish legality.

8.1 Required Improvements

Every subdivision developer shall be required to grade and improve streets, install monuments, sanitary sewers, storm drainage, water mains, and other utilities, and make other site improvements in accordance with the following specifications.

A. Monuments and Lot Markers

Iron pins not less than three-fourths (3/4) inches in diameter and eighteen (18) inches long shall be set at all street corners, at points where the street lines intersect the exterior boundaries of the subdivision, at the intersection of curves and tangents along street lines, at all lot corners, and at all corners of the plat. These pins shall be driven so as to be snug in the ground and shall not have over six inches exposed above the finished grade. The location of these pins shall be identified with wooden stakes or other suitable markers at the time the plat is submitted for final approval so that all necessary inspections may be made by the various agencies involved in the review of the subdivision. At least one concrete monument shall be set for major subdivisions with new roads. Additional concrete monuments may be required where deemed necessary due to large acreage and/or a large number of lots.

B. Street Development

Every subdivision developer shall be required to grade and improve new streets. These improvements for public roads shall be in accordance with the minimum standards for design as specified in the most recent appropriate road standards by the Division of Highways. Private street improvements shall meet the design and construction standards specified in these regulations.

C. Storm Drainage

See Stormwater Management Ordinance for applicable rules and regulations.

D. Sanitary Sewers

Where public service is available, public sewer shall be provided and installed in such a manner as to serve adequately all lots within the subdivision. Where public service is not available, a soil scientist, licensed in North Carolina, shall certify that suitable soils are available for each lot in accordance with applicable state and local rules. The Chatham County Environmental Health Department will review soil scientist reports and maps and indicate its' adequacy prior to proceeding with final plat approval. Installation of all sewage disposal systems shall conform to appropriate regulations of any governmental agency having jurisdiction thereof.

E. Water Supply Systems

Where public service is available, public water shall be provided and installed in such a manner as to serve adequately all lots within the subdivision. Where public service is not available, each lot must have a suitable water supply system approved by the Chatham County Health Department or other appropriate agency. Installation of all water supply systems shall conform to appropriate regulations of any governmental agency having jurisdiction thereof.

F. Installation of Utilities

All utility services shall be so designed and installed as to conform with all appropriate state, local and utility agency requirements. Underground electric and telephone lines are encouraged and may be required in subdivisions where lot densities and soil conditions exist to make the installation of such facilities economically feasible in the opinion of the Board of Commissioners.

G. Sidewalks

Sidewalks, sidepaths, or improved trails may be required where deemed necessary by the Board of Commissioners as an integral part of a pedestrian traffic system within a one (1) mile radius of existing or planned schools, neighborhood recreation or commercial areas, or other public places. Where provided, sidewalks shall be located not less than one (1) foot from the property line to prevent interference or encroachment by fencing, walls, hedges or other planting or structures placed on property lines at a later date. Sidewalks, sidepaths, or improved trails shall be installed to conform with accepted standards of good practice.

H. Street Name Signs and Traffic Signs

Appropriate street signs enable strangers, delivery concerns, and even potential lot buyers to find their way around. Street name signs shall be installed at all intersections. Traffic signs shall also be installed where required. The signs shall be of standard design, size and material as approved by the Division of Highways unless provided by other county ordinances addressing signs. State and local permits for signs may be required prior to installation.

I. Guarantee in Lieu of Completed Improvements

No final subdivision plat shall be approved by the Board of Commissioners or accepted for recording by the County Register of Deeds until one of the following conditions has been met:

- (1) All required improvements have been constructed in a satisfactory manner and approved by the Board of Commissioners, or
- (2) The Board of Commissioners and/or any of the certifying agencies have accepted a security for completion and maintenance of improvements as established in Section 3 of these regulations, whereby improvements may be made and utilities installed without cost to public bodies in the event of default of the subdivider. This also assures the prospective purchaser that improvements shall be installed as stated on the Final Plat.

SECTION 9 SPECIAL DEVELOPMENT STANDARDS PLANNED UNIT DEVELOPMENTS

9.1 Procedure for First Plat and Construction Plan Approval

All master plans for planned unit developments shall be reviewed and granted final approval prior to recordation. The time limit on the validity of approvals may be extended by the Board of Commissioners for Planned Unit Developments.

9.2 Additional Required Information for First Plat Approval

- A.** Existing and proposed land uses and the approximate density of the proposed dwellings.
- B.** The approximate location of any road shown on the major thoroughfare plan.
- C.** Public uses, including schools, parks, play areas, and other open spaces, both existing and proposed.
- D.** Areas proposed to be conveyed, dedicated, or reserved for parks, playgrounds, swimming pools, recreation buildings, supporting commercial areas, similar public and semi-public uses.
- E.** A plan showing the approximate location of common open area.
- F.** A development schedule indicating (1) the approximate date when construction of the project can be expected to begin; (2) the stages in which the project will be built and the approximate date when construction of each stage can be expected to begin; (3) the anticipated rate of development; (4) the approximate dates when the development of each of the stages in the development will be completed; and (5) the area and location of common open space that will be provided at each stage.
- G.** An estimate of population and density and extent of activities to be allocated to parts of the project.
- H.** A tabulation of the land area to be devoted to various uses and activities and overall densities.
- I.** A market analysis and financial statement may be requested by the Planning Board to help determine the demand for the development and the probability of its completion.

9.3 Design Standards for Planned Unit Development

A. Common Open Space

- (1)** The location, shape, size, and character of the common open space shall be reviewed in detail.
- (2)** Common open space must be used for amenity or recreational purposes. The uses authorized for the common open space must be appropriate to the scale and character of the planned development considering its size, density, expected population, topography, and the number and type of dwellings to be provided. There shall be no less than fifteen (15) percent of the total land area

reserved as open space. Roads and road right-of-ways shall not be calculated as open space.

- (3) Common open space must be suitably improved for its intended use but common open space containing natural features worthy of preservation may be left unimproved. The buildings, structures, and improvements which are permitted in the common open space must be appropriate to the uses which are authorized for the common open space and must conserve and enhance the amenities of the common open space with regard to its topography and unimproved condition.
- (4) The use and improvements of common open space must be planned in relation to any existing or proposed public or semi-public open space which adjoins or which is within close proximity to the perimeter of the planned development.
- (5) All land shown on the final master plan as common open space must be conveyed under one of the following options:
 - a. It may be conveyed to a public agency which will agree to maintain the common open space and any building, structures, or improvements which have been placed on it.
 - b. It may be conveyed to a trustee(s) provided in a deed of record which establishes an association or similar organization for the maintenance of the planned development. The common open space may be conveyed to the trustees subject to the approval of the Planning Board which will result in the restriction of the common open space to the uses specified on the final plan, and which will provide for the maintenance of the common open space in a manner which assures its continuing use for its intended purposes.
- (6) No common open space may be put to any use not specified on the final master plan unless the final master plan has been amended to permit that use.

B. Minimum Size

The minimum size of a planned unit development shall be twenty (20) acres.

C. Roads

General subdivision road standards set out or referenced in these regulations may be waived for Planned Unit Developments provided that the intent of these regulations is not negated or lessened. Privately maintained roads may be allowed by the Board of Commissioners provided that the status and maintenance of said roads is made known by appropriate notes on the plat, in deeds, protective covenants or other means approved by the Board of Commissioners. Roads shall be constructed to a generally accepted standard practice of design approved by the Board of Commissioners and the construction of said roads shall be certified by an engineer licensed to practice in North Carolina.

D. Other Design Standards

Design standards set out in these subdivision regulations may be waived for Planned Unit Developments provided that the intent of these regulations is not nullified or lessened and provided that sufficient proof is given substantiating the adequacy of the alternative design.

SECTION 10 COMPACT COMMUNITIES

10.1 Procedure

All master or concept plans, first plats, construction plans and final subdivision plats shall be reviewed and approved prior to recordation.

10.2 Required Information

All applications for compact communities shall contain the information required by the separate Chatham County Compact Community Ordinance.

10.3 Standards

All compact communities shall comply with the provisions of the Chatham County Compact Community Ordinance.

SECTION 11 APPENDIX A: CERTIFICATION FORMS FOR INITIAL AND FINAL APPROVALS

FIRST PLAT

Form 1

ADEQUATE SOILS
CERTIFICATION OF REVIEW BY LICENSED SOIL SCIENTIST

I HEREBY CERTIFY THAT LOT(S) _____
SHOWN ON THIS PLAT FOR _____ HAVE BEEN REVIEWED AS
APPROPRIATE AND WITH RESPECT TO THE REQUIREMENTS SET FORTH IN
15A NCAC 2T .0600 FOR SINGLE-FAMILY RESIDENCE WASTEWATER IRRIGATION
SYSTEMS AS AMENDED FROM TIME TO TIME. AS OF THIS DATE, AND BASED ON THIS
REVIEW OF EXISTING SITE CONDITIONS THE LOT (S) NUMBERED ABOVE ON THIS PLAT
MEETS THESE REGULATIONS.

CERTIFICATION DOES NOT REPRESENT APPROVAL OR A PERMIT FOR ANY SITE WORK.
THE NORTH CAROLINA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES,
DIVISION OF WATER QUALITY HAS THE AUTHORITY FOR THE REVIEW, APPROVAL, OR
DENIAL OF APPLICATIONS FOR NON-DISCHARGE PERMITS. THE ISSUANCE OF NON-
DISCHARGE PERMITS IS BASED ON REGULATIONS IN FORCE AT THE TIME OF
PERMITTING AND IS DEPENDENT ON THE SATISFACTORY COMPLETION OF A PERMIT
APPLICATION AND ALL REQUIRED SUPPORTING INFORMATION.

ANY CHANGE IN USE OR ANY SITE ALTERATION MAY RESULT IN SUSPENSION OR
REVOCATION OF CERTIFICATION.

DATE NC LICENSED SOIL SCIENTIST (SEAL)

Form 2

ADEQUATE SOILS CERTIFICATION OF REVIEW BY LICENSED SOIL SCIENTIST

I HEREBY CERTIFY THAT LOT(S) _____ SHOWN ON
THIS PLAT FOR _____ HAVE BEEN REVIEWED IN
ACCORDANCE WITH THE .1900 NORTH CAROLINA LAWS AND RULES FOR SEWAGE
TREATMENT AND DISPOSAL SYSTEMS. AS OF THIS DATE, AND BASED ON THIS REVIEW
OF EXISTING SITE CONDITIONS THE LOTS NUMBERED ABOVE ON THIS PLAT MEETS
THESE REGULATIONS.

CERTIFICATION DOES NOT REPRESENT APPROVAL OR A PERMIT FOR ANY SITE WORK.
FINAL SITE APPROVAL FOR ISSUANCE OF IMPROVEMENT PERMITS IS BASED ON
REGULATIONS IN FORCE AT THE TIME OF PERMITTING AND IS DEPENDENT ON
SATISFACTORY COMPLETION OF INDIVIDUAL SITE EVALUATIONS FOLLOWING
APPLICATION FOR AN IMPROVEMENT PERMIT DETAILING A SPECIFIC USE AND SITING.

ANY CHANGE IN USE OR ANY SITE ALTERATION MAY RESULT IN SUSPENSION OR
REVOCATION OF CERTIFICATION.

Date NC LICENSED SOIL SCIENTIST (SEAL)

Form 3

CERTIFICATION OF PLANS OF STREETS

I hereby certify that the plans for streets in the subdivision shown hereon meet the design standards and specifications of the Department of Transportation, Division of Highways except as noted hereon.

20

District Engineer

FINAL PLAT

Form 4

CERTIFICATE OF APPROVAL FOR RECORDING

I hereby certify that the subdivision plat shown hereon has been found to comply with the subdivision regulations for Chatham County, with the exception of such variances, if any, as noted in the minutes of the Board of Commissioners, and that it has been approved by the body for recording in the Office of the County Register of Deeds.

20

Chairman, Chatham County Board of Commissioners

CERTIFICATE OF APPROVAL FOR RECORDING

I hereby certify that the subdivision plat shown hereon has been found to comply with the subdivision regulations for Chatham County and that it has been approved for recording in the Office of the County Register of Deeds.

20

Planning Director or Authorized Representative

Form 5

APPROVAL FOR MINOR SUBDIVISIONS

I hereby certify that the subdivision plat shown hereon is a minor subdivision and has been found to comply with the subdivision regulations for Chatham County. The plat has been approved for recording in the Office of the County Register of Deeds.

20

Director of Planning or Authorized Agent

Form 6

OWNER CERTIFICATION OF PLAT BEING EXEMPT FROM THE SUBDIVISION REGULATIONS

I (we) hereby certify that I am (we are) the owner(s) of the property shown and described hereon and that said property is exempt from the subdivision regulations of Chatham County by definition.

20

Owner(s) or Authorized Agent and Title

Form 7

CERTIFICATION OF PLAT BEING EXEMPT FROM THE SUBDIVISION REGULATIONS

I hereby certify that the property shown and described hereon is exempt from the subdivision regulations of Chatham County by definition.

20

Planning Director or Authorized Representative

Form 8

CERTIFICATION OF OWNERSHIP AND DEDICATION

I (we) hereby certify that I am (we are) the owner(s) of the property shown and described hereon and that I (we) hereby adopt this plan of subdivision with my (our) free consent, and dedicate all right-of-ways, streets, alleys, walks, easements, parks, and other open spaces to public or private use as noted.

20

Owner(s)

Form 9

CERTIFICATE FOR LOTS CREATED FOR NON-RESIDENTIAL USES

I hereby certify that this plat creates lot(s) for non-residential uses, and such lot(s) were exempt from Section 7.5(A)(2) of the Chatham County Subdivision Regulations. Any conversion of the lot(s) shown on this plat as non-residential lot(s) to residential uses shall require compliance with Section 7.5(A)(2) of the Chatham County Subdivision Regulations before any residential use may be made of the lot(s).

20

Owner(s)

Form 10

CERTIFICATION OF THE APPROVAL OF STREETS

I hereby certify that the streets and related improvements have been installed according to plans approved by the Division of Highways, except as noted hereon; or proper provisions have been made for their installation.

20

District Engineer, N.C. Division of Highways

Form 11

CERTIFICATION OF THE APPROVAL OF UTILITIES

I hereby certify that the _____ improvements have been installed in an acceptable manner and according to the specifications of the Chatham County utility policy and/or the Chatham County Subdivision Regulations, except as noted hereon; or proper provisions have been made for their installation.

20

Signature

Title

Form 12

Certificate of Agricultural District

Note: These parcels are located near an area that is presently used for agricultural purposes. Normal agricultural operations may conflict with residential use. NC law (General Statutes Section 106-701) provides some protection for existing agricultural operations.

Form 13

Construction of the entire private travelway shall be completed prior to the issuance of a building permit for a building on any lot served by the easement per section 7.4.B(3).

Form 14

The stub street(s) shown on this plat is provided for the purpose of future road extension. Once the road is extended and/or connects to another road, any easement provided for the

purpose of a temporary turn around may be removed through the lawful actions of the property owner.

Form 15

Lots to be created for the express purpose of minor utilities are exempted from the Required Minimum Lot Area per Section 7.4 Lots (C) (5).

Form 16

Field location to locate perennial, intermittent and ephemeral streams, perennial water bodies, and wetlands has been completed by Chatham County. Lot number(s) does not have any water features subject to Chatham County riparian buffer requirements.

Deleted: This property

Form 17

Jurisdictional and permanence of the features shown has been determined by Chatham County. Required buffers were measured landward from the outer limit of jurisdiction. Chatham County Watershed Protection Ordinance provides descriptions of allowable uses within protected buffer areas. Lot number(s) is subject to Chatham County buffer requirements.

Deleted: This property

Form 18

Lot number(s) is subject to the Chatham County Watershed Protection Ordinance and all applicable provisions thereof. Site verification of all surface waters must be conducted by a qualified environmental professional, as described in Section 304(B) of the ordinance, prior to any ground-disturbing activities. Regulated surface waters and protected buffer areas must be depicted on all future development plans.

Deleted: This property

Form 19

Jurisdiction and permanence of the features shown has been determined by (insert name of environmental professional). Required buffers were measured landward from the outer limit of jurisdiction. Chatham County Watershed Protection Ordinance provides descriptions of allowable uses within protected areas. Lot number(s) is subject to Chatham County buffer requirements.

Deleted: This property

Form 20

Development or redevelopment of a Minor Subdivision or an individual residential lot cumulatively exceeding 20,000 square feet of land disturbance shall comply with Section 165.045 (E) (d) and (e) [formerly Section 400 (5) (d) and (e)] of the Chatham County Stormwater Ordinance].

Form 21

OWNER CERTIFICATION OF NON-BUILDING LOT

I hereby certify that this plat creates non-building lot(s). Any conversion of the lot(s) shown on this plat to buildable lots shall require compliance with Section 5.3 of the Chatham County Subdivision Regulations.

20

Owner(s)

Form 22

Any non-residential development or re-development that disturbs 20,000 square feet or more shall submit a Stormwater Management Plan that meets the requirements of the Chatham County Stormwater Ordinance and receive a Stormwater Permit prior to commencement of land disturbing activities.

Form 23

Minor Subdivision on parcel # _____ was reviewed and approved as an Expedited Subdivision. No Subdivider shall use the Expedited Subdivision process on any portion of the parent tract or resultant lots for a period of ten (10) years from the date of recordation of the final plat.

Owner Signature

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Deleted: Zoning Enforcement Officer

**THE CHATHAM COUNTY ZONING ORDINANCE FOR BALDWIN, WILLIAMS,
NEW HOPE, CAPE FEAR, AND PORTIONS OF HAW RIVER, OAKLAND, CENTER,
ALBRIGHT, GULF, HICKORY MOUNTAIN, MATTHEWS AND HADLEY
TOWNSHIPS, CHATHAM COUNTY, NORTH CAROLINA**

AN ORDINANCE PROVIDING FOR THE ZONING OF BALDWIN, WILLIAMS, NEW HOPE, CAPE FEAR, AND PORTIONS OF HAW RIVER, OAKLAND, CENTER, ALBRIGHT, GULF, HICKORY MOUNTAIN, MATTHEWS AND HADLEY TOWNSHIPS, CHATHAM COUNTY, NORTH CAROLINA.

In pursuance of authority conferred by Article 18, Part 3, Zoning of Chapter 153A of the General Statutes of North Carolina and for the purpose of promoting the public health, safety and general welfare; promoting the orderly growth of the jurisdiction; lessening congestion on the roads and streets; securing safety from fire, panic and other dangers; providing adequate light and air; preventing the overcrowding of land; avoiding undue concentration of population; and facilitating the adequate provision of transportation, water, sewage, schools, parks and other public requirements; all in accordance with the adopted Land Use Plan; NOW THEREFORE,

The Board of Commissioners of Chatham County do ordain as follows:

Chatham County Zoning Ordinance

SECTION 1 **TITLE**

This Ordinance shall be known as "The Chatham County Zoning Ordinance for Baldwin, Williams, New Hope, Cape Fear, and portions of Haw River, Oakland, Center, Albright, Gulf, Hickory Mountain, Matthews and Hadley Townships, Chatham County, North Carolina", and may be referred to as "The Zoning Ordinance."

SECTION 2 **JURISDICTION**

The regulations set forth in this Ordinance shall apply within the zoning areas designated on the official zoning maps as established in Section 6 herein for Baldwin, Williams, New Hope, Cape Fear and portions of Haw River, Oakland, Center, Albright, Gulf, Hickory Mountain, Matthews and Hadley Townships, Chatham County, North Carolina.

SECTION 3 **BONA FIDE FARM EXEMPT**

This Ordinance shall in no way regulate, restrict, prohibit or otherwise deter or affect property used for bona fide farm purposes, but any use of farm property for non-farm purposes shall be subject to the regulations of this Ordinance, per North Carolina General Statutes §153A-340(b). For purposes of determining whether a property is being used for bona fide farm purposes, any of the following shall constitute sufficient evidence that the property is being used for bona fide farm purposes:

- a. A farm sales tax exemption certificate issued by the Department of Revenue.
- b. A copy of the property tax listing showing that the property is eligible for participation in the present use value program pursuant to NCGS §105-277.3.
- c. A copy of the farm owner's or operator's Schedule F from the owner's or operator's most recent federal income tax return.
- d. A forest management plan.

A building or structure that is used for agritourism is a bona fide farm purpose if the building or structure is located on a property that (i) is owned by a person who holds a qualifying farmer sales tax exemption certificate from the Department of Revenue pursuant to G.S. 105-164.13E(a) or (ii) is enrolled in the present-use value program pursuant to G.S. 105-277.3. Failure to maintain the requirements of this subsection for a period of three years after the date the building or structure was originally classified as a bona fide purpose pursuant to this subdivision shall subject the building or structure to applicable zoning and development regulation ordinances adopted by a county pursuant to subsection (a) of this section in effect on the date the property no longer meets the requirements of this subsection. For purposes of this section, "agritourism" means any activity carried out on a farm or ranch that allows members of the general public, for recreational, entertainment, or educational purposes, to view or enjoy rural activities, including farming, ranching, historic, cultural, harvest-your-own activities, or natural activities and attractions. A building or structure used for agritourism includes any building or structure used for public or private events, including, but not limited to, weddings, receptions, meetings, demonstrations of farm activities, meals, and other events that are taking place on the farm because of its farm or rural setting.

Deleted: <#>A Farm Identification Number issued by the United States Department of Agriculture Farm Service Agency. ¶

Chatham County Zoning Ordinance

SECTION 4 DISTRICTS ESTABLISHED

In order to achieve the purposes of this Ordinance as set forth above, the jurisdictional area subject to this Ordinance is hereby divided into general use districts of which there shall be 10 with the designation and purposes as listed below:

R5 Residential district

Primarily for very low density residential developments along the County's rivers and streams which are compatible with protecting the water quality of the rivers and streams.

R2 Residential district

Primarily for low density residential development to protect water supply watersheds

R1 Residential District

This district is primarily for low to moderate density residential development within the residential-agricultural areas of the jurisdiction.

O&I Office and Institutional District

Primarily for office and institutional type uses along with residences

B-1 General Business District

Intended for retail trade and consumer services dealing with the general public; the old district has been split into 3 new districts (NB, CB, and RB, below) that are intended for retail and consumer services, but are scaled to better fit different needs around the County. [This district is historical and no parcel or portion of a parcel can be rezoned to this district. Should an applicant for a rezoning wish to rezone to a district with approved land uses listed for this district, the applicant may apply for a rezoning to one of the 3 new business districts \(NB, CB, and RB, below\).](#)

NB Neighborhood Business District

This district is meant to serve a small retail market, roughly equivalent to the trade area of a small (40,000 square foot) grocery store and limited ancillary services. No building within this district shall exceed 40,000 square feet and the cumulative building square footage shall not exceed 160,000.

CB Community Business District

This district is similar to the Neighborhood Business District, but at a slightly larger scale, roughly equivalent to a 80,000 square foot grocery store and ancillary services. No building within this district shall exceed 80,000 square feet and the cumulative building square footage shall not exceed 320,000.

RB Regional Business District

This district is similar to the old General Business District in that a wider array of uses is allowed and there are not limitations on single-occupant, single-use structure sizes or outdoor storage and display of merchandise.

IL Light Industrial District

Chatham County Zoning Ordinance

Primarily for wholesale activities, warehouses, and light manufacturing operations which do not involve heavy processing activities and which are not likely to create noise, smoke, dust, vibration, heat, odor or other obnoxious effects, controlled or uncontrolled.

IH Heavy Industrial District

Primarily for manufacturing operations involving heavy manufacturing processes such as dyeing, chemical mixing, melting, and stamping but which control such processes so as not to exceed the environmental performance standards of this Ordinance. IH also permits all uses as permitted in the IL District.

Chatham County Zoning Ordinance

SECTION 5 CONDITIONAL ZONING DISTRICTS

Conditional Zoning district (bearing the designation CD) corresponds to the general purpose zoning districts and to the mixed use districts as authorized in this ordinance.

5.1. Purpose

Conditional Zoning districts are zoning districts in which the development and use of the property is subject to predetermined ordinance standards and the rules, regulations, and conditions imposed as part of the legislative decision creating the district and applying it to the particular property.

Some land uses are of such a nature or scale that they have significant impacts on both the immediate surrounding area and on the entire community, which cannot be predetermined and controlled by general district standards. The review process established in this Ordinance provides for accommodation of such uses by a reclassification of property into a conditional zoning district, subject to specific conditions, which ensure compatibility of the use with neighboring properties. A conditional zoning district is not intended for securing early zoning for a proposal, except when that proposal is consistent with an approved land use plan or the proposal can demonstrate that public infrastructure needed to serve the development will be made available within a reasonable time period.

5.2 Conditional Zoning Districts

A. Residential Districts

The following districts are identical to the corresponding residential districts, except that approval of a conditional zoning district is required as a prerequisite to any use or development, as provided for in this Ordinance:

CD-R5

CD-R2

CD-R1

B. Office, Institutional and Commercial Districts

The following districts are identical to the corresponding commercial districts, except that approval of a conditional zoning district is required as a prerequisite to any use or development, as provided for in this Ordinance:

CD-O&I Office & Institutional

CD-B1 General Business

CD-NB Neighborhood Business

CD-CB Community Business

CD-RB Regional Business

C. Industrial Districts

The following districts are identical to the corresponding industrial districts, except that approval of a conditional zoning district is required as a prerequisite to any use or development, as provided for in this Ordinance:

CD-IL Light Industrial

CD-IH Heavy Industrial

Chatham County Zoning Ordinance

D. Mixed Use Districts

Approval of a conditional zoning district shall be required as a prerequisite to any use or development, as provided for in this Ordinance, for the following districts:

CD-CC Compact Community – a compact residential development with a mixed commercial use village center. See the Compact Communities Ordinance for more information.

CD-MU Mixed Use – a mixed use development that provides for an integration of diverse but compatible uses into a single development.

5.3. General Requirements

Property may be rezoned to a conditional zoning district only in response to and consistent with an application submitted in compliance with Section 5.

A. Application

Rezoning to a conditional zoning district shall only be considered upon request of the property owner or the authorized agent of the owner. In addition to the documents specified in

Subsection B below, all applications shall also contain the following information:

1. The alleged error in this Ordinance, if any, which would be remedied by the proposed amendment with a detailed explanation of such error in the Ordinance and detailed reasons how the proposed amendment will correct the same.
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 the public health, safety and general welfare.
3. The manner in which the proposed amendment will carry out the intent and purpose of any adopted plans or part thereof.
4. The requested amendment is either essential or desirable for the public convenience or welfare.
5. All other circumstances, factors and reasons which the applicant offers in support of the proposed amendment.
6. Information required on the application form received from the Planning Department.

B. Plans and other information to accompany application

- (1) The application shall include a site plan, drawn to scale, with supporting information and text that specifies the actual use or uses intended for the property and any rules, regulations, and conditions that, in addition to the predetermined ordinance requirements, will govern the development and use of the property. The following information must be provided, if applicable:
 - a. Information showing the boundaries of the proposed property as follows:
 1. If the entire parcel will be zoned, a GIS or survey map and parcel number of the subject property.
 2. If only a portion of the parcel will be zoned, a boundary survey and vicinity map showing the property's total acreage, parcel number, current zoning classification(s) and the general location in relation to major streets, railroads, and/or waterways,
 - b. Legal Description of proposed conditional zoning district
 - c. All existing and proposed easements, reservations, and rights-of-way;
 - d. Proposed number and general location of all building sites, their approximate location, and their approximate dimensions;

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- e. Proposed use of all land and structures, including the number of residential units and the total square footage of any nonresidential development;
 - f. All yards, buffers, screening, and landscaping required by these regulations or proposed by the applicant;
 - g. All existing and proposed points of access to public and/or private streets;
 - h. Stream buffers required through this or other Chatham County Ordinances or Regulations, and other Local, State, or Federal regulatory agencies. Delineation of areas within the regulatory floodplain as shown on the Official Flood Insurance Rate Maps for Chatham County
 - i. Proposed phasing, if any;
 - j. Generalized traffic, parking, and circulation plans;
 - k. Proposed provision of utilities;
 - l. The location of known sites of historic or cultural significance within or adjacent to the project area, including any structure over 50 years old;
 - m. The approximate location of any cemetery;
 - n. Proposed number, location, and size of signs;
 - o. Location and description of any proposed lighting on the project site with a note that any lighting will comply with Section 13; and
 - p. The location of existing and/or proposed storm drainage patterns and facilities intended to serve the proposed development, and impervious surface calculations; and
 - q. Environmental Impact Assessment pursuant to Section 11.3 of the Zoning Ordinance, if applicable.
- (2) The Zoning Administrator has the authority to waive any application requirement where the type of use or scale of the proposal makes providing that information unnecessary or impractical.
- (3) In the course of evaluating the proposed use, the Zoning Administrator, Planning Board, Chatham County Appearance Commission, or Board of Commissioners may request additional information from the applicant. This information may include, but not be limited to, the following:
- a. Proposed screening, buffers, and landscaping over and above that required by these regulations, as well as proposed treatment of any existing natural features;
 - b. Existing and general proposed topography;
 - c. Scale of buildings relative to abutting property;
 - d. Height of structures;
 - e. Exterior features of the proposed development;
 - f. A traffic impact analysis of the proposed development prepared by a qualified professional. The traffic impact analysis shall follow the NCDOT TIA Analysis Guidelines, and shall also include consideration for non-motorized and public transportation;
 - g. Any other information needed to demonstrate compliance with these regulations.
- (4) The site plan and any supporting text shall constitute part of the application for all purposes under this section.

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5.4. Uses Within District

Within a conditional zoning district, only those uses listed (or determined to be equivalent uses) as permitted uses or conditional uses in the corresponding zoning district shall be permitted, and no use shall be permitted except as a conditional use subject to approval of a conditional zoning district rezoning authorized by the Board of Commissioners as provided herein.

5.5. Conditions

In approving a reclassification of property to a conditional zoning district, the Planning Department and Planning Board may recommend, and the Board of Commissioners request, that reasonable and appropriate conditions be attached to approval of the rezoning. Any such conditions should relate to the relationship of the proposed use to surrounding property, proposed support facilities such as parking areas and driveways, pedestrian and vehicular circulation, screening and buffer areas, the timing of development, street and right-of-way improvements, water and sewer improvements, stormwater drainage, the provision of open space, and other matters that the Board of Commissioners may find appropriate or the applicant may propose. Such conditions to approval of the rezoning may include dedication to the County or State, as appropriate, of any rights-of-way or easements for roads, water, or other public utilities necessary to serve the proposed development. The applicant shall have a reasonable opportunity to consider and respond to any such conditions prior to final action by the Board of Commissioners.

5.6. Non-compliance with District Conditions

Any violation of a use or condition included in the approval of a conditional zoning district shall be treated the same as any other violation of this Ordinance and shall be subject to the same remedies and penalties as any such violation. Any violation of such a condition shall be deemed to be the same type of violation as the use of a property for a use not permitted under the district regulations, for the reason that any use permitted in a conditional zoning district is permitted only subject to the specified conditions.

5.7. Procedure

Applications for new conditional zoning districts or expansion of existing Conditional Zoning Districts shall be processed, considered and voted upon using the following procedure. Before filing an application for a conditional zoning district, the applicant(s) is encouraged to meet with the Planning Department staff to discuss the nature of the proposed reclassification, the standards for development under the existing and proposed classifications, and concerns that persons residing in the vicinity of the property may have regarding the proposed reclassification, if known.

A. Community Meeting

- (1) The applicant is required to hold a community meeting prior to the application deadline for a conditional zoning district rezoning. The applicant shall provide mailed notice of the meeting.

Chatham County Zoning Ordinance

- a. Notice of the meeting shall be provided to owners of abutting property, as listed with the Chatham County Tax Department, and include properties directly across a street, easement or public or private right of way.
 - b. Notice may be sent to additional properties by the applicant.
 - c. At a minimum, the notice shall be sent by standard mail and be postmarked at least fourteen (14) days prior to the date of the community meeting. Additional types of notice may be provided by the applicant.
- (2) A written report of the community meeting shall be included as part of the application packet.
- a. The written report of the meeting shall include a listing of those persons and organizations contacted about the meeting and the manner and date of contact, the time, date, and location of the meeting, a roster of the persons in attendance at the meeting, a summary of issues discussed at the meeting, and a description of any changes to the rezoning application made by the applicant as a result of the meeting.
 - b. In the event the applicant has not held at least one meeting pursuant to this subsection, the applicant must file a report documenting efforts that were made to arrange such a meeting and stating the reasons such a meeting was not held. The adequacy of the meeting held or a report filed pursuant to this subsection shall be considered by the Board of Commissioners, but shall not be subject to judicial review.
- (3) Revisions to existing Conditional Zoning Districts and existing Conditional Use Permits shall not require a community meeting if the physical boundaries of the district or permit are not proposed to be expanded.

B. Chatham County Appearance Commission Review

The applicant is required to meet with the Chatham County Appearance Commission for review of landscaping and signage plans prior to submittal to the Planning Department. The Appearance Commission shall have forty-five (45) days from the date of submittal to forward a recommendation to the applicant and Planning Department. The submittal date shall be seven (7) days prior to the date of the Appearance Commission meeting.

C. Submittal to Planning Department

- (1) A completed application and supporting information shall be submitted to the Planning Department at least forty-five (45) days prior to the Public Hearing. A digital copy of the application and all accompanying materials shall be submitted pursuant to the Planning Department Digital Document Submission Guidelines.
- (2) The Planning Department shall, before scheduling the public hearing, ensure that the application contains all the required information as specified in Section 5.
- (3) The Planning Department shall have fifteen (15) days from the date of submittal to notify the applicant that the application is complete for scheduling the public hearing.
 - a. If the Planning Department determines the information is not sufficient for review, the Department shall notify the applicant of the specific information that is required for review.
 - b. The Planning Department shall take no further action on the application until the applicant submits the required information.
 - c. Once the applicant corrects the identified deficiencies, the applicant shall resubmit to the Planning Department at least 45 days prior to the next Public Hearing meeting,

Chatham County Zoning Ordinance

and the Department shall have 15 days to review the information and notify the applicant that the information is sufficient for review.

- d. A determination that an application contains sufficient information for review as provided in this subsection (b) does not limit the ability of other county agencies, the Planning Board or the Board of Commissioners to request additional information during the review process.
- (4) The application is reviewed by the Technical Review Committee prior to the Public Hearing for comments and recommendations from other agencies.

D. Joint Public Hearing by Board of Commissioners and Planning Board

- (1) The Board of Commissioners and Planning Board shall receive public comment on Conditional Zoning District applications in a public hearing at the County Commissioners' last regular meeting in January, February, March, April, May, June, August, September, October, and November.
- (2) The lack of quorum of the Planning Board at such meetings shall not affect the proceedings nor require further hearings.
- (3) Notice of the public hearing shall be given according to State law. At a minimum, the following notice shall be provided:
 - a. A notice of the public hearing shall be prominently posted on the site proposed for the Conditional Zoning District or on an adjacent public street or highway right-of-way. When multiple parcels are included in the proposed Conditional Zoning District, a posting on each individual parcel is not required, but sufficient notices shall be posted to provide reasonable notice to interested parties.
 - b. Mailed notice shall be sent to adjoining properties pursuant to State law.
 - c. Published notice of the hearing shall be given pursuant to State law.
- (4) The Board of Commissioners may continue the Public Hearing in order to receive more public input or requested information from the applicant.

E. Planning Board and Board of Commissioners Action

Once the Public Hearing is closed by the Board of Commissioners, the Planning Board and Board of Commissioners shall review the application pursuant to the procedure outlined in Sections 19.6 – 19.11.

5.8 Effect of Approval

- A. If an application for conditional zoning is approved, the development and use of the property shall be governed by the predetermined ordinance requirements applicable to the district's classification, the approved site plan for the district, and any additional approved rules, regulations, and conditions, all of which shall constitute the zoning regulations for the approved district and are binding on the property as an amendment to these regulations and the zoning maps.
- B. If an application is approved, only those uses and structures indicated in the approved application and site plan shall be allowed on the subject property. A change of location of any structures may be authorized pursuant to Section 5.9.
- C. Following the approval of a rezoning application for a conditional zoning district, the subject property shall be identified on the Zoning Map by the appropriate district designation.
- D. Any conditional zoning district shall have vested rights pursuant to Section 19.11.

Chatham County Zoning Ordinance

5.9 Alterations to Approval

- A. Except as provided in Section 5.9(B), changes to the approved conditional zoning district application or to the conditions attached to the approval shall be treated the same as a new application for a conditional zoning district and shall be processed in accordance with the procedures in Section 5.7.
- B. The Zoning Administrator shall have the delegated authority to approve an administrative amendment change to an approved site plan. The standard for approving or denying such a requested change shall be that the change does not significantly alter the site plan or its conditions and that the change does not have a significant impact upon abutting properties. Any changes that increase the intensity of the development are limited for nonresidential development to 10% of the approved building square footage or 5,000 square feet, whichever is less. For residential development, increases in density are not allowed as an administrative change.
- C. The Zoning Administrator shall always have the discretion to decline to exercise the delegated authority because a rezoning application for a public hearing and Board of Commissioners action is deemed appropriate under the circumstances. If the Zoning Administrator declines to exercise this authority, then the applicant can only file a rezoning application for a public hearing and Commissioner decision.

Chatham County Zoning Ordinance

SECTION 6 OFFICIAL MAPS ADOPTED - DISTRICT BOUNDARIES ESTABLISHED

6.1. Zoning Map

The location and boundaries of zoning districts shall be as kept in spatial databases entitled "Zoning" and "Zoning Overlays" that are maintained as part of the County's geographic information system (GIS) under the direction of the Planning Director, or designee. This depiction of zoning boundaries along with additional reference data in the GIS shall constitute the Official Zoning Map for the County's zoning jurisdiction, and is adopted into this Ordinance by reference. The County Clerk, as applicable, may upon validation by the Planning Director, or designee, certify a paper copy of the Official Zoning Map, or portions of the map, as a true and accurate copy of the Official Zoning Map, or a portion thereof, under the authority of G.S. 160A-79(b) and G.S. 153A-50.

The Planning Director, or designee, shall revise the Official Zoning Map when amendments are passed by the governing body in accordance with Section 17, Amendment to Zoning Ordinance. The Planning Director, or designee, shall correct errors in the map as they are discovered.

No unauthorized person may alter or modify the Official Zoning Map. Errors in the Official Zoning Map shall be corrected as they are discovered, and the corrected information shown on the GIS system.

The Planning Director, or designee, may authorize printed copies of the Official Zoning Map to be produced, and shall maintain digital or printed copies of superseded versions of the Official Zoning Map for historical reference.

6.2. Interpretation of Boundaries

The Planning Director, or designee, may authorize periodic changes to the boundaries of the Official Zoning Map in conformance with this section. Interpretations of zone boundaries may be appealed to the Board of Adjustment.

A. Boundaries That Follow Lot Lines

A boundary shown on the Official Zoning Map as following a lot line or parcel boundary shall be construed as following the lot line or parcel boundary as it actually existed at the time the zoning boundary was established, as shown on maps submitted or used when the boundary was established.

If, subsequent to the establishment of the zoning boundary, a minor property line adjustment is made, such as from settlement of a boundary dispute, the zoning boundary shall be construed to move with the lot line or parcel boundary if the adjustment is less than ten feet.

B. Boundaries That Do Not Follow Lot Lines

Where the ordinance establishing a zoning boundary identifies the boundary as following a particular natural feature such as a ridgeline, contour line, a river, stream, lake or other water course, or reflects a clear intent that the boundary follow the feature, the boundary shall be construed as following that feature as it actually exists. If, subsequent to the establishment of the boundary, such natural feature should move as a result of natural processes (slippage, subsidence, erosion, flooding, sedimentation, etc.), the boundary shall be construed as moving with the natural feature.

Chatham County Zoning Ordinance

A boundary shown on the Official Zoning Map as approximately following a street or railroad line shall be construed as following the centerline of the street or railroad right-of-way. If, subsequent to the establishment of the boundary, the centerline of the street or railroad right-of-way should be moved as a result of its widening or a minor realignment (such as at an intersection), the boundary shall be construed with moving with the centerline only if the centerline is moved no more than 25 feet.

A boundary shown on the Official Zoning Map as approximately parallel to, or as an apparent extension of, a feature described above shall be construed as being actually parallel to, or an extension of, the feature.

If a zoning boundary splits an existing lot or parcel, the metes and bounds description, if one was submitted at the time the zoning boundary was established, shall be used to establish the boundary.

If the specific location of the boundary cannot be determined from application of the above rules to the Official Zoning Map, it shall be determined by scaling the mapped boundary's distance from other features shown on the map.

SECTION 7

Chatham County Zoning Ordinance

DEFINITIONS

7.1. General Purpose

For the purpose of this Ordinance certain words and terms used herein are defined as herein indicated. All words used in the present tense shall include the future tense; all words in the singular number shall include the plural number; all words in the plural number shall include the singular number unless the natural construction of the wording indicates otherwise; words in the male gender include the female gender; all words not defined in this section shall carry the definition prescribed in the common dictionary.

7.2. Definitions

Accessory Building - A detached subordinate building the use of which is incidental to that of the principal building and located on the same lot therewith.

Accessory Dwelling Unit (i.e. guest house, pool house, garage apartment, in-house apartment) - An accessory dwelling unit that is smaller than the principal residential dwelling. The accessory dwelling unit is situated on the same lot as the principal residence and may be located within the principal residence or in a separate building with a separate access. The accessory dwelling unit is restricted to 1,500 square feet of heated living space. The use is to conform to the character of the existing structures and neighborhood, i.e. mobile homes are not allowed as an accessory dwelling unit on lots smaller than 80,000 square feet.

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Accessory Structure - A detached subordinate structure, the use of which is incidental to that of the principal structure and located on the same lot therewith.

Accessory Use - Any use which is clearly incidental, secondary, and/or supportive of a principal use.

Accessory Use Sign - Any sign which is located on the same premises with a principal permitted use and which are clearly incidental, secondary and/or supportive of the principal use.

Adult Arcade - Any place to which the public is permitted or invited wherein coin-operated or slug-operated or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are maintained to show images to five or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by the depicting or describing of Specified Sexual Activities or Specified Anatomical Areas.

Adult Cabaret - A business operating in a building or portion of a building regularly featuring dancing or other live entertainment if the dancing or entertainment that constitutes the primary live entertainment is distinguished or characterized by an emphasis on the exhibiting of specified sexual activities or specified anatomical areas for observation by patrons therein.

Adult Escort - A person who, for consideration, agrees or offers to act as a companion, guide, or date for another person for the purpose of participating in, engaging in, providing, or facilitating Specified Sexual Activities.

Adult Escort Agency - A person or business that furnishes, offers to furnish, or advertises to furnish adult escorts as one of its business purposes for a fee, tip, or other consideration.

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Adult Media Store -A business: (a) Which receives a majority of its gross income during any calendar month from the sale or rental of publications (including books, magazines, other periodicals, videotapes, compact discs, other photographic, electronic, magnetic, digital, or other imaging medium) which are distinguished or characterized by their emphasis on matter depicting, describing, or relating to Specified Sexual Activities or Specified Anatomical Areas, as defined in this article; or (b) Having as a preponderance (either in terms of the weight and importance of the material or in terms of greater volume of materials) of its publications (including books, magazines, other periodicals, videotapes, compact discs, other photographic, electronic, magnetic, digital, or other imaging medium) which are distinguished or characterized by their emphasis on matter depicting, describing, or relating to Specified Sexual Activities or Specified Anatomical Areas.

Adult Merchandise - Any product dealing in or with explicitly sexual material as characterized by matter depicting, describing, or relating to Specified Sexual activities or Specified Anatomical Areas.

Adult Mini Motion Picture Theater - An enclosed building with viewing booths designed to hold patrons which is used for presenting motion pictures, a preponderance of which are distinguished or characterized by an emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas. A booth shall not mean a theater, movie house, playhouse, or a room or enclosure or portion thereof that contains more than 600 square feet.

Adult Motel - A hotel, motel or similar commercial establishment that offers accommodation to the public for any form of consideration and: (a) Provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides, or other photographic reproductions that are characterized by the depiction or description of Specified Sexual Activities or Specified Anatomical Areas; and has a sign visible from the public rights-of-way that advertises the availability of this adult type of photographic reproductions; or (b) Offers a sleeping room for rent for a period of time that is less than six hours; or (c) Allows a tenant or occupant of a sleeping room to sub-rent the room for a period of time that is less than twelve hours.

Adult Motion Picture Theater - A commercial establishment where, for any form of consideration, films, motion pictures, videocassettes, slides, or similar photographic reproductions are regularly shown as one of its principal business purposes that depict or describe specified sexual activities and/or specified anatomical areas.

Adult Patron - Any person who is physically present on the premises of a sexually oriented business and who is not an owner, employee, agent, subcontractor, or independent contractor of said business, or any entertainer or performer at said business.

Adult Theater - A theater, concert hall, auditorium, or similar commercial establishment which regularly features, exhibits, or displays as one of its principal business purposes, persons who appear in a state of nudity or semi-nudity, or live performances that expose or depict specified anatomical areas and/or specified sexual activities.

Agriculture - For purposes of this Ordinance the terms "agriculture", "agricultural", and "farming" refer to all of the following:

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- (1) The cultivation of soil for production and harvesting of crops, including but not limited to fruits, vegetables, sod, flowers and ornamental plants.
- (2) The planting and production of trees and timber.
- (3) Dairying and the raising, management, care, and training of livestock, including horses, bees, poultry, and other animals for individual and public use, consumption, and marketing.
- (4) Aquaculture as defined in G.S. 106-758.
- (5) The operation, management, conservation, improvement, and maintenance of a farm and the structures and buildings on the farm, including building and structure repair, replacement, expansion, and construction incident to the farming operation. (6) When performed on the farm, "agriculture", "agricultural", and "farming" also include the marketing and selling of agricultural products, agritourism, the storage and use of materials for agricultural purposes, packing, treating, processing, sorting, storage, and other activities performed to add value to crops, livestock, and agricultural items produced on a farm, and similar activities incident to the operation of a farm.

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Animal Husbandry, Specialized - The use of land for the raising and keeping of animals, fowl, reptiles, etc. which are not general livestock or poultry and not classified as a bona fide farm. Specialized animal husbandry farming includes but is not limited to the following: fur-bearing animal farms, game bird farming and animal farms, wild animal farms, aviaries, snake, alligator and frog farms, laboratory animal farms, worm farms, and fish farms.

Apartment Buildings - A building containing three (3) or more residential dwelling units that are not on their own individual lot. Such units may be leased separately or developed as condominiums.

Apartment Complex – A grouping of two or more apartment buildings.

Attached Sign - Any sign attached to, painted on the wall surface of, or erected and confined within the limits of the outside wall of any building or structure, which is supported by such wall or building.

Auto Wrecking - A commercial activity that provides open storage, disassembling, or salvaging for more than two junked motor vehicles.

Avocational Farming - The use of land for those activities which constitute farming, but does not meet the definition of a bona fide farm.

Awning - A structure made of cloth, metal, or other material affixed to a building in such a manner that it shades windows or doors below, but is not a constructed canopy.

Banner Sign - A sign of lightweight fabric or similar material which is attached to a pole or a building, structure and/or vehicle by any means. National, state or municipal flags shall not be considered banners.

Bed and Breakfast Home - Owner-occupied bed and breakfast homes with no more than two (2) rooms (units) for rent for stays no longer than seven (7) consecutive days and may be located

Chatham County Zoning Ordinance

on legal, non-conforming and conforming lots of record, on at least one and one half (1.5) acres, which may have standard setbacks as set in the district in which it is located.

Bed and Breakfast Inn - Small, owner-operated businesses where the owner usually lives on premises, but is not required to do so. The building's primary usage is for lodging of overnight guests and meals served in conjunction with the stay of guests. Inns advertise, have business licenses, comply with government ordinances, pay all appropriate taxes and post signs. The inn may host events such as weddings, small business meetings, et cetera, with up to 8 overnight rooms for rent to overnight guests, provided all other local and state requirements are met.

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Board of Commissioners – The Chatham County Board of Commissioners.

Bona Fide Farm - The use of land for agriculture as defined in Section 3 of this Ordinance.

Building - Any structure having a roof supported by walls or columns constructed or used for residence, business, industry or other public or private purposes.

Building Height - The vertical distance measured from the average elevation of the finished grade to the topmost section of the roof.

Building Line - A line perpendicular to the lot depth which establishes the horizontal distance between the structure and the front property line excluding the outermost steps, uncovered porches, gutters, and similar features.

Canopy - A permanent structure, not enclosed and not retractable, attached or unattached to a building, for the purpose of providing shelter to patrons or automobiles, or as a decorative feature on a building wall.

Churches – see Place of Worship.

Commercial Design Guidelines - The Chatham County Commercial Design Guidelines and Section 12 of this Ordinance.

Common Area - All areas, including private streets, conveyed to an owners' association in a townhouse development, residential development, or owned on a proportional undivided basis in a condominium.

Common Plan of Development – A group of two or more buildings constructed, planned and developed with a unified design including coordinated parking and service areas, and may include associated out parcels. Shopping centers are examples of common plans of development.

Compact Community – A compact residential development with a mixed commercial use village center with a conditional use permit required as a prerequisite to any use or development.

Concealed Wireless Facility – Any tower, ancillary structure, or equipment compound that is not readily identifiable as such, and is designed to be aesthetically compatible with existing and proposed building(s) and uses on a site.

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There are two (2) types of concealed facilities: 1) Antenna Attachments, including painted antenna and feed lines to match the color of a building or structure, faux windows, dormers or other architectural features that blend with an existing or proposed building or structure and 2) Freestanding. Freestanding concealed tower's usually have a secondary, obvious function which may include church steeple, bell tower, clock tower, light standard, flagpole, or tree.

Conditional Use - A use which is permitted in a district only if a conditional use permit therefore is expressly authorized by the Board of Commissioners.

Conditional Zoning District - A zoning district in which the development and the use of the property included in the district is subject to the predetermined ordinance standards and the rules, regulations, and conditions imposed as part of the legislative decision creating the district and applying it to the particular property.

Condominium - A form of property ownership whereby the owner gains ownership of an interior space within a building. The building structure, the land under the building, and all of the surrounding land is commonly owned by all the inhabitants on a proportional basis.

Congregate Care Facility - A facility providing shelter and services for ambulatory individuals at least 55 years of age who by reason of their age, functional impairment, or infirmity may require meals, housekeeping and personal care assistance. Congregate Care Facilities do not include nursing homes or similar institutions devoted primarily to the care of the chronically ill or the incurable.

Corner Lot - A lot abutting two or more streets at their intersection. The front of the lot shall be the portion on the highest order road, or when road types are equal, the length with the most frontage. Where there are equal frontage portions the owner shall designate the front.

Directional Sign - A sign which has use incidental to the use of the zone lot on which it is located, such as "no parking", "entrance", "loading only", "telephone", and other similar directives, and may include certain signs with commercial messages that are not legible from a location off the lot.

District - Any section of the zoning jurisdiction in which zoning regulations are uniform.

Dwelling Unit - A dwelling or that portion of a multi-family dwelling used or designed as a residence for a single family.

Duplex - See two-family dwelling.

Environmental Impact Assessment - A document that must be prepared for any proposed development project that is subject to and meets the criteria in either Section 6.2 of the Subdivision Regulations or Section 11.3 of the Zoning Ordinance which discusses the potential environmental impact of the proposed project and the methods proposed to mitigate or avoid significant adverse environmental impacts.

Environmental Impact Statement - A document that must be prepared pursuant to the National Environmental Policy Act of 1969, or the North Carolina Policy Act of 1971, regarding

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proposed federal or certain State actions respectively that significantly affect the quality of the human environment.

Events Center Limited – A venue to allow for various gatherings such as weddings, receptions, arts and crafts shows, corporate meetings, outdoor movies (no drive ins), etc. on a smaller scale and which can be indoor or outdoor or a combination thereof. Please refer to Section 17.7 of this Ordinance for further standards. All other standards of this Ordinance shall also apply.

Family - One or more persons occupying a dwelling unit and living as a single household.

Family Care Home - A home as defined by NCGS § 168-21 with support and supervisory personnel that provides room and board, personal care and habilitation services in a family environment for not more than six resident persons with disabilities.

Family Subdivision - Family subdivision means one or more divisions of a tract of land (a) to convey the resulting parcels, with the exception of parcels retained by the grantor, to a relative or relatives of direct lineage, or to the surviving spouse, if any, of any deceased lineal descendant, as a gift or for nominal consideration, but only if no more than one parcel from such tract is conveyed by the grantor to any one relative or such relative's surviving spouse; or (b) to divide land from common ancestor among tenants in common, all of whom inherited by intestacy or by will. This provision shall apply only where the grantor or decedent already owned the land so divided before January 1, 1994.

Farming - See Agriculture.

Fence - A physical barrier or enclosure consisting of wood, stone, brick, block, wire, metal or similar material used as a boundary or means of protection or confinement, but not including a hedge or other natural growth.

Forestry Plan - A document related to the management of forest resources, generally written by a North Carolina State Forester or a Certified Forestry Consultant. Such plan shall include forest management practices to insure both maximum forest productivity and environmental protection of the lands to be treated under the management plan (see N.C.G.S § 113A 178).

Freestanding Sign - A non-movable sign which is entirely supported by one or more uprights, poles, braces or base in or upon the ground.

Frontage - That side of a lot abutting on a street.

Front Setback - Any setback from a street or road, as measured from the edge of the public right-of-way or edge of access easement.

Group Care Home – A facility licensed by the State of North Carolina, other than a Family Care Home, with support and supervisory personnel that provides room and board, personal care or habilitation services in a family environment for more than six resident persons with disabilities.

Guest House, Pool House or Garage Apartment - See Accessory Dwelling Unit.

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Home Occupation - Any use conducted on residential premises and carried on by the occupants thereof, and which use is incidental and secondary to the use of the premises for residential purposes and does not change the character thereof.

Hotel (also motels and inns) – Structures/buildings with individual rooms for rent. Rooms may include suites with kitchenettes for extended stays and may provide area for eating and drinking establishments and personal service facilities within the principle structure.

Informational Sign - Any sign which contains no commercial or advertising message that is located on-site providing information as required by regulatory authorities and/or other public entity. These include, but are not limited to, “No Parking,” “Loading/Unloading Zone,” “Keep off Grass” and “No Smoking.”

Junked Motor Vehicle - A motor vehicle that does not display a current license plate and is one of the following: 1) partially dismantled or wrecked; or 2) cannot be self-propelled or moved in the manner in which it originally was intended to move; or 3) more than five years old and appears to be worth less than \$500.00.

Junk/Salvage Yard - Any land or area used, in whole or in part, for the storage, keeping, or accumulation of material, scrap metals, waste paper, rags, or other scrap materials, or used building materials or for the dismantling, demolition or abandonment of automobiles or other vehicles or machinery or parts thereof.

Land Clearing and Inert Debris Landfill - Land areas of greater than one-half acre in size, for the deposit of inert materials and land clearing materials including gravel, rocks, stumps, soil (not contaminated by petroleum products), unpainted and untreated building materials such as bricks, concrete blocks and lumber. Personal home-owners use of inert debris landfill materials (beneficial fill) not to exceed two (2) acres in size be exempt from requiring a conditional use permit. Commercial inert debris landfills or any that exceed two (2) acres in size will require a conditional use permit.

Land Use Plan – [Any Comprehensive Land Use Plan adopted by Chatham County, as well the Chatham-Cary Joint Land Use Plan.](#)

Deleted: The Chatham County Land Conservation and Development Plan.

Live-Work Unit - See Mixed Use Building.

Lot - A portion of a subdivision or any other parcel of land intended as a unit for transfer or ownership or for development or both. The word "lot" includes "plot", "parcel", or "tract".

Lot Depth - The distance along the perpendicular bisector of the lot.

Lot of Record - A lot, plot, parcel or tract recorded in the Office of the Register of Deeds in conformance with the ordinance in effect at the time of recording.

Lot Width - The width measured at right angles to its depth at the widest point of the lot.

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Manufactured Dwelling - A dwelling that 1) is composed of one or more components, each of which was substantially assembled in a manufacturing plant and designed to be transported to the home site on its own chassis; 2) exceeds 40 feet in length and eight feet in width; 3) is constructed in accordance with the National Manufactured Home Construction and Safety Standards; and 4) is not constructed in accordance with the standards of the North Carolina Uniform Residential building Code for one- and two-family dwellings.

Major Utility - All utility facilities other than minor utilities. Includes public utilities serving regional areas and public utility service and storage yards. Examples include, but are not limited to, electrical substations and wastewater treatment plants. This definition excludes public utility transmission lines.

Minor Utility - Any above-ground structures or facilities owned by a governmental entity, a nonprofit organization or corporation used in connection with the transmission, delivery, collection, or storage of water, sewage, electricity, gas, oil, or electronic signals. Minor utilities are necessary to support development within the immediate vicinity and involve only minor structures. Examples include, but are not limited to, pump stations, community well houses and above ground utility cabinets. Excepted from this definition are Major Utilities.

Mixed Use Building - Small commercial enterprises with the ground floor (and optionally second floor) occupied by commercial uses and a residential unit or units above. Commercial space may be a home-based business or may be leased independently.

Modular Dwelling - A dwelling constructed in accordance with the standards set forth in the NC State Residential Building Code and composed of components substantially assembled in a manufacturing plant and transported to the building site for final assembly on a permanent foundation.

Multi-Family Dwelling - A residential use consisting of a building designed or constructed to contain more than one dwelling unit, including apartments and condominiums. This definition does not include two-family (duplex) dwellings.

Non-conforming Building or Structure - A non-conforming situation that occurs when the height of a structure or the relationship between an existing building or buildings and other buildings or lot lines do not conform to the dimensional regulations applicable to the district in which the property is located.

Non-conforming Lot of Record - A lot existing at the effective date of this Ordinance or any amendment to it (and not created for the purpose of evading the restrictions of this Ordinance) that cannot meet the minimum area and/or lot width requirements of the district in which the lot is located.

Non-conforming Situation - A situation that occurs when, on the effective date of this Ordinance or any amendment to it, an existing lot or structure or use of an existing lot or structure does not conform to one or more of the regulations applicable to the district in which the lot or structure is located. A non-conforming situation may also occur due to governmental acquisition of property whether voluntary or involuntary. Among other possibilities, a non-conforming situation may arise because a lot does not meet minimum acreage requirements,

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because structures do not satisfy minimum yard requirements, because the relationship between existing buildings and the land (in such matters as density and setback requirements) is not in conformity with this Ordinance, or because land or buildings are used for purposes which are not in conformance with the list of permitted uses for the district in which the property is located.

Non-conforming Use - A non-conforming situation that occurs when property is used for a purpose or in a manner not permitted by the use regulations applicable to the district in which the property is located.

Nude or A State of Nudity - The appearance of a human anus, male genitals, or female genitals; or a state of dress which fails to opaquely cover a human anus, male genitals, or female genitals.

Nude Model Studio - Any place where a person who appears nude or semi-nude, or who displays specified anatomical areas is provided to be observed, sketched, drawn, painted, sculptured, photographed, filmed, or similarly depicted by other persons who pay money or any other form of consideration. Nude Model Studio shall not include a preparatory school licensed by the State of North Carolina or a college, junior college, or university supported entirely or in part by public taxation; a private college or university which maintains and operates educational programs in which credits are transferable to a college, junior college, or university supported entirely or partly by taxation.

Nursing Home - An establishment which provides full-time convalescent or chronic care, or both, to persons who are not related by blood or marriage to the operator or who, by reason of advanced age, chronic illness or infirmity, are unable to care for themselves.

Off-Premise Sign - Any sign that advertises or otherwise identifies any property, structure or use not located on the same parcel as sign.

Off-Premise Directional Sign – Any off-premise sign indicating the location of or directions to a business, church, park, historic property, school, or other place of public assembly and shall contain no advertising content.

On-Site Directional Sign - A sign incidental to the use of the lot on which it is located that provides necessary information to guide traffic, whether vehicular or otherwise, within the site. Any one directional sign shall be no larger than five (5) square feet.

Open Structures- A building or structure, open on all sides and supported by a roof and posts or columns.

Owner - A holder of any legal or equitable estate in the premises, whether alone or jointly with others, and whether in possession or not.

Pennant Sign - A sign made of lightweight plastic, fabric or other material, whether or not containing a message, suspended from a rope, wire or string, usually in series, designed to move in the wind.

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Person - Any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board or public or private institution, utility, cooperative, interstate body or other legal entity.

Photovoltaic System - An active solar energy system that converts solar energy directly into electricity.

Place of Worship - A building and/or land primarily used by a non-profit organization for organized religious services and supporting uses.

Planned Residential Development - A residential project not bound by typical minimum lot sizes, housing development types and dimensional requirements as set forth in the district in which the development is located but are subject to the standards as set forth in section 17.5(c) of this ordinance. Also referenced informally as a Planned Unit Development, or PUD.

Portable Sign - Any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported.

Primary Live Entertainment - On-Site entertainment by live entertainers that characterizes the establishment, as determined from a pattern of advertising and/or actual performances.

Principal Building - A building in which is conducted the principal use of the lot on which it is located.

Principal Permitted Use - Any use listed as a permitted use in any zoning district, except those which by definition or their nature are accessory uses.

Principal Structure - A structure in which is conducted the principal use of the lot on which it is located.

Principal Use Sign - A sign which constitutes the sole and/or principal use of land.

Public Street - A dedicated public right-of-way in which the roadway has been accepted or constructed to public standards for vehicular traffic, but not an alley.

Roof Line - The top edge of the roof or the top of the parapet, whichever forms the top line of the building silhouette.

Rear Setback - Any interior property line other than a front setback which provides a usable outdoor space. (Any lot having two or more front setbacks may not have to provide a rear setback).

Semi-Nude - A state of dress in which clothing covers no more than the genitals, pubic region, and areola of the female breast, as well as portions of the body covered by supporting straps or devices

Setback - The minimum required horizontal distance between a structure and the property line, street right-of-way line, street centerline or access easement.

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Specified Anatomical Areas - (1) Less than completely and opaquely covered: human genitals, pubic region, buttocks, or female breast below a point immediately above the top of the areola; or (2) Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

Specified Sexual Activities - Includes any of the following: a) Human genitals in a state of sexual stimulation, arousal, or tumescence; or b) The fondling or other erotic touching of human genitals, pubic region, buttocks, anus, or female breasts; or c) Sex acts, actual or simulated, including intercourse, oral copulation or sodomy; or d) Masturbation, actual or simulated; or e) Sadomasochistic practices, including, but not limited to: flagellation or torture by or upon a person, clothed or naked, or the condition of being fettered, bound, or otherwise physically restrained on the part of one clothed or naked; or f) Erotic or lewd touching, fondling, or other contact with an animal by a human being; or g) Human excretion, urination, menstruation, vaginal or anal irrigation.

Sexual Encounter Center - A business or commercial enterprise that, as one of its principal business purposes, offers for any form of consideration physical contact in the form of wrestling or tumbling between two or more persons when one or more of the persons is in a state of nudity or semi-nude, or activities between two or more persons when one or more of the persons is in a state of nudity or semi-nude.

Sexually Oriented Business - An adult arcade, adult media store, adult cabaret, adult motel, adult mini motion picture theater, adult motion picture theater, adult theater, escort agency, nude model studio, sexual encounter center, or any combination of the foregoing. (*Refer to Section 17.8 for general standards*)

Side Setback - Any interior property line setback other than a rear setback.

Sign - Any object, device, display or structure, or part thereof, which is used to advertise, identify, display, direct or attract attention to any object, person, institution, organization, business, product, service, event or location by any means, including but not limited to words, letters, pennants, banners, emblems, trademarks, trade names, insignias, numerals, figures, designs, symbols, fixtures, colors, illumination or projected images or any other attention directing device.

Sign Area - Sign area shall be measured by the smallest square, rectangle, triangle, circle or combination thereof, which will encompass the entire advertising copy area, excluding architectural trim and structural members. In computing area, only one side of a double-faced sign shall be considered.

Single-Family Dwelling - A separate, detached building designed for and occupied exclusively by one family.

Solar Collector - A device, structure or part of a device or structure (i.e. array, panel, etc.) installed for the sole purpose of the collection, inversion, storage, and distribution of solar energy. This device may be roof-mounted or ground-mounted as an accessory use (Refer to Section 17.6 for general standards).

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Solar Energy - Radiant energy received from the sun that can be collected in the form of heat or light by a solar collector.

Solar Farm - A use where a series of solar collectors are placed in an area for the purpose of generating photovoltaic power for an area greater than the principle use on the site or as the principle use on the site for off-site energy consumption. The use of solar collectors for personal or business consumption that occurs on-site is not considered a solar farm.

Specialized Horticulture - The use of land for the propagation of ornamental plants and other nursery products, such as bulbs, florist greens, flowers, shrubbery, flower and vegetable seeds and plants and sod and fruits and vegetables grown primarily under cover, but does not meet the definition of a bona fide farm.

Story - That portion of a building included between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, then the space between such floor and the ceiling next above it.

Structure - Anything constructed, erected, or placed.

Taxed Value - The official value assigned to real property by the Chatham County Tax Assessor for ad valorem tax purposes.

Temporary Building - Any building of an impermanent nature or which is designed for use for a limited time, including any tent or canopy. This includes the use of temporary construction trailers where a building permit has been issued and remains valid during the construction process.

Temporary Sign - Any non-permanent sign designed to advertise a business or event (non-profit or for-profit) for a limited period of time. These can include portable signs, signs placed in or on the ground or signs placed on a vehicle. These do not include political signs as specified in Section 15.5(9).

Temporary Structure - Any structure of an impermanent nature or which is designed for use for a limited time, including any tent or canopy. This includes the use of temporary construction trailers where a building permit has been issued and remains valid during the construction process.

Townhouse (or Townhome) - Attached dwelling units with ground level access and on their own individual lot.

Two-Family Dwelling (Duplex) - A building arranged and designed to be occupied by two families living independently of each other.

Use - The purpose for which land or structures thereon is designed, arranged or intended to be occupied or used, or for which it is occupied, maintained, rented or leased.

Variance - Official permission from the Board of Adjustment to depart from the requirements of this Ordinance.

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Vested Right – The right to undertake and complete the development and use of property under the terms and conditions of an approved site specific development plan or an approved phased development plan. Refer to the North Carolina General Statutes § 153A-344.1 for more information.

Voluntary Agricultural District (VAD) – Contiguous acres (initially) of agricultural land, or forestland, or horticultural land that is part of a qualifying farm or the number of qualifying farms deemed appropriate by the governing board of the county and reviewed by the Agricultural Advisory Board. The purpose of such agricultural districts shall be to increase identity and pride in the agricultural community and its way of life and to increase protection from nuisance suits and other negative impacts on properly managed farms. Refer to North Carolina General Statutes § 106-738 and -743 for more information.

Wireless Facility or Wireless Facilities - The set of equipment and network components, exclusive of the underlying Wireless Support Structure, including, but not limited to, Antennas, Accessory Equipment, transmitters, receivers, Base Stations, power supplies, cabling and associated equipment necessary to provide wireless telecommunications services.

Wireless Support Structure - A freestanding structure, such as a Monopole or Tower, designed to support Wireless Facilities. This definition does not include Utility Poles.

Zoning Administrator and [Official](#) - The person or persons designated by the Chatham County Manager to administer and enforce this Ordinance.

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SECTION 8 GENERAL PROVISIONS

The following general provisions shall apply in all situations unless otherwise indicated.

8.1. Relationship of Buildings to Lot

Every building hereafter erected, moved or placed shall be located on a lot and in no case shall there be more than one principal residential building on a lot except as may be permitted in a planned residential development and as provided for as follows:

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1. Two detached principal residential units may be situated on one lot provided: (a) at least one of the residential units is a manufactured dwelling, and (b) the lot is at least two times the required lot area for the district in which it is located.
2. There may be more than one single family detached residential unit on a lot if the average area of the property per residence is greater than 10 acres and the residential units are situated in such a manner that the distance between units shall not be less than the applicable setback distances required under this Ordinance for residential units situated upon adjoining lots.
3. More than one building of single family attached or detached units, where permitted, may be constructed on one lot provided:
 - a. the applicable zoning requirements of lot size and building setbacks are met,
 - b. a building permit is issued prior to construction,
 - c. a preliminary subdivision plat is submitted and approved prior to construction,
 - d. the final plat is prepared and final approval certified by the appropriate agencies,
 - e. the property is subdivided according to the County regulations prior to the sale of the individual building or units, and
 - f. a certificate of occupancy is issued prior to occupancy.

No commercial building may use fill to artificially raise the grade of a building site in such a way that the buildings cannot be screened from view of the public right-of-way per SECTION 12

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8.2. Open Space Requirements

No part of a yard, court or other open space provided around any building or structure for the purpose of complying with the provisions of this Ordinance shall be included as a part of a yard or other open space required under this Ordinance for another building or structure. Every part of a required yard shall be open and unobstructed from its lowest level to the sky, except for the ordinary projection of sills, chimneys, flues and eaves; provided, however, that none of the aforesaid projections shall project into a minimum side yard more than 1/3 of the width of such yard nor more than 24 inches, whichever is the least. Open or lattice enclosed fire escapes, fire proof outside stairways, and balconies opening upon fire towers projecting into a yard not more than five feet shall be permitted where placed so as not to obstruct light and ventilation. Open, uncovered decks may project into required yards for up to 1/3 of the width of such yards. In addition, certain structures are permitted to be placed in the required yard area as provided for in the schedule of district regulations.

8.3. Reduction of Lot and Yard Areas Prohibited

No yard or lot existing at the time of passage of this Ordinance shall be reduced in size or area below the minimum requirements set forth in this Ordinance. Yards or lots created after the effective date of this Ordinance shall meet at least the minimum requirements established by this Ordinance.

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8.4. Access to Property

No building, structure or use of land shall be established on a lot nor shall any lot be created that does not abut upon a public right-of-way to which it has legal access. The public access requirement shall not apply to land exempt from the Chatham County Subdivision Regulations or to lots which might be created within a planned residential development where access may be through common area or otherwise provided, nor to situations otherwise exempt from public street access by this Ordinance or the Chatham County Subdivision Regulations.

8.5. Interpretation of District Boundaries

See section 6.2.

8.6. Interpreting Permitted Uses

The listings of permitted and conditional uses in the various districts in this Ordinance are considered to be specific. Any use that is not specifically listed in a district shall be deemed to be prohibited.

8.7. Water and Sewer Requirements

The lot sizes required for the various districts in this Ordinance were drawn based upon the assumption that adequate water supply and sewage disposal systems are available to each and every lot. The lack of adequate systems for one or both facilities, however, may require larger lot areas or, in some instances, not permit development as proposed by a developer.

New development should also connect to the county water system or municipal equivalent where available. If irrigation systems are to be included, they should use non-public water, treated wastewater or have the ability to be converted to recycled wastewater when it becomes available. In addition, no homeowner's association rules, restrictive covenants, or other deed restrictions may prohibit the use and placement of rain barrels.

8.8. Height Limitation Exceptions

Except as may otherwise be prohibited by the Federal Aviation Administration Regulations, the height limitations of this Ordinance shall not apply to public buildings, church spires, belfries, cupolas and domes not intended for residential purposes, or to monuments, water towers, observation towers, power transmission towers, silos, grain elevators, chimneys, smokestacks, derricks, conveyors, flag poles, radio, television and communication towers, masts, aerials and similar structures, provided such structures meet the required NC Building Code.

8.9. Fees

Reasonable fees sufficient to cover the costs of administration, inspection, technical review, publication of notice and similar matters may be charged to applicants for zoning permits, sign permits, conditional use permits, zoning amendments, variances and other administrative relief. The amount of the fees charged shall be as set forth in the county's budget or as established by resolution of the Board of Commissioners. Fees established in accordance herewith shall be paid upon submission of an application or notice of appeal.

Chatham County Zoning Ordinance

SECTION 9 NON-CONFORMING SITUATIONS

The purpose of this section is to avoid undue hardship by permitting the continued use of any building, structure, or property that was lawful at the time of the enactment of this Ordinance or any applicable amendment thereof, even though such use, structure or property does not conform with the provisions of this Ordinance. However, this section is also established to require that non-conforming situations be terminated under certain circumstances.

9.1. Definitions

See Section 7 Definitions.

9.2. Continuation of Non-conforming Situations

Non-conforming situations that were otherwise lawful on the effective date of this Ordinance may be continued, subject to the restrictions and qualifications set forth in Subsections 9.4 through 9.7 of this section.

9.3. Non-conforming Lots of Record

Where the owner of a non-conforming lot of record does not own sufficient land to enable him to conform to the area or lot width requirements, such lot may be used as a building site provided all other dimensional requirements are met and provided that the use to be made of the property is not one to which larger than minimum lot area requirements are called for in the list of permitted uses.

9.4. Extension or Enlargement of Non-conforming Situations

Non-conforming situations may be extended or enlarged as provided below:

- a) Subject to paragraph 4 of this subsection, a non-conforming use may be extended through any portion of a completed building. A non-conforming use may be extended to additional buildings or to land outside the original building. New buildings are allowed provided they meet the zoning district requirements or the zoning district requirements of their type of actual use, whichever is more stringent.
- b) A non-conforming use may be extended to cover more land than was occupied or manifestly designed and arranged to be occupied, by that use when it became non-conforming; provided it is not extended to additional parcels and applicable standards are met, i.e. setbacks, buffers.
- c) A non-conforming situation may be changed if the changes amount only to changes in the degree of activity rather than changes in kind and no violations of other paragraphs of this subsection occur.
- d) Physical alteration of non-conforming structure or structures containing a non-conforming use is unlawful if it results in greater non-conformity with respect to dimension restrictions such as yard requirements, height limitations, or density requirements.
- e) Minor repairs to and routine maintenance of property where non-conforming situations exist are permitted and encouraged. Major renovation – i.e., work estimated to cost more than 10% of the taxed value of the structure to be renovated

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may be done provided that the work will not result in a violation of any other paragraphs of this subsection, particularly paragraph 5.

- f) Non-conforming Signs: Any permanent, on-premise sign may be replaced, repaired or relocated on the property, provided that the replaced, repaired or relocated sign does not exceed the size (square footage) or height of the original sign.

9.5. Reconstruction Limitations

Any non-conforming building or structure or any building or structure containing a non-conforming use which is destroyed or damaged to an extent equal to 60% or more of the taxed value of the building or structure by fire, flood, explosion, earthquake, winds, war, riot, act of nature or by any act not under the control of the owner, may be reconstructed and used as before, provided that no non-conforming situation is increased or extended and provided further that a zoning permit and building permit are received within two years of the event. This section shall not apply to non-conforming signs. See Section 9.4.

9.6. Change in Kind of Non-conforming Use

A non-conforming use may be changed to a conforming use; thereafter, the property may not revert to a non-conforming use.

A non-conforming use shall not be changed to another non-conforming use.

If a non-conforming use and a conforming use or any combination of non-conforming uses exist on one lot, the use made of the property may be changed only to a conforming use.

Change in Use of Non-conforming Buildings - Conforming uses may be established or re-established in non-conforming buildings or structures provided that off-street parking is provided as required by this Ordinance and provided no other provisions of this Ordinance for the establishment of new uses is violated.

9.7. Discontinuance of Non-conforming Uses

When active operation or occupancy of a non-conforming use is discontinued, regardless of the purpose or reason, for a consecutive period of 365 days, the property involved may thereafter be used only for conforming uses. The requirements of this subsection shall not apply to uses in buildings undergoing reconstruction in accordance with the provisions of Subsection 9.5.

For purposes of determining whether a right to continue a non-conforming situation is lost pursuant to this subsection, all of the buildings, activities, and operations maintained on a lot are generally to be considered as a whole. For example, the failure to rent one apartment in a non-conforming apartment building or one space in a non-conforming mobile home park for 365 days shall not result in a loss of the right to rent that apartment or space thereafter so long as the apartment building or mobile home park as a whole is continuously maintained. But if a non-conforming use is maintained in conjunction with a conforming use, cessation of operation or occupancy the non-conforming use for the required period shall terminate the right to maintain it thereafter.

Chatham County Zoning Ordinance

9.8. Building on Subdivision Lots of Record

Where there exist platted subdivision lots of record, whether conforming or non-conforming according to the Zoning Ordinance, buildings may be situated on said lots according to the requirements in effect in the Zoning Ordinance at the time of recordation. If the Zoning Ordinance was not applicable to the subdivision at the time of recordation the setbacks of the most applicable zoning district within the pre-existing Ordinance shall apply when zoning becomes applicable.

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SECTION 10 SCHEDULE OF DISTRICT REGULATIONS

Within the districts as established by this Ordinance, the requirements as set forth in this section shall be complied with in addition to any other general or specific requirements of this Ordinance. Permitted uses for all districts, both by-right and conditional are listed in Table 1: Zoning Table of Permitted Uses. Uses permitted by right are subject to obtaining a zoning permit from the Zoning Official; Uses permitted by conditional use are only permitted subject to the issuance of a conditional use permit by the Board of Commissioners as provided for in Section 15. Certain uses as listed in the subsection may be subject to certain specific conditions as set forth in Section 15 and if permitted by the Board of Commissioners shall be subject to any such conditions as may be listed for that use. In addition, in granting a conditional use permit the Board of Commissioners may impose such additional conditions and safeguards that the Board may deem as reasonable and appropriate.

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When the conservation subdivision option of the Subdivision Ordinance is exercised, then the minimum lot area and setbacks listed for each district is superseded by the density bonus requirements of the conservation subdivision. The minimum lot area used for the initial calculation of the density bonus is still based on the minimums listed here.

10.1. R 5 - Residential District

A. Permitted Uses

The following uses are permitted subject to obtaining a zoning and/or conditional use permit from the Zoning Official. (See Table 1: Zoning Table of Permitted Uses on page 46)

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B. Dimensional Requirements

Minimum Required Lot Area - Family subdivisions may have lots a minimum of two acres in size. Existing (as of December 31, 1990) lots of ten acres or less may be divided provided that no resultant lot is smaller than three acres. New lots other than these previously described must average five acres in size with no lots smaller than three acres; lots larger than ten acres shall not be included in the averaging.

Lots to be created for the express purpose of minor utilities are exempted from the Required Minimum Lot Area, but must comply with the required setback of the district. Any noise producing equipment or generators must be stored within a structure, or must be setback a minimum fifty (50) feet from any public right-of-way or property line.

Minimum Required Lot Width - 100 feet

Minimum Required Front Setback - 40 feet

Minimum Required Side Setback - 25 feet

Minimum Required Rear Setback - 25 feet

Maximum Building Height - 60 feet

Location of Accessory Buildings and Structures – Accessory buildings and structures must conform to the minimum required setbacks for the district. Provided, however, well houses,

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satellite dishes, and open structures may be located in the required yards provided they are located at least 10 feet from any street or property line. Fences are permitted within the front, side and rear yards with no minimum setback requirement.

C. Visibility at Intersections

On a corner lot nothing shall be erected, placed, planted or allowed to grow in such a manner as materially to impede vision between a height of 2 1/2 feet and 10 feet in a sight triangle as established by NCDOT.

D. Off-Street Parking and Loading

Off-street parking and loading shall be provided in accordance with the provisions set forth in Section 14.

E. Signs

Signs shall be governed by the provisions of Section 15.

10.2. R 2 - Residential District

A. Permitted Uses

The following uses are permitted subject to obtaining a zoning and/or conditional use permit from the [Zoning Official](#). (See [Table 1: Zoning Table of Permitted Uses](#) on page 46)

B. Dimensional Requirements

Minimum Required Lot Area - 90,000 square feet

Minimum Required Lot Area for a Two-Family Dwelling -except an accessory dwelling unit 180,000 square feet. Each unit of a two-family dwelling may be placed on a separate lot, provided that each lot consists of not less than 90,000 square feet, and provided that the common wall between the units is a fire wall as required by the building code.

Lots to be created for the express purpose of minor utilities are exempted from the Required Minimum Lot Area, but must comply with the required setback of the district. Any noise producing equipment or generators must be stored within a structure, or must be setback a minimum fifty (50) feet from any public right-of-way or property line.

Minimum Required Lot Width - 100 feet

Minimum Required Lot Width for a Two-Family Dwelling - 110 feet

Minimum Required Front Setback - 40 feet

Minimum Required Side Setback - 25 feet. Where a two-family dwelling is placed such that the units are on separate lots with a common fire wall, no side yard shall be required at the common wall.

Minimum Required Rear Setback - 25 feet

Maximum Building Height - 60 feet

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Location of Accessory Buildings and Structures – Accessory buildings and structures must conform to the minimum required setbacks for the district. Provided, however, well houses, satellite dishes, and open structures may be located in the required yards provided they are at least 10 feet from any street or property line. Fences are permitted within the front, side and rear yards with no minimum setback requirement.

C. Visibility at Intersections

On a corner lot nothing shall be erected, placed, planted or allowed to grow in such a manner as materially to impede vision between a height of 2 1/2 feet and 10 feet in a sight triangle as established by NCDOT.

D. Off-Street Parking and Loading

Off-street parking and loading shall be provided in accordance with the provisions set forth in Section 14.

E. Signs

Signs shall be governed by the provisions of Section 15.

10.3. R 1 - Residential District

A. Permitted Uses

The following uses are permitted subject to obtaining a zoning and/or conditional use permit from the [Zoning Official](#). (See [Table 1: Zoning Table of Permitted Uses](#) on page 46)

B. Dimensional Requirements

Minimum Required Lot Area - 40,000 square feet or 65,340 square feet for lots with individual wells and individual wastewater disposal systems.

Minimum Required Lot Area for a Two-Family Dwelling - except an accessory dwelling unit 80,000 square feet. Each unit of a two-family dwelling may be placed on a separate lot, provided that each lot consists of not less than 40,000 square feet, and provided that the common wall between the units is a fire wall as required by the building code.

Lots to be created for the express purpose of minor utilities are exempted from the Required Minimum Lot Area, but must comply with the required setback of the district. Any noise producing equipment or generators must be stored within a structure, or must be setback a minimum fifty (50) feet from any public right-of-way or property line.

Minimum Required Lot Width - 100 feet

Minimum Required Lot Width for a Two-Family Dwelling - 110 feet

Minimum Required Front Setback - 40 feet

Minimum Required Side Setback - 25 feet. Where a two-family dwelling is placed such that the units are on separate lots with a common fire wall, no side yard shall be required at the common wall.

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Minimum Required Rear Setback - 25 feet

Maximum Building Height - 60 feet

Location of Accessory Buildings and Structures – Accessory buildings and structures must conform to the minimum required setbacks for the district. Provided, however, well houses, satellite dishes, and open structures may be located in the required yards provided they are at least 10 feet from any street or property line. Fences are permitted within the front, side and rear yards with no minimum setback requirement.

C. Visibility at Intersections

On a corner lot nothing shall be erected, placed, planted or allowed to grow in such a manner as materially to impede vision between a height of 2 1/2 feet and 10 feet in a sight triangle as established by NCDOT.

D. Off-Street Parking and Loading

Off-street parking and loading shall be provided in accordance with the provisions set forth in Section 14.

E. Signs

Signs shall be governed by the provisions of Section 15.

10.4. O&I - Office and Institutional District

A. Permitted Uses

The following uses are permitted subject to obtaining a zoning and/or conditional use permit from the [Zoning Official](#). (See [Table 1: Zoning Table of Permitted Uses](#) on page 46)

B. Dimensional Requirements

Minimum Required Lot Area - 40,000 square feet or 65,340 square feet for lots with individual wells and individual wastewater disposal systems.

Minimum Required Lot Area for a Two-Family Dwelling - 80,000 square feet each unit of a two-family dwelling may be placed on a separate lot provided that each lot consists of not less than 40,000 square feet, and provided that the common wall between the units is a fire wall as required by the building code.

Lots to be created for the express purpose of minor utilities are exempted from the Required Minimum Lot Area, but must comply with the required setback of the district. Any noise producing equipment or generators must be stored within a structure, or must be setback a minimum fifty (50) feet from any public right-of-way or property line.

Minimum Required Lot Width - 100 feet

Minimum Required Lot Width for a Two-Family Dwelling - 110 feet

Minimum Required Front Setback - 40 feet

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Minimum Required Side Setback - 25 feet. Where a two-family dwelling is placed such that the units are on separate lots with a common fire wall, no side yard shall be required at the common wall

Minimum Required Rear Setback - 25 feet

Maximum Building Height - 60 feet

Location of Accessory Buildings and Structures – Accessory buildings and structures must conform to the minimum required setbacks for the district. Provided, however, well houses, satellite dishes, and open structures may be located in the required yards provided they are at least 10 feet from any street or property line. Fences are permitted within the front, side and rear yards with no minimum requirement

C. Visibility at Intersections

On a corner lot nothing shall be erected, placed, planted or allowed to grow in such a manner as materially to impede vision between a height of 2 1/2 feet and 10 feet in a sight triangle as established by NCDOT.

D. Off-street Parking and Loading

Off-street parking and loading shall be provided in accordance with the provisions set forth in Section 14.

E. Signs

Signs shall be governed by the provisions of Section 15

10.5. B-1 - Business District

A. Permitted Uses

The following uses are permitted subject to obtaining a zoning and/or conditional use permit from the [Zoning Official](#). (See [Table 1: Zoning Table of Permitted Uses](#) on page 46)

B. Dimensional Requirements

The minimum yard setbacks listed may be reduced to the minimum established in the most recent North Carolina building code for buildings that are part of a common plan of development, except along the exterior project boundary where the minimum yard setbacks shall be met.

Minimum Required Lot Area - 40,000 square feet or 65,340 square feet for lots with individual wells and individual wastewater disposal systems. Lots to be created for the express purpose of minor utilities are exempted from the Required Minimum Lot Area, but must comply with the required setback of the district. Any noise producing equipment or generators must be stored within a structure, or must be setback a minimum fifty (50) feet from any public right-of-way or property line.

Minimum Required Lot Width - 75 feet

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Minimum Required Front Setback - 50 feet

Minimum Required Side Setback - 20 feet

Minimum Required Rear Setback - 20 feet

Maximum Building Height - 60 feet

Location of Accessory Buildings and Structures – Accessory buildings and structures must conform to the minimum required setbacks for the district. Provided, however, well houses, satellite dishes, open structures and telephone booths may be located in the required yards provided they are at least 10 feet from any street or property line. Fences are permitted within the front, side and rear yards with no minimum setback requirement.

C. Visibility at Intersections

On a corner lot nothing shall be erected, placed, planted or allowed to grow in such a manner as materially to impede vision between a height of 2 1/2 feet and 10 feet in a sight triangle as established by NCDOT.

D. Off-Street Parking and Loading

Off-street parking and loading shall be provided in accordance with the provisions set forth in Section 14.

E. Signs

Signs shall be governed by the provisions of Section 15.

10.6. NB - Neighborhood Business District

A. Permitted and Conditional Uses

The following uses are permitted subject to obtaining a zoning and/or conditional use permit from the [Zoning Official](#) (See [Table 1: Zoning Table of Permitted Uses](#) on page 46). Outdoor storage and sales are limited to one-tenth (1/10) of the interior sales space.

B. Dimensional Requirements

The minimum yard setbacks listed may be reduced to the minimum established in the most recent North Carolina building code for buildings that are part of a common plan of development, except along the exterior project boundary where the minimum yard setbacks shall be met.

Minimum Required Lot Area - 40,000 square feet or 65,340 square feet for lots with individual wells and individual wastewater disposal systems. Lots to be created for the express purpose of minor utilities are exempted from the Required Minimum Lot Area, but must comply with the required setback of the district. Any noise producing equipment or generators must be stored within a structure, or must be setback a minimum fifty (50) feet from any public right-of-way or property line.

Minimum Required Lot Width - 75 feet

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Minimum Required Front Setback - 50 feet

Minimum Required Side Setback - 20 feet

Minimum Required Rear Setback - 20 feet

Maximum Building Height - 60 feet

No building within this district shall exceed 40,000 square feet, including all floors, and the cumulative building square footage shall not exceed 160,000.

Location of Accessory Buildings and Structures – Accessory buildings and structures must conform to the minimum required setbacks for the district. Provided, however, well houses, satellite dishes, open structures and telephone booths may be located in the required yards provided they are at least 10 feet from any street or property line. Fences are permitted within the front, side and rear yards with no minimum setback requirement.

C. Visibility at Intersections

On a corner lot nothing shall be erected, placed, planted or allowed to grow in such a manner as materially to impede vision between a height of 2 1/2 feet and 10 feet in a sight triangle as established by NCDOT.

D. Off-Street Parking and Loading

Off-street parking and loading shall be provided in accordance with the provisions set forth in Section 14.

E. Signs

Signs shall be governed by the provisions of Section 15.

10.7. CB - Community Business District

A. Permitted and Conditional Uses

The following uses are permitted subject to obtaining a zoning and/or conditional use permit from the [Zoning Official](#) (See [Table 1: Zoning Table of Permitted Uses](#) on page 46). Outdoor storage and sales are limited to one-tenth (1/10) of the interior sales space.

B. Dimensional Requirements

The minimum yard setbacks listed may be reduced to the minimum established in the most recent North Carolina building code for buildings that are part of a common plan of development, except along the exterior project boundary where the minimum yard setbacks shall be met.

Minimum Required Lot Area - 40,000 square feet or 65,340 square feet for lots with individual wells and individual wastewater disposal systems. Lots to be created for the express purpose of minor utilities are exempted from the Required Minimum Lot Area, but must comply with the required setback of the district. Any noise producing equipment or generators must be stored within a structure, or must be setback a minimum fifty (50) feet from any public right-of-way or property line.

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Minimum Required Lot Width - 75 feet

Minimum Required Front Setback - 50 feet

Minimum Required Side Setback - 20 feet

Minimum Required Rear Setback - 20 feet

Maximum Building Height - 60 feet

No building within this district shall exceed 80,000 square feet, including all floors, and the cumulative building square footage shall not exceed 320,000.

Location of Accessory Buildings and Structures – Accessory buildings and structures must conform to the minimum required setbacks for the district. Provided, however, well houses, satellite dishes, open structures and telephone booths may be located in the required yards provided they are at least 10 feet from any street or property line. Fences are permitted within the front, side and rear yards with no minimum setback requirement.

C. Visibility at Intersections

On a corner lot nothing shall be erected, placed, planted or allowed to grow in such a manner as materially to impede vision between a height of 2 1/2 feet and 10 feet in a sight triangle as established by NCDOT.

D. Off-Street Parking and Loading

Off-street parking and loading shall be provided in accordance with the provisions set forth in Section 14.

E. Signs

Signs shall be governed by the provisions of Section 15.

10.8. RB - Regional Business District

A. Permitted and Conditional Uses

The following uses are permitted subject to obtaining a zoning and/or conditional use permit from the [Zoning Official](#) (See [Table 1: Zoning Table of Permitted Uses](#), on page 46).

B. Dimensional Requirements

The minimum yard setbacks listed may be reduced to the minimum established in the most recent North Carolina building code for buildings that are part of a common plan of development, except along the exterior project boundary where the minimum yard setbacks shall be met.

Minimum Required Lot Area - 40,000 square feet or 65,340 square feet for lots with individual wells and individual wastewater disposal systems. Lots to be created for the express purpose of minor utilities are exempted from the Required Minimum Lot Area, but must comply with the required setback of the district. Any noise producing equipment or generators must be stored

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within a structure, or must be setback a minimum fifty (50) feet from any public right-of-way or property line.

Minimum Required Lot Width - 75 feet

Minimum Required Front Setback - 50 feet

Minimum Required Side Setback - 20 feet

Minimum Required Rear Setback - 20 feet

Maximum Building Height - 60 feet

Location of Accessory Buildings and Structures – Accessory buildings and structures must conform to the minimum required setbacks for the district. Provided, however, well houses, satellite dishes, open structures and telephone booths may be located in the required yards provided they are at least 10 feet from any street or property line. Fences are permitted within the front, side and rear yards with no minimum setback requirement.

C. Visibility at Intersections

On a corner lot nothing shall be erected, placed, planted or allowed to grow in such a manner as materially to impede vision between a height of 2 1/2 feet and 10 feet in a sight triangle as established by NCDOT.

D. Off-Street Parking and Loading

Off-street parking and loading shall be provided in accordance with the provisions set forth in Section 14.

E. Signs

Signs shall be governed by the provisions of Section 15.

10.9. IL - Light Industrial District

A. Permitted Uses

The following uses are permitted subject to obtaining a zoning and/or conditional use permit from the [Zoning Official](#). (See [Table 1: Zoning Table of Permitted Uses](#) on page 46)

B. Dimensional Requirements

The minimum yard setbacks listed, except along state maintained roads, may be reduced to the minimum established in the most recent North Carolina building code when the adjacent property has the same zoning district and an adjacent property owner provides a written affidavit allowing said reduction along the property line between the property in question and the property owned by the consenting property owner.

Minimum Required Lot Area - 40,000 square feet or 65,340 square feet for lots with individual wells and individual wastewater disposal systems. Lots to be created for the express purpose of minor utilities are exempted from the Required Minimum Lot Area, but must comply with the required setback of the district. Any noise producing equipment or generators must be stored

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within a structure, or must be setback a minimum fifty (50) feet from any public right-of-way or property line.

Minimum Required Lot Width - 150 feet

Minimum Required Front Setback - 50 feet

Minimum Required Side Setback - 50 feet

Minimum Required Rear Setback - 50 feet

Location of Accessory Buildings and Structures – Accessory buildings and structures must conform to the minimum required setbacks for the district. Provided, however, well houses, satellite dishes, open structures and telephone booths may be located in the required yards provided they are at least 10 feet from any street or property line. Fences are permitted within the front, side and rear yards with no minimum setback requirement.

C. Visibility at Intersections

On a corner lot nothing shall be erected, placed, planted or allowed to grow in such a manner as materially to impede vision between a height of 2 1/2 feet and 10 feet in a sight triangle as established by NCDOT.

D. Off-Street Parking and Loading

Off-street parking and loading shall be provided in accordance with the provisions set forth in Section 14

E. Signs

Signs shall be governed by the provisions of Section 15.

10.10. IH - Heavy Industrial District

A. Permitted Uses

The following uses are permitted subject to obtaining a zoning and/or conditional use permit from the [Zoning Official](#). (See [Table 1: Zoning Table of Permitted Uses](#), on page 46) Uses noted in the Light Industrial Districts are also allowed in the Heavy Industrial District provided they shall meet the requirements of that district.

B. Dimensional Requirements

The minimum yard setbacks listed, except along state maintained roads, may be reduced to the minimum established in the most recent North Carolina building code when the adjacent property has the same zoning district and an adjacent property owner provides a written affidavit allowing said reduction along the property line between the property in question and the property owned by the consenting property owner.

Minimum Required Lot Area - 80,000 square feet. Lots to be created for the express purpose of minor utilities are exempted from the Required Minimum Lot Area, but must comply with the required setback of the district. Any noise producing equipment or generators must be stored

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within a structure, or must be setback a minimum fifty (50) feet from any public right-of-way or property line.

Minimum Required Lot Width - 300 feet

Minimum Required Front Setback - 100 feet

Minimum Required Side Setback - 100 feet

Minimum Required Rear Setback - 100 feet

Location of Accessory Buildings and Structures – Accessory buildings and structures must conform to the minimum required setbacks for the district. Provided, however, well houses, satellite dishes, open structures and telephone booths may be located in the required yards provided they are at least 10 feet from any street or property line. Fences are permitted within the front, side and rear yards with no minimum setback requirement.

C. Visibility at Intersections

On a corner lot nothing shall be erected, placed, planted or allowed to grow in such a manner as materially to impede vision between a height of 2 1/2 feet and 10 feet in a sight triangle as established by NCDOT.

D. Off-Street Parking and Loading

Off-street parking and loading shall be provided in accordance with the provisions set forth in Section 14.

E. Signs

Signs shall be governed by the provisions of Section 15.

10.11. CD-CC Conditional Use Compact Community

The following use is permitted subject to obtaining a zoning permit from the Zoning Administrator.

A. Permitted Use:

Compact Community

B. Requirements:

The requirements for Compact communities are more specifically set forth in the separate Compact Community Ordinance which is hereby incorporated herein by reference.

10.12 CD-MU Mixed Use

A. Purpose

The purpose of the Mixed Use Conditional District is to permit flexibility in the Ordinance by providing for a mix of residential, commercial, and light industrial uses to be developed on large tracts in accordance with a unified development plan. These developments should be unified by distinguishable design features and provide pedestrian connections between all uses. Mixed use

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developments should provide a more efficient use of land while providing more on-site amenities and preserving open space. The mix of uses shall be designed to be mutually supporting so that traffic congestion is minimized and pedestrian circulation is enhanced.

B. Minimum Size

In order to qualify for a Mixed Use district the gross acreage for the development shall be a minimum of 50 acres.

C. Maximum Net Density and Built Upon Area Allowed

Within a Mixed Use district, the net density and built upon area for any portion of the development shall not exceed the requirements of the underlying watershed district as identified on the most recently adopted "Watershed Protection Map of Chatham County, North Carolina".

D. Net Land Area Computation

Net land area is obtained by taking the gross land area of the development and subtracting the following areas:

1. Land to be dedicated or set aside for public and private street right-of-way. As an option to measuring projected street right-of-way, the developer may subtract 20% gross area as street right-of-way allowance regardless of the amount of land actually required for streets.
2. Any area of the property located within a Special Flood Hazard Area, consistent with the Chatham County Flood Damage Prevention Ordinance.
3. Any area classified as wetlands or woody swamp by the U.S. Army Corps of Engineers.
4. Other areas determined by the Zoning Administrator, Planning Board or Board of Commissioners to be unbuildable due to either physical features or regulatory authority. Typical zoning setback areas shall be considered buildable for purposes of this determination.

Deleted: <#>Surface water buffers as required by the Chatham County Watershed Protection Ordinance. ¶

E. Permitted Uses

The uses allowed within the Mixed Use district may be selected from the permitted uses or conditional uses from the following districts:

- R-1 Residential district
- O&I Office and Institutional district
- NB Neighborhood Business district
- CB Community Business district
- RB Regional Business district
- IND-L Light Industrial district

The site plan must show, and the final development must include, uses from at least two (2) of the zoning districts listed above. Multi-family dwellings shall also be permitted within the CD-MU district. Uses may be mixed within a building or within the development and the site plan must identify the location of the proposed uses.

At a minimum, twenty percent (20%) of the total land area of the development must be occupied by or used for non-residential uses, provided that at no time shall the cumulative amount of land developed for non-residential purposes exceed the cumulative amount of land developed for residential purposes.

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F. Dimensional and Off-Street Parking Requirements

Standard dimensional and off-street parking requirements shall not apply. Proposed lot sizes, setbacks, building heights, and off-street parking must be specified on the site plan or accompanying text for a conditional rezoning application and be approved by the Board of Commissioners. In no circumstances shall a building have a height greater than sixty (60) feet.

Exterior Boundary Setbacks – A setback of one hundred (100) feet shall apply to all residential and non-residential buildings and structures along the exterior boundary of the mixed use development, including any existing street right-of-way.

G. Signage

Any proposed signage shall not exceed the standards set forth in this Ordinance for the respective zoning district from which a use is taken. All signs shall use a coordinated color, style, and lettering scheme.

10.13 Table 1: Zoning Table of Permitted Uses Notes: Compact Communities (CC) uses are listed separately in the Compact Communities Ordinance

Many commercial activities that are otherwise prohibited in this table may be allowed as Home Occupations if they meet the requirements of that section.

Key: P = Permitted; A = Accessory Only; CU = Conditional Use Only; PRD = Planned Residential Development Only; * = [Historical district](#); [\(this district is no longer permitted for future rezonings\)](#)

Zoning District	R5	R2	R1	O&I	B-1*	NB	CB	RB	IL	IH
ABC stores					P	P	P	P		
Accessory dwelling unit i.e. guest house, pool house, garage apartment and in-house apartment	P	P	P							
Accessory uses and structures clearly incidental to a permitted use	P	P	P							
Airports and landing fields for fixed and rotary wing aircraft									CU	CU
Alcohol and alcoholic beverages manufacture										P
Amusement enterprises such as pool, bowling, roller rink when housed entirely within a permanent structure					P		P	P		
Animal Husbandry Specialized with a minimum lot area and setback twice the minimum required of the zoning district. Lot area and setback for the AG district measured as if R5	CU	CU	CU							
Antique shops					P	P	P	P		
Apartment Complex or Residential Condominium Complex	PRD	PRD	PRD							
Appliance distributors for wholesale									P	
Appliance sales and service					P	P	P	P		
Art supply retail sales					P	P	P	P		
Arts and Crafts fabrication and related sales	CU				P	P	P	P		
Asphalt manufacture or refining										CU
Assembly halls, coliseums, gymnasiums and similar structures								CU	CU	CU
Assembly of ammunition, for small arms only, from previously prepared parts									CU	CU
Assembly of machines, appliances and goods from previously prepared parts									P	P
Automobile and truck assembly									CU	P
Automobile and automobile accessory sales and service					P		CU	P		

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Zoning District	R5	R2	R1	O&I	B-1*	NB	CB	RB	IL	IH
Automobile service stations including tune-ups, minor repairs, tire service, washing facilities both manual and automatic and similar services. ¹					P	P	P	P	P	P
Avocational farming	P	P	P							
Bait and tackle shops					P	P	P	P	P	P
Bake shops and similar food preparation intended primarily for retail sales on the premises for consumption either on or off premises					P	P	P	P		
Bakeries or baking plants									P	P
Banks, savings and loans, finance companies, credit agencies and similar financial institutions				P	P	P	P	P		
Beauty Shops, Salons					P	P	P	P		
Owner-occupied bed and breakfast homes with no more than two (2) rooms (units) for rent for stays no longer than seven (7) consecutive days and may be located on legal, non-conforming and conforming lots of record, on at least one and one half (1.5) acres, which may have standard setbacks as set in the district in which it is located	P	P	P							
Bed and breakfast inns with no more than six rooms for rent with a minimum lot area of three acres and provided that all buildings, structures and high intensity activity areas shall be set back a minimum of two times the minimum yard requirement for the district in which it is located	CU	CU	CU				P	P		
Bedding, carpet and pillow manufacturing, cleaning and renovating									P	P
Bicycle sales and repair					P	P	P	P		
Blacksmith or horseshoeing shops						P			P	P
Blueprinting and Photostatting establishments								P	P	P
Boarding kennels (See Section 17.5 for acreage requirements)	CU	CU	CU			P	P	P		
Boat, trailer and other utility vehicle sales and service					P		CU	P		
Boat Storage Facility					P	CU	CU	CU	P	P
Book, stationery and office supply stores					P	P	P	P		
Bookbindery									P	P
Bottling works for soft drinks									P	P

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¹ Fuel, oil and similar pumps and appliances may be located in the minimum required front and side yards provided that none shall be located nearer than 15 feet to any street line and may be covered by an attached or free standing unenclosed canopy provided such canopy does not extend nearer than five feet to any property line and does not cover greater than 30% of the required yard area.

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Zoning District	R5	R2	R1	O&I	B-1*	NB	CB	RB	IL	IH
Breeding kennels with a minimum lot area of three acres and provided that all buildings, structures and high intensity activity areas shall be set back a minimum of two times the minimum yard requirement for the district in which it is located	CU	CU				P	P	P		
Brick, tile, clay pipe and other clay products manufacture (Craft pottery is not covered in this definition)										P
Bus passenger stations					P			P		
Cabinet shops					P	P	P	P		
Campgrounds—SEE Public and Private recreation camps and grounds										
Candy products manufacture									P	P
Canvas and burlap products manufacture, sales and storage									P	P
Carpeting, Flooring, Tile, and Stone Products Sales					P	P	P	P		
Catering establishments					P	P	P	P		
Cement, lime, plaster manufacture										CU
Cemeteries	CU	CU	CU	P						
Churches and other places of worship	P††	P†	P†	P	P	P	P	P		
Circuses, carnivals, exhibition shows, sideshows, races, trade shows, flea markets, banquets, conventions, religious events, arts and crafts shows, stage shows, athletic events and other similar events, including temporary living quarters such as mobile homes and recreational vehicles provided that the stay of such temporary living quarters shall be limited to a period of not more than five days longer than the duration of the event and no more than 30 total days in any 12 month period for any one separate event								CU	CU	CU
Clothing manufacture									P	P
Clothing shops					P	P	P	P		
Clubs and other places of entertainment operated as commercial enterprises								CU	CU	CU
Coal or coke yards									CU	CU
Coffee roasting									P	P
Cold storage plants									P	P
Congregate care facilities				P	P	P	P	P		
Contractor's plants or storage yards and staging areas	CU	CU	CU	CU	CU	CU	CU	CU	P	P

† Provided such are located on a lot of not less than three acres and provided further that the minimum side and rear yards shall be 50 feet and the front yard setback a minimum of 25 feet greater than required for a single-family residence within the district.

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Zoning District	R5	R2	R1	O&I	B-1*	NB	CB	RB	IL	IH
Cooperage works										P
Cosmetics and perfume manufacture										CU
Dairy bars and ice cream shops intended primarily for retail sale on the premises for consumption either on or off premises					P	P	P	P		
Dairy products, processing, bottling and distribution, ice-cream manufacture, all on a wholesale basis									P	P
Day care centers for 15 or fewer children.	CU	CU	CU							
Day Care Centers for more than 15 children.				P	P	P	P	P		
Day care centers in the principal residence to accommodate not more than 15 children at any one time, provided such are located on a lot of not less than one acre and provided further that all buildings, structures and high intensity activity areas shall be set back a minimum of two times the minimum yard requirement for the district in which it is located	P	P	P							
Drive-in or outdoor motion picture show									CU	CU
Drug stores					P	P	P	P		
Dry cleaning, pressing, and related retail service counter					P	P	P	P	P	P
Dwellings, single-family, manufactured	P	P	P		P					
Dwellings, single-family, site built and modular	P	P	P		P					
Dwellings, single-family attached (Duplex)		P	P	P						
Dwellings, manufacture of										P
Dye stuff manufacture and dyeing plants									CU	CU
Eating and drinking establishments					P	P	P	P		
Electric light or power generating station									CU	CU
Emory cloth or sandpaper manufacture									P	P
Enameling, japanning, lacquering or the plating or galvanizing of metals										P
Event Center Limited (See Section 17.7)					P	P	P	P		
Excelsior and fiber manufacture										P
Fabric shops					P	P	P	P		
Family Care Home (except that a Family Care Home may not be located within 1,125 feet of an existing Family Care Home)	P	P	P	P						
Feed and seed processing									P	P
Feed and seed wholesale									P	P
Feed, seed, fertilizer retail sales					P	CU	CU	P	P	P

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Zoning District	R5	R2	R1	O&I	B-1*	NB	CB	RB	IL	IH
Felt manufacture										P
Fertilizer wholesale sales									P	P
Fire stations and emergency medical facilities with a minimum lot area of three acres and provided that all buildings, structures and high intensity activity areas shall be set back a minimum of two times the minimum yard requirement of the district in which it is located	P	P	P							
Fire stations, emergency medical service facilities, police stations and law enforcement offices (less than three acres in the residential districts)	CU	CU	CU	P	P	P	P	P	P	P
Flammable liquids - bulk plants and storage										CU
Flea markets and rummage sales conducted either within a building or outdoors provided that no principal building or sales area shall be located in the required yard								CU	CU	CU
Florist - greenhouses, cultivation facilities and warehousing for wholesale and related retail sales									P	P
Florist shops					P	P	P	P		
Food processing in wholesale quantities									P	P
Food stores, retail					P	P	P	P		
Foundries casting nonferrous metals where conducted wholly within an enclosed structure, except for open air storage and having a total furnace capacity of not more than 1,000 aluminum pounds									CU	CU
Foundries producing iron and steel products										CU
Frozen food lockers									P	P
Funeral homes, undertaking establishments, embalming including crematoria				P	P		P	P	P	P
Fur storage (no sales)					P				P	P
Furniture stores					P	P	P	P		
Furrier, retail sales (can include storage)					P	P	P	P		
Garbage and waste incinerators (except hazardous waste)										CU
Gas storage in bulk										CU
Gases or liquefied petroleum gases in approved portable metal cylinders									P	P
General, professional, medical and governmental offices				P		P	P	P	P	P
Gift shops					P	P	P	P		
Golf courses and tennis clubs, public or private				P				P		

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Zoning District	R5	R2	R1	O&I	B-1*	NB	CB	RB	IL	IH
Golf courses, tennis and recreation clubs with a minimum lot area of five acres and provided that all buildings, structures and high intensity activity areas shall be set back a minimum of two times the minimum yard requirements for the district in which it is located	CU	CU	CU							
Grain elevators									P	P
Grounds and facilities for hunting and fishing clubs with a minimum lot area of 20 acres and provided that all buildings, structures and high intensity activity areas shall be set back a minimum of two times the minimum yard requirement for the district in which it is located	P	P	P							
Grounds and facilities for non-profit clubs with a minimum lot area of three acres and provided that all buildings, structures and high intensity activity areas shall be set back a minimum of two times the minimum yard requirement for the district in which it is located	P	P	P	P						
Grounds and facilities for open air games or sports except the following:								CU	CU	CU
* Paintball Gaming Outdoor									P	P
* Shooting Range Indoor									CU	P
* Shooting Range Outdoor										CU
Group Care Home				P						
Guest house, pool house, garage apartment meeting the same setback for the principal use	P	P	P							
Hardware, appliances, electrical and similar items retail sales					P	P	P	P		
Heating, plumbing, electrical, cabinet and similar shops					P	P	P	P		
Home occupations when conducted in accordance with the provisions of SECTION 16	P	P	P							
Horticulture, specialized					P	P	P	P		
Horticulture, specialized with a minimum lot area of three acres and provided that all buildings, structures and high intensity activity areas shall be set back a minimum of two times the minimum yard requirement for the district in which it is located	P	P	P							
Hosiery manufacture									P	P
Hospital, health and welfare centers, nursing homes and/or convalescent homes				P	P		P	P		
Hotels, motels and inns (See definition for accessory use/s)					P	P	P	P		
Ice manufacture, storage and sales									P	P

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Zoning District	R5	R2	R1	O&I	B-1*	NB	CB	RB	IL	IH
Industrial chemical manufacture										CU
Inert Debris Landfill	CU	CU	CU							
Insulation material manufacture and sale										P
Interior design shops					P	P	P	P		
Jail and penal institutions									CU	CU
Jewelry and watch sales and service, goldsmith					P	P	P	P		
Junk yards and auto wrecking, but only when conducted within an enclosure not less than six feet in height and with a solidity of not less than 60% outside any required yard area									CU	CU
Kindergartens and nurseries (See Daycares)										
Laboratories for research and testing									P	P
Laboratory - dental, medical, optical					P			P		
Land clearing and inert debris landfill (For beneficial fill see "Inert Debris")								CU	CU	CU
Landscape design business					P	P	P	P		
Landscaping and grading business					P			P	P	P
Laundries, Laundromats and dry cleaning establishments	CU	CU			P	P	P	P		
Laundries, steam								CU	P	P
Lawn and garden shops					P	CU	P	P		
Leather goods manufacture excluding tanning									P	P
Leather goods sales and service including manufacture for retail sales on premises					P	P	P	P		
Libraries, museums and art galleries				P	CU	CU	P	P		
Light manufacturing or processing not otherwise named herein provided no operations are carried on, or are likely to be carried on, which will create smoke, fumes, noise, odor or dust which will be detrimental to the health, safety or general welfare of the community									P	P
Lock and gunsmiths	CU	CU			P	P	P	P	P	P
Lumberyards, building materials storage and sales									P	P
Machine shops									P	P
Meat processing and packing										P
Meat processing and packing related to onsite raising of livestock										
Medical clinics - inpatient and outpatient care				P	P	CU	P	P		

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Zoning District	R5	R2	R1	O&I	B-1*	NB	CB	RB	IL	IH
Metal fabricating plants using plate and structural shapes and including boiler for tank works										P
Mining ²										CU
Major Utilities									P	P
Minor Utilities (Any noise producing equipment must be stored within a structure, or must be setback a minimum fifty (50) feet from any public right-of-way or property line)	P	P	P	P	P	P	P	P	P	P
Mixed Use Building				CU	CU	CU	CU	CU		
Mixing plants for concrete, or paving materials and manufacture of concrete products										CU
Mobile home sales and service					P		CU	P	P	P
Motorcycle sales and service					P		CU	P	P	P
Mulch – grinding, screening (sifting and separating of particles), mixing, blending, processing <u>or</u> dyeing of mulch									CU	CU
Music stores including repair and craft manufacture	CU	CU			P	P	P	P		
Newsstands					P	P	P	P		
Office - business, professional and governmental				P	P	P	P	P		
Office - engineering supply and similar sales and services including blueprinting, Photostatting and similar services				P	P	P	P	P		
Open air sales and service of accessory buildings and gazeboes and like free-standing structures					P		CU	P		
Open-air sales or displays from a temporary building or structure					P	CU	P	P	P	P
Optical and scientific instrument, jewelry and clock, musical instrument manufacture									P	P
Opticians and optical sales and service					P	P	P	P		
Owner-occupied bed and breakfast homes with no more than two (2) rooms (units) for rent for stays no longer than seven (7) consecutive days and may be located on legal, non-conforming and conforming lots of record, on at least one and one half (1.5) acres, which may have standard setbacks as set in the district in which it is located.	P	P	P							

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² Parcels used in whole or in part for mining operations or as to which mining permits are applicable in whole or in part as of April 17, 2017, are exempt from the conditional use permit requirement for mining uses, as are “accessory uses”, as that term is defined in the Zoning Ordinance.

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Zoning District	R5	R2	R1	O&I	B-1*	NB	CB	RB	IL	IH
Oxygen manufacture and/or storage										P
Paint and enamel manufacture not employing a boiling process										P
Paint retail shops					P	P	P	P		
Paper, cardboard and building board manufacture										CU
Pawnshops and secondhand stores					P	P	P	P		
Pet shops					P	P	P	P		
Pharmaceutical products manufacture									CU	CU
Photographic studios, camera shops					P	P	P	P		
Planing or sawmills									P	P
Planned residential developments	CU	CU	CU							
Plastics manufacture										CU
Plating works										P
Plumbing shop and yard									P	P
Post offices				P	P		P	P		
Pottery (hand crafted) and related retail					P	P	P	P		
Pottery, porcelain and vitreous china manufacture										P
Printing and publishing					P	P	P	P		
Printing, publishing and reproduction establishments									P	P
Private recreation camps and ground with a minimum lot area of 10 acres and provided that all buildings, structures, spaces, and high intensity activity areas shall be set back a minimum of fifty (50) feet from all property line/boundary areas except in the Haw River Township, which shall meet the minimum setback requirements of the base zoning district					P	P	P	P		
Public and private recreation camps and grounds (See Section 17.5 for acreage requirements)	CU	CU	CU							
Public and private schools, training and conference centers				P	P	CU	CU	P	CU	CU
Public parks and recreation areas including marinas and concessions with a minimum lot area of three acres and provided that all buildings, structures and high intensity activity areas shall be set back a minimum of two times the minimum yard requirement for the district in which it is located	P	P	P							
Public utility transmission lines	P	P	P	P	P	P	P	P	P	P
Radio and television stations and their towers when the towers are located on the same site with the station					P			P		
Rag, bag and carpet cleaning establishments										P

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Zoning District	R5	R2	R1	O&I	B-1*	NB	CB	RB	IL	IH
Railroad freight yards, terminals or classification yards and rights-of-way									P	P
Railroad rights-of-way									P	P
Recreational Facilities (Gyms, yoga studios, et cetera)					P	P	P	P		
Recreational Vehicle Storage Facility					P	CU	CU	CU	P	P
Recycling industries that do not include the storage and/or processing of hazardous waste										P
Repair and service of office and household equipment	CU	CU	CU					P	P	P
Repair and servicing of industrial equipment machinery, except railroad equipment									P	P
Repair shops for jewelry, shoes, radios, televisions and other small office or household appliances	CU	CU	CU		P	P	P	P		
Retail stores and personal service shops similar to those listed dealing in direct consumer and personal services					P	P	P	P		
Rock crushers										CU
Rodenticide, insecticide and pesticide mixing plants										CU
Sanitary landfill excluding the burning of trash out of doors										CU
Schools, public and private with a minimum lot area of three acres and provided that all buildings, structures and high intensity activity areas shall be set back a minimum of two times the minimum yard requirement for the district in which it is located	P	P	P							
Scrap paper or rag storage, sorting or bailing when conducted within a building									P	P
Secretarial and job service offices					P	P	P	P		
Self-storage facility / mini-warehouse storage facility with related retail and services (i.e. moving truck rental)					P		CU	P	P	
Sexually Oriented Businesses (see Section 17.8 for standards)										P
Sheet metal shops									P	P
Sign manufacture, painting and maintenance					P			P	P	
Soap, detergent and washing compound manufacture										CU
Solar Farm <less than 2 acres follow Section 17.6	P	P	P	P					P	P
Solar Farm >greater than 2 acres follow Section 17.6	CU	CU	CU	CU					CU	CU
Sporting goods sales					P	P	P	P		
Spray irrigation of tertiary tested wastewater (reclaimed water)	P	P	P	P	P	P	P	P	P	P
Stonecutting, monument manufacture and sales									P	P

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Zoning District		R5	R2	R1	O&I	B-1*	NB	CB	RB	IL	IH
Storage warehouses										P	P
Storage yards (outdoor storage)										P	P
Street and railway rights-of-way		P	P	P							
Swimming pool and related items sales and service						P		P	P		
Tannery or tanning operations											CU
Tar and waterproofing materials manufacture, treatment and storage											CU
Wireless Telecommunications Facilities and Wireless Support Structures *Subject to the provisions of the Wireless Facilities Ordinance	Wireless Support Structures that are sixty (60) feet or less in height	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*
	Concealed Wireless Facilities that are sixty (60) feet or less in height	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*
	Concealed Wireless Facilities one hundred fifty (150) feet or less in height but greater than sixty (60) feet in height	CU*	CU*	CU*	p*	p*	p*	p*	p*	p*	p*
	Wireless Support Structures that are less than one hundred ninety-nine (199) feet, but greater than sixty (60) feet in height	CU*	CU*	CU*	CU*	CU*	CU*	CU*	CU*	p*	p*
	Wireless Support Structures that are greater than one hundred ninety-nine (199) feet, but no more than three hundred (300) feet in height	CU*	CU*	CU*	CU*	CU*	CU*	CU*	CU*	CU*	CU*
Temporary construction trailers or structures (See definitions for requirements)		P	P	P	P	P	P	P	P	P	P
Textile machinery manufacture											P
Textile manufacture including spinning, dyeing, bleaching and other heavy processes											CU
Tire recapping and re-treading										P	P
Tobacco processing and storage										P	P
Trailer sales areas										P	P
Truck terminals, repair shops, hauling and storage yards										P	P
Upholstery, paper hanging and decorator shops						P	P	P	P	P	P
Uses and structures customarily accessory to any permitted use						P	P	P	P	P	P

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Zoning District	R5	R2	R1	O&I	B-1*	NB	CB	RB	IL	IH
Veterinary clinics and hospitals with dog runs or equivalent facilities					P		CU	CU	CU	CU
Veterinary hospitals & clinics					P		P	P	P	P
Wastepaper and rags, collection and bailing									P	P
Wholesale and jobbing establishments including incidental retail outlets for only such merchandise as is handled at wholesale									P	P
Woodworking shops, mill work									P	P

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SECTION 11 GENERAL ENVIRONMENTAL PERFORMANCE STANDARDS

11.1. In General

All uses in any district shall comply with all the applicable performance requirements of the State of North Carolina regarding noise, glare, resource pollution, air pollution and/or other regulatory standards applicable to the environs and/or their protection. All uses shall be so constructed, maintained and operated as to not be injurious to the use and occupation or enjoyment of the adjacent premises by reason of the emission or creation of noise, vibration, light, smoke, dust or other particulate matter, toxic or noxious waste materials, odors, radiation, fire, explosion hazard or glare, stormwater discharge, or other such matters or events.

11.2. Specific Requirements

In addition to the above and not in conflict, the following specific standards shall apply to all uses unless otherwise indicated:

A. Noise

Noise generated by uses and operations permitted or regulated by this Ordinance shall be subject to the provisions of the Chatham County Noise Control Ordinance.

B. Vibration

No use shall be operated so as to produce ground vibration noticeable, without instruments, at the lot line of the premises, which the use is located.

C. Smoke and Other Particulate Matter

Every use shall be so operated as to prevent the emission of smoke from any source whatever, to a density greater than described as Number 1 on the Ringlemann Smoke Chart, provided, however, that smoke equal to, but not in excess of that shade of appearance described as Number 2 on the Ringlemann Chart may be emitted for a period or periods totaling four minutes in any 30 minutes. For the purpose of grading the density of smoke, the Ringlemann Chart as published and used by the United States Bureau of Mines, and which is hereby made, by reference, a part of these regulations, shall be standard. All measurements shall be made at the point of emission.

Every use shall be so operated as to prevent the emission into the air of dust or other solid matter which may cause damage to property and health of persons or animals at or beyond the lot line of the premises on which the use is located.

D. Odors

No use shall be operated so as to produce the emission of hazardous, objectionable or offensive odors in such concentration as to be readily perceptible at or beyond the lot line of the property on which the use is located.

E. Toxic, Noxious or Hazardous Matter

No use shall for any period of time, discharge across the boundaries of a lot on which it is located, toxic, noxious or hazardous matter in such concentrations as to be detrimental to or endanger the public health, safety, comfort, or general welfare, or cause injury or damage to persons, property or the use of property or land.

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F. Electromagnetic Interference

No use, activity, or process shall be conducted which produces electromagnetic interference with normal radio or television reception beyond the lot line of the property on which the use is located.

G. Fire and Explosion Hazards

Each use shall be operated so as to minimize the danger from fire and explosion and to comply with the regulations contained in the building code and fire prevention code.

H. Humidity, Heat or Glare

Any activity producing humidity in the form of steam or moist air, or producing heat or glare, shall be carried on in such a manner that the steam, humidity, heat or glare is not perceptible at or beyond the boundary of the zoning district in which the use is located, or any residential, business or office and institutional zoning district boundary.

I. Light

All lighting shall be beamed down and away from adjoining property. To the extent practicable, all light produced on-site shall be contained within the perimeter of the site by design, orientation or shielding of the light source. The following lighting shall be prohibited:

1. No fixture shall be erected which is an imitation of an official highway or traffic control light or sign.
2. No fixture shall be in a direct line of vision with any traffic control sign or light.
3. No fixture shall have a flashing or intermittent pattern of illumination.
4. No fixture shall be located within a public right-of-way.
5. No fixture shall be erected which because of the design of the light source, orientation or intensity causes direct glare onto adjacent property or streets, creating a nuisance or a hazard or causing confusion to drivers.
6. Search lights are prohibited except when used by Federal, State or local authority.
7. No fixture shall violate any law of the State of North Carolina relative to outdoor lighting.

See **SECTION 13**, Lighting for additional requirements.

J. Stormwater Discharge

No use shall for any period of time, discharge across the boundaries of a lot on which it is located, stormwater containing toxic or noxious matter in such concentrations as to be detrimental to or endanger the public health, safety, comfort, or general welfare, or cause injury or damage to persons, property or the use of property or land.

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11.3. Environmental Impact Assessment

An Environmental Impact Assessment, as described in Section 6.2 (B) of the Subdivision Regulations and related guidelines, shall be required for non-residential projects and Mixed Use Districts as described below consisting of ten contiguous acres or more in extent that disturb ten or more acres. A project for which a detailed statement of the environmental impact of the project is required pursuant to N.C. Gen. Stat. § 113A-4(2) or 42 U.S.C. § 4332(C), or for which a functionally equivalent permitting process is required by federal or State law, regulation or rule, is exempt from the requirement of this Section 11.3. However, a copy of any such statement of environmental impact for the project shall be provided to the County. Additionally, Pursuant to N.C. Gen. Stat. § 113A-8, the County requires the Subdivider to submit an Environmental Impact Assessment for any of the following proposed projects:

- a) A non-residential major subdivision development project, excepting bona fide farm activities, or ten (10) contiguous acres or more in extent that disturbs ten (10) or more acres;
- b) A residential subdivision development project of ten (1) contiguous acres or more in extent that will include fifty (50) or more dwelling units, whether detached or attached single family residences or in a multi-family structure or structures; or
- c) A major subdivision of fifty (50) or more lots.

The following projects which consist of ten contiguous acres or more in extent and which will disturb ten or more acres shall submit an Environmental Impact Assessment prior to any land disturbing activity:

- A. Any new Conditional Use Permit or Conditional Zoning District.
- B. Any physical expansion of an existing Conditional Use Permit or Conditional Zoning District, provided that the expansion is greater than five (5) acres or 10% of the existing area covered by the Conditional Use Permit or Conditional Zoning District, whichever is less. Physical expansion means the addition of new property or acreage to an area covered by an existing Conditional Use Permit or Conditional Zoning District. This requirement shall also apply to conversions of existing Conditional Use Zoning Districts to Conditional Zoning Districts.

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SECTION 12 LANDSCAPING AND BUFFERING STANDARDS

Attractive landscaping of a project is an essential component of overall visual appeal. It affords an opportunity to soften the impact of new development. Therefore, it is important that the landscape plan demonstrate clearly thought-out goals. There are many possible approaches to achieving the degree of screening necessary for the various conditional use districts. A clearly stated rationale should accompany the landscaping plan that explains how the plan both serves the needs of the project and fits in with the rural Chatham County setting. For example, some factors that may be addressed are as follows:

- Site conditions such as the amount of sun or shade, slope, and wet or dry areas
- Representative native species of both canopy and under story trees to provide continuity with wooded areas nearby
- Plants that provide screening in cold seasons
- Cost and maintenance considerations
- Growth rates
- Flowering species that can benefit both passersby and beneficial insects.

Landscaping plants shall be selected from the Chatham County Design Guidelines that are, for the most part, a naturally occurring species and arrangement for the area. The use of non-naturally occurring and rare plantings is not discouraged for "specimen" and "contrast" plantings.

- A landscaping plan must be submitted to the County with every non-residential application. Landscaping refers to topography, trees, shrubs, grass, and vegetation. The landscaping plan shall indicate where existing trees and vegetation are preserved.
- A buffer is a strip of land with the screening required thereon. Screening may include landscaping, walls, fences, hedges, berms, and existing vegetation.
- Street trees shall be required along streets at intervals of 40 ft. Each tree shall be of at least 2-1/2 inch caliper when installed and be a height of 30 ft. at maturity.
- Chain link fences are to be discouraged unless screened by vegetation.
- Plantings adjacent to building walls should be included along sides of buildings where devoid of architectural interest.
- The buffer width, height, and appropriate screening for commercial uses adjacent to other commercial uses, adjacent to residential/rural use, or to land zoned as such shall be in accordance with Table 2.

In situations where the property for which site plan or building permit approval is sought was timbered in violation of development regulations, and the timber harvest results in the removal of all or substantially all of the trees that were protected under County regulations governing development of that tract, the County may withhold approval for up to three (3) years after the completion of the timber harvest.

The County may refuse to approve a site plan or deny a building permit for up to five (5) years after the completion of a timber harvest if the harvest results in the removal of all or substantially all of the trees that were protected under County regulations governing development of the tract for which the approval is sought, and the harvest was a willful violation of County regulations.

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12.1. Additional Requirements

- a. Plantings as required by this chapter shall not be located in drainage, access or utility easements, under overhead power lines or in sight triangles.
- b. All developments shall provide secure, safe and sanitary facilities for the storage and pickup of refuse. Such facilities shall be convenient to collection and shall be appropriate to the type and size of the development being served. All dumpsters/refuse storage facilities shall be screened by a solid wall, fence, tight evergreen hedge, or a combination. Such screening shall be of sufficient height and design to effectively screen the facility from the view of adjacent properties and roads.
- c. Fences, walls and earth berms may be used in combination with trees and shrubs to fulfill required landscaping; provided, however, that these manmade features are designed and located in such a way that will not conflict with other site features and functions and will be in harmony with the surrounding landscape.
- d. All portions of the landscaping area not planted with shrubs and trees or covered by a wall or other barrier shall be planted in grass and/or ground cover, or covered by a natural mulch of a minimum depth of three inches.

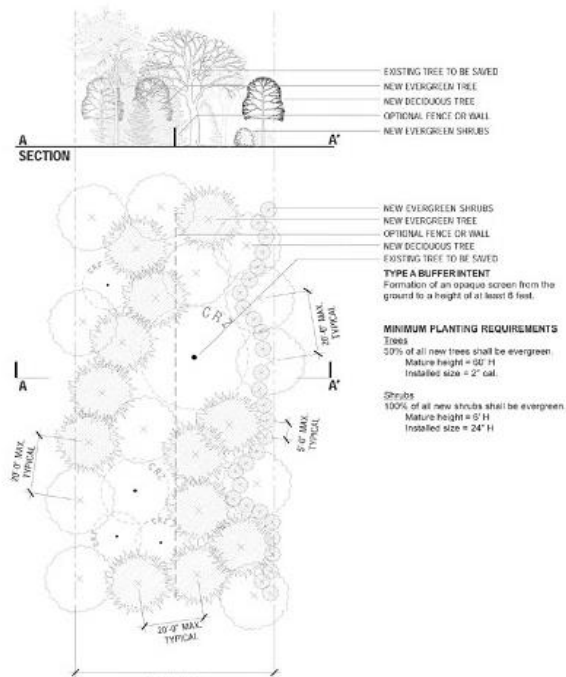
12.2. Water Conservation Guidelines

Given the finite resources for Chatham County, it is highly recommended that year round water conservation be practiced. The purpose of the following recommendations is to preserve our limited natural resources and to foster good growth rates of plantings in the landscape.

A. Xeriscaping

Xeriscaping is recommended where possible to conserve water. See *Chatham County Design Guidelines* for more about xeriscaping.

12.3. Landscape Buffering Requirements and Screen Types



Screen A: This screen creates a year-round visual barrier such that there are no direct views from the street or from the adjacent properties to the development at any time of year. Plants are typically evergreen and can be used in combination with walls and berms. Minimum spacing shall generally be no wider than 20 feet between tree trunks (but may wider depending on tree type), with evergreen shrubs spaced five feet on center.

Figure 1: Screen A Example

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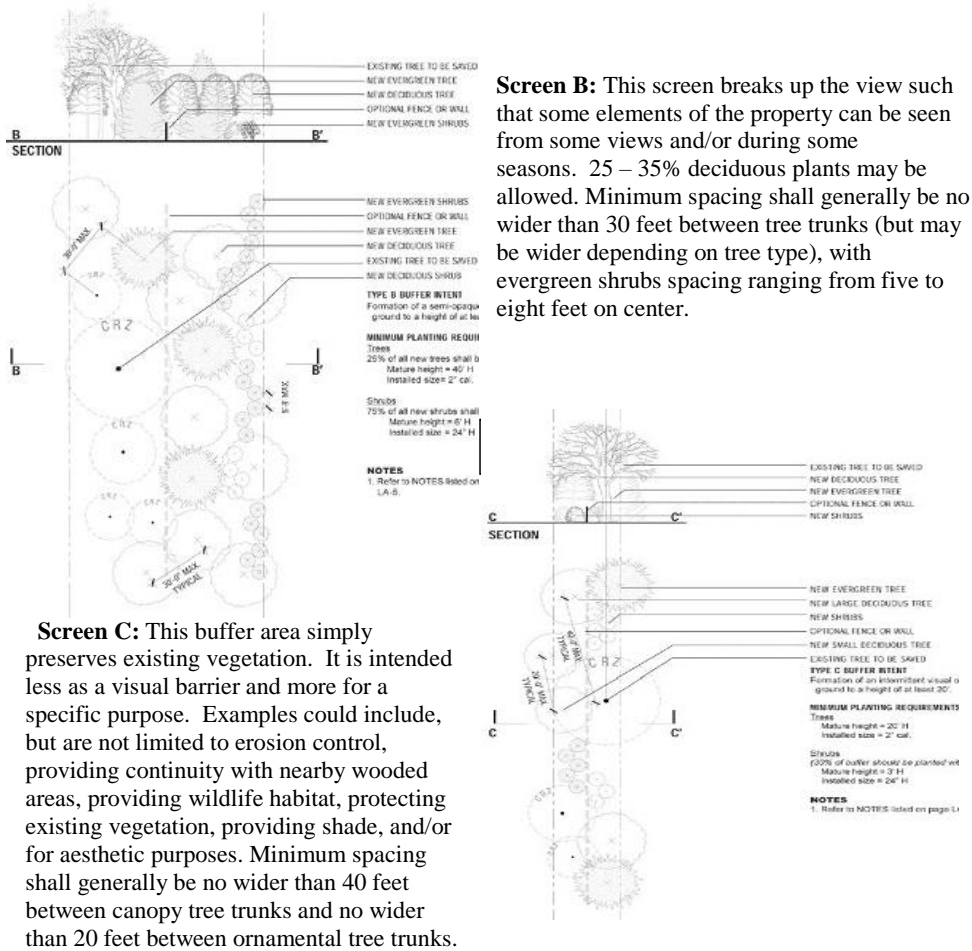


Figure 3: Screen C Example

Height and width of all screen types to be determined case-by-case depending on height of structure to be screened in combination with topography of site and of adjacent sites. Berms, walls, and/or building layout changes may also be necessary. Minimum widths and plant types for satisfying the screen requirements are in: Landscape Buffer Requirements. The plantings are to reach screening goals within 24 – 36 months of the installation and to be maintained as shown on any plans.

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Table 2: Landscape Buffer Requirements*

	For adjacent property development					Land use across an adjacent street				
<i>Proposed land use class</i>	<i>Com</i>	<i>O&I</i>	<i>Ind-L</i>	<i>Ind-H</i>	<i>R</i>	<i>Com</i>	<i>O-I</i>	<i>Ind-L</i>	<i>Ind-H</i>	<i>R</i>
Commercial (NB, CB, RB)	n/a	n/a	B 20'	B 20'	A 20'	C 20'	B 20'	C 20'	C 20'	B 20'
O&I: Office & Institutional	n/a	n/a	B 20'	B 20'	A 30'	B 20'	B 20'	B 20'	B 20'	B 20'
Ind-L: Light Industrial	B 40'	A 40'	n/a	n/a	A 60'	A 20'	A 20'	C 20'	C 20'	A 40'
Ind-H: Heavy Industrial	B 60'	A 60'	n/a	n/a	A 80'	A 40'	A 40'	C 20'	C 20'	A 60'
R-A: Residential & Agricultural	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a

*Adjacent property (but not street) buffers may be waived for mixed-use projects as a condition of an approved Conditional Use Permit.

12.4 Screening of Storage Areas

This section addresses the outdoor storage, utility, and equipment areas often associated with commercial uses. Requirements herein do not apply to mercantile locations where commodities for sale are displayed on the sales site.

Preliminary site design for any project should include providing for adequate outdoor storage needs. These areas include space where materials are temporarily stored, waste and recycling is handled and stored, mechanical/electrical equipment is located or loading and vehicular work yards are located.

Whenever possible storage areas should be concealed by site or building design. Where such is not possible, screening should be provided as follows.

Table 3: Storage Area Screening Requirements

<u>Type of Item to be Screened</u>	<u>Screening Requirements</u>
Ground-mounted electrical transformer	Border plantings on the two most visible sides of the equipment <u>at least as high as the equipment</u> , such as evergreen shrubbery planted to achieve an approximate 80% visual obstruction
Waste and recycling outdoor containers, stored construction materials, utility supplies, etc.	A 95% solid treated wood fence at least 1' higher than the object to be screened and coming within 12" of the ground, with border plantings of
(does not apply to temporary storage of six months or less)	evergreen shrubs that constitute an approximate 30% screen on the two most visible sides of the fence, <u>OR</u> ,

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	An approximate 95% dense planting of evergreen shrubs and/or small trees that reaches the screen density within 24 months of installation and is maintained in perpetuity or until a fence is erected.
Repair work, dismantling or servicing of vehicles	Conceal area using 8' high, 100% opaque fence, with evergreen border plantings that conceal 35% of the fence or equivalent screening
Satellite dish antennas that are 25" in diameter or greater	A 70% visual barrier that is the height of the dish or greater when viewed from the public right-of-way or adjacent residential usages.

Storage areas that are deemed hazards to the public or stored items that could be windblown or require security shall be further enclosed on all sides by wall or fence with border plantings and shall include an operable gate. Gates shall not swing into any public way.

Project landscaping shall be established prior to the facility earning a certificate of occupancy. It is the owner's responsibility to maintain the landscape plantings in good health and to replace any failed plants promptly.

12.5 Screening of Loading Areas

The Chatham County zoning ordinance provides for loading and delivery areas for all buildings used for trade, or industry. A minimum dimension for loading spaces and a quantity requirement for providing spaces based on building area is included. Such spaces shall have access to a public service alley, private driveway, or, if necessary, a public street.

Whenever possible, all loading areas shall be located between the building and the rear lot line of the property, and/or shall be screened from the view of the street and adjacent properties. Developments that use loading areas extensively are encouraged to recess this functional area of the building into the mass of the building or creatively blend it into the landscape using building offsets, screen walls, berms, and other design techniques.

The following list of screening requirements is intended to protect the public and adjacent properties from views to loading areas.

Table 4: Loading Area Screening Requirements

<u>Type of Item to be Screened</u>	<u>Screening Requirements</u>
Delivery door or overhead door without exterior dock and steps	None
Overhead delivery doors with loading docks and steps	6' high screening device of solid structure (wall, fence, etc.) with low border plantings at corners or 25' on center areas of border plantings
	OR

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Loading dock areas that are also used to store recycling waste containers or outdoor stored materials for any period of time

An approximate 95% dense planting of evergreen shrubs and/or small trees that reaches effective density within 24 months and is maintained in perpetuity or until a landscaped fence is erected.

A 95% solid wooden fence or wall at least 1' higher than the tallest storage or equipment article. Fence shall extend to within 12" of the ground and have border plantings of evergreen shrubs that constitute an approximate 30% screen on the two most visible sides of the loading area

OR

An approximate 95% dense planting of evergreen shrubs and/or small trees that reaches effective density within 24 months of installation and is maintained in perpetuity or until a landscaped fence is erected.

Screening structures and landscaping may include breaks in the visual barrier for vehicular and pedestrian egress. There, openings in the screening shall be limited to a minimum practical width and located so as to obscure line of sight from the public way.

12.6. Applicability

a. Existing uses shall not be considered non-conforming for this section until expansion of the use is greater than ten percent (10%) of the footprint of the use (building(s), ancillary structures, parking, loading, et cetera. Generally impervious surfaces; pervious areas that are actively engaged in the primary use or permitted ancillary uses are also included).

b. Any expansion under ten percent (10%) within three (3) years of an additional expansion shall be counted toward the percentage of the total.

c. This shall apply to all non-residential applications and conditional use permits with the exception of wireless facilities and structures, which are subject to the landscaping provisions within the Wireless Facilities Ordinance and exempt from Appearance Commission Review.

SECTION 13 LIGHTING

13.1. Intent and purpose

Outdoor lighting shall be designed to provide the minimum lighting necessary to ensure adequate safety, night vision, and comfort, reduce light pollution and not create or cause excessive glare on adjacent properties and street rights-of-way.

13.2. Illuminating Engineering Society of North America (IESNA) Cutoff Classifications³

Full Cutoff—A fixture light distribution where no light intensity is emitted at or above a horizontal plane drawn through the bottom of the fixture and no more than 10% of the lamp's light intensity is emitted at or above an angle 10 degrees below that horizontal plane, at all lateral angles around the fixture.

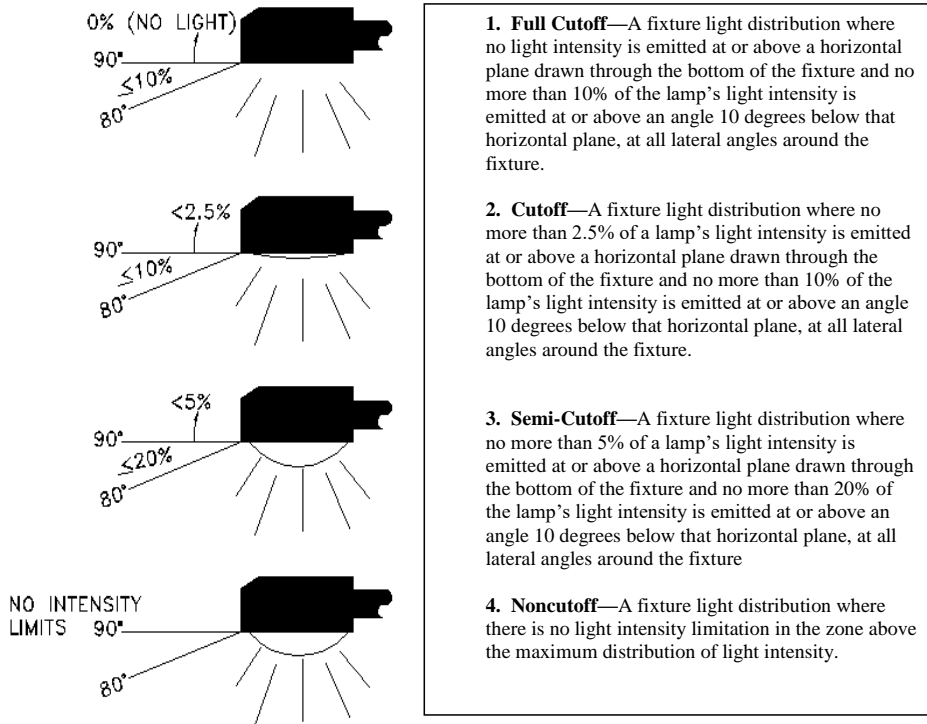
Cutoff—A fixture light distribution where no more than 2.5% of a lamp's light intensity is emitted at or above a horizontal plane drawn through the bottom of the fixture and no more than 10% of the lamp's light intensity is emitted at or above an angle 10 degrees below that horizontal plane, at all lateral angles around the fixture.

Semi-Cutoff—A fixture light distribution where no more than 5% of a lamp's light intensity is emitted at or above a horizontal plane drawn through the bottom of the fixture and no more than 20% of the lamp's light intensity is emitted at or above an angle 10 degrees below that horizontal plane, at all lateral angles around the fixture

Noncutoff—A fixture light distribution where there is no light intensity limitation in the zone above the maximum distribution of light intensity.

³ with minimal wording modifications to provide non-technical clarity

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13.3. Definitions

Candela— A measure of luminous or light intensity in a certain direction. Useful in determining how much light is shining out of a fixture and in what direction.

Diffusing Panel (lens) – A translucent material covering the lamps in a luminaire in order to reduce the brightness by distributing the light flux over an extended area.

Direct Lighting – Lighting involving luminaires that distribute 90 to 100% of the emitted light in the general direction of the surface to the illuminated. The term usually refers to light emitted in a downward direction.

Fixture— An assembly that holds the lamp (bulb) in a lighting system. It includes the elements designed to give light output control, such as a reflector (mirror) or refractor (lens), the ballast, housing, and the attachment parts.

Flood Lamp— A form of lighting designed to direct its output in a specific direction with a reflector formed from the glass envelope of the lamp itself. Such lamps are so designated by the manufacturers and are typically used in residential outdoor area lighting.

Flood Light— A form of lighting designed to direct its output in a diffuse, more or less specific direction, with reflecting or refracting elements located external to the lamp.

Footcandle (FC)— A quantitative unit measuring the amount of light (illumination) falling onto a given point. One footcandle equals one lumen per square foot.

Glare— The effect produced by a light source within the visual field that is sufficiently brighter than the level to which the eyes are adapted, to cause annoyance, discomfort, or loss of visual performance and ability.

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HID— High intensity discharge lighting is a bulb type including mercury vapor, metal halide, high pressure or low-pressure sodium, which glow when an electric current is passed through a gas mixture inside the bulb.

Holiday/Festive Lighting – Lighting that is installed with the intent to operate during a designated temporary period of time where a specific theme or event is a focus of attention.

IESNA—The Illuminating Engineering Society of North America, a non-profit professional organization of lighting specialists that has established recommended design standards for various lighting applications.

Illuminance— The amount of light falling on a surface-measured in lux or footcandles.

Internal Refractive Lens— A glass or plastic lens installed between the lamp and the sections of the outer fixture globe or enclosure. Refractive refers to the redirection (bending) of the light as it goes through the lens, softening and spreading the light being distributed from the light source thereby reducing direct glare.

Light Source— The element of a lighting fixture that is the point of origin of the lumens emitted by the fixture.

Light Trespass— Light emitted by a lighting installation that falls outside the boundaries of the property on which the installation is sited. This has adverse effects on residents, vehicle operators and pedestrians, the natural environment.

Lumen— A quantitative unit used to identify the amount of light emitted by a light source. A lamp is generally rated in lumens.

Maintained Footcandles— Illuminance of lighting fixtures adjusted for a maintenance factor accounting for dirt build-up and lamp output depreciation. The maintenance factor used in the design process to account for this depreciation cannot be lower than 0.72 for high-pressure sodium and 0.64 for metal halide and mercury vapor.

Medium Base— The size of lamp socket designed to accept a medium or Edison base lamp.

Natural Recreation Area – An area that is intrinsically dark at night where electric lighting should be held to a minimum as designated by Chatham County.

Outdoor Performance Area— An area permanently dedicated to the public presentation of music, dance, theater, media arts, storytelling, oratory, or other performing arts, whether publicly or privately owned, including but not limited to amphitheaters and similar open or semi-enclosed structures.

Outdoor Sports Field— An area designed for recreation (public or privately owned). These areas include, but are not limited to baseball/softball diamonds, soccer fields, football fields, golf courses, golf driving ranges, tennis courts, racetracks, firearm shooting ranges, and swimming pools.

Right-of-Way— An interest in land to the county which provides for the perpetual right and privilege of the county, its agents, franchise holders, successors, and assigns to construct, install, improve, reconstruct, remove, replace, inspect, repair, maintain, and use a public *street*, including related and customary uses of street rights-of-way such as sidewalks, bike paths, landscaping, mass transit facilities, traffic control, traffic control devices and signage, sanitary sewer, storm water drainage, water supply, cable television, electric power, gas, and telephone transmission and related purposes in, upon, over, below, and across the rights-of-way.

Temporary Lighting— Lighting used for a limited duration, but in no case longer than thirty (30) days.

Vehicular Canopy— A roofed, open, drive-through structure designed to provide temporary shelter for vehicles and their occupants while making use of a business' services.

Wall Pack— A type of light fixture typically flush-mounted on a vertical wall surface.

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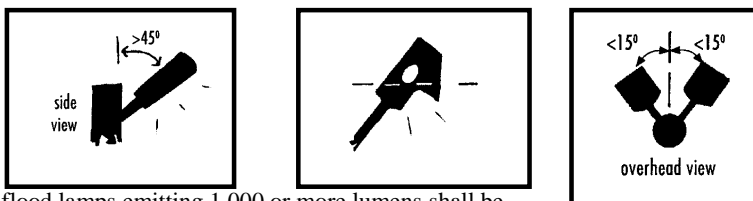
Wide-body Refractive Globe— A translucent lamp enclosure used with some outdoor fixtures to provide a decorative look (including but not limited to acorn- and carriage light-style fixtures). “Wide-body” refers to a wider than average size globe (greater than 15.75” in diameter). “Refractive” refers to the redirection (bending) of the light as it goes through the lens, rendering the light fixture more effective. Wide-body refractive globes are intended to soften and spread the light being distributed from the light source thereby reducing direct glare.

13.4. Light Measurement Technique

Light level measurements shall be made at the property line of the property upon which the light to be measured is being generated. If measurement on private property is not possible or practical, light level measurements may be made at the boundary of the right-of-way that adjoins the property of the complainant or at any other location on the property of the complainant. Measurements shall be made at finished grade (ground level), with the light-registering portion of the meter held parallel to the ground pointing up. The meter shall have cosine and color correction and have an accuracy tolerance of no greater than plus or minus five (5) percent. Measurements shall be taken with a light meter that has been calibrated within the previous two years. Light levels are specified, calculated and measured in footcandles (FC). All FC values are maintained footcandles unless specified otherwise. See the definition for maintained footcandles in section 13.3 for maximum allowed light loss factors.

13.5. General Standards for Outdoor Lighting

1. Lighting Plan—A lighting plan shall be provided for review and must be approved prior to the issuance of the building permit. The lighting plan shall demonstrate a consideration for reduced energy consumption through the selection of energy efficient fixtures.
2. Unless otherwise specified in the following subsections, the maximum light level shall be 0.5 maintained footcandle at any property line in a residential district, or on a lot occupied by a dwelling, congregate care or congregate living structure, unless otherwise approved by the county.
3. All floodlights shall be installed such that the fixture shall be aimed down at least forty-five (45) degrees from vertical. These lights shall be positioned such that any such fixture located within fifty feet (50) of a public street right-of-way is mounted and aimed perpendicular to the right-of-way, with a side-to-side horizontal aiming tolerance not to exceed fifteen (15) degrees from perpendicular to the right-of-way. The Zoning Administrator may require shields to be installed on floodlights before, during or after the installation when needed to further reduce lighting trespass, glare and light pollution. Flood lights shall not be aimed at residential property.



4. All flood lamps emitting 1,000 or more lumens shall be aimed at least sixty (60) degrees down from horizontal or shielded such that the main

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beam from the light source is not visible from adjacent properties or the public street right-of-way.

5. All wall pack fixtures shall be full cutoff fixtures.
6. All fixtures installed, owned, or leased by governmental or public agencies, or their agents, for the purpose of illuminating public streets are otherwise exempt from this regulation. Fixtures installed through private development are not exempt.
7. The lighting plan shall demonstrate a consideration for reduced energy consumption through the selection of energy efficient fixtures.
8. With the exception of essential all-night security lighting, the plan shall demonstrate lighting reduction procedures, implemented using timers or other methods (such as fixtures that automatically change wattage output). Said lighting reduction shall be active between approximately 12 midnight and dawn. For 24-hr commercial activities, this requirement may be adjusted by approval of the Board of County Commissioners.

13.6. Lighting in Outdoor Areas (Residential and Non-Residential)

1. Other than flood lights and flood lamps, all outdoor area and parking lot lighting fixtures of more than 2,000 lumens shall be full cutoff fixtures, or comply with subsection (4) below.
2. The mounting height of all outdoor lighting, except outdoor sports field lighting and outdoor performance area lighting shall not exceed thirty-seven (37) feet above finished grade, unless approved by the Board of County Commissioners as having no adverse effect.
3. **Security Lighting for Open Parking Facilities:** For lighted parking lots the minimum light level shall be no less than 0.2 footcandles. All light levels are measured at ground level. The minimum light level requirements vary depending on the activity classification. The specified minimum FC value above 0.2 FC as outlined in the following table means that the lowest light level point or location in the parking lot must not exceed the minimum stated FC value in the table (i.e. 0.9 FC for large shopping centers). An average to minimum uniformity ratio of 4:1 means that the average FC to minimum FC ratio cannot be worse (higher) than 4:1. See the following table:

Security Light Levels for Open Outdoor Parking Facilities*		
Use/Task	Maintained Footcandles	Uniformity Avg/Min
Parking, residential, multi-family Low to medium vehicular/pedestrian activity	Range from 0.2 Min to 0.6 Min	4:1
Parking, industrial/commercial/Institutional/municipal High activity, i.e. large shopping centers/fast food facilities, major athletic/civic cultural events	0.9 Min	4:1
Medium/low activity, i.e. community shopping, office parks, hospitals, commuter lots, cultural/civic/recreational events, residential neighborhood shopping,	Range from 0.2 Min to 0.7 Min	4:1

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industrial employee parking, schools, church parking		
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Source: IESNA 8th Edition Lighting Handbook; Modification: Medium and Low Activity Level recommendations have been combined.

Notes:

- a. Illumination levels are horizontal on the task, e.g. pavement or area surface.
 - b. Uniformity ratios dictate that average illuminance values shall not exceed minimum values by more than the product of the minimum value and the specified ratio. For example, for commercial parking medium/low activity, the average footcandles shall not be in excess of 2.8 (0.7 x 4).
 - c. A low/medium activity can be reclassified upward when appropriate and only with Chatham County Planning Department approval.
 - d. Examples of lighting measurements taken during the development of this ordinance are available from the Planning Department.
4. Exceptions:
- a. Non-cutoff decorative post-mounted fixtures may be used but must be equipped with a solid top when available to direct the light downward or meet the cutoff classification. Mounting heights of 18 feet or less above ground are allowed when the maximum initial lumens generated by each fixture does not exceed 9500 initial lamp lumens.
 1. All metal halide, mercury vapor, fluorescent, induction, white high pressure sodium and color improved high pressure sodium lamps used in non-cutoff fixtures shall be coated with an internal white frosting inside the outer lamp envelope.
 2. All metal halide solid-top decorative post fixtures equipped with a medium base socket must use an internal refractive lens, a diffusing panel (lens) or a wide-body refractive globe as described in section 13.3 Definitions.
 - b. Dusk-to-dawn open bottom security lights must be fully shielded to provide a full cutoff light distribution.
 - c. Temporary lighting for special events of short duration. Typically these are low wattage or low voltage applications for public festivals, celebrations, and the observance of holidays, carnivals, and celebrations. Portable (non-permanent) internally-illuminated signs come under this classification and, as such, can be used for up to thirty (30) days only.
 - d. Airport lighting controlled by the Federal Aviation Administration (FAA).
 - e. Lighting of the United States of America and State of North Carolina flags and other flags or insignia of any governmental entity.

13.7. Lighting for Vehicular Canopies

Areas under a vehicular canopy shall have an average maximum horizontal illuminance of twenty-four (24) maintained footcandles (FC). Areas outside the vehicular canopy shall be regulated by the standards of subsection 13.6 above. Lighting under vehicular canopies shall be designed so as not to create glare off-site. Acceptable methods include one or both of the following:

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1. Recessed fixture incorporating a lens cover that is either recessed or flush with the bottom surface (ceiling) of the vehicular canopy that provides a full cutoff or fully-shielded light distribution.
2. Surface mounted fixture incorporating a flat glass that provides a full cutoff or fully-shielded light distribution.

13.8. Outdoor Sports Field /Outdoor Performance Area Lighting

1. The mounting height of outdoor sports field and outdoor performance area lighting fixtures shall not exceed eighty (80) feet from finished grade unless approved by the Chatham County Zoning Board of Adjustment.
2. All outdoor sports field and outdoor performance area lighting fixtures shall be equipped with a glare control package (louvers, shields, or similar devices).
3. The fixtures must be aimed so that their beams are directed and fall within the primary playing or performance area. The maximum light level shall be 0.5 maintained footcandles at any property line in a residential district, or on a lot occupied by a dwelling, congregational care or congregational living structure.
4. As outdoor sports field/outdoor performance area lighting non-conforming fixtures fail, maintenance replacement fixtures must be installed that comply with the requirements of these lighting standards.
5. The hours of operation for the lighting system for any game or event shall not exceed one hour after the end of the event.

13.9. Natural Recreation Areas

These locations are intrinsically dark landscapes at night. Such areas include state and national parks, conservation areas, natural recreation areas, and areas adjacent to optical astronomical observatories. These places are used for camping, etc., where a naturally dark environment is desired and are designated by Chatham County.

1. Light reduction procedures begin at approximately 12 midnight with limited essential safety and security lighting.
2. All fixtures shall be full cut-off.

13.10. Lighting of Outdoor Display Areas

The following provisions apply to outdoor display areas except for car dealership parking lots, as specified in item (4), below:

1. Parking lot outdoor areas shall be illuminated in accordance with the requirements for subsection 13.6 above. Outdoor display areas shall have a maximum average maintained illuminance of twenty-four (24) maintained footcandles.
2. All light fixtures shall meet the IESNA definition of cutoff fixtures. Forward throw fixtures (type IV light distribution, as defined by the IESNA) are required within twenty-five (25) feet of any public street right-of-way. Alternatively, directional fixtures (such as floodlights) may be used provided they shall be aimed in accordance with subsections 13.5 (3) and 13.5 (4) of this ordinance.

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3. The mounting height of outdoor display area fixtures shall not exceed thirty-seven (37) feet above finished grade.
4. For car dealership parking lots, the following provisions shall apply:
 - a. Full cutoff fixtures shall be used.
 - b. Mounting Heights: Up to a maximum of thirty-five (35) plus 2-foot raised base for parking areas as needed.
 - c. Lighting at the first row, the car bumper may not exceed a maximum average maintained illuminance of 24 footcandles.
 - d. Lighting in the non-display area of the parking lot after hours shall be no higher than 7 FC average maintained.

13.11. Lighting of Buildings

1. Lighting fixtures shall be selected, located, aimed, and shielded so that direct illumination is focused exclusively on the building façade, plantings, and other intended site features, and away from adjoining properties and the public street right-of-way.
2. Illumination on any vertical surface or angular roof shall not exceed 5.0 FC average maintained
3. To the extent practical and where possible, lighting fixtures shall be directed downward rather than upward
4. When upward aiming is used, placement of low wattage fixtures with shields (as needed) close to the building to graze the façade is required to minimize reflected light from windows and other surfaces. The Planning Department can waive this requirement in rare and unusual cases if it is demonstrated that the physical location of light fixtures close to the building to accomplish this design is not possible.

13.12. Permanent Sign and Billboard Lighting

External lighting fixtures illuminating signs and billboards shall be aimed and shielded so that direct illumination is focused exclusively on the sign. Externally lighted signs shall be lighted from the top of the sign downward. The Planning Department can waive this requirement in rare and unusual cases if it is demonstrated that the physical location of light fixtures for top down aiming is not possible. The maximum watts permitted to illuminate a sign are determined by multiplying the sign face area by 2 watts per square foot. Internally illuminated signs are permitted, provided that the message or letters of such sign consist of nonreflective material. For additional guidance, see the sign section of the County Zoning Ordinance.

Exception: Signs less than 7 feet (2 meters) in height above grade may be illuminated by ground mounted uplighting not exceeding 100 lamp watts per sign face.

NOTE: Refer to Section 13.6 (4)(c) regarding portable internally illuminated signs.

13.13. Holiday/Festive Lighting

Holiday/festive lighting is allowed provided it complies with the definition outlined in section 13.3. The connection of multiple holidays and/or festive events over a number of weeks and/or months is not permitted. Lamps below 7 watts are exempt and have no restrictions on use.

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13.14. Walkways, Bikeways and Parks (Section to be lighted)

The walkway, pathway, or ground areas that are to be lighted shall be illuminated to a level of at least 0.2 and no more than 0.5 average horizontal maintained footcandles.

13.15. Landscape Lighting

All landscape and residential façade lighting systems shall employ shielded directional luminaires not to exceed 40 lamp watts. The luminaires shall be aimed such that the light source cannot be seen from any reasonable viewing point on an adjacent property.

13.16. Permitting and Approval Process

The following section applies generally to the Permitting and Approval Process and outlines requirements of the applicant seeking a permit for work involving outdoor lighting for residential subdivision single family and multi-family developments, commercial, multi-use, office, institutional and industrial projects. Specific permitting requirements are to be in compliance with the procedures established by the Chatham County Planning Department and the Chatham County Central Permitting Department. These aforementioned requirements shall serve as the framework by which this ordinance is implemented.

As with any permitting process, the applicant shall be required to submit the appropriate supporting documentation at the time the application is submitted for review. The documentation submitted shall contain, but not be limited to the following, all or part of which may be part of, or in addition to, the information required elsewhere in this Ordinance, and by the policies and procedures established by the Chatham County Planning Department and the Chatham County Central Permitting Department.

1. The applicant for any permit required for work involving outdoor lighting for commercial, office, institutional and industrial projects with a gross floor area of more than 5,000 square feet, residential projects other than detached single family dwellings of more than 6 units, all vehicular canopies and all outdoor display areas shall submit documentation at time of site plan or plot plan approval that the proposed lighting plan complies with the provisions of this lighting standard.
2. A lighting plan to scale is required that shows a point-by-point footcandle array on a 10' by 10' grid in a printout format indicating the location and aiming of illuminating devices. The printout shall include a summary table to indicate compliance with the average maintained and minimum footcandles and average to minimum uniformity ratios. FC point values in the appropriate areas to determine light trespass compliance is also required. The lighting plan shall include as a minimum an arrangement of the subject outdoor lighting, a fixture schedule detailing the mounting height & technique, fixture type, bulb type & wattage, controls, lenses, etc. The lighting plan shall demonstrate a consideration for reduced energy consumption through the selection of energy efficient fixtures as well as the implementation of the stated lighting practices as outlined throughout this ordinance.

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3. A point-by-point photometric footcandle array created from industry recognized lighting software systems and/or manual calculations created by a professional engineer, lighting certified professional, vendor or an individual that possesses the skills to perform such calculations. Methods used for calculating the lighting footcandle levels shall be indicated in the application documentation. The footcandle array shall be provided in a hardcopy printed format indicating the location and aiming of all applicable illuminating devices covered under the subject application based on the site and/or building arrangement plan complete with consideration of adjoining properties and roadways.
4. Description of the illuminating devices, fixtures, lamps, supports, reflectors, poles, raised foundations and other devices (including but not limited to manufacturers or electric utility catalog specification sheets and/or drawings, and photometric report indicating fixture classification [cutoff fixture, wall pack, flood light, etc.]).

Projects that are not required to submit items identified in sub-section (1) above are still subject to comply with the provisions of this ordinance and may be required to provide this information upon request.

The Chatham County Planning Department personnel may modify and/or waive any part(s) of the above referenced permit requirements, provided the applicant can otherwise demonstrate compliance with this Code. Note: An example of this provision might be where a contractor or utility repeatedly installs the same lighting equipment on different projects in the county. One submittal containing the specification sheets of a particular group of fixtures may be sufficient for the Planning Department to modify the project requirement and require that only the other provisions of the ordinance be met since the fixture specification provisions have already been met. This modification would conserve county personnel and lighting supplier/installer resources.

13.17. Nonconformities

1. Any lighting fixture lawfully in place or approved by the county prior to the adoption of this ordinance shall be exempt from these requirements. At the time that a non-conforming fixture is replaced, moved, upgraded, or otherwise changed, the fixture must be brought into compliance with the requirements of this ordinance. Any expansion of, or addition to, an existing lighting system must conform to the requirements of this ordinance.
2. Routine maintenance, including changing the lamp, ballast, starter, photo control, lens, and other required components, is permitted for all existing fixtures. When the fixture housing is changed, the fixture must come into compliance.
3. Major renovation(s) of vehicular canopies (50% or more of the existing light fixtures) will require compliance with Section 13.7.
4. Property owners that install lighting fixtures after the effective date of this ordinance and are found to be in non-compliance shall receive written notification according to this ordinance.
5. See section 13.12 (h)(4) for nonconformity provisions for outdoor sports fields and performance areas.

SECTION 14 OFF-STREET PARKING AND LOADING

14.1. Off-Street Parking Requirements

There shall be provided at the time of the erection of any building, or at the time any principal building is enlarged or increased in capacity by adding dwelling units, guest rooms, seats, or floor area; or before conversion from one type of use or occupancy to another, permanent off-street parking space in the amount specified by this section. Such parking space may be provided in a parking garage or properly graded open space.

A. Certification of Minimum Parking Requirements

Each application for a zoning permit submitted to the [Zoning Official](#) as provided for in this Ordinance shall include information as to the location and dimensions of off-street parking and the means of entrance and exit to such space. This information shall be in sufficient detail to enable the [Zoning Official](#) to determine whether or not the requirements of this section are met.

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Deleted: Zoning Enforcement Officer

B. Definition of a Parking Space

The storage space of one automobile. The size of a parking space shall be in accordance with generally accepted geometric design principles for the type space and lot.

C. Minimum Off-Street Parking Requirements

The following off-street parking space shall be required:

Classification Off-Street Parking Requirements

Note that any fractional space e.g. 47.3 shall be considered the next whole number, e.g., 48

RESIDENTIAL:

Housing designed for and used by the elderly	1 space per 4 dwelling units
Incidental home occupations	1 space in addition to the residential requirement
Multi-family residences	1.5 spaces per dwelling unit
Rehabilitation homes	1 space per two beds
Congregate care	1 space per 2 dwelling units
Single-family and two-family residences (may be in a single drive with one car behind the other)	2 spaces per dwelling unit

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COMMERCIAL AND INDUSTRIAL:

Auto service station and/or repair shops	4 spaces per service bay, plus 1 space per wrecker or service vehicle
Auto sales	1 space per 400 square feet of building area devoted to sales
Bank and consumer financial services	1 space per 200 square feet of gross floor area
Barber & beauty shops and other personal services	2 spaces per operator
Car washes	1 space per 2 employees
Delivery, ambulance and other similar services	1 space per vehicle, plus 1 space for each 2 employees
Drive-through service such as banks, automobile service stations, dry cleaners, car washes and similar uses (in addition to use requirements)	Stacking for 4 vehicles at each bay, window or lane
Dry cleaners or laundries (self-service)	1 space per 4 rental pieces of equipment
Eating establishments and nightclubs serving meals	10 spaces, plus 1 for every 3 seats
Fire stations	1 space per person on duty on a normal shift
Hotel, motel, motor court and similar uses	1 space per unit, plus 2 spaces per 3 employees on a normal shift
Mobile home sales	5 spaces, plus 1 space per 20,000 square feet of gross area
Manufacturing, industrial, warehousing and wholesaling	1 space per 3 employees on the largest shift
Post Offices	1 space per 200 square feet of public service area, plus 2 spaces per 3 employees on the largest shift
Retail sales except those listed below	1 space per 200 square feet of gross floor area
Retail sales of bulky items which require high rates of floor space to the number of items offered for sale such as antiques, appliances, art, bicycles, carpet, floor covering, furniture, motorcycles, paint, upholstery and similar uses	1 space per 300 square feet of gross floor area
Retail uses dealing primarily in service and/or repair	1 space per 200 square feet of gross floor area

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Designed shopping centers	5 spaces per 1,000 square feet of gross floor area (optional to computing parking on a store by store basis)
Radio, TV Stations	2 spaces per 3 employees on the largest shift
Transportation terminals, such as airports, bus terminals and railroad passenger stations	1 space per 4 seating accommodations for waiting passengers, plus 1 space for each 2 employees on the largest shift
Wholesale with related retail	1 space per 3 employees on the largest shift, plus additional spaces per square foot of gross floor area devoted to retail sales as applicable from "retail sales" schedule above

OFFICE AND INSTITUTIONAL:

Child care and kindergarten, less than 6 children	1 space per teacher or staff, plus space for 1 car drop-off and pickup
Child care and kindergarten, 6 or more children	1 space per teacher or staff, plus stacking for 4 cars for drop-off and pickup or stacking for 1 car per 10 children, whichever is greater
Churches and other places of worship	1 space per 4 seats in the largest assembly room
Dormitories	1 space per 4 beds
Fraternity, sorority houses	1 space per 2 beds
Elementary and junior high schools	5 spaces, plus 1 space per teacher or staff
Funeral homes	1 space per 4 seats in the main chapel
General offices	1 space per 200 square feet of net rentable area (Net rentable area shall be considered to be 80% of gross floor area unless otherwise shown by applicant)
Hospital, nursing and convalescent homes	1 space per 2 beds, plus 1 space per staff doctor on duty
Library, museum and art galleries	1 space per 300 square feet of gross floor area
Medical, dental and similar offices	7 spaces per doctor or practitioner
Nursing, convalescent homes designed and used primarily for the elderly	1 space per 3 beds, plus 1 space per staff doctor on duty
Orphanage, juvenile homes	1 space per 2 beds
Senior high schools, trade and vocational schools, colleges and universities	7 spaces per classroom
Auditoriums, stadiums, assembly halls and gymnasiums located on a high school, college or university campus	1 space per 12 fixed seats and 1 space per 12 movable seats in largest assembly room

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RECREATION:

Amusements, dance halls, nightclubs not serving meals	1 space per 3 persons in designed capacity, plus 2 spaces per 3 employees on the largest shift
Auditoriums, stadiums, assembly halls, convention centers, gymnasiums, fraternal or social clubs or lodges, community recreation centers	1 space per 3 fixed seats and 1 space per 3 movable seats in the largest assembly room
Bowling alleys	4 spaces per lane
Golf courses	4 spaces per tee
Indoor movie theaters	1 space per 3 fixed seats and 1 space per 3 movable seats
Public swimming pools	1 space per 100 square feet of water area
Recreation uses such as golf driving range, miniature golf, tennis, billiards or pool centers or similar recreation uses	1 space per tee, green, court and/or other method of participation however styled
Recreation facilities such as community center, swimming pool, tennis courts, and similar activities when located in conjunction with a townhouse, condominium, group housing or homeowner association development	1 space per 25 memberships or tenant

D. Combination of Required Parking Spaces

The required parking spaces for any number of separate uses may be combined in one lot or parking structure, but the required parking spaces assigned to one use may not be assigned to another use at the same time.

E. Day Time/Night Time Assignments

One-half of the required parking spaces for places of worship, theaters, or assembly halls whose peak attendance is at night or weekends may be assigned to a use which will be closed at night or weekends.

F. Lighting

Access ways, walkways and parking areas, if lighted, shall be lighted by fixtures which shall be so installed as to protect the street and neighboring properties from direct glare or hazardous interference of any kind.

G. Remote Parking

On all off-street parking lots, the required space shall be provided on the same plot with the use or on a lot separated there from by not more than 400 feet, except for residential uses which must be provided on the same plot.

Where provision of required off-street parking for a building or other uses established subsequent to the adoption of this section involves one or more parcels or tracts of land that are

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not a part of the plot on which the principal use is situated, the applicant for a permit for the principal use shall submit with his application for a zoning permit an instrument duly executed and acknowledged, which subjects the parcels or tracts of land to parking uses in connection with the principal use for which it is made available. The applicant shall cause said instrument to be registered in the office of the Register of Deeds upon the issuance of a zoning permit.

Parking in one zoning district in connection with a use not permitted in that district shall be permitted in accordance with the following:

- Business uses may park in Industrial Districts.
- Industrial uses may park in Business Districts.
- Office and Institutional uses may park in Business and Industrial Districts.
- Residential uses may park in Business, Industrial and Office and Institutional Districts.

In addition, any use located in one zoning district which is also a permitted use in another zoning district may also park in such other zoning district in which the use is permitted.

14.2. Parking Lot Improvement, Design and Locational Requirements

All off-street parking lots including exits, entrances, drives and parking areas shall:

Be designed to allow for traffic movement in accordance with generally accepted geometric design principles;

- Have physical access to a public street;
- Be so designed that all access to public street is by forward motion;
- Be graded, properly drained, stabilized and maintained to prevent dust and erosion; and
- Be continuously provided and maintained as long as the use which they serve exists.

No parking lot designed or provided for more than six cars shall be located in the required front yard within the following districts:

R5 - Residential 5
R2 - Residential 2
R1 - Residential 1
O&I - Office and Institutional
IL - Light Industrial

Parking Lots for Neighborhood Business, Community Business, and Regional Business shall adhere to the Chatham County Design Guidelines. Front yard parking is discouraged in order to facilitate pedestrian and transit access from the public right-of-way. All other provisions (except

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front yard parking) in the B-1 district (below) still apply. No front yard parking space may be within 10 feet of any public right-of-way line.

In accordance with the principles set forth in the Chatham County Design Guidelines, within the B-1 Business District and IH Heavy Industrial District parking lots may be located in the front yard but not within 10 feet of any public right-of-way line. When a parking lot with space for more than 10 cars adjoins any plot zoned for residential purposes, a buffer shall be provided to protect residences from light, glare, noise and fumes. This buffer shall be a five foot wide strip of land on which is placed a four foot high, at least 50% opaque fence or a dense evergreen screen of equal height and opaqueness, provided that smaller evergreen plantings may be permitted where in the opinion of the County staff there is a reasonable expectation that such plantings will reach the required height and opaqueness within a two-year period.

Refer to the Chatham County Design Guidelines for required interior plantings and planting island specifications for all off-street parking areas.

14.3. Off-Street Loading Requirements

Every structure or building used for trade, business or industry hereafter erected shall provide space as indicated herein for the loading, unloading and maneuvering space of delivery vehicles off the street or public alley. Such space shall have access to a public alley, private driveway, or, if such cannot reasonably be provided, to a public street. For the purpose of this section an off-street loading space (exclusive of adequate access drives and maneuvering space) shall have a minimum dimension of 12 feet by 40 feet and an overhead clearance of 14 feet in height above the alley or street grade.

A. Type of Use Required Off-Street Loading Space

Retail Business: 1 space for each 20,000 square feet of gross floor area or fraction thereof

Wholesale and Industries: 1 space for each 20,000 square feet of gross floor area or fraction thereof

Office and Institutions: 1 space for each 50,000 square feet of gross floor area or fraction thereof

Loading areas shall be screened in accordance with the Chatham County Design Guidelines and Section 12.5 Screening of Loading Areas.

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SECTION 15 REGULATIONS GOVERNING SIGNS

The regulations governing the use of signs are set forth in this section. All signs shall be erected, altered, and maintained in accordance with the following provisions and only those signs as specified and as regulated shall be erected within the jurisdiction. Signs shall adhere to the Chatham County Design Guidelines as stated in Section 12 for items not directly addressed in this ordinance unless such adherence is unsafe due to site conditions or other extenuating circumstance. Any sign or type of sign not expressly mentioned in this section shall be prohibited.

15.1. Definitions

See Definitions, Section 7.

15.2. Non-conforming signs

See Section 9 for provisions for non-conforming signs.

15.3. Lighting of Signs

For lighting of signs, refer to Section 13 of the Chatham County Zoning Ordinance.

15.4. Prohibited Signs

1. Any sign that obscures a sign displayed by public authority for the purposes of giving traffic instruction or direction or other public information.
2. Any sign that uses the word "stop" or "danger" or otherwise presents or implies the need or requirement of stopping or caution or the existence of danger, or which is a copy or imitation of or which for any reason is likely to be confused with any sign displayed by a public authority. Provided, however, this provision is not intended to prevent the placement on private property of signs such as "stop" , "yield" or other such wording or design where such is necessary for traffic control or other such legitimate notice to the public.
3. Any sign that obstructs any window, door, fire escape, stairway, ladder or opening intended to provide light, air, ingress or egress for any building as required by law.
4. Any portable sign that is not considered a Temporary Sign as defined in Section 7.
5. Any sign that violates any provision of any law of the State relative to outdoor advertising.
6. Signs with flashing, intermittent or animated illumination except for official warning or regulatory signs. Provided, however, electronically or electrically controlled message centers or reader boards where different copy changes, involving alphabetical or numerical characters only, present messages of a public service or commercial nature on the same lamp bank shall not be considered to be flashing signs.

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7. Signs affixed to trees, telephone poles, light poles, State-owned sign posts or public road right-of-way control fencing, except when used to post property or other such public purposes.
8. Signs erected in or over the public right-of-way except as permitted by the North Carolina Department of Transportation, Enforcement of this provision shall be the responsibility of the North Carolina Department of Transportation.
9. Signs intentionally set in motion by wind, water, motor drive or otherwise.
10. Signs, banners, streamers, or pennants tied or consecutively strung together, but not including temporary holiday decorations.
11. Any sign with a sign area over 200 square feet.
12. Any sign which would constitute the sole and/or principal use of any lot, plot, parcel or tract of land. This provision is intended to prohibit any sign which viewed within the context of its design, orientation, location on property, physical situation, relationship to surrounding property, streets and uses of land and other such factors would appear to constitute a principal use of land as regulated by this Ordinance. However, no sign listed as "signs Permitted in Any Zoning District", Temporary Signs in this section, or Off-Premise Directional Signs are intended to be prohibited by this provision.

15.5. Signs Permitted in Any Zoning District

The following signs are permitted in any zoning district:

1. Signs not exceeding four square foot in area and bearing only property numbers, post office box numbers, names of occupants of premises, or other identification of premises not having commercial connotations.
2. Flags and insignias of any government.
3. Legal notices, identification, information, or directional signs erected or required by governmental bodies.
4. Integral decorative or architectural features of buildings, except letters, trademarks, moving lights, or moving parts.
5. Signs directing and guiding traffic and parking on private property, but bearing no advertising matter. On-premise signs pertaining to realty, such as for sale, rent or lease, not exceeding four square feet in area and not illuminated. Signs up to 32 square feet are permitted for properties ten (10) acres in size or larger. There shall be a limit of one such sign for each street abutting the lot.

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6. Church, community or public building bulletin boards and identification sign, lighted or unlighted shall not exceed 32 square feet in area. There shall be a limit of two such signs for each street abutting the lot, or one such sign not exceeding 64 square feet in area.
7. Signs advertising agricultural products, produced on the premises, not exceeding 32 square feet in area. There shall be a limit of one such sign for each street abutting the lot.
8. Signs identifying, by name only, residential sub-division, planned housing development, recreational facility, permitted campgrounds or mobile home parks and not exceeding 32 square feet in area. There shall be a limit of one double-faced sign or two single-faced signs for each road or driveway entrance to the development named on the sign.
9. Signs of any political party or announcing the candidacy of any individual for any nomination or office; provided that in any residential district, no such sign shall exceed 32 square feet in area and in any district other than a residential district no sign shall exceed in area the maximum area of sign display permitted on any lot in that district; provided further, that all such signs, shall be removed not later than 10 working days after the date of the election to which they pertain.
10. Signs not exceeding 32 square feet in area, warning the public against hunting, fishing, or trespassing on the land on which the same are displayed.
11. Temporary signs may be allowed pursuant to the Temporary Signs Section (Section 15.10).

15.6. Signs Permitted in the O&I, Office and Institutional Districts

A. Sign Area

Within the O&I District, each lot or parcel may have a maximum of 1 1/2 square feet of sign area for each linear foot of frontage on a private- or public-maintained street. Double frontage or corner lots or parcels shall be permitted an additional sign area computed at 1/2 the rate as above for the additional street frontage. Such additional sign area need not be proportionally directed toward such streets.

B. Freestanding Signs

Not more than 1/2 the total sign area for any one lot may be in the form of freestanding signs. No part of any freestanding signs shall exceed a height of 10 feet above the ground at its base.

C. Attached Signs

No sign shall be attached to a building in such a way as to extend above the roof line which forms the background of the sign.

D. Sign Size

No one sign shall exceed a size of 50 square feet.

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15.7. Signs Permitted in the B-1, NB, CB, and RB Districts

A. Sign Area

Within the B-1, NB, CB, and RB Districts, each lot or parcel may have a maximum of two square feet of sign area for each lineal foot of frontage on a private- or public-maintained street or highway. Double frontage or corner lots or parcels shall be permitted an additional sign area computed at 1/2 the rate as above for the additional street frontage. Such additional sign area need not be proportionally directed toward such streets.

B. Freestanding Signs

Not more than 2/3 the total sign area for any one lot may be in the form of freestanding signs. No part of any freestanding sign shall exceed a height of 30 feet above the ground at its base.

C. Attached Signs

No sign shall be attached to a building in such a way as to extend above the roof line which forms the background of the sign.

D. Sign Size

No one sign shall exceed a size of 150 square feet.

15.8. Signs Permitted in the IL, Light Industrial District

A. Sign Area

Within the Light Industrial District, each lot or parcel may have a maximum of two square feet of sign area for each lineal foot of frontage on a private- or public-maintained street or highway. Double frontage or corner lots or parcels shall be permitted an additional sign area computed at 1/2 the rate as above for the additional street frontage. Such additional sign area need not be proportionally directed toward such streets.

B. Freestanding Signs

No part of any freestanding sign shall exceed a height of 30 feet above the ground at its base.

C. Attached Signs

No attached sign shall exceed a height of 30 feet from the average finished grade of the lot on which the structure to which the sign is attached is located.

D. Sign Size

No one sign shall exceed a size of 200 square feet.

15.9. Signs Permitted in the IH, Heavy Industrial District

A. Sign Area

Within the Heavy Industrial District, each lot or parcel may have a maximum of two square feet of sign area for each lineal foot of frontage on a private- or public-maintained street. Double frontage or corner lots or parcels shall be permitted an additional sign area computed at 1/2 the rate as above for the additional street frontage. Such additional sign area need not be proportionally directed toward such streets.

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B. Freestanding Signs

No part of any freestanding sign shall exceed a height of 30 feet above the ground at its base.

C. Attached Signs

No attached sign shall exceed a height of 30 feet from the average finished grade of the lot on which the structure to which the sign is attached is located.

D. Sign Size

No one sign shall exceed a size of 200 square feet.

15.10. Temporary Signs

- A. On-premise or off-premise signs promoting events sponsored by civic, charitable, educational, religious, community recreational, or other non-profit organizations may be erected up to two (2) weeks in advance of the event being promoted. These signs shall be removed within two (2) days following the conclusion of the event. The signs shall not exceed 32 square feet in size, and shall not exceed ten (10) feet in height, measured from ground level to the top of the sign. Written permission shall be required for signs located on property other than the location of the event. No such signs shall be permitted on public property or within public rights-of-way unless authorized by the responsible landowner or agency. There shall be no more than one (1) sign per street or road frontage per parcel.
- B. On-premise or off-premise signs promoting real estate open houses may be erected up to two (2) days prior to the open house and must be removed within 24 hours following the conclusion of the open house. The signs shall not exceed four (4) square feet in size, and shall not exceed five (5) feet in height, measured from ground level to the top of the sign. On-premise or off-premise auction signs may be erected up to two (2) weeks prior to the auction and must be removed within 24 hours following the conclusion of the event, shall not exceed 32 square feet in size, and shall not exceed ten (10) feet in height, measured from ground level to the top of the sign. Written permission shall be required for signs located on property other than the location of the event. No such signs shall be permitted on public property or within public rights-of-way unless authorized by the responsible landowner or agency. There shall be no more than one (1) sign per street or road frontage per parcel, and no more than three (3) signs per real estate open house or auction event.
- C. All other temporary signs shall be on-premise and shall not be erected for more than 30 calendar days per year, shall not exceed 32 square feet in size, and shall not exceed ten (10) feet in height, measured from ground level to the top of the sign. No such signs shall be permitted on public property or within public rights-of-way unless authorized by the responsible landowner or agency. There shall be no more than one (1) sign per street or road frontage per parcel.
- D. Banner signs shall be permitted as on-premise temporary signs, provided they do not exceed 32 square feet in size. Banner signs shall be erected for no more 30 calendar days per year. No banner signs shall be permitted on public property or within public rights-of-way unless authorized by the responsible landowner or agency. There shall be no more than one (1) sign per street or road frontage per parcel.

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- E. On-premise temporary signs giving information pertaining to construction taking place on the property for which a permit has been issued may remain throughout construction but shall be removed upon issuance of a certificate of occupancy. These signs shall not exceed 32 square feet in size, and shall not exceed ten (10) feet in height, measured from ground level to the top of the sign. No such signs shall be permitted on public property or within public rights-of-way unless authorized by the responsible landowner or agency. There shall be no more than one (1) sign per construction entrance.
- F. Off-premise signs promoting seasonal harvesting activities for bona fide farming operations shall not exceed 32 square feet in size, and shall not exceed ten (10) feet in height, measured from ground level to the top of the sign. There shall be no more than one (1) sign per street frontage or road frontage per parcel.

15.11. Off-Premise Directional Signs

- A. Off-premise directional signs are permitted in any zoning district provided no sign is larger than 32 square feet and no part of the sign is higher than eight (8) feet above the ground at its base.
- B. Three off-premise directional signs are allowed per business, church, park, historic property, school, or other place of assembly.
- C. Only one (1) off-premise directional sign is permitted per property; however multiple uses are allowed to be identified on the sign.
- D. The square footage of the off-premise directional sign shall not be counted against the square footage of other signs allowed on the property.
- E. Written permission from the owner(s) of the property where the sign is proposed to be located is required to be submitted with the sign permit application.
- F. Verification from the North Carolina Department of Transportation that the sign will not be in violation of any State regulations at its proposed location must be submitted with the sign permit application.

15.12. Permit Required

- A. No sign shall be erected, placed, attached, suspended, altered, remodeled, relocated or otherwise put into use or structurally changed except pursuant to a permit issued by the Planning Division. Each application for a sign permit, whether permanent or temporary, shall include such information as the Planning Division may deem necessary in order to determine compliance with the provisions of this Ordinance.
- B. Those signs listed in Section 15.5 (Signs permitted in any district) shall not require a permit.

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SECTION 16 HOME OCCUPATIONS

16.1. Neighborhood Home Occupations

Customary home occupations are permitted in residential districts where such occupations are carried on in the residence and/or accessory buildings subject to the following limitations.

1. Such occupations shall be engaged in only by residents of the premises and not more than three additional on-site employees who may be non-residents. The total number of resident and non-resident employees working on-site shall not exceed four. The use shall be clearly incidental and subordinate to its use for residential purposes by its occupants.
2. No more than 25% percent of the heated living space, excluding basements, shall be used for home occupations. Basements may also be used for home occupations in addition to the 25% or a detached garage.
3. No outdoor display of goods or materials shall be allowed on the property.
4. One non-illuminated sign is allowed which shall not exceed four square feet in area.
5. No equipment or process shall be used in such home occupation, which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or which causes fluctuation in line voltage off the premises.
6. Accessory buildings may be used for home occupations provided the building area is not larger than 1,000 square feet. If multiple buildings are used, the total combined square footage shall not exceed 1,000 square feet.
7. No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall be met off the street in an area other than in a required front yard.

The customary home occupations referred to in this subsection may include the merchandising and the sale of goods and products at retail, and the manufacture and assembly of goods and products.

Occupations that have no non-resident employees, no signs, no on-site retail sales, or no visits from the general public do not require a home occupation permit.

16.2. Rural Home Occupations

Rural home occupations are those, which by their nature are not compatible on small lots near other residences, and may require an outdoor storage area for goods and materials associated with the business.

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1. Rural home occupations may be allowed on parcels, which are no smaller than three acres in size.
2. Such occupations shall be engaged in only by residents of the premises and not more than three additional on-site employees who may be non-residents. The total number of resident and non-resident employees working on-site shall not exceed four. The use shall be subordinate to its use for residential purposes by its occupants.
3. No more than 25% percent of the heated living space, excluding basements, shall be used for home occupations. Basements may also be used for home occupations in addition to the 25%.
4. One non-illuminated sign is allowed which shall not exceed four square feet in area.
5. No equipment or process shall be used in such home occupation, which creates noise, vibration, glare, fumes, odors, or electrical interference that is a nuisance off the lot. All operations must conform to the Chatham County Noise Ordinance. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or which causes fluctuation in line voltage off the premises.
6. Accessory buildings may be used for home occupations provided the building is not larger than 2,500 square feet. If multiple buildings are used, the total combined square footage shall not exceed 2,500 square feet.
7. Commercial driveway permits may be required to assure traffic hazards are minimized. The driveway shall be located and improved such that it provides all weather access and does not interfere with other traffic using said drive. Any need for parking generated by the conduct of such home occupation shall be met off the street in an area other than in a required front yard.
8. Buildings, material storage and operations used for home occupations shall be setback from side and rear property lines a minimum of 50 feet except for noise generating operations, as determined by staff, in which case the setbacks shall be a minimum of 100 feet. The front setback shall be a minimum of 40 feet and shall be measured from the property line or the edge of the road right of way, which ever is greater.
9. To lessen the impact on adjacent properties, visual screening shall be installed to provide at a minimum a 15 foot wide opaque buffer. This may include but not be limited to a 6 foot high opaque fence and/or the planting of vegetation that at a minimum provides a continuous all season opaque screen at least 6 feet in height within 4 years of planting. Planting shall be a minimum of 3 gallon shrubbery or 10 gallon trees.
10. All required permits (i.e. Chatham County Central Permitting, Chatham County Environmental Health, North Carolina Department of Transportation or other local and state agencies) must be obtained prior to the issuance of the home occupation permit.

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Any person wanting to conduct a home occupation within their residence shall apply for a home occupation permit. A home occupation permit approved by the Zoning Administrator must be received prior to beginning said occupation. Permits are not transferable. The home occupation permit is valid only as long as the use meets the provisions for home occupation specified herein and the permit may be revoked any time the use does not meet the provisions of this or other applicable ordinances.

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SECTION 17 CONDITIONAL USE PERMITS

Permits for conditional uses as provided for in this Ordinance may be authorized by the Board of Commissioners in certain circumstances and subject to certain procedures as set forth herein. In some zoning districts certain listed uses are permitted only as conditional uses.

17.1. Procedure

Requests for conditional use permits as authorized by this Ordinance shall be processed and considered in the same format as set forth in this Ordinance for conditional zoning district requests, but shall follow quasi-judicial procedures. [A community meeting must be held by the applicant, following the same procedure described in Section 5.7 \(A\).](#) No vote greater than a majority vote shall be required to issue such permits for the Board of Commissioners. For the purposes of this section, vacant positions on the board and members who are disqualified from voting on a quasi-judicial matter shall not be considered 'members of the board' for calculation of the requisite majority. In considering an application for a conditional use permit the Board of Commissioners shall give due regard that the purpose and intent of this Ordinance shall be served, public safety and welfare secured and substantial justice done. If the Board of Commissioners should find, after public hearing, the proposed conditional use permit should not be granted, such proposed permit shall be denied. Conditional use permits may include time limits for expiration if specified criteria are not met.

In granting a conditional use permit, the Board of Commissioners shall make the following affirmative findings:

1. The use requested is among those listed as an eligible conditional use in the district in which the subject property is located or is to be located.
2. The requested conditional use permit is either essential or desirable for the public convenience or welfare.
3. The requested permit will not impair the integrity or character of the surrounding or adjoining districts, and will not be detrimental to the health, safety or welfare of the community.
4. The requested permit will be consistent with the objectives of the Land Use Plan.
5. Adequate utilities, access roads, storm drainage, recreation, open space, and other necessary facilities have been or are being provided consistent with the County's plans, policies and regulations.

In granting a conditional use permit, the Board of Commissioners may impose such additional restrictions and requirements upon such permit as it may deem necessary in order that the purpose and intent of this Ordinance are served, public welfare secured and substantial justice done. If all requirements and conditions are accepted by the applicant, the Board of Commissioners shall authorize the issuance of the conditional use permit, otherwise the permit shall be denied. Any conditional use permit so authorized shall be perpetually binding upon the property included in such permit unless subsequently changed or amended by the Board of Commissioners, as provided for in this Ordinance.

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A member of the Board of Commissioners shall not participate in or vote on any quasi-judicial matter in a manner that would violate affected persons' constitutional rights to an impartial decision maker. Impermissible conflicts include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to change, undisclosed ex parte communications, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter. If an objection is raised to a member's participation and that member does not recuse himself or herself, the remaining members shall by majority vote rule on the objection.

17.2. Plans

Final plans for any development to be made pursuant to any conditional use permit shall be submitted to the Planning Department for review prior to the issuance of any permits. Such review shall be for the purpose of determining compliance with the permit conditions and other Ordinance requirements.

17.3. Violations

Any violation of a term or condition of a conditional use permit shall be treated the same as a violation of this Ordinance and shall be subject to the same remedies and penalties as any such violation.

17.4. Changes or Amendments

Upon request by the property owner, the Board of Commissioners may change or amend any conditional use permit, after a public hearing upon recommendation by the Planning Board and subject to the same consideration as provided for in this Ordinance for the original issuance of a conditional use permit. No proposal to amend or change any conditional use permit shall be considered within 12 months of the date of the original authorization of such permit or within 12 months of the hearing of any previous proposal to amend or change any such permit.

17.5. Specific Conditions for Conditional Uses Listed in Residential Districts

The minimum requirements for the zoning district in which a conditional use is located shall be the minimum requirements for such conditional use. In addition, for the following conditional uses, which are listed as conditional uses in the residential districts, the listed conditions shall be imposed along with any additional conditions the Board of Commissioners may attach in the granting of a conditional use permit.

A. Boarding Kennels

1. Minimum lot area - 3 acres
2. All buildings, structures and high intensity activity areas shall be set back a minimum of two times the minimum yard requirement for the district in which it is located.

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B. Public and Private Recreation Camps and Grounds

1. Minimum Lot Area - 20 acres except within the zoned portions of the Haw River Township which may have a minimum lot area of 10 acres.
2. All buildings, structures and high intensity activity areas shall be set back a minimum of two times the minimum yard requirement for the district in which it is located.

C. Planned Residential Development

Planned residential developments are conditional uses within the R5, R2 and R1 zoning districts.

1. Purpose

The purpose of the Planned Residential Development is to permit maximum flexibility in lot creation and residential unit placement within larger planned residential projects while at the same time preserving open space in more usable and environmentally sensitive units. Planned residential developments are not bound by typical minimum lot sizes, housing development types and dimensional requirements as set forth in the district in which the development is located but are subject to the standards as set forth in this section and any additional conditions and safeguards as may be attached by the Board of Commissioners in authorizing a conditional use permit.

2. Area Required

In order to qualify for a planned residential development, the following minimum gross areas are required by zoning districts:

R5	200 acres
R2	100 acres
R1	50 acres

3. Maximum Net Density Allowed

Within a planned residential development, the following net densities by zoning districts shall not be exceeded:

R5	One dwelling unit for each five acres of net land area
R2	One dwelling unit for each 90,000 square feet of net land area
R1	One dwelling unit for each 40,000 square feet of net land area

4. Net Land Area Computation

Net land area is obtained by taking the gross land area of the development and subtracting the following areas:

- a. Land to be dedicated or set aside for public and private road rights-of-way. As an option to measuring projected road rights-of-way the developer may subtract 20% of gross area as road right-of-way allowance regardless of the amount of land actually required for roads.
- b. Land subject to flooding by the 100 year flood.

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- c. Land and water classified as wetlands or wooded swamp by the U.S. Army Corps of Engineers.
- d. Water areas over one acre

e. Other areas determined to be unbuildable due to other regulatory authority. However, typical zoning setback areas and riparian buffer areas shall be considered to be buildable areas for purposes of this net land area determination.

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5. Exterior Boundary Setbacks and Development

Setbacks along the exterior boundary of the planned residential development or on any existing public street shall not be less than that required for the district in which the project is located. In addition, the Board of Commissioners may require, in addition to any other conditions or safeguards, other special screening, setbacks, and/or lotting sizes and building arrangements along the exterior boundary of the project in order to mitigate any potential adverse effects upon surrounding property.

6. Gross Site Use

Within a planned residential development all land that is not used for public or private street rights-of-way, building lots, or plots for other residential developments shall be placed in common area and an entity created for its perpetual ownership and maintenance. There may be more than one common area and more than one level of common area rights within a planned residential development. Common areas may be used for recreational facilities and similar uses for the development.

7. Site Plan Required

A site plan is required for a planned residential development in the same form as required for a subdivision sketch design. The Planning Board may also require additional drawings and information in order to make its determination and recommendation.

17.6. Standards for Solar Energy Uses

This section is intended to provide the opportunity for solar energy to serve as a viable form of energy generation while protecting public health, safety and general welfare. All regulations in the zoning ordinance shall apply unless expressly allowed or modified in the below standards.

A. Solar Collectors

Solar collectors shall be permitted as an accessory use to existing structures or facilities in any zoning district under the following standards:

1. Roof mounted solar systems shall not extend beyond the exterior perimeter of the building on which the system is mounted or built.
2. Ground mounted solar systems shall meet the minimum zoning setbacks from property lines for the zoning district in which it is located.

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3. The maximum height for a ground mounted solar system under this standard is 15 feet as measured from the grade of the base of the collector to its highest point.

B. Solar Farms on Less than Two (2) Acres

Solar farms on <less than two (2) acres in size shall meet the following standards:

1. Collectors and all their components shall not exceed 25 feet in height as measured from the grade of the base of the collector to its highest point.
2. All structures and collectors shall meet a 50 foot minimum perimeter setback from all property lines.
3. In cases where buffers do not exist, a modified version of the Type B buffer as described in Section 12 of the Zoning Ordinance shall be appropriate to the location of the site, the adjacent land use, and the area topography.

C. Solar Farms on Greater than Two (2) Acres

Solar farms on >greater than two (2) acres in size shall meet the following standards:

1. A conditional use permit shall be applied for and approved before any activity may proceed on the proposed solar farm site and must comply with Section 17.1 Procedures for Conditional Use Permits.
2. Collectors and their components shall not exceed 25 feet in height as measured from the grade of the base of the collector to its highest point.
3. All structures and collectors shall meet a 50 foot minimum perimeter setback from all property lines with a 100 foot minimum setback from any public roadway where applicable.
4. In cases where buffers do not exist, a modified version of the Type B buffer as described in Section 12 of the Zoning Ordinance shall be appropriate to the location of the site, the adjacent land use, and the area topography.

D. General Standards for All Solar Farms

All solar farms shall comply with the following:

- Shall comply with all Building and Electrical codes.
- Shall not create a visual safety hazard for passing motorist or aircraft.
- Shall be removed, at the owner's expense, within one hundred and eighty (180) days of determination by the Planning Department the facility is no longer being maintained in an operable state of good repair or no longer supplying solar power.

17.7. Standards for Events Center Limited

This section is intended to provide the opportunity for smaller scale event centers to serve as a venue for business opportunities and gathering space in the county while protecting the health, safety, and welfare of the community. All regulations in the Zoning Ordinance shall apply unless expressly allowed or modified in the below standards:

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A. Size and Capacity Limits-

1. Gathering, meeting or hosting area event space shall be limited to no more than 5,000 square feet in size.

B. Accessory Uses Permitted-

Accessory and/or ancillary uses shall be those directly related to the event being held.

Examples are food and beverages service, dance floors, outdoor speakers, music, festive lighting, decorations, tents, etc.

C. Signage Allowed-

1. Event advertising shall be limited to the permanent on premise signage as allowed in Section 15 of the Zoning Ordinance.

17.8. Standards for Sexually Oriented Businesses

A. Separation Requirements

1. Sexually oriented business(es) shall not be located in any building, or portion thereof, that is:
Within 1,000 feet of a:
 - (i) Existing sexually oriented business.
 - (ii) Residential zoning district or any residential land use including any open space established as part of the residential subdivision approval process,
 - (iii) A place of worship or building which is used primarily for religious worship and related religious activities,
 - (iv) K-12 Schools (public, private, or specialty),
 - (v) Public or private library,
 - (vi) State licensed child care facility, or
 - (vii) A Public or private park or recreational area which has been designated for park or recreational activities including but not limited to: a park, playground, nature trails, swimming pool, reservoir, athletic field, basketball or tennis courts, pedestrian/bicycle paths, wilderness areas, or other similar land.
- (b) Measurement shall be made in a straight planar line, without regard to the intervening structures or objects, from the nearest portion of the building or structure used as the part of the premises where a sexually oriented business is conducted to the nearest portion of a building, structure, or open space area of a use listed above.

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SECTION 18 BOARD OF ADJUSTMENT

18.1. Board of Adjustment Created

There is hereby created a board of adjustment to be known as the Chatham County Board of Adjustment, consisting of five (5) regular members and two (2) alternate members, and referred to herein as the board of adjustment. All members of the board of adjustment shall be residents of Chatham County and appointed by the Board of Commissioners. The Chatham County Board of Commissioners hereby finds and determines that even though the Board of Commissioners does not zone the entire territorial jurisdiction of Chatham County that due to the number of designated zoning areas it is not practicable to have one resident from each designated area as a member of the board of adjustment and that therefore the board of adjustment should consist of five (5) regular members and two (2) alternate members. There shall be five (5) board of adjustment districts which shall be identical to the Board of Commissioner districts, as the same are redrawn, modified, or changed from time to time, and one regular member shall be appointed from each board of adjustment district, unless there are no applicants from a board of adjustment district, or the Board of Commissioners determines that an applicant from another district possesses superior skills and qualifications.. If the Board of Commissioner districts (and therefore the board of adjustment districts) are redrawn, modified, or changed such that a regular member of the board of adjustment is no longer a resident of the district he or she was appointed from, such member, provided he or she continues to be a resident of Chatham County, shall nevertheless continue to serve on the board of adjustment until his or her term expires notwithstanding that such member no longer resides in the district. The alternate members shall be residents of Chatham County but shall be appointed at large and not from districts. An alternate member may sit in lieu of a regular member who is unable to sit on any matter coming before the board of adjustment, and when so seated, an alternate member shall have the same powers and duties as a regular member. The regular and alternate members shall be appointed for three (3) year staggered terms, but both regular members and alternate members shall continue to serve until their successors have been duly appointed and qualified. If a regular or alternate member ceases to be a resident of Chatham County his or her term shall expire effective as of the date a replacement member is duly appointed and qualified. The Board of Commissioners shall fill all vacancies on the board of adjustment.

18.2. Meetings

Meetings of the board shall be held at the call of the Chairman or any two (2) other members of the board, and at such other times as the board may determine. The board shall adopt rules governing its organization and all proceeding coming before the board. All meetings of the board shall be open meeting in accordance with the North Carolina Open Meeting law, and its records shall show the vote of each member upon every question or his or her absence or failure to vote. The board shall also keep records of its hearings and any other official action. Proceedings of the board of adjustment shall be in accordance with G.S. 160A-388 and G.S. 153A-345.1.

A. Oath

The chair of the board or any member acting as chair and the clerk to the board are authorized to administer oaths to witnesses in any matter coming before the board. Any person who, while under oath during a proceeding before the board of adjustment, willfully swears falsely is guilty of a Class 1 misdemeanor.

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B. Hearing Notice

Notice of hearings conducted pursuant to this section shall be mailed to the person or entity whose appeal, application, or request is the subject of the hearing; to the owner of the property that is the subject of the hearing if the owner did not initiate the hearing; to the owners of all parcels of land abutting the parcel of land that is the subject of the hearing; and to any other persons entitled to receive notice as provided by the zoning ordinance. In the absence of evidence to the contrary, the county may rely on the county tax listing to determine owners of property entitled to mailed notice. The notice must be deposited in the mail at least 10 days, but not more than 25 days, prior to the date of the hearing. Within that same time period, the county shall also prominently post a notice of the hearing on the site that is the subject of the hearing or on an adjacent street or highway right-of-way.

C. Subpoenas

The board of adjustment through the chair, or in the chair's absence anyone acting as chair, may subpoena witnesses and compel the production of evidence. To request issuance of a subpoena, persons with standing under G.S. 160A-393(d) may make a written request to the chair explaining why it is necessary for certain witnesses or evidence to be compelled. The chair shall issue requested subpoenas he or she determines to be relevant, reasonable in nature and scope, and not oppressive. The chair shall rule on any motion to quash or modify a subpoena. Decisions regarding subpoenas made by the chair may be appealed to the full board of adjustment. If a person fails or refuses to obey a subpoena issued pursuant to this subsection, the board of adjustment or the party seeking the subpoena may apply to the General Court of Justice for an order requiring that its subpoena be obeyed, and the court shall have jurisdiction to issue these orders after notice to all proper parties.

18.3. Powers and Duties of the Board of Adjustment

The board of adjustment hears and decides requests for variances and appeals of decisions of administrative officials charged with enforcement of the ordinance. As used in this section, the term "decision" includes any final and binding order, requirement, or determination. The board of adjustment shall follow quasi-judicial procedures when deciding appeals and requests for variances. The board shall hear and decide all matters upon which it is required to pass under any statute or ordinance that regulates land use or development.

A. Administrative Review

To hear and decide appeals where it is alleged there is error in any decision made by any administrative official in the enforcement of this Ordinance.

B. Variance

Where there are unnecessary hardships in the way of carrying out the strict letter of this Ordinance, the board of adjustment is empowered in passing upon appeals in specific cases, to vary or modify any of the regulations or provisions of this Ordinance relating to the construction or alteration of buildings or structures so that the spirit of the Ordinance shall be observed, public safety and welfare secured, and substantial justice done. The board of adjustment may not, however, grant variances for the use of land or structures.

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1. Variances from the provisions of this Ordinance may be granted only upon appeal from a decision, action, determination, or order of the [Zoning Official](#) and shall demonstrate substantially the following:
 - a. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
 - b. The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.
 - c. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.
 - d. The requested variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is achieved.
2. Furthermore, the board of adjustment must make such findings of fact to substantiate all of these requirements. In considering applications for variances from the provisions of this Ordinance, demonstration of financial disadvantage alone shall not constitute conclusive evidence of unnecessary hardship.
3. Appropriate conditions may be imposed on any variance, provided that the conditions are reasonably related to the variance. Any other ordinance that regulates land use or development may provide for variances consistent with the provisions of this subsection.
4. Departure from or violation of any of those conditions or safeguards shall be deemed a violation of this Ordinance, and shall be subject to the penalties, as provided in Section 21.
5. A variance, once granted, shall continue for an indefinite period of time unless otherwise specified at the time granted.
6. No change in permitted uses may be authorized by a variance.

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C. Quasi-Judicial Decisions

The board shall determine contested facts and make its decision within a reasonable time. Every quasi-judicial decision shall be based upon competent, material, and substantial evidence in the record. Each quasi-judicial decision shall be reduced to writing and reflect the board's determination of contested facts and their application to the applicable standards. The written decision shall be signed by the chair or other duly authorized member of the board. A quasi-judicial decision is effective upon filing the written decision with the clerk to the board or such

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other office or official as the ordinance specifies. The decision of the board shall be delivered by personal delivery, electronic mail, or by first-class mail to the applicant, property owner, and to any person who has submitted a written request for a copy, prior to the date the decision becomes effective. The person required to provide notice shall certify that proper notice has been made.

18.4. Appeal Procedure

The board of adjustment shall hear and decide appeals from decisions of administrative officials charged with enforcement of the Zoning Ordinance and may hear appeals arising out of any other ordinance that regulates land use or development, pursuant to all of the following:

1. Any person who has standing under G.S. 160A-393(d) or the county may appeal a decision to the board of adjustment. An appeal is taken by filing a notice of appeal with the county clerk. The notice of appeal shall state the grounds for the appeal.
2. The official who made the decision shall give written notice to the owner of the property that is the subject of the decision and to the party who sought the decision, if different from the owner. The written notice shall be delivered by personal delivery, electronic mail, or by first-class mail.
3. The owner or other party shall have 30 days from receipt of the written notice within which to file an appeal. Any other person with standing to appeal shall have 30 days from receipt from any source of actual or constructive notice of the decision within which to file an appeal.
4. It shall be conclusively presumed that all persons with standing to appeal have constructive notice of the decision from the date a sign containing the words "Zoning Decision" in letters at least six inches high and identifying the means to contact an official for information about the decision is prominently posted on the property that is the subject of the decision, provided the sign remains on the property for at least 10 days. Posting of signs is not the only form of constructive notice. Any such posting shall be the responsibility of the landowner or applicant. Verification of the posting shall be provided to the official who made the decision. Absent an ordinance provision to the contrary, posting of signs shall not be required.
5. The official who made the decision shall transmit to the board all documents and exhibits constituting the record upon which the action appealed from is taken. The official shall also provide a copy of the record to the appellant and to the owner of the property that is the subject of the appeal if the appellant is not the owner.
6. An appeal of a notice of violation or other enforcement order stays enforcement of the action appealed from unless the official who made the decision certifies to the board of adjustment after notice of appeal has been filed that because of the facts stated in an affidavit, a stay would cause imminent peril to life or property or because the violation is transitory in nature, a stay would seriously interfere with enforcement of the ordinance. In that case, enforcement proceedings shall not be stayed except by a restraining order, which may be granted by a court. If enforcement proceedings are not stayed, the appellant may file with the official a request for an expedited hearing of the appeal, and

Chatham County Zoning Ordinance

the board of adjustment shall meet to hear the appeal within 15 days after such a request is filed. Notwithstanding the foregoing, appeals of decisions granting a permit or otherwise affirming that a proposed use of property is consistent with the ordinance shall not stay the further review of an application for permits or permissions to use such property; in these situations the appellant may request and the board may grant a stay of a final decision of permit applications or building permits affected by the issue being appealed.

7. Subject to the provisions of subdivision (6) of this subsection, the board of adjustment shall hear and decide the appeal within a reasonable time.
8. The official who made the decision shall be present at the hearing as a witness. The appellant shall not be limited at the hearing to matters stated in the notice of appeal. If any party or the county would be unduly prejudiced by the presentation of matters not presented in the notice of appeal, the board shall continue the hearing. The board of adjustment may reverse or affirm, wholly or partly, or may modify the decision appealed from and shall make any order, requirement, decision, or determination that ought to be made. The board shall have all the powers of the official who made the decision.

18.5. Vote Required - Judicial Appeal

The board of adjustment, by a vote of 4/5 of its members shall be necessary to grant a variance. A majority of the members shall be required to decide any other quasi-judicial matter or to determine an appeal made in the nature of certiorari. For the purposes of this subsection, vacant positions on the board and members who are disqualified from voting on a quasi-judicial matter shall not be considered 'members of the board' for calculation of the requisite supermajority if there are no qualified alternates available to take the place of such members.

Every quasi-judicial decision shall be subject to review by the superior court by proceedings in the nature of certiorari pursuant to G.S. 160A-393. A petition for review shall be filed with the clerk of superior court by the later of 30 days after the decision is effective or after a written copy thereof is given in accordance with Section 18.3(c) of this Ordinance. When first-class mail is used to deliver notice, three days shall be added to the time to file the petition.

A member of the board of adjustment shall not participate in or vote on any quasi-judicial matter in a manner that would violate affected persons' constitutional rights to an impartial decision maker. Impermissible conflicts include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to change, undisclosed ex parte communications, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter. If an objection is raised to a member's participation and that member does not recuse himself or herself, the remaining members shall by majority vote rule on the objection.

Chatham County Zoning Ordinance

SECTION 19 AMENDMENT TO ZONING ORDINANCE

19.1. Statement of Intent

For the purpose of establishing and maintaining sound, stable and desirable development within Chatham County this Ordinance shall not be amended except to correct an error in the Ordinance or, because of changed or changing conditions in a particular area or in the County generally, or to extend the boundary of an existing zoning district or to rezone an area to a different zoning district, or to change the regulation and restrictions of the Zoning Ordinance. These amendments shall be reasonably necessary to promote the public health, safety and general welfare and to achieve the purposes of the adopted Land Use Plan.

19.2. Amendment Initiation

Subject to the limitations of the foregoing statement of intent an amendment to this Ordinance may be initiated by:

1. Text Amendment
 - a. The Board of Commissioners on its own motion;
 - b. The Planning Board;
 - c. Application by any person who owns property or resides in the area of jurisdiction of this Ordinance.
2. Map Amendment
 - a. The Board of Commissioners on its own motion;
 - b. The Planning Board;
 - c. The owner or authorized agent of the owner;

19.3. Conditional Zoning District Rezoning

It is the intent of this section that the applicant for rezoning to any district other than a conditional zoning district shall be prohibited from offering any testimony or evidence concerning the specific manner in which he/she intends to use or develop the property. If the applicant believes that the development of his property in a specific manner will lessen adverse effects upon surrounding properties or otherwise make the rezoning more in accordance with principles underlying the County's comprehensive zoning plan, he/she shall apply for rezoning to the appropriate conditional zoning district specifying the nature of his proposed development. Conditional Zoning District requests shall follow the requirements in Section 5. No permit shall be issued for any development within a conditional zoning district except in accordance with the approved conditional zoning district.

19.4 Procedure for Submission and Consideration of Applications for Text Amendment or General Use Zoning Map Amendment

A. County-Initiated Amendments

All applications for amendments to this Ordinance initiated by the Planning Board or County departments/agencies shall be in writing, signed and filed with the Planning Department. The Board of Commissioners can initiate an amendment upon on their own motion.

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The Planning Department, shall, before scheduling any amendment on the application for public hearing, ensure that it contains all the required information, as specified, in this Ordinance and on the application. Applications which are not complete, or otherwise do not comply with the provisions of this Ordinance shall not be scheduled by the Planning Department, but shall be returned to the applicant with a notation of the deficiencies in the application. Completed applications shall be received a minimum of 30 days prior to the public hearing at which the proposed amendment is scheduled to be heard.

B. Citizen-Initiated Amendments

All applications for text or map amendments initiated by a property owner or citizen shall be required to submit an application containing the following information and follow the procedure outlined in Section 5.7. Applications for these amendments shall not require a Community Meeting or be required to meet with the Chatham County Appearance Commission.

C. Contents of Application

All applications for amendments to this ordinance without limiting the right to file additional material shall contain at least the following:

1. If the proposed amendment would require a change in the zoning map, a map to scale showing the land which would be covered by the proposed amendment. If the proposed amendment does not affect the entire property, a boundary survey and vicinity map showing the property's total acreage, parcel number, current zoning classification(s) and the general location in relation to major streets, railroads, and/or waterways.
2. A legal description of such land or adequate description to define the area to be rezoned.
3. The alleged error in this Ordinance, if any, which would be remedied by the proposed amendment with a detailed explanation of such error in the Ordinance and detailed reasons how the proposed amendment will correct the same.
4. The changed or changing conditions, if any, in the area or in the County generally, which make the proposed amendment reasonably necessary to the promotion of the public health, safety and general welfare.
5. The manner in which the proposed amendment will carry out the intent and purpose of the adopted Land Use Plan or part thereof.
6. All other circumstances, factors and reasons which the applicant offers in support of the proposed amendment.
7. Information required on the application form received from the Planning Department.

19.4. Joint Public Hearing for County-Initiated Amendments

The Board of Commissioners and the Planning Board shall receive public comment on applications for amendments to this Ordinance in a public hearing at a County Commissioners

Deleted: <#>Procedure for Submission and Consideration of Applications for Text Amendment or General Use Zoning Map Amendment¶
County-Initiated Amendments ¶
All applications for amendments to this Ordinance initiated by the Board of Commissioners, Planning Board or County departments/agencies shall be in writing, signed and filed with the Planning Department.¶

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Chatham County Zoning Ordinance

meeting upon proper notice. The lack of quorum of the Planning Board at such meetings shall not affect the proceedings nor require further hearings.

19.5. Public Hearing and Notice Thereof

A public hearing shall be held by the Board of Commissioners before adoption of any proposed amendment to this Ordinance. Notice of the public hearing shall be given according to State law. When a zoning map amendment is proposed, a notice of the public hearing shall be prominently posted on the site proposed for rezoning or on an adjacent public street or highway right-of-way. When multiple parcels are included within a proposed zoning map amendment, a posting on each individual parcel is not required, but sufficient notices shall be posted to provide reasonable notice to interested parties.

Mailed notice shall be required in compliance with State law when the County initially zones property.

19.6. Planning Department Prepares Final Analysis and Recommendation

Following the public hearing the Planning Department shall prepare an analysis of the application and a recommendation to approve, deny, or defer action on the application. This information shall be presented to the Planning Board at least by the second regular meeting following the public hearing.

19.7. Planning Board Action on the Amendment Application

The Planning Board shall consider the amendment upon receipt of the Planning Department recommendation beginning no later than the second regular meeting following the public hearing. The Planning Board shall provide a written recommendation to the Board of Commissioners that addresses consistency with the adopted comprehensive plan and other matters as deemed appropriate. A recommendation by the Planning Board that a proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration of approval of the proposed amendment by the governing board.

The Planning Board has a maximum of three regularly scheduled meetings to consider the request, following receipt of the Planning Department recommendation. Failure of the Planning Board to make a recommendation to the Board of Commissioners following the Planning Board's third regular meeting shall be considered a favorable recommendation without conditions.

A Planning Board member shall not vote on recommendations regarding any zoning map or text amendment where the outcome of the matter being considered is likely to have a direct, substantial, identifiable financial impact on the member. See the [Planning Board Code of Ethics](#) for more detail.

19.8. Board of Commissioners Receives Recommendation of Planning Board

The Board of Commissioners shall not consider the adoption of the proposed amendment until after the Planning Board makes a recommendation, or fails to make a recommendation within the time allowed. A member of the Board of Commissioners shall not vote on any zoning map or text amendment where the outcome of the matter being considered is reasonably likely to have a direct,

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substantial, identifiable financial impact on the member. Prior to adopting or rejecting any zoning amendment, the Board of Commissioners shall adopt a statement describing whether its action is consistent with an adopted comprehensive plan, is reasonable, and in the public interest. Should the Board of Commissioners adopt a zoning amendment after finding that such an action is not consistent with an adopted comprehensive plan, the Board of Commissioners must also issue a declaration that the adopted comprehensive plan in question is also amended. The statement must include an explanation of "the change in conditions the governing board took into account in amending the zoning ordinance to meet the development needs of the community."

19.9. Withdrawal of Application

An applicant may withdraw his application at any time by written notice to the Planning Department. However, any withdrawal of an application after the giving of the first notice as required in Subsections 5.7(C) and 19.5 shall be considered, for the purposes of Subsection 19.10, a denial of the petition and any fees paid are non-refundable.

19.10. Effect of Denial on Subsequent Petitions

When the Board of Commissioners shall have denied a map application or the application shall have been withdrawn after the first notice of the public hearing thereon, the Board of Commissioners shall not entertain another application for the same or similar map amendment, affecting the same property or a portion of it until the expiration of a one year period, extending from the date of denial or withdrawal, as applicable. Provided, however, one additional application may be made before the expiration of the one year period for the same property or a portion of it if the second application is for a zoning district designated as a conditional district.

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19.11. Vested Rights

Requests to establish vested rights according to G.S. 153A-344.1 shall provide the information required for a conditional zoning or conditional use permit request and shall follow the amendment procedure specified in Section 5.7 of the Chatham County Zoning Ordinance.

Chatham County Zoning Ordinance

SECTION 20 ENFORCEMENT

20.1. Zoning Administrator

This Ordinance shall be administered and enforced by the Zoning Administrator or designee. If the Zoning Administrator or designee shall find that any of the provisions of this Ordinance are being violated, he/she shall notify in writing the person responsible for such violation, indicating the nature of the violation and ordering the action necessary to correct it. He/she shall order discontinuance of illegal use of land, buildings, or structures; removal of illegal buildings or structures or addition, alterations, or structural changes thereto; discontinuance of any illegal work being done; or shall take any other action authorized by this Ordinance to insure compliance with or to prevent violations of its provisions.

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20.2. Certificate of Zoning Compliance

No land shall be used or occupied and no building hereafter structurally altered, erected, or moved, shall be used, or its use changed until a certificate of zoning compliance shall have been issued by the Zoning Administrator or [Zoning Official](#) stating that the building and/or the proposed use thereof complies with the provisions of this Ordinance. No building shall be occupied until that certificate is approved. A record of all certificates shall be kept on file in the office of the Planning Department and copies shall be furnished upon request.

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A. Application Procedures

Each application for certificate of zoning compliance shall be accompanied by a plan, one copy of which shall be returned to the owner upon approval. The plan shall show the following:

1. The shape and dimensions of the lot on which the proposed building or use is to be erected or conducted;
2. The location of the said lot with respect to adjacent rights-of-way;
3. The shape, dimensions, and location of all buildings, existing and proposed on the said lot;
4. The nature of the proposed use of the building or land, including the extent and location of the use on the said lot;
5. The location and dimensions of off-street parking and the means of ingress and egress to such space; and
6. Any other information which the Zoning Administrator may deem necessary for consideration in enforcing the provisions of this Ordinance.

B. Right of Appeal

If the certificate of zoning compliance is denied, or not acted upon within 15 days of submittal, the applicant may appeal the action of the Zoning Administrator to the Board of Adjustment.

Chatham County Zoning Ordinance

20.3. Duties of Zoning Administrator, Zoning Official, Board of Adjustment, and Courts as to Matters of Appeal

It is the intention of this Ordinance that all questions arising in connection with the enforcement of this Ordinance shall be presented first to the Zoning Administrator or Official and that such questions shall be presented to the Board of Adjustment only on appeal from the Zoning Administrator or Official; and that from the decision of the Board of Adjustment recourse shall be to courts as provided by law.

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Chatham County Zoning Ordinance

SECTION 21 PENALTY FOR VIOLATIONS

Upon determination of a violation of any section of this Ordinance, the penalty for which is a civil penalty, Chatham County may cause a warning citation (aka Notice of Violation) to be issued to the violator setting out the nature of the violation, the section violated, the date of the violation, an order to immediately cease the violation, or if the violation is in the nature of an infraction for which an order or abatement would be appropriate in a civil proceeding, a reasonable period of time is stated in which the violation must be abated. The warning citation shall specify that a second citation shall incur a civil penalty, together with costs, and attorney fees if applicable.

Within 30 days of a violation warning citation, an appeal may be made as described in Section 18.4 Appeal Procedures.

Upon failure of the violator to obey the warning citation a civil citation may be issued by the Zoning Administrator or designee and either served directly on the violator, his duly designated agent, or registered agent if a corporation, either in person or posted in the United States mail service by first class mail addressed to the last known address of the violator as contained in the records of the County or obtained from the violator at the time of issuance of the warning citation. The violator shall be deemed to have been served upon the mailing of said citation. The citation shall direct the violator to pay the citation to the Planning Department of Chatham County within 15 days of the date of the citation, or alternatively to pay the citation by mail. The violation for which the citation is issued must have been corrected by the time the citation is paid otherwise further citations may be issued. Citations may be issued for each day the offense continues until the prohibited activity is ceased or abated. Each day's continuing violation of any provision of this Ordinance shall be a separate and distinct offense. This means that on the 16th day of non-compliance, civil penalties will accrue on a daily basis as long as the violation continues.

The civil penalty, if not paid to the Planning Department within 15 days of the issuance of a citation, may be recovered by the County in a civil action in the nature of debt. Said civil penalties shall be assessed in the amount of \$50.00 per day for the first violation. If the same violation occurs on the same property within six (6) years after the initial violation is remedied, a civil penalty in the amount of \$100.00 per day shall automatically apply. If the same violation occurs on the same property within six (6) years after the second occurrence of the violation is remedied, a civil penalty in the amount of \$200.00 per day shall automatically apply. If the same violation occurs on the same property within six (6) years after the third or any subsequent occurrence of the violation is remedied, a civil penalty in the amount of \$500.00 per day shall automatically apply. Civil penalties will continue to accrue until compliance has been met on the property. The Zoning Administrator has the discretion to waive the escalation of the penalty if the violator is working to correct the violation in good faith and has made tangible progress during the grace period.

In addition to the penalties set out above, any provision of this Ordinance may be enforced by an appropriate equitable remedy issuing from a court of competent jurisdiction. In such case, the general court of justice shall have jurisdiction to issue such orders as may be appropriate, and it shall not be a defense to the application of the County for equitable relief that there is an adequate remedy at law.

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In addition to the penalties set out above, any provision of this Ordinance that makes unlawful a condition existing upon or use made of real property may be enforced by injunction and order of abatement by general court of justice. When a violation of such a provision occurs, the County may apply to the appropriate division of the general court of justice for a mandatory or prohibitory injunction and order of abatement commanding the defendant to correct the unlawful condition upon or cease the unlawful use of the property. The action shall be governed in all respects by the laws and rules governing civil proceedings, including the Rules of Civil Procedure in general and Rule 65 in particular.

In addition to an injunction, the County may seek an order of abatement as a part of the judgment in the cause. An order of abatement may direct that buildings or other structures on the property be closed, demolished or removed; that fixtures, furniture or other movable property be removed from buildings on the property; that improvements or repairs be made; or that any other action be taken that is necessary to bring the property into compliance with this Ordinance. If the defendant fails or refuses to comply with an injunction or with an order of abatement within the time allowed by the court, he/she may be cited for contempt, and the County may execute the order of abatement. The County shall have a lien on the property for the cost of executing an order of abatement in the nature of a mechanic's and material man's lien. The defendant may secure cancellation of an order of abatement by paying all costs of the proceedings and posting a bond for compliance with the order. The bond shall be given with sureties approved by the Clerk of Superior Court in an amount approved by the judge before whom the matter is heard and shall be conditioned on the defendant's full compliance with the terms of the order of abatement within a time fixed by the judge. Cancellation of an order of abatement shall not suspend or cancel an injunction issued in conjunction therewith. The provisions of the Ordinance may be enforced by one, all or a combination of the remedies authorized and prescribed by this section.

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SECTION 22 EFFECTS UPON OUTSTANDING BUILDING PERMITS

Nothing herein contained shall require any change in the plans, construction, size or designated use of any building, structure or part thereof for which a building permit has been granted prior to the time of passage of this Ordinance and said permit remains valid. However if a building permit expires, any further construction or use shall be in conformity with the provisions of this Ordinance.

Chatham County Zoning Ordinance

SECTION 23 EFFECTS UPON OUTSTANDING CONDITIONAL USE PERMITS

Nothing herein contained shall require any change in the plans, size or designated use of any valid conditional use permit which has been granted by the Board of Commissioners prior to the time of the adoption of this Ordinance. It is the intent of this Ordinance that all outstanding valid conditional use permits shall survive the same as if such permits, as issued and including any and all limitations and conditions, were each and every one fully described and set out herein.

23.1 Cancellation by surrender of a Conditional Use Permit

A. Any conditional use permit, which has been previously approved, may be offered for surrender by the property owner or his agent by submitting a written application to the Zoning Administrator.

B. The Zoning Administrator will accept the offer of surrender and cancel the conditional use permit if all of the following conditions are met:

1. There are no existing zoning violations on the conditional use permit
2. The property is undeveloped or the existing use is permitted in the underlying zoning district
3. The underlying zoning district is a general use district listed in Section 4 of this Ordinance.

C. Approval of the application will result in the conditional use permit being cancelled and the property becoming subject to the underlying zoning district. Upon cancellation of the conditional use permit, any expansion of an existing use or any new development must conform to all requirements of the underlying zoning district.

D. The Zoning Administrator shall submit a report to the Board of Commissioners upon the cancellation of a Conditional Use Permit.

E. Following the cancellation, the designation of the previously approved conditional use permit will be removed from the Zoning Map and the property will be shown to be in the appropriate underlying zoning district.

23.2. Termination of a Conditional Use Permit

Any conditional use permit, which does not meet the conditions for cancellation established by Section 23.1, can be terminated by a reclassification of the property in accordance with the procedures set forth in Sections 5 and 19. The granting of a zoning re-classification will terminate the previously approved conditional use permit.

23.3 Violations of an Approved Conditional Use Permit

Any violation of a term or condition of a conditional use permit shall be treated the same as a violation of this Ordinance and shall be subject to the same remedies and penalties as any such violation.

Chatham County Zoning Ordinance

SECTION 24 REENACTMENT AND REPEAL OF EXISTING ZONING ORDINANCE

This Ordinance in part carries forward by reenactment some of the provisions of the existing Zoning Ordinance of Chatham County for Baldwin, Williams, New Hope and portion of Cape Fear (North of U.S. 1) Townships adopted April 13, 1973 as amended and it is not intended to repeal but rather to reenact and continue in force such existing provisions so that all rights and liabilities that have accrued are preserved and may be enforced. All provisions of the Zoning Ordinance which are not reenacted herein are hereby repealed. All suits at law or in equity and/or all prosecutions resulting from the violation of any Zoning Ordinance in effect, which are now pending in any of the courts of this State or of the United States, shall not be abated or abandoned by reason of the adoption of this Ordinance, but shall be prosecuted to their finality the same as if this Ordinance had not been adopted; and any and all violations of the existing Ordinance, prosecutions for which have not been instituted, may be filed and prosecuted; and nothing in this Ordinance shall be so construed as to abandon, abate, or dismiss any litigation or prosecution now pending and/or which may have instituted or prosecuted.

Chatham County Zoning Ordinance

SECTION 25 INTERPRETATION, PURPOSE AND CONFLICT

In interpreting and applying the provisions of this Ordinance they shall be held to be the minimum requirements for the promotion of the public safety, health, convenience, prosperity, and general welfare. It is not intended by this Ordinance to interfere with or abrogate or annul any easements, covenants, or other agreements between parties; provided, however, that where this Ordinance imposes a greater restriction upon the use of buildings or premises or upon the height of buildings, or requires larger open spaces than are imposed or required by other ordinances, rules, regulations, or by easements, covenants, or agreements, the provisions of this Ordinance shall govern.

Chatham County Zoning Ordinance

SECTION 26 VALIDITY

If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The Board of Commissioners hereby declares that it would have passed this Ordinance and each section, subsection, clause, and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid.

Chatham County Zoning Ordinance

SECTION 27 **EFFECTIVE DATE**

This Ordinance shall be in full force and effect from and after the 31st day of December, 1990.

Chatham County Zoning Ordinance

SECTION 28 **AMENDMENTS**

Reserved

Table Attachment #1 – Legislative Changes

<u>Legislative Change</u>	<u>Affected Section of County Ordinance</u>
S.L. 2015-187 – Financial guarantees are now limited to 125% of the remaining cost of completing improvements.	Subdivision Regulations – Sec. 3.1 (B) (1) Current regulation allows for a 150% amount of remaining improvements to be bonded. Major subdivisions that began prior to 2008 allowed for 140%. (pg. 19)
<p>S.L. 2015-187 - The menu of acceptable financial guarantees is defined by the new legislation. This menu includes the following financial instruments:</p> <p>A. “surety bond issued by any company authorized to do business in this state, B. letter of credit issued by any financial institution licensed to do business in this state, C. other form of guarantee that provides equivalent security to a surety bond or letter of credit.”</p>	<p>Subdivision Regulations – Sec. 3.1 (B) (2) (a) and (b) Chatham County cannot expand or narrow this menu of options. (pg. 19)</p>
S.L. 2015-187 - “Performance guarantee[s] shall only be used for completion of the required improvements and not for repairs or maintenance after completion.”	Subdivision Regulations – Sec. 3.4 Maintenance guarantees are no longer permitted. (pg. 22)
S.L. 2015-90 – “Development projects must now be at least ten acres in size to trigger an environmental impact statement.”	Subdivision Regulations – Sec. 6.2 (B) The threshold for development projects to trigger an environmental impact statement is currently two acres. (pg. 45)
S.L. 2015-187 – Extensions of financial guarantees are now required to be permitted, as long as the developer “demonstrates reasonable, good faith progress toward completion of the required improvements”. Also, “the form of any extension shall remain at the election of the developer.”	Subdivision Regulations – Sec. 3.1 (B)(2) This requirement for extension is not currently in the Subdivision Regulations. (pg. 19)
S.L. 2015-246 – Limits on local riparian buffer regulations	<p>Subdivision Regulations – Sec. 7.1 (D), Sec. 7.4(C)(1), Sec. 7.7 (I). (pg. 61)</p> <p>Zoning Ordinance – Sec. 10.12 (D), Sec. 17.5 (C)(50)(e). (pgs. 44 & 96)</p>

Table Attachment #1 – Legislative Changes

	<p>From the December 2015 UNC SOG Planning and Zoning Law Bulletin:</p> <p>“Riparian buffers are to be shown on the recorded plat, and the area of a riparian buffer must count toward lot dimensional standards even if the buffer is held as common area. Under the new rules...county subdivision ordinances shall require a riparian buffer within a lot to be shown on the recorded plat, and the area of a lot within the riparian buffer must still count toward any dimensional requirements for lot size. If a riparian buffer is designated as a privately owned common area (e.g., owned by a property owners association), ‘the local government shall attribute to each lot abutting the riparian buffer area a proportionate share based on the area of all lots abutting the riparian buffer area for purposes of development-related regulatory requirements based on property size.’</p> <p>Dimensional lot requirements include calculations for, among other things, residential density standards, tree conservation area, open space or conservation area, setbacks, perimeter buffers, and lot area.”</p>
S.L. 2017-10 – Creates “expedited review” classification for certain minor subdivisions	<p>Subdivision Regulations – Section 4 (D)</p> <p>The County may require only a plat for recordation for the division of a tract or parcel of land in single ownership if certain criteria are met. No recreation fees may be charged on new lots created via this process. (pg. 24)</p>
S.L. 2017-27 – Alters and clarifies certain standards for subdivision plats.	<p>Subdivision Regulations – Section 6.4</p> <p>Control corners are banned on plats, and replaced by grid control. Map legends are required, dimension requirements are tweaked, and surveyor certifications options are clarified. (pg. 50)</p>
S.L. 2017-10 – Alters requirement for Comprehensive Plan Consistency Statements	<p>Zoning Ordinance – Section 19.9</p> <p>If BOC approves a rezoning that is contrary to the Comp Plan, the BOC must state reasons why and the Comp Plan is automatically amended. (pg. 107)</p>

Table Attachment #1 – Legislative Changes

<p>S.L. 2017-108 – Defines “Agritourism”, “Farm”, and “Farm Activity”</p>	<p>Zoning Ordinance – Section 3 and Section 7.2 Agritourism is defined in relation to the Bona Fide Farm Exemption. A Farm ID number is longer usable to establish Bona Fide Farm status. The definition of “Agriculture” is changed. (pgs. 2 & 16)</p>
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Table Attachment #2-Planning Department Changes

<u>Section of Ordinance</u>	<u>Proposed Amendment</u>
Subdivision – Form 21	Adds a “Non-Building Lot” Form (pg. 78)
Subdivision – Section 1.13	Changes “appeal” process to the variance process detail in Section 18 of the Zoning Ordinance (pg. 7)
Subdivision – Forms 16, 17, 18, and 19	Lots numbers are now included in these forms (pg. 78)
Subdivision – Section 7.4 B (3)	A 100 foot separation requirement is reinstated between private easements (pg. 57)
Subdivision – Section 5.2 B (2)	Verb conjugation change for “Mailed” and an addition of time period requirement for notification of nearby property owners. (pg. 26)
Subdivision – Section 6.4 B	Added clause referencing General Statute (pg. 50)
Zoning – Section 7.2	Definition of “Accessory Building” changed to delete allowing them prior to construction of the principal use based on established case law (pg. 14)
Zoning – Section 7.2	Definition of “Land Use Plan” changed to incorporate all adopted land use plans (pg. 20)
Zoning – Section 7.2	Definition of “Bed and Breakfast Inn” changed to match Building Code’s definition (pg. 17)
Zoning – Section 7.2 and throughout the ordinance	Definition of “Zoning Enforcement Officer” changed to “Zoning Official”
Zoning – Section 19.4 C (2)	Adds “...or adequate description to define the area to be rezoned” to criteria. (pg. 105)
Zoning – Section 19.11	Changes “Conditional use district” to “Conditional district”, as the County no longer uses that designation. (pg. 107)
Zoning – Section 19.4(A)	Allow for the Commissioners to initiate a text amendment or general use rezoning by motion of the Board and not require an application. (pg. 104)



Chatham County, NC

Text File

File Number: 18-2474

Agenda Date: 1/16/2018

Version: 1

Status: Work Session

In Control: Board of Commissioners

File Type: Appointment

Agenda Number:

Vote on a request to appoint an alternate to the Board of Equalization and Review.

Action Requested: Discuss applications and vote on a request to appoint an alternate to the Board of Equalization and Review.

Introduction & Background: There is a vacancy for an alternate on the Board of Equalization and Review. The term will expire December 21, 2020.

Discussion & Analysis:

How does this relate to the Comprehensive Plan: N/A

Budgetary Impact: N/A

Recommendation: Motion to approve appointment.



Chatham County, NC

Text File

File Number: 18-2482

Agenda Date: 1/16/2018

Version: 1

Status: Work Session

In Control: County Manager's Office

File Type: Agenda Item

Agenda Number:

Vote to Submit and Approve Appointments to the Temporary Human Relations Task Force

Action Requested: Submit and approved persons to serve on the temporary Human Relations Task Force

Introduction & Background: In October 2017, the Board of Commissioners approved the formation of a temporary Human Relations Task Force to work over the next few months to do the following:

PHASE ONE

- Agree on what to call the new community-based partnership and develop a clear mission statement
- Make contacts with towns, school system, key nonprofits, churches, etc. to identify interest & support
- Develop a proposed Steering Committee structure and appointment processes
- Identify initial resource needs
- Present report to the County Manager & BOC for approval

PHASE TWO

- Help recruit Steering Committee members in partnership with the county, towns, schools, etc.

The County Manager's Office has contacted specific organizations listed in the BOC's action in October to solicit people to serve on the task force. With just two exceptions, these seats are now filled. However, the Board of Commissioners has five appointments, one per commissioner, to the task force.

We are asking the Board of Commissioners to submit and approve their representatives on the Human Relations Task Force.

Discussion & Analysis:

How does this relate to the Comprehensive Plan? Relates to Goal #8 related to resiliency to adapt to emerging threats and also Goal #10 related to a health community given the documented health disparities among poor and minority populations.

Budgetary Impact: N/A

Recommendation: Vote to approve persons recommended by the Board of Commissioners.



Chatham County, NC

Text File

File Number: 17-2459

Agenda Date: 1/16/2018

Version: 1

Status: Work Session

In Control: Board of Commissioners

File Type: Agenda Item

Closed Session to discuss matters relating to attorney-client privilege and economic development.



Chatham County, NC

Text File

File Number: 17-2457

Agenda Date: 1/16/2018

Version: 1

Status: Approval of Agenda and
Consent Agenda

In Control: Board of Commissioners

File Type: Agenda Item

Vote on a request to approve the December 18, 2017 Work and Regular Session Minutes.



Chatham County, NC

Meeting Minutes

Board of Commissioners

Monday, December 18, 2017

6:00 PM

Historic Courthouse Courtroom

Rollcall

Present: 5 - Commissioner Jim Crawford, Chair Diana Hales, Commissioner Walter Petty, Vice Chair Mike Dasher and Commissioner Karen Howard

Work Session - 4:30 PM - Historic Courthouse Courtroom

PUBLIC INPUT SESSION

No one signed up to speak.

BOARD PRIORITIES

[17-2452](#)

2017 Fourth Quarter Employee of the Quarter Award-Department of Social Services Foster Care Unit

Attachments: [Foster Care Unit-DSS](#)

Human Resources Analyst Courtney Goldston presented the Employee of the Quarter Award to the Foster Care and Adoption Unit at Social Services.

The Foster Care and Adoption Unit at Social Services annually takes the lead in hosting the Christmas Wishes program, collecting gifts for distribution to children involved with DSS. Every year, the need grows and the unit rises to the occasion. In 2017, over 435 children will receive gifts through this program. The goal of this program is to grant three specific holiday wishes to children involved in the various programs with social services.

This program embodies the overall mission of social services, which is, in part, to protect vulnerable children and strengthen and preserve families. Furthermore, the success of this Christmas Wishes program and the foster care, case management, and adoption services overall is attributable to the perseverance and dedication of family services social workers and support staff that make these children their top priority.

[17-2411](#)

Vote on a request to approve nonprofit agency allocations FY 2019

Budget Director Lisa West delivered a presentation to the Board requesting nonprofit agency allocations for FY 2018-2019.

A motion was made by Vice Chair Hales, seconded by Commissioner Howard, to approve an allocation of \$233,000 for FY 19 for the agencies awarded in FY 18 and approve a \$35,000 allocation for Chatham Arts Council. The motion carried by the following vote:

Aye: 5 - Commissioner Crawford, Chair Hales, Commissioner Petty, Vice Chair Dasher and Commissioner Howard

[17-2416](#)

Discuss applications and vote on a request to approve an appointment to the Transportation Advisory Committee.

The Board agreed to appoint Wendy Spitzer to the Transportation Advisory Committee.

A motion was made by Commissioner Dasher, seconded by Commissioner Howard, that this Appointment be approved. The motion carried by the following vote:

Aye: 5 - Commissioner Crawford, Chair Hales, Commissioner Petty, Vice Chair Dasher and Commissioner Howard

ADJOURNMENT

A motion was made by Commissioner Howard, seconded by Vice Chair Hales, that this meeting be adjourned. The motion carried by the following vote:

Aye: 5 - Commissioner Crawford, Chair Hales, Commissioner Petty, Vice Chair Dasher and Commissioner Howard

End of Work Session

Regular Session - 6:00 PM - Historic Courthouse Courtroom

Present: 5 - Commissioner Jim Crawford, Chair Diana Hales, Commissioner Walter Petty, Vice Chair Mike Dasher and Commissioner Karen Howard

INVOCATION and PLEDGE OF ALLEGIANCE

Commissioner Hales delivered the invocation after which the Chairman invited everyone present to stand and recite the Pledge of Allegiance.

CALL TO ORDER

ORGANIZATION OF THE BOARD

[17-2417](#)

Election of the Chair and Vice Chair

The County Attorney opened the floor for nominations for the Chair.

Commissioner Petty nominated Commissioner Crawford for the position of Chair.

Commissioner Howard nominated Commissioner Hales for the position of Chair.

Commissioner Hales received three votes and Commissioner Crawford received two

votes with Commissioner Hales being elected as Chair.

Chair Hales opened the floor for nominations for Vice Chair.

*Commissioner Howard nominated Commissioner Dasher for the position of Vice Chair.
Commissioner Dasher was elected as Vice Chair.*

APPROVAL OF AGENDA and CONSENT AGENDA

Commissioner Petty added two items to the regular agenda. One is a resolution requested by Commissioner Howard and one is an item requested by staff.

A motion was made by Commissioner Petty, seconded by Commissioner Howard, that the Agenda and Consent Agenda be approved as amended. The motion carried by the following vote:

Aye: 5 - Commissioner Crawford, Chair Hales, Commissioner Petty, Vice Chair Dasher and Commissioner Howard

17-2413

Vote on a request to approve the November 20, 2017 Work and Regular Session Minutes and the November 21, 2017 CIP Work Session Minutes.

Attachments: [Draft Minutes 11.20.2017](#)
 [Draft Minutes 11.21.2017](#)

A motion was made by Commissioner Petty, seconded by Commissioner Howard, that the Minutes be approved. The motion carried by the following vote:

Aye: 5 - Commissioner Crawford, Chair Hales, Commissioner Petty, Vice Chair Dasher and Commissioner Howard

17-2401

Vote on a request to approve the naming of one private road in Chatham County

Attachments: [Morley Way Petition](#)
 [MORLEY WAY](#)

A motion was made by Commissioner Petty, seconded by Commissioner Howard, that this Agenda Item be approved. The motion carried by the following vote:

Aye: 5 - Commissioner Crawford, Chair Hales, Commissioner Petty, Vice Chair Dasher and Commissioner Howard

17-2412

Vote on a request to approve the naming of one private road in Chatham County

Attachments: [BOBBY JOE LANE PETITION](#)
 [Bobby Joe Lane Map](#)

A motion was made by Commissioner Petty, seconded by Commissioner Howard, that this Agenda Item be approved. The motion carried by the following vote:

Aye: 5 - Commissioner Crawford, Chair Hales, Commissioner Petty, Vice Chair Dasher and Commissioner Howard

[17-2407](#)

Vote on a request to accept \$6,472.86 National Association of City and County Health Officials (NACCHO) Retail Program Standards Mentorship Program Funds.

Attachments: [\\$6,472.86 Mentorship Program Contract](#)

A motion was made by Commissioner Petty, seconded by Commissioner Howard, that this Agenda Item be approved. The motion carried by the following vote:

Aye: 5 - Commissioner Crawford, Chair Hales, Commissioner Petty, Vice Chair Dasher and Commissioner Howard

[17-2414](#)

Vote on a request to approve the re-appointment of Walter Harris to the Chatham County Alcohol Beverage Control Board.

A motion was made by Commissioner Petty, seconded by Commissioner Howard, that this Appointment be approved. The motion carried by the following vote:

Aye: 5 - Commissioner Crawford, Chair Hales, Commissioner Petty, Vice Chair Dasher and Commissioner Howard

[17-2415](#)

Vote on a request to approve the appointment of Terri Tyson to the Environmental Review Advisory Committee.

A motion was made by Commissioner Petty, seconded by Commissioner Howard, that this Appointment be approved. The motion carried by the following vote:

Aye: 5 - Commissioner Crawford, Chair Hales, Commissioner Petty, Vice Chair Dasher and Commissioner Howard

[17-2446](#)

Vote on a request to re-appoint Michael Levandowski to the Community Advisory Committee for Nursing Homes and Adult Care Homes.

A motion was made by Commissioner Petty, seconded by Commissioner Howard, that this Appointment be approved. The motion carried by the following vote:

Aye: 5 - Commissioner Crawford, Chair Hales, Commissioner Petty, Vice Chair Dasher and Commissioner Howard

[17-2453](#)

Vote to confirm selection of Commissioner Karen Howard to a Nominating Committee and also the nomination of Health Director Layton Long to serve on a new Board of Directors for Cardinal Innovations

A motion was made by Commissioner Petty, seconded by Commissioner Howard, that the Appointments be approved. The motion carried by the

following vote:

Aye: 5 - Commissioner Crawford, Chair Hales, Commissioner Petty, Vice Chair Dasher and Commissioner Howard

[17-2437](#)

Vote on a request to adopt the proposed CCCC Trails Project Ordinance

Attachments: [Project Ordinance CCCC Trails](#)

A motion was made by Commissioner Petty, seconded by Commissioner Howard, that this Ordinance, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:

Aye: 5 - Commissioner Crawford, Chair Hales, Commissioner Petty, Vice Chair Dasher and Commissioner Howard

[17-2438](#)

Vote on a request to adopt the proposed Animal Shelter Expansion and Renovation Project Ordinance

Attachments: [Project Ordinance Animal Shelter](#)

A motion was made by Commissioner Petty, seconded by Commissioner Howard, that this Ordinance, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:

Aye: 5 - Commissioner Crawford, Chair Hales, Commissioner Petty, Vice Chair Dasher and Commissioner Howard

[17-2439](#)

Vote on a request to adopt the proposed New Emergency Medical Services Base Project Ordinance

Attachments: [Project Ordinance EMS Base](#)

A motion was made by Commissioner Petty, seconded by Commissioner Howard, that this Ordinance, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:

Aye: 5 - Commissioner Crawford, Chair Hales, Commissioner Petty, Vice Chair Dasher and Commissioner Howard

[17-2440](#)

Vote on a request to adopt the proposed Schools Locker Room Renovations Project Ordinance

Attachments: [Project Ordinance Schools Locker Room Renovations](#)

A motion was made by Commissioner Petty, seconded by Commissioner Howard, that this Ordinance, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:

Aye: 5 - Commissioner Crawford, Chair Hales, Commissioner Petty, Vice Chair Dasher and Commissioner Howard

[17-2441](#)

Vote on a request to adopt the proposed Northwood High School Paving Overlay Project Ordinance

Attachments: [Project Ordinance Schools Northwood Paving Overlay](#)

A motion was made by Commissioner Petty, seconded by Commissioner Howard, that this Ordinance, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:

Aye: 5 - Commissioner Crawford, Chair Hales, Commissioner Petty, Vice Chair Dasher and Commissioner Howard

[17-2442](#)

Vote on a request to adopt the proposed Perry Harrison Elementary Traffic Pattern Project Ordinance

Attachments: [Project Ordinance Schools Perry Harrison Traffic Pattern](#)

A motion was made by Commissioner Petty, seconded by Commissioner Howard, that this Ordinance, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:

Aye: 5 - Commissioner Crawford, Chair Hales, Commissioner Petty, Vice Chair Dasher and Commissioner Howard

[17-2443](#)

Vote on a request to adopt the proposed Voting Equipment Replacement Project Ordinance

Attachments: [Project Ordinance Voting Equipment](#)

A motion was made by Commissioner Petty, seconded by Commissioner Howard, that this Ordinance, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:

Aye: 5 - Commissioner Crawford, Chair Hales, Commissioner Petty, Vice Chair Dasher and Commissioner Howard

[17-2445](#)

Vote on a request to approve amended project ordinances as proposed by staff

Attachments: [Project Ordinance Business Campus Revised 12-18-17](#)
[Project Ordinance Briar Chapel Park Revised 12-18-17](#)
[Project Ordinance Schools Chatham Grove Elementary Revised 12-18-17](#)
[Project Ordinance Schools Seaforth High Revised 12-18-17](#)
[Project Ordinance Schools Mobile Classrooms Revised 12-18-17](#)
[Project Ordinance School NW Auditorium HVAC Revised 12-18-17](#)

A motion was made by Commissioner Petty, seconded by Commissioner Howard, that the Ordinances, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:

Aye: 5 - Commissioner Crawford, Chair Hales, Commissioner Petty, Vice Chair Dasher and Commissioner Howard

[17-2444](#)

Vote on a request to approve Fiscal Year 2017-2018 Budget Amendments

Attachments: [Budget Amendment 2017-2018 Dec](#)

A motion was made by Commissioner Petty, seconded by Commissioner Howard, that the Budget Amendments, attached hereto and by reference made a part hereof, be approved. The motion carried by the following vote:

Aye: 5 - Commissioner Crawford, Chair Hales, Commissioner Petty, Vice Chair Dasher and Commissioner Howard

[17-2447](#)

Vote on a request to adopt A Resolution Approving the Addition of Brookhaven Way in the Horizon Subdivision to the North Carolina System of Secondary Roads

Attachments: [2017.11.21 Resolution Request Package Signed](#)
[Horizon Subdivision Resolution](#)

A motion was made by Commissioner Petty, seconded by Commissioner Howard, that Resolution #2017-45 for the Addition of Streets or Roads to the North Carolina System of Secondary Roads, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:

Aye: 5 - Commissioner Crawford, Chair Hales, Commissioner Petty, Vice Chair Dasher and Commissioner Howard

[17-2448](#)

Vote on a request by Lee Bowman, Project Manager, on behalf of NNP Briar Chapel, LLC for subdivision Preliminary Plat approval of Briar Chapel, Phase 13 - Sections 1 & 2, consisting of 43 lots on 11.03 acres, located off SR-1532, Mann's Chapel Road, and Great Ridge Parkway, parcel #'s 80418, 86285, and 2617

Attachments: [More Information from Planning Board Website](#)

A motion was made by Commissioner Petty, seconded by Commissioner Howard, that this Agenda Item be approved. The motion carried by the following vote:

Aye: 5 - Commissioner Crawford, Chair Hales, Commissioner Petty, Vice Chair Dasher and Commissioner Howard

[17-2449](#)

Vote on a request by Lee Bowman, Project Manager, on behalf of NNP Briar Chapel, LLC for subdivision Final Plat approval of Briar Chapel, Phase 15 South - Section 1, consisting of 104 lots on 28.94 acres, located off Andrews Store Road, SR-1528 and Boulder Point Drive, parcel #82828

Attachments: [More Information from Planning Department Website](#)

A motion was made by Commissioner Petty, seconded by Commissioner Howard, that this Agenda Item be approved. The motion carried by the following vote:

Aye: 5 - Commissioner Crawford, Chair Hales, Commissioner Petty, Vice Chair Dasher and Commissioner Howard

[17-2451](#)

Vote on a request to approve Tax Releases and Refunds

Attachments: [November 2017 Release and Refund Report](#)
 [November 2017 NCVTS Pending Refund Report](#)

A motion was made by Commissioner Petty, seconded by Commissioner Howard, that the Tax Releases and Refunds, attached hereto and by reference made a part hereof, be approved. The motion carried by the following vote:

Aye: 5 - Commissioner Crawford, Chair Hales, Commissioner Petty, Vice Chair Dasher and Commissioner Howard

End of Consent Agenda

PUBLIC INPUT SESSION

Sam King submitted the following comments:

I am a property owner here in Chatham County and I have been a little concerned about a zoning issue that doesn't seem to get any attention or can't get resolved. I don't know what the problem is. I met with the Planning Board some time back and I was of the understanding that the fee would be waived. It seems to be holding us back as property owners as far as what we can do with it because it is not zoned as it once was.

Randy Voller submitted the following comments:

I rise to address you at the end of 2017 to respectfully request that the Board consider previous input from a variety of sources and take two actions in January of 2018. One, appoint an advisory committee to study the current commissioner districts in Chatham County in order to make recommendations to this body for the necessary changes to our commissioner districts that will need to occur after the 2020 Census. Number two, place a referendum on the ballot in 2018 and allow the voters to decide on whether the Chatham County Board of Commissioners should expand the Board from five to seven members. There are good and substantial reasons for expanding the Board, including rapid population growth and the growing demand of the job. The last time the districts were drawn, the population was closer to 60,000 people and the districts had approximately 12,200 residents. When these districts were created, they utilized the most recent census information at the time to create districts that were in accordance with the law, which is Board members shall be apportioned of the districts so that quotients contained by the dividing the population of each district and by the number of the commissioners apportioned to the district are as nearly equal as practicable. Today I have some interesting numbers from the most recent voter registration to share with you. District One, Karen Howard's district, now has 13,026 registered voters. District Two, Mike Dasher's district, has 10,795 registered voters. District Three has 12,022 registered voters. District Four has 8,072 registered voters and District Five has 7,493 registered voters. Given the aforementioned criteria it is interesting how imbalanced the current districts are according to registered voters. Of course evaluating districts with registered voters is an imperfect process and resident aliens and undocumented immigrants count toward population in the census but still the variances are a bit startling. The normal population variance between districts should be approximately 5% so even accounting for residents under 18, resident aliens and undocumented residents our current districts are obviously out of balance, which informs the need to add at large members and/or change our system. I have enclosed some information from the School of Government and the Legislature that I hope you

will find informative and helpful in this decision making process.

Chair Hales called Planning Director Jason Sullivan back up to address the concerns of Mr. King. He explained that while the process for zoning has taken some time, it is still being worked on. Staff plans to have letters mailed out in early January to all the property owners. Business owners will meet with Planner Dylan Paul and once those meetings have taken place the staff will bring everything back to the Board for a public hearing.

Mr. Sullivan's priority is to make sure that everyone understands the potential implications of zoning. Commissioner Petty expressed his concern that people are being held up in the process. He wanted to know more about the timeline for zoning. Mr. Sullivan stated once property owners receive the letter from the planning department they will set up a time to meet individually with Mr. Paul. Staff has freed up a lot of Mr. Paul's time so that he can focus on these meetings. They can also bring in other staff if needed. Mr. Sullivan believes they may be able to have public hearing in April, send it to the Planning Board in May and come back to the Board of Commissioners for adoption in June.

Commissioner Petty thinks that individuals maybe should be grouped for the purposes of public hearings. Mr. Sullivan believes that staff needs to see what the response is first and that they do not want to appear as though they are discriminating against parts of the county.

Commissioner Crawford inquired about a potential temporary position to complete this task. Mr. Sullivan believes the current staff will be able to shoulder the workload.

BOARD PRIORITIES

Chairman Hales introduced the resolution regarding the k-3 classrooms sizes.

Commissioner Howard presented the resolution.

Motion - Howard

Second - Crawford

[18-2461](#)

Vote on a request to adopt a Resolution Regarding Impacts of K-3 Class Size Reduction

Attachments: [school class size resolution dec 2017](#)

Commissioner Howard explained that a similar resolution was passed in Durham County because the new legislation requiring school districts to have smaller class sizes is having a financial impact on counties that are struggling to meet those smaller class size requirements. Chatham County Schools is in support of the resolution. County staff got input from Superintendent Dr. Jordan. Commissioner Howard read the resolution into the record. She apologized for asking the Board to consider the resolution at the last meeting but the Legislature is holding an emergency meeting in early January and there will not be another opportunity to adopt the resolution before they meet.

Commissioner Crawford believes this is the effect of the American Legislative Exchange Committee (ALEC) where their purpose is to ruin public education and thereby justify the defunding of public education by insisting the class sizes be made smaller but not provide funding for the classrooms or teachers.

Commissioner Petty stated he supports the resolution but he does not support Commissioner Crawford's comments.

A motion was made by Commissioner Howard, seconded by Commissioner Crawford, that Resolution #2017-46 Regarding Impacts of K-3 Class Size Reduction, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:

Aye: 5 - Commissioner Crawford, Chair Hales, Commissioner Petty, Vice Chair Dasher and Commissioner Howard

[17-2355](#)

Vote on a request by Russ Anderson for a general use rezoning of Parcel 92203 located at 414 New Elam Church Road, from R-1 Residential to IL Industrial Light on approximately 10 acres, Cape Fear Township.

Attachments: [More Information from Planning Department Website](#)

Zoning Administrator Angela Birchett reviewed the specifics of the request.

A motion was made by Commissioner Petty, seconded by Commissioner Crawford, that Resolution #2017-47 Adopting a Consistency Statement for the Approval of General Use Industrial Light Rezoning, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:

Aye: 5 - Commissioner Crawford, Chair Hales, Commissioner Petty, Vice Chair Dasher and Commissioner Howard

A motion was made by Commissioner Petty, seconded by Commissioner Crawford, that this Ordinance, attached hereto and by reference made a part hereof, be adopted. The motion carried by the following vote:

Aye: 5 - Commissioner Crawford, Chair Hales, Commissioner Petty, Vice Chair Dasher and Commissioner Howard

[17-2418](#)

Review and Update Commissioner Liaisons for County Boards & Committees

Attachments: [Board of Commissioner liaison table dec 11 2017](#)

Vice Chair Dasher will serve as the liaison to the Affordable Housing Committee and the Economic Development Corporation and keep his current positions.

Commissioner Crawford stated he already attends the Chatham Health Alliance meetings therefore will be happy to serve as its liaison. He is also happy continuing his current positions.

Commissioner Howard would like to keep her current positions and she will serve as the voting delegate to the NC Association of County Commissioners. She stated the OPC Mental Health Committee is now the Central Carolina Advisory Committee.

Commissioner Petty will continue with his current positions with the exception of the Economic Development Corporation.

Chair Hales will continue with her current positions as well.

[18-2462](#)

Vote on a request to approve request by developer regarding Henry Siler School.

County Policy Analyst Tansy Long reviewed the specifics of the request. Staff is asking the Commissioners to approve the selection of Third Wave Housing, LLC to apply for low income housing tax credits to redevelop the Henry Siler School into affordable rental housing units, and authorize staff to analyze and negotiate concessions that may be exchanged with the developer to ensure project viability. It will be a thirty-four unit project with one and two bedrooms that will target people making at least 30% AMI, including seniors, people with disabilities, working families and homeless.

Concessions that the developer has asked of the county include:

- Having the building and land donated*
- Waiver of impact, tap, or related fees typically associated with development (some of these include Town of Siler City fees). Note that school impact fees cannot be waived, but the county could appropriate funds to cover the fees for the developer.*
- County pay all application fees and third-party costs to submit application to NCHFA (approximately \$15,000)*
- Rezoning and site plan approval support/assistance. Rezoning has already been obtained.*
- \$120,000 to avoid negative points on the NCHFA application for deferred developer fees (could be structured as soft mortgage). Staff recommends structuring as a loan.*
- Documentation that the NCHFA agency application requires of the local government*

Commissioner Petty wanted to know how the loan would be structured. Ms. Long said it was still being decided. Commissioner Petty asked if there was money available in the budget for these concessions. The County Manager stated the money for the application fee and the third party costs can come from contingency. Staff can budget for the \$120,000 loan.

Commissioner Howard asked if Third Wave's application is not successful is the County only out the \$15,000. Ms. Long stated that was correct.

Commissioner Crawford is in support of this project.

Commissioner Petty inquired about impact fee exemptions for seniors. The County Manager stated it has to be deed restricted. He also inquired about the value of the property. Ms. Paschal said she could only offer a figure based on tax value, about \$400,000.

The County Manager commended Ms. Long for her work on this project.

A motion was made by Commissioner Howard, seconded by Vice Chair Dasher, to approve the selection of Third Wave Housing, LLC to apply for low income housing tax credits to redevelop the Henry Siler School into affordable rental housing units, and to authorize staff to analyze and negotiate concessions that may be exchanged with the developer to ensure project viability. The motion carried by the following vote:

Aye: 5 - Commissioner Crawford, Chair Hales, Commissioner Petty, Vice Chair Dasher and Commissioner Howard

MANAGER' S REPORTS

County Manager Renee Paschal reminded the commissioners to complete the goals survey.

The Siler City Water Plant proposal made it through the first round. Siler City was awarded a \$2 million grant from Golden Leaf for the wastewater treatment plant upgrade.

COMMISSIONERS' REPORTS

Vice Chair Dasher wished everyone a happy holiday.

Commissioner Crawford stated at the last Board of Health meeting they received an update on Medicare. He went to the Chamber of Commerce's Leadership Chatham lunch. He also wished everyone a happy holiday and new year.

Commissioner Howard explained that representatives from 19 counties met last week to reconstitute the Cardinal Innovations Board. Health Director Layton Long received 18 of 19 votes. The new board is expected to be up and running with no lapse in the provision of services. She is happy to see the process by which the new board was formed. She thanked the Board for being so supportive and wished everyone a happy holiday.

Commissioner Petty wished everyone a Merry Christmas.

Chair Hales thanked Tansy Long for her service to Chatham County and wished everyone a happy holiday.

ADJOURNMENT

A motion was made by Commissioner Howard, seconded by Commissioner Petty, that this meeting be adjourned. The motion carried by the following vote:

Aye: 5 - Commissioner Crawford, Chair Hales, Commissioner Petty, Vice Chair Dasher and Commissioner Howard



Chatham County, NC

Text File

File Number: 18-2463

Agenda Date: 1/16/2018

Version: 1

Status: Approval of Agenda and
Consent Agenda

In Control: Board of Commissioners

File Type: Appointment

Vote on a request to approve appointments to the Climate Change Advisory Committee.

Action Requested: Vote on a request to approve appointments to the Climate Change Advisory Committee.

Introduction & Background: There are two vacancies on the Climate Change Advisory Committee. The Committee reviewed the applications received and wish to appoint Tenita Solanto and Martha Girolami. Both terms will expire June 30, 2019.

Discussion & Analysis:

How does this relate to the Comprehensive Plan: N/A

Budgetary Impact: N/A

Recommendation: Motion to approve appointments to the Climate Change Advisory Committee.



Chatham County, NC

Text File

File Number: 18-2464

Agenda Date: 1/16/2018

Version: 1

Status: Approval of Agenda and
Consent Agenda

In Control: Board of Commissioners

File Type: Appointment

Vote on a request to approve the re-appointment of Herbert Gaines to the Board of Equalization and Review.

Action Requested: Vote on a request to approve appointment to the Board of Equalization and Review.

Introduction & Background: Mr. Gaines is eligible for reappointment and wishes to serve another term. His term will expire December 31, 2020.

Discussion & Analysis:

How does this relate to the Comprehensive Plan: N/A

Budgetary Impact: N/A

Recommendation: Motion to approve appointment to the Board of Equalization and Review.



Chatham County, NC

Text File

File Number: 18-2483

Agenda Date: 1/16/2018

Version: 1

Status: Approval of Agenda and
Consent Agenda

In Control: Finance

File Type: Appointment

Agenda Number:

Vote on a request to appoint Hope Tally, Financial Operations Manager, as Deputy Finance Officer

Action Requested: Vote on a request to appoint Hope Tally, Financial Operations Manager, as Deputy Finance Officer

Introduction & Background: Due to the upcoming retirement of the County's Assistant Finance Officer, staff is recommending the appointment of Hope Tally as the Deputy Finance Officer.

Budgetary Impact: N/A

Recommendation: Appoint Hope Tally, Financial Operations Manager, as Deputy Finance Officer as recommended by staff



Chatham County, NC

Text File

File Number: 18-2467

Agenda Date: 1/16/2018

Version: 1

Status: Approval of Agenda and
Consent Agenda

In Control: Board of Commissioners

File Type: Resolution

Agenda Number:

Vote on a request to adopt a Resolution Proclaiming February 2018 as We Love Seniors
Month in Chatham County.



CHATHAM COUNTY COMMISSIONERS

Diana Hales, Chair
Mike Dasher, Vice Chair
Jim Crawford
Karen Howard
Walter Petty

COUNTY MANAGER

Renee Paschal

P. O. Box 1809, Pittsboro, NC 27312-1809 • Phone: (919) 542-8200

Resolution of the Chatham County Board of Commissioners

Proclaiming February 2018 as We Love Seniors Month

What we love about Chatham is very much due to what today's older adults have brought and contributed to our community over the years. They are our living history and remain vital to our present and future.

Persons aged 60 and older compose a major part of our Chatham County – numbering an estimated 22,200 as of 2015, or about 31 percent of Chatham residents. Seniors are integral part of Chatham County as our family members, friends, neighbors, co-workers, community leaders, volunteers, caregivers and ourselves.

We owe our seniors great respect and appreciation. They have significantly helped all of Chatham define and realize the sense of community we all enjoy today, and they remain positive leaders and mentors.

Continuing a local tradition, the Chatham County Council on Aging is leading the call to use the spirit of Valentine's Day in February to recognize and value the talents, resourcefulness, imagination and dedication of our seniors.

The Council on Aging wishes to thank the community for its help in ensuring that we remain a place in which older people can live safely and with dignity and can stay actively and productively engaged.

Now, therefore, we, the Chatham County Board of Commissioners, to honor our older citizens and the work of our Council on Aging, do hereby proclaim February 2018 as *We Love Seniors Month* in Chatham County and commend this observance to all community members.

Adopted, this the ____ day of _____.

Diana Hales, Chair
Chatham County Board of Commissioners

ATTEST:

Lindsay K. Ray, NCCCC, Clerk to the Board
Chatham County Board of Commissioners



Chatham County, NC

Text File

File Number: 18-2484

Agenda Date: 1/16/2018

Version: 1

Status: Approval of Agenda and
Consent Agenda

In Control: Finance

File Type: Resolution

Vote on a Request to adopt a revised Resolution Establishing Check, Purchase Order and Disbursement Voucher Signing Procedures

Action Requested: Vote on a Request to adopt a revised Resolution Establishing Check, Purchase Order and Disbursement Voucher Signing Procedures

Introduction & Background: The current adopted resolution was adopted on April 1, 2002.

Discussion & Analysis: The proposed resolution changes the job titles listed in the Resolution to reflect current job titles.

How does this relate to the Comprehensive Plan: N/A

Budgetary Impact: None

Recommendation: Adopt a revised Resolution Establishing Check, Purchase Order and Disbursement Voucher Signing Procedures



Established 1771

CHATHAM COUNTY COMMISSIONERS

Diana Hales, Chair
Mike Dasher, Vice Chair
Jim Crawford
Karen Howard
Walter Petty

COUNTY MANAGER

Renee Paschal

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Resolution of the Chatham County Board of Commissioners

ESTABLISHING CHECK, PURCHASE ORDER AND DISBURSEMENT VOUCHER SIGNING PROCEDURES

WHEREAS, the Board of Commissioners of Chatham County wishes to define the County's check, purchase order and disbursement voucher signing procedures; and

WHEREAS, NC General Statutes 159-25 and 159-28.1 establish legal requirements for financial disbursement procedures, establish responsibilities, and outline methods for expediting the check signing procedures.

NOW, THEREFORE BE IT RESOLVED, by the Board of County Commissioners of Chatham County that the following procedures are hereby adopted:

1. One signature will be required on each County of Chatham check or draft on an official depository.
2. In accordance with the N.C. G.S. 159-25 (b), all checks or drafts shall be signed by the Finance Director; the Finance Director's alternate shall be the Assistant Finance Officer serving as Deputy
3. In accordance with N.C. G.S. 159-28.1, the use of facsimile signing of checks is hereby authorized for the Finance Officer. The signature devices are to be kept under security by the Finance Officer and Assistant Finance Officer, respectively, who shall be bonded and along with the sureties of the official bond are liable for any illegal, improper, or unauthorized use of them.
4. In accordance with N.C. G.S. 159-28 (a), preaudit of purchase orders and disbursement vouchers shall be signed by the Finance Officer; the Finance Officer's alternate shall be the Assistant Finance Officer serving as Deputy.

Adopted, this the ____ day of _____.

Diana Hales, Chair
Chatham County Board of Commissioners

ATTEST:

Lindsay K. Ray, NCCCC, Clerk to the Board
Chatham County Board of Commissioners



Chatham County, NC

Text File

File Number: 18-2469

Agenda Date: 1/16/2018

Version: 1

Status: Approval of Agenda and
Consent Agenda

In Control: Planning

File Type: Agenda Item

Vote on a request by Kirk T. Metty, PE., President, Lewis Metty Development, Inc. on behalf of Cedar Mountain Subdivision for a **twelve (12) month extension of the preliminary plat deadline to extend the deadline from January 16, 2018 to January 16, 2019.**

Action Requested:

Vote on a request by Kirk T. Metty, PE., President, Lewis Metty Development, Inc. on behalf of Cedar Mountain Subdivision for a **twelve (12) month extension of the preliminary plat deadline to extend the deadline from January 16, 2018 to January 16, 2019.**

Introduction & Background:

Zoning District : R-1

Watershed District: WSIV-PA

Water Source: private on-site wells

Septic: private on site and off septic areas

Within 100 year flood plain: No

General Information:

Cedar Mountain Subdivision was approved under the pre-2008 Subdivision Regulations and received preliminary plat approval for 65 lots by the Board of County Commissioners on 7/16/2007. The roadway is proposed to be a public, state maintained road and the lot sizes range from 1.50 acres to 8.40 acres with an average lot size of 2.3 acres. There have been two 24 month extension requests from the developer to extend the preliminary plat expiration date. The requests were approved by the Board of County Commissioners in 2013 and 2015. **The current preliminary plat expiration date is January 16, 2018.** To date 53 lots have received final plat approval with 12 lots remaining to be final platted. If an extension request is not granted or the final plat for the remaining 12 lots is not submitted prior to the expiration date, the subdivision approval will expire and any future subdivision requests will be required to be reviewed under the current Subdivision Regulation requirements.

Discussion & Analysis:

The developer is requesting a 12 month extension of the preliminary plat expiration date to extend it from January 16, 2018 to January 16, 2019. Per the request, the developer does not anticipate receiving approval of the septic improvement permits for the remaining 12 lots from Chatham County Environmental Health until sometime in December, 2017 and is concerned that he will be unable to submit for a final plat review by the December 12, 2017 pre-2008 subdivision deadline. The last pre-2008 subdivision deadline prior to expiration of the preliminary plat is January 12, 2018. A condition of the 2007 preliminary plat approval stated "Prior to recordation of the final plat, the developer shall install all of the supply lines for the off-site sewage treatment systems at one time, use only gravel less systems, have one contractor complete all of the work, and install the supply lines at least 30 inches deep." The developer has filed applications with Chatham County Environmental Health to obtain septic improvement permits for the 12 remaining lots. Per Thomas Boyce, LSS, REHS, Chatham County Environmental Health, the applications have been filed and the installation of the required supply lines for the off-site septic systems is in process. Once the supply lines have been installed by the contractor and the installation has been approved by Mr. Boyce, the septic improvement permits can be written. Changes to the final plat regarding the supply line easements due to installation issues may be required.

The Planning Board met on December 5, 2017 to review the request. Kirk Metty, Lewis Metty Development Co., was present to answer questions from the Board. Mr. Metty addressed the Planning Board and stated that the reason for the request was to insure sufficient time to obtain septic improvement permits for the remaining 12 lots prior to expiration of the preliminary plat on January 16, 2018; that the required installation of the supply lines for the off-site septic areas had been completed; and that after Mr. Boyce with Environmental Health does the inspection and approves the installation of the lines, the septic permits can be written. A Board member asked why the installation had taken so long to complete. Mr. Metty stated that the area was very rocky which caused delays and that having to use one contractor for the complete installation per the condition had required additional time due to their inconsistent availability. A Board member asked what the differences would be in the subdivision process if preliminary plat approval expired and the developer was required to complete the project under the current Subdivision Regulation process. Staff stated that, at a minimum, the developer would be starting the subdivision process over under the current four (4) step process; that a stormwater plan/features would be required; and that the process could take up to 1 ½ years to complete from start to finish.

The Planning Department did not make a recommendation on the request for an extension of the preliminary plat expiration deadline as this is a policy decision to be made by the Board of County Commissioners.

How does this relate to the Comprehensive Plan:

Goal 9: Provide equitable access to high-quality education, housing and community

options for all.

Recommendation: The Planning Board by unanimous vote recommended granting approval of the request on behalf of Cedar Mountain Subdivision for a **twelve (12) month extension of the preliminary plat deadline to extend the deadline from January 16, 2018 to January 16, 2019.**



Chatham County, NC

Text File

File Number: 18-2470

Agenda Date: 1/16/2018

Version: 1

Status: Approval of Agenda and
Consent Agenda

In Control: Planning

File Type: Agenda Item

Vote on a request by Fitch Creations, Inc. for subdivision Final Plat approval of **Ferrington - Section X - Area C - Richmond Close**, consisting of 21 lots on 18.281 acres located off SR-1813, East Camden and SR-1817, Millcroft, parcel #18998

Action Requested:

Vote on a request by Fitch Creations, Inc. for subdivision Final Plat approval of **Ferrington - Section X - Area C - Richmond Close**, consisting of 21 lots on 18.281 acres located off SR-1813, East Camden and SR-1817, Millcroft, parcel # 18998

Introduction & Background:

Zoning District : Conditional Use Permit for Planned Unit Development (PUD)

Watershed District: WSIV-PA

Water Source: Chatham County

Septic: Private Wastewater Treatment Plant

Within 100 year flood plain: No

General Information:

Ferrington PUD was originally approved in 1976 as a Planned Unit Development with a master plan allowing mixed uses and has continued to develop over time. Ferrington has 1602 approved residential units, including Galloway Ridge. Ferrington PUD is reviewed under the pre-2008 Subdivision Regulations and 1994 Watershed Ordinance. The project is exempt from the Chatham County Stormwater Ordinance, but is not exempt from the Jordan Lake Buffer requirements. The project is subject to the Chatham County Soil Erosion and Sedimentation Control Ordinance.

The Planning Board has 60 days to make a recommendation on the final plat request.

Discussion & Analysis:

The request before the Board is for Final Plat approval of Ferrington - Section X - Area C - Richmond Close. Richmond Close received preliminary plat approval for 21 lots from the Board of County Commissioners on May 15, 2017. The roadways in Area C - Richmond Close are proposed to be constructed as NCDOT public, state maintained roads. The final plat request is being submitted with a request for a financial guarantee for the completion of required infrastructure. As of the submittal date, the engineer, Alan

Keith, P.E., certified that the project was 85% complete and that the roadways are accessible to emergency vehicles. An updated cost letter may be submitted prior to final plat recordation. Staff recommends that the request for a financial guarantee be granted.

Ferrington is subject to the 1994 Watershed Ordinance which required a 50 foot riparian buffer along perennial and intermittent waters not within 2500 feet of rivers. Ephemeral features were not required to be buffered. The developer has provided an additional 50 foot voluntary buffer along Bush Creek, a perennial feature, for a total of 100 feet and has provided a voluntary 30 foot per side buffer along an ephemeral feature running along Lots 4418 - 4421. There is also an intermittent stream with a 50 foot per side riparian buffer plus a 10 foot no-build area. The property lines for lots adjacent to the streams go to the center of the streams.

At the time of preliminary plat approval, the applicant provided a buffer authorization from the Chatham County Watershed Administrator for construction of a private 20 foot wide sanitary sewer line associated with the development of Section X, Areas C & D. An existing natural walking trail with an easement extends from Burke Place cul-de-sac, through Area C, to Henderson Place, an adjacent subdivision.

A 50 foot wide perimeter buffer has been placed within the lots along the common boundary line of the adjoining properties of Lingerfeldt and Henderson Place.

The Technical Review Committee met on November 15, 2017 to review the request.

There were no concerns from staff.

The Planning Board met on December 5, 2017 to discuss the request. R.B. Fitch, developer, Dan Sears, Sears Design Group, and Alan Keith, P. E., Dielh & Phillips, were present to answer questions from the Board. Questions from the Board included why the intermittent stream shown on the plat does not connect to Bush Creek a perennial stream; what is allowed in the voluntary buffer areas; would the developer be willing to place a note on the plat stating that the voluntary buffer areas (50 feet along Bush Creek and 30 feet on both sides of an ephemeral stream) will comply with the Jordan Lake Buffer rules. Mr. Keith stated that the intermittent stream location was mapped per the Corp of Engineers on-site evaluation and map. Staff stated that the inner 50 foot riparian buffer along Bush Creek is required and is regulated by the Jordan Lake Buffer (JLBA) rules, but that Environmental Quality staff has stated that the JLBA rules/regulations cannot be enforced in a voluntary buffer outside the required buffer area. A Board member asked if the developer would be willing to place a note on the plat stating the uses allowed by the developer in the outer 50 foot voluntary buffer along Bush Creek and within the voluntary 30' per side voluntary buffer along the ephemeral stream. Mr. Sears stated that the voluntary buffers were shown on the preliminary plat; that the developer had met the requirements for submittal of a final plat; and uses within the voluntary buffers will be addressed in the private covenants.

Prior to the Board of Commissioners meeting the developer requested two changes be

made to the final plat. In a Planned Unit Development the County does not regulate setbacks for structures from internal property lines; however, the final plat states the setbacks as established by the developer. The developer requested the side setback stated on the final plat be changed from 10 feet to 7 feet. On Note # 6 on Sheet One, 'Tyrell' and 'Richmond' are the roads listed that are shown to be the responsibility of Fitch Creations, Inc. until acceptance by NCDOT. Note # 6 was changed to add 'Millcroft' to that note for further clarity. The revised plat and cover letter can be viewed at www.chathamnc.org/planning <<http://www.chathamnc.org/planning>> , Rezoning and Application Cases, 2017, Fearington-Section X-Area C Final Plat Richmond Close, Supplemental Documents.

How does this relate to the Comprehensive Plan:

Goal 3: Promote a compact growth pattern by developing in or near existing towns, communities, and in designated, well planned, walkable, mixed use centers.

Goal 9: Provide equitable access to high-quality education, housing and community options for all.

Recommendation: The Planning Department and the Planning Board by a vote of 10 - 1 recommend granting approval of the request for a financial guarantee and recommend granting approval of the request for final plat approval of Fearington - Section X - Area C - Richmond Close as submitted with the following conditions:

1. The plat not be recorded until the county attorney has approved the contract and the form of the financial guarantee.



Chatham County, NC

Text File

File Number: 18-2471

Agenda Date: 1/16/2018

Version: 1

Status: Approval of Agenda and
Consent Agenda

In Control: Planning

File Type: Agenda Item

A request by the Chatham County Board of Commissioners to consider a technical revision to the Chatham County Comprehensive Plan.

Action Requested:

Vote on a request by the Chatham County Board of Commissioners to consider a technical revision to the Chatham County Comprehensive Plan.

Introduction & Background:

During the November 20, 2017 Commissioners meeting the comprehensive plan, Plan Chatham, was adopted by unanimous vote. After adoption it was discovered that there was a duplication of several sentences in the introduction to the Resiliency section on page 111 that needs to be corrected.

Discussion & Analysis:

During the Planning Board review of the comprehensive plan they recommended that the Resiliency section be revised to delete the last two sentences of the introduction and replaced with wording provided by the Chatham County Climate Change Committee. The climate change committee wording included a duplication of language that was in the draft plan document, which was then included in the document that was adopted by the Commissioners. The proposed revision is included as an attachment.

How does this relate to the Comprehensive Plan:

Goal 8: Become more resilient by mitigating, responding and adapting to emerging threats.

Recommendation:

Vote to accept the deletion of duplicated language on page 111 of the comprehensive plan, Plan Chatham, as shown in the attachment.



RESILIENCY

*repetitive
delete*

~~Resiliency can be defined in many ways. Financial resiliency includes fostering a diverse economy and tax base in order to remain solvent through the ebb and flow of growth and recession. A resilient natural environment performs valuable, irreplaceable ecological services. Infrastructure, in the form of roads and utility systems, which are capable of withstanding peak demands and have built in redundancy, can be considered a key piece of resiliency. The recommendations in the Resiliency Element build on financial, natural and infrastructure related resiliency recommendations addressed in the Land Use, Economic Development, Infrastructure and Transportation elements of this plan. This section focuses on avoiding, mitigating and adapting to impacts of acute natural events and man-made emergencies, as well as potential long-term impacts of anthropogenic change. The reason for the "Big Idea" to "become a Carbon Negative County" is to reduce the County's greenhouse gas emissions and the environmental risks that will result from global warming. This section focuses on avoiding, mitigating and adapting to anthropogenic climate change and the associated impacts of acute natural events and emergencies. Chatham County has an opportunity to take leadership as a local government in reducing carbon emissions, while also promoting green and sustainable jobs. Resiliency can be defined in many ways. Financial resiliency includes fostering a diverse economy and tax base in order to remain solvent through the ebb and flow of growth and recession. A resilient natural environment performs valuable, irreplaceable ecological services. Infrastructure, in the form of roads and utility systems, which are capable of withstanding peak demands and have built in redundancy, can be considered a key piece of resiliency. The recommendations in the Resiliency Element build~~

on financial, natural and infrastructure related resiliency recommendations addressed in the Land Use, Economic Development, Infrastructure and Transportation elements of this plan.

BIG IDEA

Become a carbon negative county.

GOALS

GOAL 01

Become more resilient by mitigating, responding and adapting to emerging threats.

OBJECTIVE 01

Improve emergency response and limit risk associated with natural and man-made disasters (drought, floods, energy costs and availability, etc.)

OBJECTIVE 02

Encourage resource efficient building standards.



Chatham County, NC

Text File

File Number: 18-2475

Agenda Date: 1/16/2018

Version: 1

Status: Approval of Agenda and
Consent Agenda

In Control: Board of Commissioners

File Type: Ordinance

Vote on a Request to Approve the Ordinance Amending the Chatham County Code of Ordinances to Add New Exceptions Allowing Duly Appointed Animal Services Officers, Basic Law Enforcement Training Cadets, and Other Specifically Authorized Non-Law Enforcement Civilians to Use Law Enforcement Gun Range Facilities for Training

Action Requested:

Vote on a Request to Approve the Ordinance Amending the Chatham County Code of Ordinances to Add New Exceptions Allowing Duly Appointed Animal Services Officers, Basic Law Enforcement Training Cadets, and Other Specifically Authorized Non-Law Enforcement Civilians to Use Law Enforcement Gun Range Facilities for Training

Introduction & Background:

The Weapons Ordinance regulates who may carry a weapon on county property. In its current form, it does not identify certain groups who may need access to the Sheriff's gun range for training and certification purposes. This amended ordinance allows for duly appointed Animal Service officers, Basic Law Enforcement Training Cadets, and other specifically authorized non-law enforcement civilians to use law enforcement gun range facilities for training with the consent of the Sheriff.

Discussion & Analysis:

How does this relate to the Comprehensive Plan: Comp Plan Goal 8 - Become more resilient by mitigating, responding and adapting to emerging threats.

Budgetary Impact: N/A

Recommendation:

Vote to approve amended Ordinance

ORDINANCE AMENDING
THE CHATHAM COUNTY
CODE OF ORDINANCES TO ADD
NEW EXCEPTIONS ALLOWING DULY APPOINTED ANIMAL SERVICES OFFICERS,
BASIC LAW ENFORCEMENT TRAINING CADETS, AND OTHER SPECIFICALLY
AUTHORIZED NON-LAW ENFORCEMENT CIVILIANS TO USE LAW ENFORCEMENT
GUN RANGE FACILITIES FOR TRAINING

BE IT ORDAINED by the Chatham County Board of Commissioners:

Section 1. Chapter 130, entitled, “Weapons” of the Chatham County Code of Ordinances is amended to add a new section 130.02 to read as follows:

Section 130.02 Weapons Prohibited in county buildings housing any court of the General Court of Justice or any county law enforcement activity.

(a) Definitions.

For the purpose of this section, the following definition shall apply unless the context clearly indicates or requires a different meaning:

- (1.) *Courthouse* means any building, facility, or other structure owned by, leased to, occupied by, or kept or maintained by Chatham County, housing any court of the General Court of Justice or any function or operation related to the General Court of Justice, including, without limitation, the Chatham County Justice Center and the Historic Courthouse.
- (2.) *Firearm* means a handgun, shotgun, or rifle which expels, or is designed to expel, a projectile by action of an explosion.
- (3.) *Handgun* means a pistol, revolver or other firearm that has a short stock and is designed to be held and fired by the use of a single hand, including but not limited to any revolver, pistol, derringer, single-shot pistol, or semi-automatic pistol.
- (4.) *Law Enforcement Facility* means the Chatham County Jail, Detention Center, Sheriff’s Office, or any other building, facility, structure, or other property, owned by, leased to, or kept or maintained by Chatham County housing any county law enforcement activities and under the control of the Sheriff of Chatham County.
- (5.) *Weapon* means and includes any firearm, handgun, knife, explosive device, air guns of any descriptions (BB guns, paintball guns, pellet guns, etc.) dirk, dagger, slung shot, sling shot, leaded cane, switchblade knife, blackjack, metallic knuckles, razor, Shurikin, stun gun, or other deadly weapon as defined in the North Carolina General Statutes.

(b) Prohibition.

It shall be unlawful for any person to possess or carry, or cause to be carried or possessed, either directly or indirectly, whether open or concealed, loaded or unloaded, with or without a permit, any firearm, handgun, or other weapon, on or in a courthouse or any law enforcement facility, including their immediately appurtenant grounds or adjoining parking area.

(c) Exceptions.

The prohibition contained in subsection (b) shall not apply to the following:

- (1.) Officers and enlisted personnel of the armed forces of the United States when in discharge of their official duties as such and acting under lawful orders requiring them to carry a handgun, firearm, or other weapon;
- (2.) Civil officers or employees of the United States or the state while in the discharge of their official duties as such and acting under lawful orders requiring them to carry a handgun, firearm, or other weapon;
- (3.) Officers and soldiers of the National Guard when called into actual service as such and acting under lawful orders requiring them to carry a handgun, firearm, or other weapon;
- (4.) Officers of the State, or any county, city, or town charged with the enforcement of the laws of the state or the detention of any prisoner or detainee, when acting in the discharge of such officer's official duties and under lawful orders requiring or authorizing such officer to carry a hand gun or other firearm or other weapon.
- (5.) Sworn law-enforcement officers, state probation or parole certified officers, when off duty, provided that an officer does not carry a weapon while in a courtroom on personal business, for a personal matter, or if he or she has a personal interest in the matter before the court, or while consuming alcohol or an unlawful controlled substance or while alcohol or an unlawful controlled substance remains in the officer's body;
- (6.) Duly appointed Chatham County animal services officers if necessary to carry out their official duties and to complete firearms and taser training on County owned firing ranges, and other County owned property, when the training and instructor are specifically authorized by the Sheriff; provided, however, that no such officer shall carry a weapon while in a courtroom on

personal business, for a personal matter, or if he or she has a personal interest in the matter before the court, or while consuming alcohol or an unlawful controlled substance or while alcohol or an unlawful controlled substance remains in the officer's body

- (7) Basic Law Enforcement training cadets ("Cadet"), if necessary to complete firearms and taser training on county owned firing ranges, and other county owned property when the training and instructor are specifically authorized by the Sheriff; provided, however, that a Cadet shall not carry a weapon while in a courtroom on personal business, for a personal matter, or if he or she has a personal interest in the matter before the court, or while consuming alcohol or an unlawful controlled substance or while alcohol or an unlawful controlled substance remains in the officer's body
- (8) Other non-law enforcement civilians but only when the training and instructor are specifically authorized by the Sheriff.
- (9) Any person delivering a handgun, firearm, or other weapon to a law enforcement agency;
- (10.) Any person receiving a handgun, firearm, or other weapon from a law enforcement agency;
- (11.) Any person who holds a lawfully issued concealed carry permit to carry on or about his or her person a handgun and who has secured the concealed handgun in a locked vehicle within the trunk, glove box, or other enclosed compartment or area within or on the motor vehicle;
- (12.) Employees of a contractor or other business doing business on county property carrying or possessing a knife when in discharge of their official duties as such in fulfillment of a contract with the county and acting under orders requiring the carry of a knife and employees of the county carrying out their official duties under orders requiring the carry of a knife;
- (13.) Any other person or group exempted by the provisions of North Carolina General Statute §14-269(b) or §14-269.4.

(d) Notice and Signage.

The sheriff or his or her designee shall post in a conspicuous location on or in each courthouse and law enforcement facility notices regarding the prohibitions contained in this section. The sheriff or his or her designee shall exercise discretion in determining the number and appropriate location of the notices to be posted.

Section 2. In the event that any provision of this ordinance, or any part thereof, or any application thereof to any person or circumstance, is for any reason held to be unconstitutional or otherwise invalid or ineffective by any court of competent jurisdiction on its face, or as applied, such holding shall not affect the validity or effectiveness of any of the remaining provisions of this ordinance, or any part thereof, or any application thereof to any person or circumstance of said provision as applied to any other person or circumstance. It is hereby declared to be the legislative intent of the Board of Commissioners that this ordinance would have been adopted had such unconstitutional, invalid, or ineffective provisions not been included herein.

Section 3.

- (1) All ordinances or clauses of ordinance in conflict herewith are hereby repealed.
- (2) This ordinance is in effect from and after the date of its adoption.

Introduced: _____

Adopted: _____



Chatham County, NC

Text File

File Number: 18-2477

Agenda Date: 1/16/2018

Version: 1

Status: Approval of Agenda and
Consent Agenda

In Control: Tax Office Assessor

File Type: Agenda Item

Vote on a request to approve Tax Releases and Refunds

Action Requested: Vote on a request to approve Tax Releases and Refunds.

Introduction & Background: The attached list of taxpayers have requested a release or refund of their tax bills.

Discussion & Analysis: In accordance with G.S. 105-381, the attached list of taxpayers have requested a release or refund of their tax bills.

Recommendation: Vote to approve Tax Releases and Refunds.

DATE	1/02/18	BOARD REVIEW OF CORRECTED RECEIPTS REPORT							PAGE	1	
TIME	13:09:51	CHATHAM CO TAX DEPARTMENT							PROG#	CL2182	
USER	AMY	DEPOSIT DATES 12/01/2017 THROUGH 12/31/2017									
SKIP	NEGATIVE ABATEMENTS	OMIT	ABATE	CODES	ERROR	BOER	CHGOF	PTC			
TAX		DEPOSIT									
YEAR	TAXPAYER NAME	DATE	RECEIPT	DIST	REAL	PERSONAL	M VEH	MV FEE	S WASTE	REASON	ABTCD
=====											
2008	CALDWELL KATHLEEN	12/08/2017	1330260	103		56.10				MOVED AROUND 199	MVDOS
2008	CALDWELL KATHLEEN	12/08/2017	1330261	103		78.60				MOVED AROUND 199	MVDOS
	** YEAR TOTALS **					134.70					
2009	CALDWELL KATHLEEN	12/08/2017	1455804	103		35.81				MOVED AROUND 199	MVDOS
2009	CALDWELL KATHLEEN	12/08/2017	1455805	103		40.03				MOVED AROUND 199	MVDOS
	** YEAR TOTALS **					75.84					
2010	CALDWELL KATHLEEN	12/08/2017	1579684	103		37.31				MOVED AROUND 199	MVDOS
2010	CALDWELL KATHLEEN	12/08/2017	1579685	103		41.71				MOVED AROUND 199	MVDOS
	** YEAR TOTALS **					79.02					
2011	BLUE DENNIS	12/22/2017	1786504	109		18.71				SOLD PER WLIFE/N PPSLD	
2011	CALDWELL KATHLEEN	12/08/2017	1771725	103		37.59				MOVED AROUND 199	MVDOS
2011	CALDWELL KATHLEEN	12/08/2017	1771726	103		42.01				MOVED AROUND 199	MVDOS
	** YEAR TOTALS **					98.31					
2012	BLUE DENNIS	12/22/2017	1910355	109		16.86				SOLD PER WLIFE/N PPSLD	
2012	CALDWELL KATHLEEN	12/08/2017	1896321	103		14.10				MOVED AROUND 199	MVDOS
	** YEAR TOTALS **					30.96					
2013	BLUE DENNIS	12/22/2017	2046158	109		15.18				SOLD PER WLIFE/N PPSLD	
2013	CALDWELL KATHLEEN	12/08/2017	2032878	103		14.10				MOVED AROUND 199	MVDOS
2013	SMOAK MARION	12/29/2017	2065259	105		5.30				DECEASED IN 2013	PPSLD
2013	SMOAK MARION	12/29/2017	2065261	105		2.42				DECEASED IN 2013	PPSLD
	** YEAR TOTALS **					37.00					
2014	BLUE DENNIS	12/22/2017	2127340	109		13.66				SOLD PER WLIFE/N PPSLD	
2014	CALDWELL KATHLEEN	12/08/2017	2114898	103		14.10				MOVED AROUND 199	MVDOS
2014	SMOAK MARION	12/29/2017	2148585	105		4.75				DECEASED IN 2013	PPSLD
2014	SMOAK MARION	12/29/2017	2148586	105		2.42				DECEASED IN 2013	PPSLD
	** YEAR TOTALS **					34.93					
2015	BLUE DENNIS	12/22/2017	2189410	109		12.30				SOLD PER WLIFE/N PPSLD	
2015	CALDWELL KATHLEEN	12/08/2017	2177553	103		14.10				MOVED AROUND 199	MVDOS
2015	SMOAK MARION	12/29/2017	2213226	105		4.36				DECEASED IN 2013	PPSLD
2015	SMOAK MARION	12/29/2017	2213227	105		2.48				DECEASED IN 2013	PPSLD
	** YEAR TOTALS **					33.24					
2016	BLUE DENNIS	12/22/2017	2252002	109		11.28				SOLD PER WLIFE/N PPSLD	
2016	BRISTOW STEVEN CHRISTOPHER	12/18/2017	2245202	109		3.17				SOLD PER DMV REC PPSLD	
2016	CALDWELL KATHLEEN	12/08/2017	2240637	103		2.65				MOVED AROUND 199	MVDOS
2016	GRAYS BAIT SHOP & GAME ROOM	12/06/2017	2284453	202		3.09				SOLD PROP IN 201	PPSLD

YEAR	TAXPAYER NAME	DATE	RECEIPT	DIST	REAL	PERSONAL	M VEH	MV FEE	S WASTE	REASON	ABTCD
=====											
2016	GRAYS BAIT SHOP & GAME ROOM	12/06/2017	2284454	202		24.81				PROP SOLD IN 201	PPSLD
2016	SMOAK MARION	12/29/2017	2278167	105		4.00				DECEASED IN 2013	PPSLD
2016	SMOAK MARION	12/29/2017	2278168	105		2.51				DECEASED IN 2013	PPSLD
** YEAR TOTALS **						51.51					
2017	ALLEN THOMAS EARLE	12/15/2017	2347335	104		57.59				SOLD PER WLIFE	PPSLD
2017	BLUE DENNIS	12/22/2017	2315183	109		10.04				SOLD PER LIFE/NE	PPSLD
2017	BRISTOW STEVEN CHRISTOPHER	12/18/2017	2308809	109		3.83				SOLD PER DMV REC	PPSLD
2017	BROWNFIELD RICHARD BLANK	12/06/2017	2313098	104		3.95				DBLST WITH ACCT	DBLST
2017	CALDWELL KATHLEEN	12/08/2017	2304438	103		2.37				MOVED AROUND 199	MVDOS
2017	COOPER DELLA SUE LOWE	12/05/2017	2310565	101						ADD 1 SW FEE PER	SWFEE
2017	DOWNING ELIZABETH ANN	12/21/2017	2330303	107					34.00	ELLIS DISPOSAL	SWFEE
2017	EDWARDS BRANDON DONNELL	12/06/2017	2311514	101		48.35				PER DMV	PPSLD
2017	GATTIS MARIE BURNETTE	12/05/2017	2345899	107					125.00	REMOVE FEE PER W	SWFEE
2017	GRAYS BAIT SHOP & GAME ROOM	12/06/2017	2349657	202		3.16				PROP SOLD 2013	PPSLD
2017	GRAYS BAIT SHOP & GAME ROOM	12/06/2017	2349658	202		25.36				PROP SOLD 2013	PPSLD
2017	GRIGG JAMES MICHAEL	12/19/2017	2309081	107		4.03				SOLD 2016 PER DM	PPSLD
2017	GRIGG JAMES MICHAEL	12/19/2017	2309082	202		6.26			5.00	SOLD 2016 PER DM	PPSLD
2017	GRIGG JAMES MICHAEL	12/19/2017	2309083	202		6.26			5.00	SOLD 2016 PER DM	PPSLD
2017	HOLBERT WILLIAM	12/18/2017	2306445	107					34.00	PRIVATE HAULER	SWFEE
2017	KOCIS KEITH	12/15/2017	2310911	107		314.52				RELEASED TO BRUN	OCNTY
2017	LOPEZ KRISTEN NICOLE COOPER	12/05/2017	2338908	101					125.00	RMVL OF 1SW FEE	SWFEE
2017	MARSH ISIAH	12/28/2017	2341403	103		10.30				ACCT 1185999	DBLST
2017	MARSH ISIAH	12/28/2017	2341404	103		5.15				ACCT 1185999	DBLST
2017	REEVES DAVID W	12/05/2017	2335948	106					34.00	DISPOSAL FEE PRV	SWFEE
2017	REME LLC	12/08/2017	2309061	201		7.40				CORRECT PER LATE	PPVAL
2017	REME LLC	12/08/2017	2309065	201		8.22				CORRECT PER LATE	PPVAL
2017	SANDERS MARK MCCLENYON	12/29/2017	2293829	107		4.03				DMV VERIFICATION	RGVEH
2017	SMOAK MARION	12/29/2017	2343496	105		4.15				DECEASED IN 2013	PPSLD
2017	SMOAK MARION	12/29/2017	2343497	105		4.15				DECEASED IN 2013	PPSLD
2017	TRUELOVE HAROLD E	12/20/2017	2298366	105		4.06				HELEN STONE	PPSLD
** YEAR TOTALS **						533.18			362.00		
*** FINAL TOTALS ***						1108.69			362.00		

*** NORMAL END OF JOB ***



North Carolina Veh

NCVTS Pending

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Payee Name	Primary Owner	Secondary Owner	Address 1	Address 2	Address 3	Refund Type	Bill #	Plate Number	Status	Transaction #	Refund Description
AGUILAR, ADOLFO	AGUILAR, ADOLFO		1204 SPRINGTIME PL		SILER CITY, NC 27344	Proration	0025335197	CJN7497	AUTHORIZED	118537191	Refund Generated due to proration on Bill #0025335197-2016-0000-00
ALLEN, SHERRY JOHNSON	ALLEN, SHERRY JOHNSON		1677 OAKLEY CHURCH RD		BEAR CREEK, NC 27207	Proration	0036883092	EZ7283	AUTHORIZED	78453166	Refund Generated due to proration on Bill #0036883092-2016-0000-00
AMELL, RILEY JAY JOHN	AMELL, RILEY JAY JOHN		5219 BIG WOODS RD		CHAPEL HILL, NC 27517	Proration	0037133432	ELK1610	AUTHORIZED	78451966	Refund Generated due to proration on Bill #0037133432-2016-0000-00
BAKER, DAVID GENE	BAKER, DAVID GENE		274 BECKINGHAM LOOP		CARY, NC 27519	Proration	0035368888	WXC6235	AUTHORIZED	119040501	Refund Generated due to proration on Bill #0035368888-2016-0000-00
BALL, LOIS ELAINE	BALL, LOIS ELAINE		4285 BONLEE BENNETT RD		BEAR CREEK, NC 27207	Adjustment < \$100	0035368185	PCR9695	AUTHORIZED	78451974	Refund Generated due to adjustment on Bill #0035368185-2016-0000-00



North Carolina Ver

NCVTS Pending

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	Refund Reason	Create Date	Authorization Date
ie	Vehicle Sold	12/18/2017	12/18/2017 2:22:44 PM
-			
ie	Vehicle Sold	12/06/2017	12/6/2017 11:42:39 AM
-			
ie	Vehicle Sold	12/04/2017	12/4/2017 3:56:48 PM
-			
ie	Vehicle Sold	12/28/2017	12/28/2017 4:30:11 PM
-			
ie	Mileage	12/04/2017	12/4/2017 4:01:21 PM
-			



North Carolina Ver

NCVTS Pending

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Tax Jurisdiction	Levy Type	Change	Interest Change	Total Change
00	Tax	(\$50.91)	\$0.00	(\$50.91)
22	Tax	(\$38.56)	\$0.00	(\$38.56)
22	Vehicle Fee	\$0.00	\$0.00	\$0.00
			Refund	\$89.47
00	Tax	(\$28.75)	\$0.00	(\$28.75)
01	Tax	(\$4.09)	\$0.00	(\$4.09)
			Refund	\$32.84
00	Tax	(\$11.10)	\$0.00	(\$11.10)
07	Tax	(\$1.80)	\$0.00	(\$1.80)
			Refund	\$12.90
00	Tax	(\$15.18)	\$0.00	(\$15.18)
23	Tax	(\$8.39)	\$0.00	(\$8.39)
23	Vehicle Fee	\$0.00	\$0.00	\$0.00
			Refund	\$23.57
00	Tax	(\$12.18)	\$0.00	(\$12.18)
03	Tax	(\$1.35)	\$0.00	(\$1.35)
			Refund	\$13.53



North Carolina Veh

NCVTS Pending

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Payee Name	Primary Owner	Secondary Owner	Address 1	Address 2	Address 3	Refund Type	Bill #	Plate Number	Status	Transaction #	Refund Description
BRADY, GURNEY ANDREW	BRADY, GURNEY ANDREW	BRADY, NANCY KIDD	1325 NC HIGHWAY 22 42		BENNETT, NC 27208	Proration	0018810844	PAW3618	AUTHORIZED	79132312	Refund Generated due to proration on Bill #0018810844-2016 2016-0000-00
BUHLER, BARRY ROGER	BUHLER, BARRY ROGER		147 AUTUMN CHASE		PITTSBORO, NC 27312	Proration	0001327000	ZZM6498	AUTHORIZED	79024812	Refund Generated due to proration on Bill #0001327000-2017 2017-0000-00
CAIN, NORA HOOKER	CAIN, NORA HOOKER		505 TURTLE CREEK FARM RD		APEX, NC 27523	Proration	0014480258	ZTA8880	AUTHORIZED	78893398	Refund Generated due to proration on Bill #0014480258-2016 2016-0000-00
CARNES, JON ERIC	CARNES, JON ERIC	CARNES, DIANE GERVAIS	67 FEARRINGTON POST		PITTSBORO, NC 27312	Adjustment < \$100	0039336759	AJY2179	AUTHORIZED	78844588	Refund Generated due to adjustment on Bill #0039336759-2017 2017-0000-00
CASH, TERESA LYNN	CASH, TERESA LYNN		1565 NEW ELAM CHURCH RD		NEW HILL, NC 27562	Proration	0037665586	EET6902	AUTHORIZED	78571010	Refund Generated due to proration on Bill #0037665586-2016 2016-0000-00



North Carolina Ver

NCVTS Pending

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	Refund Reason	Create Date	Authorization Date
ie	Vehicle Sold	12/21/2017	12/21/2017 10:24:19 AM
-			
ie	Vehicle Sold	12/18/2017	12/18/2017 2:37:17 PM
-			
ie	Vehicle Sold	12/15/2017	12/15/2017 2:15:09 PM
-			
ie	Mileage	12/14/2017	12/14/2017 8:37:39 AM
-			
ie	Vehicle Sold	12/08/2017	12/8/2017 11:28:56 AM
-			



North Carolina Ver

NCVTS Pending

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Tax Jurisdiction	Levy Type	Change	Interest Change	Total Change
00	Tax	(\$41.03)	\$0.00	(\$41.03)
13	Tax	(\$5.83)	\$0.00	(\$5.83)
			Refund	\$46.86
00	Tax	(\$35.86)	\$0.00	(\$35.86)
06	Tax	(\$6.99)	\$0.00	(\$6.99)
			Refund	\$42.85
00	Tax	(\$12.13)	\$0.00	(\$12.13)
07	Tax	(\$1.97)	\$0.00	(\$1.97)
			Refund	\$14.10
00	Tax	(\$21.58)	\$0.00	(\$21.58)
07	Tax	(\$3.54)	\$0.00	(\$3.54)
			Refund	\$25.12
00	Tax	(\$6.66)	\$0.00	(\$6.66)
05	Tax	(\$1.32)	\$0.00	(\$1.32)
			Refund	\$7.98



North Carolina Veh

NCVTS Pending

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Payee Name	Primary Owner	Secondary Owner	Address 1	Address 2	Address 3	Refund Type	Bill #	Plate Number	Status	Transaction #	Refund Description
CLARK, JAVETTA SMITH	CLARK, JAVETTA SMITH		768 SANDY BRANCH CHURCH R		BEAR CREEK, NC 27207	Adjustment < \$100	0040254776	TPT2211	AUTHORIZED	118537626	Refund Generated due to adjustment on Bill #0040254776-2017-0000
COX, MONICA DAWN	COX, MONICA DAWN		12084 US HIGHWAY 64 W	LOT 2	SILER CITY, NC 27344	Adjustment < \$100	0040281467	PHL7853	AUTHORIZED	118537986	Refund Generated due to adjustment on Bill #0040281467-2017-0000
CRIST, HOWARD LEROY JR	CRIST, HOWARD LEROY JR		1705 NC HIGHWAY 751		APEX, NC 27523	Proration	0034605797	ACD1533	AUTHORIZED	79359788	Refund Generated due to proration on Bill #0034605797-2016-0000-00
CRIST, HOWARD LEROY JR	CRIST, HOWARD LEROY JR		703 E WILLIAMS ST		APEX, NC 27502	Proration	0037043481	EEY7067	AUTHORIZED	79359782	Refund Generated due to proration on Bill #0037043481-2016-0000-00
DAIL, JENNINGS RODERICK JR	DAIL, JENNINGS RODERICK JR	DAIL, NANCY RUSSELL	110 JULIA LN		PITTSBORO, NC 27312	Proration	0029224171	DMB2207	AUTHORIZED	78893540	Refund Generated due to proration on Bill #0029224171-2017-0000-00



North Carolina Ver

NCVTS Pending

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	Refund Reason	Create Date	Authorization Date
ie - -	Situs error	12/19/2017	12/19/2017 8:34:59 AM
ie - -	Situs error	12/19/2017	12/19/2017 11:05:58 AM
ie - -	Vehicle Sold	12/28/2017	12/28/2017 9:54:39 AM
ie - -	Vehicle Sold	12/28/2017	12/28/2017 9:52:43 AM
ie - -	Vehicle Sold	12/15/2017	12/15/2017 4:18:19 PM



North Carolina Ver

NCVTS Pending

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Tax Jurisdiction	Levy Type	Change	Interest Change	Total Change
00	Tax	\$0.00	\$0.00	\$0.00
21	Tax	(\$45.04)	\$0.00	(\$45.04)
03	Tax	\$7.28	\$0.00	\$7.28
			Refund	\$37.76
00	Tax	\$0.00	\$0.00	\$0.00
21	Tax	(\$5.46)	\$0.00	(\$5.46)
09	Tax	\$0.86	\$0.00	\$0.86
			Refund	\$4.60
00	Tax	(\$4.24)	(\$0.20)	(\$4.44)
08	Tax	(\$0.69)	(\$0.04)	(\$0.73)
			Refund	\$5.17
00	Tax	(\$17.48)	\$0.00	(\$17.48)
08	Tax	(\$2.84)	\$0.00	(\$2.84)
			Refund	\$20.32
00	Tax	(\$70.85)	\$0.00	(\$70.85)
09	Tax	(\$7.73)	\$0.00	(\$7.73)
			Refund	\$78.58



North Carolina Veh

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Payee Name	Primary Owner	Secondary Owner	Address 1	Address 2	Address 3	Refund Type	Bill #	Plate Number	Status	Transaction #	Refund Description
DAVIS, DEEDEE ANN	DAVIS, DEEDEE ANN		1799 BENNETT SILER CITY	RD	SILER CITY, NC 27344	Proration	0039485520	PHL7561	AUTHORIZED	78451492	Refund Generated due to proration on Bill #0039485520-2017-0000-00
EDDINS, RONALD PAUL	EDDINS, RONALD PAUL		1350 CHATHAM CHURCH RD		MONCURE, NC 27559	Proration	0036874256	EEH3839	AUTHORIZED	78453400	Refund Generated due to proration on Bill #0036874256-2016-0000-00
FEINBERG, ALLEN MARK	FEINBERG, ALLEN MARK		100 WOODBEND CT		CHAPEL HILL, NC 27516	Proration	0018810258	BMH5292	AUTHORIZED	78571020	Refund Generated due to proration on Bill #0018810258-2016-0000-00
FITZGERALD, JUDITH BROLIN	FITZGERALD, JUDITH BROLIN		614 FEARRINGTON POST		PITTSBORO, NC 27312	Adjustment < \$100	0009079330	17G	AUTHORIZED	78793800	Refund Generated due to adjustment on Bill #0009079330-2017-0000-00
GROSS, BRADLEY DAVIES	GROSS, BRADLEY DAVIES	GROSS, BEVERLY JEAN	528 BOSWORTH PL		CARY, NC 27519	Proration	0026799853	WWP3672	AUTHORIZED	118190583	Refund Generated due to proration on Bill #0026799853-2016-0000-00



North Carolina Ver

NCVTS Pending

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	Refund Reason	Create Date	Authorization Date
ie	Vehicle Sold	12/04/2017	12/4/2017 12:03:25 PM
ie	Vehicle Sold	12/06/2017	12/6/2017 3:09:08 PM
ie	Vehicle Totalled	12/08/2017	12/8/2017 11:34:10 AM
ie	Mileage	12/13/2017	12/13/2017 1:17:39 PM
ie	Vehicle Sold	12/13/2017	12/13/2017 11:31:07 AM



North Carolina Ver

NCVTS Pending

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Tax Jurisdiction	Levy Type	Change	Interest Change	Total Change
00	Tax	(\$7.38)	\$0.00	(\$7.38)
13	Tax	(\$1.06)	\$0.00	(\$1.06)
			Refund	\$8.44
00	Tax	(\$66.99)	\$0.00	(\$66.99)
06	Tax	(\$12.94)	\$0.00	(\$12.94)
			Refund	\$79.93
00	Tax	(\$28.77)	\$0.00	(\$28.77)
07	Tax	(\$4.67)	\$0.00	(\$4.67)
			Refund	\$33.44
00	Tax	(\$7.48)	\$0.00	(\$7.48)
07	Tax	(\$1.23)	\$0.00	(\$1.23)
			Refund	\$8.71
00	Tax	(\$25.19)	\$0.00	(\$25.19)
23	Tax	(\$13.91)	\$0.00	(\$13.91)
23	Vehicle Fee	\$0.00	\$0.00	\$0.00
			Refund	\$39.10

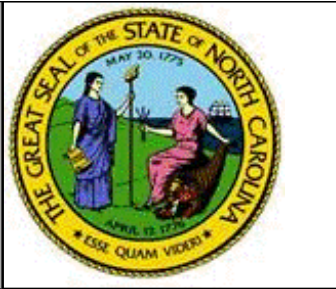


North Carolina Veh

NCVTS Pending

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Payee Name	Primary Owner	Secondary Owner	Address 1	Address 2	Address 3	Refund Type	Bill #	Plate Number	Status	Transaction #	Refund Description
HENNESSY, PATRICIA ANN	HENNESSY, PATRICIA ANN		93 SUNSET RIDGE COURT		PITTSBORO, NC 27312	Proration	0036407248	PDJ2605	AUTHORIZED	79024708	Refund Generated due to proration on Bill #0036407248-2016-0000-00
HIGH, KEITH JOSEPH	HIGH, KEITH JOSEPH	HIGH, MICHAL LYNN	177 TRUTH RD		NEW HILL, NC 27562	Proration	0023444565	CMX5091	AUTHORIZED	78451386	Refund Generated due to proration on Bill #0023444565-2017-0000-00
HIGHLAND FEED WATER INC	HIGHLAND FEED WATER INC	MILLER, DAVID ROBERT	1103 EAST ST		PITTSBORO, NC 27312	Proration	0009671735	BFM2075	AUTHORIZED	79360064	Refund Generated due to proration on Bill #0009671735-2017-0000-00
HINE, MELODY WELLS	HINE, MELODY WELLS		200 GATTIS APT 103		CHAPEL HILL, NC 27517	Adjustment < \$100	0034774788	CCV9643	AUTHORIZED	78516774	Refund Generated due to adjustment on Bill #0034774788-2017-0000-00
HOLSTEIN, DOUGLAS MARC	HOLSTEIN, DOUGLAS MARC		145 WILDWIND DR		CHAPEL HILL, NC 27516	Proration	0020503648	YPY3172	AUTHORIZED	79360254	Refund Generated due to proration on Bill #0020503648-2016-0000-00



North Carolina Veh

NCVTS Pending

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	Refund Reason	Create Date	Authorization Date
ie	Vehicle Sold	12/18/2017	12/18/2017 12:54:38 PM
ie	Vehicle Sold	12/04/2017	12/4/2017 11:19:27 AM
ie	Vehicle Totalled	12/28/2017	12/29/2017 5:05:44 PM
ie	Mileage	12/07/2017	12/7/2017 9:54:02 AM
ie	Vehicle Sold	12/28/2017	12/28/2017 3:19:44 PM



North Carolina Ver

NCVTS Pending

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Tax Jurisdiction	Levy Type	Change	Interest Change	Total Change
00	Tax	(\$67.10)	\$0.00	(\$67.10)
06	Tax	(\$12.97)	\$0.00	(\$12.97)
			Refund	\$80.07
00	Tax	(\$45.43)	\$0.00	(\$45.43)
05	Tax	(\$9.04)	\$0.00	(\$9.04)
			Refund	\$54.47
00	Tax	(\$65.51)	\$0.00	(\$65.51)
21	Tax	(\$45.19)	\$0.00	(\$45.19)
			Refund	\$110.70
00	Tax	(\$8.95)	\$0.00	(\$8.95)
07	Tax	(\$1.46)	\$0.00	(\$1.46)
			Refund	\$10.41
00	Tax	(\$14.49)	\$0.00	(\$14.49)
07	Tax	(\$2.36)	\$0.00	(\$2.36)
			Refund	\$16.85



North Carolina Veh

NCVTS Pending

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Payee Name	Primary Owner	Secondary Owner	Address 1	Address 2	Address 3	Refund Type	Bill #	Plate Number	Status	Transaction #	Refund Description
HUMPHRIES, RONALD EDWARD	HUMPHRIES, RONALD EDWARD		PO BOX 129		MONCURE, NC 27559	Proration	0001302277	BBP8267	AUTHORIZED	78451780	Refund Generated due to proration on Bill #0001302277-2017-0000-00
JOHNSON, PHYLLIS HARRIS	JOHNSON, PHYLLIS HARRIS		538 RE WRIGHT RD		SNOW CAMP, NC 27349	Adjustment < \$100	0040360754	CJ65778	AUTHORIZED	79360904	Refund Generated due to adjustment on Bill #0040360754-2017-0000-00
KILGORE, JAMES	KILGORE, JAMES	KILGORE, MELINDA ROSE	PO BOX 621		SILER CITY, NC 27344	Proration	0037766752	HD4277D	AUTHORIZED	79189828	Refund Generated due to proration on Bill #0037766752-2016-0000-00
KOPP, JOYCE BILLHYMER	KOPP, JOYCE BILLHYMER	KOPP, ARTHUR ALFRED	82 HILLENDALE DR		PITTSBORO, NC 27312	Proration	0018817813	YXW1560	AUTHORIZED	78893328	Refund Generated due to proration on Bill #0018817813-2016-0000-00
LEWIS, CATHERINE LYNNE	LEWIS, CATHERINE LYNNE		145 CAPE FEAR DR		NEW HILL, NC 27562	Proration	0036151076	EJZ6326	AUTHORIZED	78238884	Refund Generated due to proration on Bill #0036151076-2016-0000-00



North Carolina Veh

NCVTS Pending

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	Refund Reason	Create Date	Authorization Date
ie	Vehicle Totalled	12/04/2017	12/4/2017 2:28:52 PM
ie	Over Assessment	12/29/2017	12/29/2017 2:05:57 PM
ie	Tag Surrender	12/22/2017	12/22/2017 1:30:01 PM
ie	Vehicle Totalled	12/15/2017	12/15/2017 1:11:50 PM
ie	Vehicle Sold	12/01/2017	12/1/2017 11:19:19 AM



North Carolina Ver

NCVTS Pending

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Tax Jurisdiction	Levy Type	Change	Interest Change	Total Change
00	Tax	(\$15.60)	\$0.00	(\$15.60)
05	Tax	(\$3.11)	\$0.00	(\$3.11)
			Refund	\$18.71
00	Tax	(\$32.68)	\$0.00	(\$32.68)
09	Tax	(\$3.57)	\$0.00	(\$3.57)
			Refund	\$36.25
00	Tax	(\$30.23)	\$0.00	(\$30.23)
09	Tax	(\$3.26)	\$0.00	(\$3.26)
			Refund	\$33.49
00	Tax	(\$14.72)	\$0.00	(\$14.72)
09	Tax	(\$1.59)	\$0.00	(\$1.59)
			Refund	\$16.31
00	Tax	(\$1.86)	\$0.00	(\$1.86)
05	Tax	(\$0.37)	\$0.00	(\$0.37)
			Refund	\$2.23



North Carolina Ver

NCVTS Pending

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Payee Name	Primary Owner	Secondary Owner	Address 1	Address 2	Address 3	Refund Type	Bill #	Plate Number	Status	Transaction #	Refund Description
LILLY, ALEXANDER EUGENE	LILLY, ALEXANDER EUGENE	LILLY, RONNIE EUGENE	668 TOBACCO FARM WAY		CHAPEL HILL, NC 27516	Proration	0026227338	AED4152	AUTHORIZED	78451972	Refund Generated due to proration on Bill #0026227338-2016-0000-00
LITTLE, ANTHONY WHITING	LITTLE, ANTHONY WHITING		219 DARK FOREST DR		CHAPEL HILL, NC 27516	Proration	0029734224	BH8043	AUTHORIZED	78451622	Refund Generated due to proration on Bill #0029734224-2016-0000-00
LITTLE, ANTHONY WHITING	LITTLE, ANTHONY WHITING		219 DARK FOREST DR		CHAPEL HILL, NC 27516	Proration	0030017180	YWB6509	AUTHORIZED	78451654	Refund Generated due to proration on Bill #0030017180-2016-0000-00
MOORE, KRIS MASENGARB	MOORE, KRIS MASENGARB	MOORE, TIMOTHY JOHN	206 ABBEY VIEW WAY		CARY, NC 27519	Proration	0036419508	DEW6900	AUTHORIZED	117775113	Refund Generated due to proration on Bill #0036419508-2016-0000-00
MORGAN, GARY JOHN	MORGAN, GARY JOHN	MORGAN, JO ANN MARIE	115 BECKINGHAM LOOP		CARY, NC 27519	Proration	0014492599	AKC9063	AUTHORIZED	118538022	Refund Generated due to proration on Bill #0014492599-2016-0000-00



North Carolina Veh

NCVTS Pending

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	Refund Reason	Create Date	Authorization Date
ie	Reg . Out of state	12/04/2017	12/4/2017 4:01:07 PM
ie	Vehicle Sold	12/04/2017	12/4/2017 1:02:22 PM
ie	Vehicle Sold	12/04/2017	12/19/2017 11:32:46 AM
ie	Vehicle Sold	12/07/2017	12/7/2017 9:19:20 AM
ie	Reg . Out of state	12/19/2017	12/19/2017 11:29:56 AM



North Carolina Ver

NCVTS Pending

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Tax Jurisdiction	Levy Type	Change	Interest Change	Total Change
00	Tax	(\$22.85)	\$0.00	(\$22.85)
07	Tax	(\$3.71)	\$0.00	(\$3.71)
			Refund	\$26.56
00	Tax	(\$18.10)	\$0.00	(\$18.10)
07	Tax	(\$2.94)	\$0.00	(\$2.94)
			Refund	\$21.04
00	Tax	(\$112.02)	\$0.00	(\$112.02)
07	Tax	(\$18.20)	\$0.00	(\$18.20)
			Refund	\$130.22
00	Tax	(\$22.85)	\$0.00	(\$22.85)
23	Tax	(\$12.62)	\$0.00	(\$12.62)
23	Vehicle Fee	\$0.00	\$0.00	\$0.00
			Refund	\$35.47
00	Tax	(\$15.27)	\$0.00	(\$15.27)
23	Tax	(\$8.43)	\$0.00	(\$8.43)
23	Vehicle Fee	\$0.00	\$0.00	\$0.00
			Refund	\$23.70



North Carolina Veh

NCVTS Pending

Report Date 1/2/2018 11:31:27 AM

Payee Name	Primary Owner	Secondary Owner	Address 1	Address 2	Address 3	Refund Type	Bill #	Plate Number	Status	Transaction #	Refund Description
MOSER, WADE HAUSER	MOSER, WADE HAUSER		700 ALTADORE CRES		MONCURE, NC 27559	Proration	0038298487	ELZ4058	AUTHORIZED	78736974	Refund Generated due to proration on Bill #0038298487-2017-0000-01
NOVOTNY, JAMES LOUIS	NOVOTNY, JAMES LOUIS		220 HOLLY RUN		PITTSBORO, NC 27312	Proration	0024233127	DBT4845	AUTHORIZED	78793812	Refund Generated due to proration on Bill #0024233127-2016-0000-00
PRESCOTT, PAUL TERRELL	PRESCOTT, PAUL TERRELL		37 TIMBER CREEK PATH		CHAPEL HILL, NC 27517	Proration	0032008311	7875BP	AUTHORIZED	78239278	Refund Generated due to proration on Bill #0032008311-2016-0000-00
PULLIAM, BRENDA LEE	PULLIAM, BRENDA LEE	SCOFIELD, CAROL LEE	218 CASSIDY LN		CHAPEL HILL, NC 27516	Proration	0014497896	4H52BP	AUTHORIZED	78453402	Refund Generated due to proration on Bill #0014497896-2016-0000-00
SCHECKELH OFF, KRISTEN MARIE	SCHECKELH OFF, KRISTEN MARIE		2603 SLK HOPE GUM SPRING	ROAD	PITTSBORO, NC 27312	Adjustment < \$100	0040267593	FBM1640	AUTHORIZED	118339521	Refund Generated due to adjustment on Bill #0040267593-2017-0000



North Carolina Veh

NCVTS Pending

Report Date 1/2/2018 11:31:27 AM

	Refund Reason	Create Date	Authorization Date
ie	Tag Surrender	12/12/2017	12/12/2017 9:30:42 AM
ie	Vehicle Sold	12/13/2017	12/13/2017 1:29:03 PM
ie	Vehicle Sold	12/01/2017	12/1/2017 4:10:04 PM
ie	Vehicle Sold	12/06/2017	12/6/2017 3:09:54 PM
ie	Situs error	12/15/2017	12/15/2017 8:23:18 AM



North Carolina Ver

NCVTS Pending

Report Date 1/2/2018 11:31:27 AM

Tax Jurisdiction	Levy Type	Change	Interest Change	Total Change
00	Tax	(\$82.73)	\$0.00	(\$82.73)
06	Tax	(\$16.13)	\$0.00	(\$16.13)
			Refund	\$98.86
00	Tax	(\$4.62)	\$0.00	(\$4.62)
04	Tax	(\$0.66)	\$0.00	(\$0.66)
			Refund	\$5.28
00	Tax	(\$26.41)	\$0.00	(\$26.41)
07	Tax	(\$4.29)	\$0.00	(\$4.29)
			Refund	\$30.70
00	Tax	(\$8.28)	\$0.00	(\$8.28)
07	Tax	(\$1.35)	\$0.00	(\$1.35)
			Refund	\$9.63
00	Tax	\$0.00	\$0.00	\$0.00
21	Tax	(\$30.85)	\$0.00	(\$30.85)
09	Tax	\$4.88	\$0.00	\$4.88
			Refund	\$25.97



North Carolina Veh

NCVTS Pending

Report Date 1/2/2018 11:31:27 AM

Payee Name	Primary Owner	Secondary Owner	Address 1	Address 2	Address 3	Refund Type	Bill #	Plate Number	Status	Transaction #	Refund Description
SCHWALM, DANIEL JUDE	SCHWALM, DANIEL JUDE		135 THE PRESERVE TRL		CHAPEL HILL, NC 27517	Proration	0018811877	BMR5262	AUTHORIZED	78736690	Refund Generated due to proration on Bill #0018811877-2016-0000-00
SHERWIN, DEBORAH ANNE	SHERWIN, DEBORAH ANNE		138 OAKWOOD DR		PITTSBORO, NC 27312	Proration	0022156371	GEGB	AUTHORIZED	79360696	Refund Generated due to proration on Bill #0022156371-2016-0000-00
SIRCAR, DHRUBO KUMAR	SIRCAR, DHRUBO KUMAR		20018 FOUNTAIN		CHAPEL HILL, NC 27517	Adjustment < \$100	0023882567	8443AT	AUTHORIZED	78452220	Refund Generated due to adjustment on Bill #0023882567-2017-0000-00
SKOLETSKY, PHILIP	SKOLETSKY, PHILIP	SKOLETSKY, JAY ALAN	575 TOMKINS LOOP		CARY, NC 27519	Proration	0026448637	BCZ8900	AUTHORIZED	117680268	Refund Generated due to proration on Bill #0026448637-2016-0000-00
SMALL, CONSTANCE HELENA	SMALL, CONSTANCE HELENA		1085 QUEENSDALE DR		CARY, NC 27519	Proration	0039288474	DJASS	AUTHORIZED	117679785	Refund Generated due to proration on Bill #0039288474-2017-0000-00



North Carolina Ver

NCVTS Pending

Report Date 1/2/2018 11:31:27 AM

	Refund Reason	Create Date	Authorization Date
ie	Vehicle Sold	12/11/2017	12/11/2017 2:59:52 PM
ie	Vehicle Sold	12/29/2017	12/29/2017 11:34:33 AM
ie	Mileage	12/05/2017	12/5/2017 8:58:48 AM
ie	Vehicle Sold	12/06/2017	12/19/2017 11:32:46 AM
ie	Vehicle Sold	12/06/2017	12/19/2017 11:32:46 AM



North Carolina Ver

NCVTS Pending

Report Date 1/2/2018 11:31:27 AM

Tax Jurisdiction	Levy Type	Change	Interest Change	Total Change
00	Tax	(\$30.87)	\$0.00	(\$30.87)
07	Tax	(\$5.02)	\$0.00	(\$5.02)
			Refund	\$35.89
00	Tax	(\$29.19)	\$0.00	(\$29.19)
21	Tax	(\$19.95)	\$0.00	(\$19.95)
			Refund	\$49.14
00	Tax	(\$10.66)	\$0.00	(\$10.66)
07	Tax	(\$1.75)	\$0.00	(\$1.75)
			Refund	\$12.41
00	Tax	(\$66.23)	\$0.00	(\$66.23)
23	Tax	(\$36.57)	\$0.00	(\$36.57)
23	Vehicle Fee	\$0.00	\$0.00	\$0.00
			Refund	\$102.80
00	Tax	(\$217.76)	\$0.00	(\$217.76)
23	Tax	(\$121.35)	\$0.00	(\$121.35)
23	Vehicle Fee	(\$15.00)	\$0.00	(\$15.00)
			Refund	\$354.11



North Carolina Veh

NCVTS Pending

Report Date 1/2/2018 11:31:27 AM

Payee Name	Primary Owner	Secondary Owner	Address 1	Address 2	Address 3	Refund Type	Bill #	Plate Number	Status	Transaction #	Refund Description
SMITH, EZZIE HILLIARD	SMITH, EZZIE HILLIARD		PO BOX 101		BONLEE, NC 27213	Adjustment < \$100	0040098570	FBM1933	AUTHORIZED	117856401	Refund Generated due to adjustment on Bill #0040098570-2017-0000
STANLEY, ROBERT WILLIAM JR	STANLEY, ROBERT WILLIAM JR		9994 NC HIGHWAY 87 S		PITTSBORO, NC 27312	Adjustment < \$100	0040189568	CJ65768	AUTHORIZED	79190000	Refund Generated due to adjustment on Bill #0040189568-2017-0000-00
VOGEL, DANIEL AUGUSTINE III	VOGEL, DANIEL AUGUSTINE III	VOGEL, PATRICIA MERRITT	75000 MILLER		CHAPEL HILL, NC 27517	Proration	0020491852	CFV5268	AUTHORIZED	78893016	Refund Generated due to proration on Bill #0020491852-2016-0000-00
WASHINGTON, LISA MARIE	WASHINGTON, LISA MARIE		400 ROBERSON RD		PITTSBORO, NC 27312	Proration	0036608736	PFB5341	AUTHORIZED	78451390	Refund Generated due to proration on Bill #0036608736-2016-0000-00
WEITZMAN, ELIZABETH JEAN	WEITZMAN, ELIZABETH JEAN		85411 DUDLEY		CHAPEL HILL, NC 27517	Proration	0014500101	VSR9327	AUTHORIZED	78893184	Refund Generated due to proration on Bill #0014500101-2016-0000-00



North Carolina Ver

NCVTS Pending

Report Date 1/2/2018 11:31:27 AM

	Refund Reason	Create Date	Authorization Date
ie	Situs error	12/08/2017	12/8/2017 11:03:17 AM
ie	Over Assessment	12/22/2017	12/22/2017 3:38:41 PM
ie	Vehicle Sold	12/15/2017	12/19/2017 11:32:46 AM
ie	Vehicle Sold	12/04/2017	12/4/2017 11:21:41 AM
ie	Vehicle Sold	12/15/2017	12/15/2017 10:54:59 AM



North Carolina Ver

NCVTS Pending

Report Date 1/2/2018 11:31:27 AM

Tax Jurisdiction	Levy Type	Change	Interest Change	Total Change
00	Tax	\$0.00	\$0.00	\$0.00
21	Tax	(\$3.47)	\$0.00	(\$3.47)
03	Tax	\$0.56	\$0.00	\$0.56
			Refund	\$2.91
00	Tax	(\$37.69)	\$0.00	(\$37.69)
07	Tax	(\$6.18)	\$0.00	(\$6.18)
			Refund	\$43.87
00	Tax	(\$117.20)	(\$5.86)	(\$123.06)
07	Tax	(\$19.05)	(\$0.95)	(\$20.00)
			Refund	\$143.06
00	Tax	(\$66.14)	\$0.00	(\$66.14)
07	Tax	(\$10.75)	\$0.00	(\$10.75)
			Refund	\$76.89
00	Tax	(\$42.04)	\$0.00	(\$42.04)
07	Tax	(\$6.83)	\$0.00	(\$6.83)
			Refund	\$48.87



North Carolina Veh

NCVTS Pending

Report Date 1/2/2018 11:31:27 AM

Payee Name	Primary Owner	Secondary Owner	Address 1	Address 2	Address 3	Refund Type	Bill #	Plate Number	Status	Transaction #	Refund Description
WIGNALL, ROSE MARY	WIGNALL, ROSE MARY	WIGNALL, STEWART PAUL	428 HUNTINGTON DR		PITTSBORO, NC 27312	Proration	0025667924	SWT4306	AUTHORIZED	79132686	Refund Generated due to proration on Bill #0025667924-2016-0000-00
WILSON, STANLEY CLAYTON	WILSON, STANLEY CLAYTON		57804 OWEN		CHAPEL HILL, NC 27517	Proration	0001328533	BFM6295	AUTHORIZED	78516800	Refund Generated due to proration on Bill #0001328533-2016-0000-00
WILSON, WILLIAM DALE JR	WILSON, WILLIAM DALE JR		783 BERNARD PURVIS RD		BENNETT, NC 27208	Proration	0035324197	CJN3414	AUTHORIZED	78893010	Refund Generated due to proration on Bill #0035324197-2016-0000-00
YOUNG, ROBERT JOHN	YOUNG, ROBERT JOHN		148 TOBACCO RD		PITTSBORO, NC 27312	Proration	0037595403	2818LE	AUTHORIZED	78793594	Refund Generated due to proration on Bill #0037595403-2016-0000-00



North Carolina Ver

NCVTS Pending

Report Date 1/2/2018 11:31:27 AM

	Refund Reason	Create Date	Authorization Date
ie	Vehicle Totalled	12/21/2017	12/21/2017 3:37:32 PM
ie	Vehicle Sold	12/07/2017	12/7/2017 9:59:58 AM
ie	Vehicle Sold	12/15/2017	12/15/2017 8:17:19 AM
ie	Vehicle Sold	12/13/2017	12/13/2017 10:09:54 AM

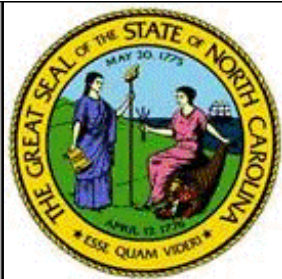


North Carolina Ver

NCVTS Pending

Report Date 1/2/2018 11:31:27 AM

Tax Jurisdiction	Levy Type	Change	Interest Change	Total Change
00	Tax	(\$10.99)	\$0.00	(\$10.99)
07	Tax	(\$1.78)	\$0.00	(\$1.78)
			Refund	\$12.77
00	Tax	(\$7.99)	\$0.00	(\$7.99)
07	Tax	(\$1.30)	\$0.00	(\$1.30)
			Refund	\$9.29
00	Tax	(\$66.76)	\$0.00	(\$66.76)
13	Tax	(\$9.48)	\$0.00	(\$9.48)
			Refund	\$76.24
00	Tax	(\$51.62)	\$0.00	(\$51.62)
07	Tax	(\$8.39)	\$0.00	(\$8.39)
			Refund	\$60.01
			Refund Total	\$2440.45

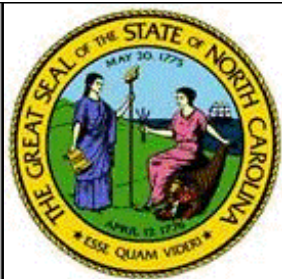


North Carolina Ver

NCVTS Pending

Report Date 1/2/2018 11:31:27 AM

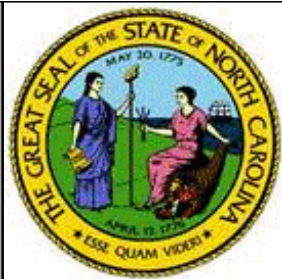
Tax Jurisdiction	District Type	Net Change
00	COUNTY	(\$1,834.66)
21	CITY	(\$149.96)
22	CITY	(\$38.56)
23	CITY	(\$216.27)
01	FIRE	(\$4.09)
03	FIRE	\$6.49
04	FIRE	(\$0.66)
05	FIRE	(\$13.84)
06	FIRE	(\$49.03)
07	FIRE	(\$109.52)
08	FIRE	(\$3.57)
09	FIRE	(\$10.41)
13	FIRE	(\$16.37)
Total		(\$2,440.45)



North Carolina Ver

NCVTS Pending

Report Date 1/2/2018 11:31:27 AM



North Carolina Ver

NCVTS Pending

Report Date 1/2/2018 11:31:27 AM

Report Parameters

Manual Refunds for VTS payments

Month of November, 2017

Taxpayer Name

Street Address

City

State

Zip

LILES PLUMBING & HEATING

PO BOX 585

SILER CITY

NC

27344

Refund

Taxpayer Name

Street Address

City

State

Zip

Refund

Taxpayer Name

Street Address

City

State

Zip

Refund

County Tax Pd	District Tax Paid	Interest paid	Total Paid	Date Paid	Date Tag Expires
66.96	59.37		126.33	11/22/2017	11/30/2018
63.82	51.82	0.00	115.64		

County Tax Pd	District Tax Paid	Interest paid	Total Paid	Date Paid	Date Tag Expires
				0.00	
0.00	0.00	0.00	0.00	0.00	

County Tax Pd	District Tax Paid	Interest paid	Total Paid	Date Paid	Date Tag Expires
				0.00	
0.00	0.00	0.00	0.00	0.00	

Turn in Date # months District #
202

Turn in Date # months District #

Turn in Date # months District #



Chatham County, NC

Text File

File Number: 18-2481

Agenda Date: 1/16/2018

Version: 1

Status: Board Priorities

In Control: Board of Commissioners

File Type: Agenda Item

Vote on a request to approve the purchase agreement for Henry Siler School and notice of real property acquisition and authorize the County Manager to execute documents.

Action Requested: Vote on a request to approve the purchase agreement and notice of real property acquisition and authorize the County Manager to execute documents.

Introduction & Background: Attached is a purchase agreement and a notice of real property acquisition that must be executed for Third Wave to apply for Low Income Housing Tax Credits (LIHTC) for Henry Siler, as well as a letter supporting the redevelopment project. The application is due January 19, 2018. The attorney has reviewed both documents.

Discussion & Analysis: On December 18, the board voted to move ahead with Third Wave's proposed redevelopment of Henry Siler School for affordable housing. The terms agreed to include: donation of the property to Third Wave if the developer's application for LIHTC is successful, a loan of \$120,000, and an agreement to waive development fees. The Town of Siler City has verified that there are no water and sewer impact fees.

How does this relate to the Comprehensive Plan:

Budgetary Impact: \$120,000

Recommendation: Motion to approve the purchase agreement and notice of real property acquisition and authorize the County Manager to execute documents.

NOTICE OF REAL PROPERTY ACQUISITION

This Pre-Contract Agreement (Agreement) is for the property located at the following address:

in _____, _____ county, NC between the following parties:
City County

Buyer: _____

Address: _____

Seller: _____

Address: _____

Agreement Conditions

The Buyer is seeking federal funds through the State of North Carolina's HOME Investment Partnership Program to acquire property owned by the Seller to construct a multifamily rental project (Project). In accordance with the requirements of the Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970, as amended, and all rules and/or regulations implemented or promulgated thereunder, the Seller is hereby notified that:

Voluntary Sale

1. This sale is voluntary. The Buyer does not have the power of eminent domain and cannot acquire the property if negotiations fail to result in an agreement.
2. Because this is a voluntary transaction, the Buyer will be unable to acquire the property offered for sale if negotiations fail to result in an agreement.
3. The Buyer will inform the Seller of the property's estimated fair market value prior to acquisition.
4. While federal funds will be used in the acquisition of the Seller's property, the Seller WILL NOT be entitled to any relocation benefits.
5. Any tenant legally occupying the property is eligible to receive relocation assistance and benefits as identified in the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended.

Timely Notices

1. The Seller authorizes the Buyer, the funding agency, or a designated representative to provide to each resident (if any) notices required by HUD's instructions found in HUD Handbook 1378.
2. The Seller authorizes the Buyer, the funding agency, or a designated representative to provide or permit to be provided a notice of denial to any person who wishes to apply to become a tenant. Before signing a lease and commencing occupancy, the person must be informed of the following:
 - A. If the Project is funded, the person may be displaced; and,
 - B. The person would not qualify as a "displaced person" as a result of the Project and would therefore not be eligible to receive relocation assistance or benefits.

Recordkeeping

1. The Seller agrees to provide the Buyer, the funding agency, or a designated representative the name and address of each resident (if any).
2. The Seller authorizes the Buyer, the funding agency, or a designated representative to survey each resident (if any) to determine relocation costs and housing needs.

According to the Real Properties Acquisition Policies Act of 1970 with HOME funds, an activity or series of activities in a HOME assisted project that are integrally related, each essential to the others, whether or not all of the component activities receive HUD financial assistance, are subject to HUD's implementing instructions.

Agreement Acceptance

The Buyer and Seller understand if the conditions of this Agreement are not complied with, either party may terminate the real property sales contract (Contract) by notifying the other party by certified mail, return-receipt requested, the Contract is terminated. The Buyer and Seller: 1) voluntarily accept these Agreement conditions; and, 2) agree to enter into a Contract for the property identified in this Agreement.

Name/Entity of Seller

Name (if Seller is an Entity)

Title

Signature of Seller

Date:

Must be executed before or simultaneous to the Option or Contract

Name/Entity of Buyer

Name (if Buyer is an Entity)

Title

Signature of Buyer

Date:

Must be executed before or simultaneous to the Option or Contract

AGREEMENT TO PURCHASE REAL ESTATE

This Agreement to Purchase Real Estate ("Agreement") is made effective as of the ____ the day of ____, 2018 (the "Effective Date"), by and between **THIRD WAVE HOUSING, LLC**, a North Carolina limited liability company, with a mailing address of 463 ½ Carolina Circle, Winston-Salem, NC 27104 ("Purchaser") and **CHATHAM COUNTY**, a body politic and corporate of the State of North Carolina, with a mailing address of P.O. Box 1809, Pittsboro, NC 27312 ("Seller"). Purchaser may assign its interest to another related entity prior to closing. This is to confirm that Seller has chosen Buyer pursuant Seller's Requests for Proposals to redevelop the property into affordable housing (the "RFP").

ARTICLE 1. PROPERTY

On the terms set forth herein, Purchaser agrees to purchase from Seller, and Seller agrees to sell to Purchaser, that approximate 2.36+/- acre parcel of real property known as PIN #8761 05 00 0000 which is located at 502 West Third Street in Siler City, Chatham County, North Carolina, together with all improvements thereon and appurtenances thereto (the "Property") as shown in Exhibit A, attached. The exact legal description and acreage of the Property shall be determined by the survey described in Article 3, below. Purchaser agrees to develop and operate not less than 34 units of multi-family housing to provide affordable housing to persons of low or moderate income and to construct and operate ancillary facilities on the Property to support the foregoing purpose pursuant to the 2018 Low-Income Housing Tax Credit Qualified Allocation Plan for the State of North Carolina (the "Development").

ARTICLE 2. PURCHASE PRICE AND EARNEST MONEY

The consideration for the sale of the Property is Purchaser's agreement to provide housing for persons of low or moderate income, there is no monetary consideration for the purchase. (the "Purchase Price") according to the terms and conditions set forth herein. Within five (5) business days of the Effective Date, Purchaser shall deposit the sum of ONE HUNDRED AND 00/100 DOLLARS as an earnest money deposit and closing costs (the "Earnest Money"). The Earnest Money shall be held in an escrow account of THE BROCKMANN LAW FIRM, P.C., as escrow agent (the "Escrow Agent"), and disbursed in accordance with the terms and conditions of this Agreement. Within five (5) business days following the earlier of (i) receipt by Purchaser of a final allocation of sufficient low-income housing tax credits from the North Carolina Housing Finance Agency, or (ii) September 15, 2018 (whichever applies is to be the "Tax Credit Allocation Date"), Purchaser shall deposit the sum of ONE HUNDRED AND 00/100 DOLLARS as an earnest money deposit which shall be applied to the closing costs. Upon satisfaction of all of the conditions precedent set forth in Article 3, below, the Earnest Money shall be non-refundable when paid but applied to the closing cost. In the event the Purchaser desires to extend the date of closing, the Purchaser shall have three (3) options to extend the date of closing for sixty (60) days each by depositing an additional sum of ONE HUNDRED AND 00/100 DOLLARS in each instance as an additional earnest money deposit which shall be non-refundable when paid but applied to the closing costs.

ARTICLE 3. CONDITIONS PRECEDENT

A. Purchaser shall have until September 15, 2018 to complete the following due diligence in regard to the Property to its satisfaction in its sole discretion:

Seller _____ / Purchaser RCM

1. Purchaser's receipt, review and approval of: (a) utility will-serve letters confirming that all necessary utilities are available in sufficient capacity to service the Development; (b) an engineering report indicating that the soil condition, quality, density and bearing capacity are suitable for the Development; (c) a construction company's estimate of costs to construct the Development based on other due diligence findings, and (d) except as otherwise set forth herein, a zoning letter or report confirming the zoning for the Property will allow Purchaser to develop and operate the Development, and that either (i) no conditional use permit, variance or any other land use permit or approval is necessary for the Development or (ii) any conditional use permit, variance or other land use permits or approvals necessary for the Development have been obtained.

2. Purchaser's determination, that any associated impact fees, utility hook-up or tap-in fees, or any other associated development and/or construction related fees imposed by any applicable governmental authority are acceptable to Purchaser.

3. Purchaser's receipt, review and approval of: (a) a standard commitment for title insurance from a title insurer approved by Purchaser; (b) an environmental report; (c) a boundary survey; and (d) a flood plain certification and a wetland delineation report indicating that the presence of perennial and/or intermittent streams (and their associated buffers), wetlands and/or floodplains will not impede the development or operation of the Development; and (e) the cost for any offsite facilities required for the development and operation of the Development.

4. Purchaser's receipt of all necessary and customary permits from any and all applicable governmental authorities in order for Purchaser to develop and operate the Development, including those for all necessary utilities, access, building construction, site construction and off-site improvements (such as road widening easements and permits from applicable departments of transportation).

5. Purchaser's receipt of a binding allocation of low-income housing tax credits for the Development from the North Carolina Housing Finance Agency.

In the event any condition precedent in this Article 3A is not satisfied by the date specified in this Article 3A, Purchaser shall have the right to terminate the Agreement upon notice to Seller and receive a refund of any refundable Earnest Money, and neither party shall have any further rights or obligations under the Agreement whatsoever.

B. The obligations of Purchaser hereunder are in all respects conditioned upon and subject to the Property being zoned to allow Seller to complete Development without requiring any rezoning. In the event that the Purchaser is unable to successfully rezone the Property, Purchaser may terminate this Agreement and receive a full refund of its Earnest Money. If the Property is rezoned but is not purchased by Purchaser, Purchaser shall have no duty to restore the Property to its former zoning. Seller understands that the Purchaser intends to apply for rezoning of the Property as described above, and Seller consents to Purchaser's efforts in that connection. Purchaser shall be solely responsible for the cost of the rezoning efforts applicable to the Property, and Seller agrees to cooperate fully with Purchaser's efforts and to execute and deliver such petitions, applications, consents and other authorizations as Purchaser may reasonably require.

Seller _____ / Purchaser ROA

ARTICLE 4. CLOSING

Closing shall occur on or before March 31, 2019 at the office of Purchaser's attorney or such other venue mutually agreed upon by Purchaser and Seller; provided, however, that Purchaser shall have the right to schedule a closing any time prior thereto on fifteen (15) days' notice to Seller. Seller shall deliver at closing: (a) limited warranty deed containing such mutually agreeable covenants and conditions as are necessary to meet the requirements of this Agreement and Seller's RFP with respect to the Henry Siler School for affordable housing for a period of not less than twenty (20) years, conveying the Property to Purchaser (or its designee) subject to those exceptions approved by Purchaser; (b) all easements necessary for the development and operation of the Development; (c) lien affidavit acceptable to the title insurer; and (d) such other customary documents, instruments, certifications and confirmations as may be reasonably required to fully effect and consummate the transactions contemplated hereby. Seller agrees it will remove all personal property (the "Personal Property") from the Property prior to five (5) business days before closing. Personal Property shall be defined any inventory, equipment, vehicles and/or trash present at the Property. In addition, in the event needed by Purchaser in order to obtain survey coverage in regard to the title policy for the Property, Seller shall deliver such reasonably required documents with respect to the legal description of the Property contained on the ALTA survey described in Article 3, above. Purchaser shall deliver at closing such documents, instruments, certifications and confirmations as may be reasonably required to fully effect and consummate the transaction contemplated hereby. At all times until closing, Seller shall maintain the legal title to the Property free and clear of any and all defects, liens, and encumbrances of every kind and nature placed thereon by Seller (other than deeds of trust that will be released at closing). Purchaser and Seller shall prorate all taxes, income, expenses and costs (if any) related to the Property as of the date of closing. Seller shall pay for the preparation of the deed to the Property, and the North Carolina Real Estate Transfer Tax applicable to the transfer of the Property (if any). Purchaser shall be responsible for the title insurance premium, and the cost of recording the limited warranty deed and any other instruments to be recorded under the terms of this Agreement with respect to the Property. Except as may otherwise be stated herein, each party shall bear its own expense or expenses, including its own attorney fees.

ARTICLE 5. DEFAULTS AND REMEDIES

In the event the sale of the Property is not closed pursuant to this Agreement due to a default hereunder by Seller or failure of performance hereunder by Seller, then Purchaser shall give Seller written notice specifying Seller's default or failure of performance, and Seller shall have fifteen (15) business days to cure the default or failure of performance. In the event that Seller fails to cure Seller's default or failure of performance within the fifteen (15) day period, then the Earnest Money shall be immediately refunded and returned to Purchaser and, in addition, Purchaser may enforce and exercise its rights and remedies available at law or in equity, including without limitation an action for specific performance of this Agreement. In the event the sale of the Property is not closed pursuant to this Agreement due to a default hereunder by Purchaser or failure of performance by Purchaser, then Seller shall give Purchaser written notice specifying Purchaser's default or failure of performance, and Purchaser shall have fifteen (15) business days to cure the default or failure of performance. In the event that Purchaser fails to cure Purchaser's default or failure of performance within the fifteen (15) day period, then the Earnest Money shall be immediately forfeited by Purchaser, and retained by Seller as and for liquidated damages, and as Seller's sole and exclusive remedy; and thence the parties shall have no further rights, duties or obligations hereunder.

Seller _____ / Purchaser ROA

ARTICLE 6. MISCELLANEOUS

- A. Access. Within thirty (30) days of the Effective Date, as a courtesy only, and without any representation or warranty, Seller shall deliver to Purchaser true, correct and complete copies of any title policies, commitments, surveys, plans and specifications, environmental reports or any other documents related to the Property, or any part thereof, which are in Seller's possession or which are readily available to Seller. Seller will allow Purchaser and its agents continuing access at reasonable times to the Property, for the purpose of conducting inspections; provided, however, and notwithstanding the foregoing, Purchaser and its agents shall not have the right to conduct any invasive testing (e.g. borings, drilling, soil/water sampling, etc.) on the Property, including, without limitation, any so-called "Phase II" environmental testing without first obtaining Seller's written consent (and providing Seller at least seventy-two (72) hours' prior written notice), which consent may be withheld in Seller's sole discretion and shall be subject to reasonable terms and conditions established by Seller. In the event Purchaser fails to obtain Seller's written consent prior to any invasive testing, Purchaser shall be fully responsible and liable for all costs of remediation, including, but not limited to, costs for disposal of materials that may be discovered during any invasive testing. Seller shall have the right to have a representative present during any inspections of the Property. Purchaser shall pay all expenses incurred or caused to be incurred by Purchaser in connection with any inspections and/or testing, including, without limitation, all expenses incurred to comply with applicable laws. Following any such investigations or inspections contemplated by this Agreement, Purchaser shall, at Purchaser's expense, promptly restore the Property to its condition prior to such inspection or investigation, and Purchaser shall defend, indemnify and hold harmless each Seller from all costs or expense of every type and description (including reasonable attorney's fees) arising out of any personal injury or property damage caused by any agent, servant, employee or contractor of Purchaser during any such investigation or inspection.
- B. Notices. Any notice, request, demand, instruction or other document to be given or served hereunder or under any document or instrument executed pursuant hereto shall be in writing and shall be delivered personally or sent by United States registered or certified mail, return receipt requested, postage prepaid, or by overnight express courier, postage prepaid and addressed to the parties at their respective addresses set forth above,, and the same shall be effective upon receipt if delivered personally or five (5) business days after deposit in the mails if mailed. A party may change its address for receipt of notices by service of a notice of such change in accordance herewith.
- C. Attorney's Fees. In the event either party hereto brings against any other party an action at law or other proceeding permitted under the terms of this Agreement in order to enforce or interpret any of the terms, covenants or conditions hereof or any instrument executed pursuant to this Agreement or by reason of any breach or default hereunder or thereunder, the party prevailing in any such action or proceeding shall be paid all costs, including reasonable attorneys' fees.
- D. Binding Agreement. This Agreement shall be binding on and shall inure to the benefit of the parties named herein and to their respective personal representatives, successors and permitted assigns. This Agreement shall be construed and interpreted according to the laws of the State of North Carolina. This

Agreement constitutes the entire undertaking between the parties hereto, and supersedes any and all prior agreements, arrangements and understanding between the parties. This Agreement may be amended only by a written agreement executed by all of the parties hereto.

E. Memorandum of Agreement. Seller hereby authorizes Purchaser to memorialize this Agreement or any portion thereof in the register of deeds where the Property is located and agrees to promptly execute any documentation reasonably required by Purchaser to effectuate the same.

F. Seller Representation. Seller warrants to Purchaser as to the following:

1. Seller has the right, power and authority to enter into this contract and to sell the Property in accordance with the terms hereof, and Seller has granted no option to any other person or entity to purchase the Property.
2. The Seller is not involved in any bankruptcy, reorganization or insolvency proceeding.
3. There are no parties in possession of the Property or are entitled to possession thereof other than Seller.
4. All taxes, assessments, water charges and sewer charges affecting the Property are current and have been fully paid as billed.
5. Seller has not received notice of and/or is aware of any suits, judgments or violations of any zoning, building, fire, health, pollution, environmental protection or waste ordinance, code, law or regulations related to the Property.
6. Seller has made no inspection of the Property with respect to underground storage tanks, drums and/or any other environmental conditions at the Property, but is not aware of any such conditions on the property. Purchaser should exercise its rights of inspection hereunder to determine the environmental condition of the Property.

Seller agrees to notify Purchaser within 5 business days if any of the above items change prior to closing.

G. Condition of Property. The Property is being conveyed "As Is, Where Is", as set forth below and which language shall be reflected in the deed. Purchaser acknowledges that, except as expressly set forth in this Agreement, Seller has not made, does not make, and specifically negates and disclaims any representations, warranties, promises, covenants, agreements or guaranties of any kind or character whatsoever, whether expressed or implied, oral or written, of, as to, concerning, or with respect to (i) the value, nature quality or condition of the Property, including, without limitation, the water, soil and geology, (ii) the suitability of the Property for any and all activities and uses which may be conducted thereon, (iii) the compliance of or by the Property with any laws, rules, ordinances or regulations of any applicable governmental authority or body, or (iv) the habitability, merchantability, marketability, profitability or fitness for a particular purpose of the Property specifically, but not in limitation of the foregoing, Purchaser further acknowledges that except as set forth in this Agreement, Seller has not made, does not make and specifically negates and disclaims any representation or warranties regarding compliance of the Property with any environmental protection, pollution or land use laws, rules, regulations, orders or requirements, including without limitation, those pertaining to solid waste, as defined by the U.S. Environmental Protection Agency Regulations at C.F.R., Part 261, or the disposal or existence, in or on the Property, of any hazardous substances, as defined by the Comprehensive Environment Response Compensation and Liability Act of 1980, as amended, and the regulations promulgated thereunder. Purchaser shall rely solely on its own investigation of the Property and not on any information provided or to be provided by Seller, its agents or contractors prior to or after the execution of this Agreement. Except as set forth in this Agreement, Seller shall not be liable or bound in any manner by any verbal or written statements, representations or information pertaining to the Property or the operation thereof, furnished by any party purporting to act on behalf of Seller whether made prior to or after the execution of this Agreement.

Seller _____ / Purchaser ROA

H. Brokers and Commissions. Purchaser and Seller represent and warrant to each other that neither has dealt with a broker, agent or other person in connection with this transaction other than Sean Dowell with Dowell Commercial Reality, as Purchaser's agent. Purchaser's Agent shall be compensated solely by Purchaser and Seller shall have no obligation or other responsibilities with respect to the same. In addition, Seller and Purchaser shall each indemnify the other against, and shall hold each other harmless from, any and all suits, claims, demands, judgments, damages, costs or expenses of or for any fees or commissions which are the responsibility of the indemnifying party, and shall pay all costs of defending any action or lawsuit brought to recover any fees or commissions incurred by the other, including reasonable attorneys' fees.

I. Additional Undertakings. As part of the RFP, Seller has agreed to:

1. Reimburse Purchaser for its costs directly related to the NCHFA tax credit application in an amount not to exceed \$15,000;
2. Provide financing for the Development in an amount not to exceed \$120,000 in the form of a soft mortgage, subject to terms mutually agreeable between Purchaser and Seller.

As part of the RFP, Purchase has agreed to:

1. Keep the building's exterior walls as much as possible dependent on NCHFA's requirements. For example, windows will need to be replaced with new, and the 1970s addition (northeast section) will need to be demolished, but it is the Purchaser's intent to preserve the brick exterior and roof lines.

[Remainder of Page Intentionally Left Blank]

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.

Seller:

CHATHAM COUNTY, a body politic and corporate of the State of North Carolina

By: _____
Renee F. Paschal

Title: County Manager

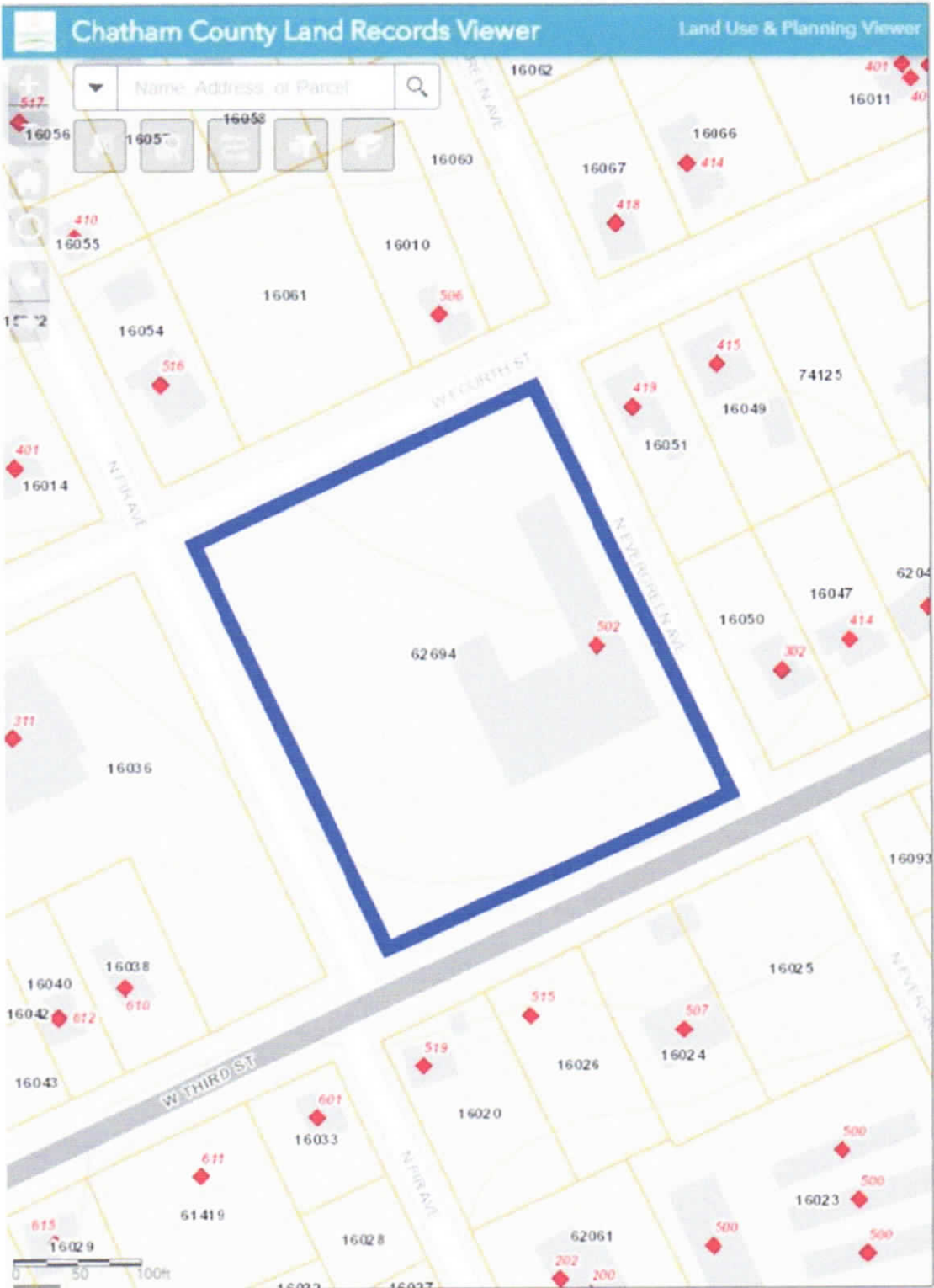
Purchaser:

THIRD WAVE HOUSING, LLC,
a North Carolina limited liability company

By: _____
Richard C. Angino, Member

Seller _____ / Purchaser RCA

Exhibit A - Parcel



Seller _____ / Purchaser REA

NOTICE OF REAL PROPERTY ACQUISITION

This Pre-Contract Agreement (Agreement) is for the property located at the following address:

PIN # 8761 05 00 000

502 West Third Street

in Siler City, Chatham county, NC between the following parties:
City County

Buyer: Third Wave Housing, LLC

Address: 463 1/2 Carolina Circle
Winston Salem, NC 27104

Seller: Chatham County

Address: PO Box 1809
Pittsboro, NC 27312

Agreement Conditions

The Buyer is seeking federal funds through the State of North Carolina's HOME Investment Partnership Program to acquire property owned by the Seller to construct a multifamily rental project (Project). In accordance with the requirements of the Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970, as amended, and all rules and/or regulations implemented or promulgated thereunder, the Seller is hereby notified that:

Voluntary Sale

1. This sale is voluntary. The Buyer does not have the power of eminent domain and cannot acquire the property if negotiations fail to result in an agreement.
2. Because this is a voluntary transaction, the Buyer will be unable to acquire the property offered for sale if negotiations fail to result in an agreement.
3. The Buyer will inform the Seller of the property's estimated fair market value prior to acquisition.
4. While federal funds will be used in the acquisition of the Seller's property, the Seller WILL NOT be entitled to any relocation benefits.
5. Any tenant legally occupying the property is eligible to receive relocation assistance and benefits as identified in the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended.

Timely Notices

1. The Seller authorizes the Buyer, the funding agency, or a designated representative to provide to each resident (if any) notices required by HUD's instructions found in HUD Handbook 1378.
2. The Seller authorizes the Buyer, the funding agency, or a designated representative to provide or permit to be provided a notice of denial to any person who wishes to apply to become a tenant. Before signing a lease and commencing occupancy, the person must be informed of the following:
 - A. If the Project is funded, the person may be displaced; and,
 - B. The person would not qualify as a "displaced person" as a result of the Project and would therefore not be eligible to receive relocation assistance or benefits.

Recordkeeping

1. The Seller agrees to provide the Buyer, the funding agency, or a designated representative the name and address of each resident (if any).
2. The Seller authorizes the Buyer, the funding agency, or a designated representative to survey each resident (if any) to determine relocation costs and housing needs.

1 of 2

Seller _____ / Purchaser RCA

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COUNTY COMMISSIONERS

Diana Hales, Chair
Mike Dasher, Vice Chair
James Crawford
Karen Howard
Walter Petty

COUNTY MANAGER: Renee Paschal

January 16, 2018

Mr. Richard C. Angino, Member
THIRD WAVE HOUSING
463 ½ Carolina Circle,
Winston-Salem, NC 27104

Dear Mr. Angino,

On January 16, 2018, the Chatham County Board of Commissioners ("County") approved donating 2.36 acres bounded on the south by West Third Street, on the west by North Fir Avenue, on the north by West Fourth Street, and on the east by North Evergreen Avenue and being designated on the Chatham County tax map as Parcel ID Number 62694 ("Property") to Third Wave Housing, LLC ("Purchaser"). The donation and sale of this property is subject to the Purchaser obtaining an allocation of Low Income Housing Tax Credits ("LIHTC") from the North Carolina Housing Finance Agency ("NCHFA") that will finance the development of a 34-66-unit affordable housing project ("Project").

The Purchaser has informed the Town that it intends to apply for LIHTC as a Redevelopment Project as defined in Section 11.B.2 of the 2017 QAP for LIHTC prepared by NCHFA. The requirements to qualify for designation as a Redevelopment Project are as follows:

- 1) The site contained at least one structure used for commercial, residential, educational, or governmental purposes.

Verification: The site is composed of one parcel owned by the county. The parcel includes one structure, the former Henry Siler School, an elementary school in Siler City built in 1931. The school is located near the home of Henry Siler and was named in his honor. Mr. Siler was an outstanding teacher around the turn of the century. (Source: Chatham History 1771-1971, page 295). The school remains a prominent structure just a quarter of a mile from downtown Siler City. Central Carolina Community College provided educational programming in the building from 1984 to 2010. The County acquired the property in 2012 when Central Carolina Community College moved into a new building.

- 2) Any required demolition has been completed or will be completed in 2017.

Verification: N/A. The County is requesting that the building envelope be maintained and reused in the new project.

- 3) A unit of local government initiated the project.

Verification: Since the County obtained ownership in 2012, Chatham County and the Town of Siler City have been working to redevelop the school site with the goal of saving the historic school structure. In 2013, the Town hired UNC's Development Finance Initiative (DFI) team to conduct a study to determine the highest and best use of the

building and site, including identifying finance tools and potential development partners. DFI conducted a highest and best use analysis for the school, evaluating the market for redevelopment potential pertaining to low-income housing, assisted living, and market-rate rental apartments. DFI found that because of the current floor plan, the classroom layout lends itself for residential reuse. With regard to low-income housing, DFI research suggests a current need and demand for additional affordable housing options in Siler City. 49% of the current renting population pay more than 30% of their income in rent and most affordable housing complexes have no vacancy. There have not been any new affordable housing developments in the Town in recent years and the percentage of mobile homes in relation to total affordable options continues to grow (currently over 80%).(Source: DFI study)

In order to improve the viability of the site and ready it for redevelopment, the County has taken actions to repair the roof, has conducted an asbestos and lead study, has removed an underground storage tank and has requested rezoning of the site to accommodate a higher number of multi-family units. The town approved the rezoning on December 19, 2016, which allows up to 66 residential units to be built.

The County issued an RFP for the site to be redeveloped into affordable housing on December 6, 2017. A link to the webpage which contains the RFP is <http://www.chathamnc.org/Home/Components/RFP/RFP/38/2207>.

- 4) A unit of local government has invested community development resources within a half mile of the Property within the last ten years.

Utilizing Town and Grant funds, the Town of Siler City has invested in the following community development resource, all located within a ½-mile of the site:

- a) North Carolina Arts Incubator - CDBG Economic Development Grant - \$350,000
- b) Upgrade approximately 17 downtown intersections to ADA compliance (all within ½-mile of the site) – \$162,000
- c) Boling Lane Park playground renovations - \$54,215
- d) Boling Lane Park 319 grant for water quality/stormwater improvements and riparian buffer in the Loves Creek Watershed - \$250,000
- e) Downtown Façade Grant Program (all within ½-mile of the site) – \$50,000
- f) Park Shopping Center Clean Water Management Trust Fund grant application for stream restoration study - \$100,000
- g) Downtown Park Environmental Enhancement Grant for floodplain/ecological restoration to improve water quality of the Loves Creek Watershed - \$270,000
- h) Wayfinding signage - \$15,000 within ½-mile of site
- i) Bike racks at City Hall - \$500
- j) National Night Out - \$15,000 estimated that was spent within ½-mile of the site
- k) CAM Site Readiness Annual Litter Sweep - \$250 spent within ½-mile of the site
- l) Downtown Community Garden - \$6,859
- m) Downtown Master Plan - \$10,000
- n) Pedestrian Master Plan - \$24,600

- 5) A unit of local government formally adopted a plan to address the deterioration in the Half Mile area.

Verification: There is no deterioration in the ½ mile area.

- 6) A unit of local government approved the donation of at least one parcel of land to the project.

Verification: On January 16, 2018, the Chatham County Board of Commissioners approved the donation of 2.36 acres of land to the Project. The donation of land is contingent upon the Project receiving an award of LIHTC to finance development.

In addition to the county's commitments shown above, the Board of Commissioners have agreed to provide a \$120,000 loan to Third Wave (terms to be determined), if awarded LIHTC funding.

Should additional documentation of any of these items be required, please contact Renee Paschal, County Manager , at renee.paschal@chathamnc.org or phone 919-54-.8300.

Sincerely,

Renee F. Paschal
County Manager
Chatham County



Chatham County, NC

Text File

File Number: 18-2473

Agenda Date: 1/16/2018

Version: 1

Status: Board Priorities

In Control: Planning

File Type: Agenda Item

Agenda Number:

Vote on a request by Nicolas Robinson, on behalf of NNP-Briar Chapel, LLC, for a Compact Communities Ordinance (CCO) waiver to allow a riparian buffer encroachment and stream crossing between phases 16 South and North.

Action Requested:

Vote on a request by Nicolas Robinson, on behalf of NNP-Briar Chapel, LLC, for a Compact Communities Ordinance (CCO) waiver to allow a riparian buffer encroachment and stream crossing between phases 16 South and North.

Introduction & Background:

NNP-Briar Chapel is requesting a waiver for an additional stream crossing and buffer impact between Phases 16 North and South on the approved master plan for Briar Chapel. Riparian buffer requirements of the CCO are outlined in Section 9.1 and are applied to Briar Chapel through the approved conditional use permit. It should be noted that the riparian buffer provisions vary between the CCO and Watershed Protection Ordinance (WPO). The watershed protection standards were adopted after the approval of Briar Chapel and are based on an on-site evaluation, whereas the CCO standards are evaluated based on existing mapped streams and drainage areas. Riparian buffers locations were depicted in the 2005 Briar Chapel approved master plan and reconfirmed in 2012; however in 2014 the stream and associated riparian buffer identified in Phase 16 were added and then reconfirmed with the 2017 conditional use permit amendment.

Discussion & Analysis:

The Chatham County CCO includes the following standards:

9.1 Riparian Buffers

In all residential, commercial, and civic areas in each compact community, vegetative buffers of the following widths shall be permanently protected along each side of the following streams:

- At least one hundred (100) feet along all perennial streams;
- At least fifty (50) feet along all intermittent streams;
- At least fifty (50) feet along all ephemeral streams shown on the Soil

- Survey maps and having a drainage area of more than twenty-five (25) acres;
- At least thirty (30) feet along all ephemeral streams shown on the Soil Survey maps and having a drainage area of between ten (10) acres and twenty-five (25) acres.

Uses Within the Buffer

No new development is allowed in the buffer area except for the following:

- Water dependent structures;
- Other structures such as flag poles;
- Signs and security lights which result in only diminutive increases in impervious area;
- Projects such as road crossings and greenways where no practical alternative exists;
- Desirable artificial stream bank or shoreline stabilization, as determined by Chatham County.

These activities should minimize built-upon surface area, direct runoff away from the surface waters (except sheet flow directed into a buffer), and maximize the utilization of stormwater best management practices.

To avoid a loss of effectiveness in protecting streams, the stream buffer shall remain in natural undisturbed vegetation, except as provided below.

Clearing, grading or other land disturbing activities that would reduce the effectiveness of the buffer shall be revegetated.

Buildings and other features that require grading and construction shall be set back at least ten (10) feet from the edge of the buffer.

Crossings by streets, driveways, culverts, railroads, recreational features, intakes, docks, utilities, bridges or other facilities shall be designed to minimize the amount of intrusion into the buffer.

Section 15. Waiver, "With the approval of the Board of Commissioners, the requirements of this ordinance may be adjusted, modified, reduced or waived based upon the absence of any reasonable relationship or nexus between the impact of the compact community development and the inclusionary or other requirements set forth herein."

The request is to allow a stream crossing for a road between Phase 16 North and South that is currently not shown on the adopted master plan (see attachment). The waiver request submittal materials include approvals from the US Army Corps of Engineers dated February 24, 2017 and NC Department of Environmental Quality dated February 3,

2017 approving a revised stream and wetlands impact map. The proposed impact is identified as "Impact Y" on the map and a copy is also provided as an attachment.

Board members may recall that Phase 16 South, Section 2 received final plat approval on June 19, 2017 and the Planning Board recommendation was for approval by a vote of 5-4. An issue arose during the final plat review where it was discovered that the developer installed a stub street adjacent to the stream in question that was not shown on the preliminary plat submittal. The developer indicated during the Planning Board discussion that they were considering submitting a request for a stream crossing in the future. During the May 2017 public hearing for an amendment to the Briar Chapel conditional use permit, staff requested an explanation for the discrepancy between the proposed revisions to the master plan and the wetlands/stream impacts map approved by the Corps earlier in February 2017. Representatives for the developer indicated that they were considering submitting a request for a stream crossing at a future date.

The waiver request is being submitted directly to the Board of Commissioners without review and recommendation by the Planning Board or Environmental Review Advisory Committee and follows the process outlined by the Board in a waiver request approved in August 2010. The Board has the option to forward the request to an advisory board(s) for additional review and recommendation. The waiver provision has been used to modify a condition in the original conditional use permit in 2005. Additionally, requests in 2010, 2012 and 2016 were approved outside of the conditional use permitting process. A waiver request was submitted in 2015 and was ultimately withdrawn. A copy of the draft Order was provided to the County Attorney for review.

The Commissioners discussed this item during their November 20, 2017 meeting and forwarded the item to the Environmental Review Advisory Committee (ERAC) to review the documents that were submitted with the request and provide a recommendation. ERAC reviewed the Briar Chapel request for a waiver for a stream crossing in Phase 16 at their December 14, 2017 meeting. Based on the information submitted, ERAC recommends the request be granted to Briar Chapel. ERAC noted that Briar Chapel has had issues with stream crossings in the past (2010 time frame), but acknowledges that those crossings have since been repaired to the satisfaction of the Corps of Engineers and recent crossings have been performed successfully. In addition, ERAC noted that the mitigation for this stream crossing is not located within the same watershed, so potential impacts to the watershed due to the proposed stream crossing would not be lessened by the proposed mitigation. Lastly, ERAC recommends that the stream crossing be observed by Chatham County staff during instruction to ensure minimum impacts and that the crossing is done in accordance with the approved permits. The decision to recommend approval of the waiver request was unanimous, 6-0.

How does this relate to the Comprehensive Plan:

Goal 3: Promote a compact growth pattern by developing in or near existing towns, communities, and in designated, well planned, walkable, mixed use centers.

Recommendation:

Discuss the waiver and consider taking action on the draft Order prepared by the developer's attorney.



Chatham County, NC

Text File

File Number: 18-2489

Agenda Date: 1/16/2018

Version: 1

Status: Agenda Ready

In Control: Board of Commissioners

File Type: Resolution

Agenda Number:

Vote on a request to adopt a Resolution Urging a State-Level Response to Protect Water Resources From Contamination.



CHATHAM COUNTY COMMISSIONERS

Diana Hales, Chair
Mike Dasher, Vice Chair
James Crawford
Karen Howard
Walter Petty

COUNTY MANAGER

Renee Paschal

P. O. Box 1809, Pittsboro, NC 27312-1809 • Phone: (919) 542-8200

A Resolution of the Chatham County Board of Commissioners Urging a State-Level Response to Protect Water Resources from Contamination

WHEREAS, as public officials, we are increasingly alarmed by statewide reports of serious incidents of chemical dumping and contamination of vital water sources that supply drinking water, provide recreational opportunities, produce food for humans, fish and other wildlife; and

WHEREAS, specific recent examples of dangerous contamination includes GenX in Fayetteville, monofluoromalonate in Wilmington, perfluorinated chemicals in Jordan Lake, and perfluorooctane sulfonate in Greensboro; and

WHEREAS, staffing and other resources provided to state agencies required to respond to such incidents has been on the decline for nearly a decade, which puts vital water resources at risk of serious impacts to public health and environmental safety; and

WHEREAS, a significant and timely response from the North Carolina General Assembly, the Governor, the North Carolina Department of Environmental Quality and the Department of Health and Human Services is required to help local governments effectively address this situation; and

WHEREAS, these state-level agencies can and should provide their expertise, funding and regulatory authority to protect drinking water in communities across North Carolina, including additional support for toxicologists and epidemiologists.

NOW, THEREFORE, BE IT RESOLVED, the Chatham County Board of Commissioners joins with other local governments and the North Carolina Conservation Network in urging Governor Cooper and the North Carolina General Assembly to provide additional funding and support for any and all state agencies responsible for clean water resources, with the goal of addressing the emerging threat of chemical contamination.

Adopted by the Chatham County Board of Commissioners on January 16, 2018.

Diana Hales, Chairperson
Chatham County Board of Commissioners

ATTEST:

Lindsay K. Ray, Clerk to the Board
Chatham County Board of Commissioners