

AN ORDINANCE AMENDING THE ZONING ORDINANCE
OF THE TOWN OF PITTSBORO
196 Chatham Business Drive (Chatham Business Park, LLC Property)
REZ-2019-02

WHEREAS, the Board of Commissioners of the Town of Pittsboro has considered the application of Third Wave Housing for 196 Chatham Business Drive (REZ-2019-02) to amend the zoning map of the Town of Pittsboro to rezone the property described on Exhibit A attached hereto and incorporated herein by reference from C-2 to O-I (CZ) pursuant to the provisions of NCGS 160A-385 and Article X of the Town of Pittsboro Zoning Ordinance; and

WHEREAS The Town Planning Board reviewed the application in detail, and forwarded the request to the Town Board of Commissioners with a positive recommendation for approval; and

WHEREAS The Town Planning Board adopted a motion to advise that the proposed rezoning is reasonable considering the size and location of the property subject to the proposed rezoning and the potential benefits to the development of the Town of Pittsboro and surrounding community; the adjoining lands are zoned Heavy Industrial or Highway Commercial and are used for professional, commercial, recreational, or residential uses; and the proposed rezoning advances the public health, safety or welfare of the Town of Pittsboro.

WHEREAS a Public Hearing was held on March 25th, 2019 to solicit comments and concerns which were duly considered and acknowledged; and

WHEREAS, the Town Board of Commissioners makes the following findings and conclusions:

1. The subject parcel is located at 196 Chatham Business Drive, Tax Parcel ID # 80091.
2. That the Board has examined the application and associated public testimony to rezone the property described in Application REZ-2019-02 and incorporated herein by reference and finds that the amendment is reasonable considering the size and location of the property subject to the proposed rezoning and the potential benefits to the development of the Town of Pittsboro and surrounding community; the adjoining lands are zoned Heavy Industrial or Highway Commercial and are used for professional, commercial, recreational, or residential uses; and the proposed rezoning advances the public health, safety or welfare of the Town of Pittsboro, but is not consistent with the Town of Pittsboro Land Use Plan.

BE IT ORDAINED by the Board of Commissioners of the Town of Pittsboro as follows:

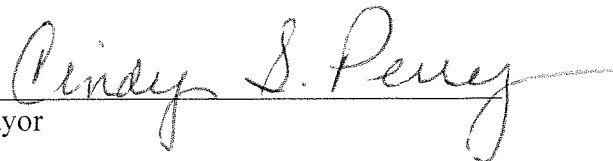
1. That the property described on Exhibit A attached hereto and in Application REZ-2019-02 and incorporated herein by reference, be rezoned from C-2 to O-I (CZ) subject to all the individualized development conditions set forth herein, if any, and to all the requirements of the Town of Pittsboro Zoning Ordinance (PZO) and other applicable laws, standards, policies and guidelines, all of which shall constitute the zoning regulations for the approved district and are binding on the Property.

2. The conditions proposed by the applicant to address conformance of the development and use of the Property to ordinances and officially adopted plans, to address impacts reasonably expected to be generated by the rezoning, and to promote the public health, safety and general welfare, and accepted and approved by the Town are:
 - a. The project must meet the affordable housing definition to qualify for either 4% or 9% low-income housing tax credit financing. The developer shall record a Land Use Restriction Agreement ("LURA") prior to issuance of any certificate of occupancy providing that occupants shall be eligible under the IRC §42 Low Income Tax Program. This condition shall remain in place for 30 years after the date of Certificate of Occupancy.
 - b. A public sidewalk along Chatham Business Dr shall be incorporated in the Site Plan and installed to Town standards or a fee in lieu must be paid before a certificate of occupancy is issued.
 - c. The document entitled "Preliminary Site Plan" attached to the Applicant's application is a concept plan for the uses contemplated and not approved as a site plan. Other features and issues remain to be decided at the time site plan approval is requested for the development.
 - d. The maximum number of units constructed upon the Property shall be 48 one (1) and two (2) bedroom units. The required parking ratio for one bedroom units shall be 1.25 spaces per unit and 1.5 spaces for each two bedroom unit.
 - e. That all ordinances and portions of ordinances in conflict herewith are hereby repealed.

Adopted this 8th day of April 2019.

TOWN OF PITTSBORO

By:



Mayor

ATTEST:



Clerk

Exhibit A

Property Description

Property identified as 196 Chatham Business Drive, Parcel number 80091, Tax Map Number 9751-0115-4986.