

A RESOLUTION APPROVING CERTAIN ADDITIONAL ELEMENTS TO THE CHATHAM  
PARK PLANNED DEVELOPMENT DISTRICT MASTER PLAN  
(Landscaping)  
(CPMA-2016-07)

WHEREAS, the Board of Commissioners of the Town of Pittsboro has considered the foregoing application pursuant to the Chatham Park PDD Master Plan in order to review the following Additional Element submitted by Chatham Park Investors LLC regarding Landscaping within the Chatham Park Planned Development District pursuant to Article X of the Town of Pittsboro Zoning Ordinance in the same manner as the “legislative process for amending the text of the zoning ordinance”; and

WHEREAS, the Town Planning Board reviewed the application for approval of this Additional Element 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 statement advising that the proposed Landscaping Element was reasonable and consistent with the Town of Pittsboro comprehensive plan, including the Land Use Plan, and other applicable plans and policies adopted by the Town of Pittsboro, based upon the fact that the proposed Landscaping Element provide more information as to future development within the Chatham Park Planned Development District and the potential benefits to development of the Town of Pittsboro and surrounding community in general and this Element advance the public health, safety or welfare of the Town of Pittsboro; and

WHEREAS, an Advisory Committee on the Chatham Park Additional Elements was duly appointed by the Board of Commissioners in order to review the Additional Elements and provide a report concerning the same, and further, to recommend actions and alternatives for the Board’s consideration; and

WHEREAS, the Advisory Committee has deliberated and issued its report with comments and recommendations concerning the Landscaping Element, which has been considered; and

WHEREAS, a Public Hearing was held on March 27, 2017 to solicit comments and concerns which were duly considered; and

WHEREAS, Chatham Park Investors LLC has subsequently revised certain portions of the Landscaping Element in response to said reports and comments; and

BASED UPON THE FOREGOING, the Board of Commissioners of the Town of Pittsboro hereby finds and concludes the following:

1. The Chatham Park PDD Master Plan approved on August 10, 2015 included a requirement in Article VIII thereof for Additional Provisions to be presented to provide more details related to development within Chatham Park in addition to the Master Plan and to govern land use and development within the Planned Development District.
2. After reviewing the application, associated public testimony and comments as well as reports from Town staff and the Chatham Park Additional Elements Advisory Committee, and revisions in response thereto from Chatham Park Investors LLC the Board finds and concludes that the Landscaping Element is reasonable and consistent with the Town of Pittsboro comprehensive plan, including the Land Use Plan, and other applicable plans and policies adopted by the Town of Pittsboro based upon the fact that these proposed Elements provide more information as to future development within the Chatham Park Planned Development District and the potential benefits to

development of the Town of Pittsboro and surrounding community in general and this Element advance the public health, safety or welfare of the Town of Pittsboro.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Pittsboro as follows:

1. Except as set forth below, the Landscaping Additional Element revised by Chatham Park Investors LLC dated January 4, 2017 and attached hereto as Exhibits 1, inclusive, be, and the same hereby are, approved as a part of the Master Plan and shall be enforceable in the same manner and to the same extent as the Master Plan,
2. The approved Landscaping Element may be amended by the Town pursuant to the General Provisions of the Additional Elements submitted to the Town in May, 2016.
3. In addition, notwithstanding the provisions of the Landscaping Element approved hereby, based upon the grounds specified in G.S. 160A-385.1(e), the Town may apply subsequently adopted ordinances or development policies or regulations to the Chatham Park PDD.
4. Likewise, in the event State or federal law is changed after the approval hereof and the change prevents or precludes compliance with one or more provisions of this approved Element, the Town may modify the affected provisions, upon a finding that the change in State or federal law has a fundamental effect on the Element, by ordinance after notice and a hearing.


This 22<sup>nd</sup> day of January, 2018.

TOWN OF PITTSBORO

By:

  
Cindy S. Perry, Mayor

ATTEST:



Alice F. Lloyd, CMC, NCCMC

Town Clerk