



# Chatham County, NC

## Legislation Details (With Text)

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

### Sponsors:

**Indexes:** Comp Plan Goal 1: Preserve the rural character and lifestyle of Chatham County, Comp 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., Comp 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., Comp Plan Goal 5: Conserve natural resources., Comp Plan Goal 7: Provide infrastructure to support desired development and support economic and environmental objectives., Comp Plan Goal 9: Provide equitable access to high-quality education, housing and community options for all.

### Code sections:

**Attachments:** 1. Presentation

Date	Ver.	Action By	Action	Result
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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-projects/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