



# Chatham County, NC

## Legislation Text

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**File #:** 21-4175, **Version:** 1

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Vote to approve a request by Nicolas Robinson, on behalf of NNP-Briar Chapel, LLC, and Chatham County to reduce and modify the Perimeter Buffer for Commercial Parcel #20, SD-West, Briar Chapel, pursuant to Section 9.2 of the Compact Communities Ordinance.

### **Action Requested:**

Vote to approve a request by Nicolas Robinson, on behalf of NNP-Briar Chapel, LLC, and Chatham County to reduce and modify the Perimeter Buffer for Commercial Parcel #20, SD-West, Briar Chapel, pursuant to Section 9.2 of the Compact Communities Ordinance.

### **Introduction & Background:**

The Chatham County CCO includes the following standards:

#### **9.2 Perimeter Buffers**

Perimeter buffers shall be utilized to minimize the impacts of each compact community on adjacent properties along the entire perimeter of the compact community. Table 9.2 lists the minimum buffer width allowable, depending on the proposed land use along the edge of the compact community and the existing land use in the adjacent property at any point along the perimeter.

Chatham County may allow a reduction in the perimeter buffer width required by this ordinance of up to fifty percent (50%) if it determines that the impact of the compact community is adequately mitigated by community design or topography. In addition, Chatham County may allow a reduction in the perimeter buffer from fifty-one percent (51%) up to one hundred percent (100%) after giving the adjoining landowners an opportunity to comment and Chatham County determines that the impact of the compact community is adequately mitigated by the community design or topography. A developer of a Compact Community may request of the Board of Commissioners such a waiver or reduction at any time.

**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."

### **Discussion & Analysis:**

This waiver request is for a reduction and modification in the perimeter buffer on Parcel 20 of the SD West Subdivision. The portion of the request on behalf of the County is to allow the county to run a sewer line through the 100' buffer of parcel 20 to the connecting county owned lot. This utility line will serve the new EMS site and the easement has been granted and recorded, but the waiver is necessary to utilize the easement. The impact on the adjoining property owner is not applicable in this case because the County is the adjoiner and has requested the utility line. The portion of the request on behalf of NNP-Briar Chapel is to allow a modification in the 100' buffer for the intended

use of an outdoor play area for a potential daycare facility tenant. The waiver area consists of mostly cleared land where the former 15-501 NCDOT right of way is and has overhead powerlines within it.

**How does this relate to the Comprehensive Plan:**

Goal 3: Promote a compact growth pattern by developing in and near existing towns, communities, and in designated, well planned, walkable, mixed-use centers and Goal 7: Provide infrastructure to support desired development and support economic and environmental objectives.

**Recommendation:**

Approve the Order of the Board of Commissioners of Chatham County Approving Buffer Reduction Request of NNP-Briar Chapel, LLC per Section 9.2 of Compact Communities Ordinance