

**ORANGE COUNTY
PLANNING BOARD
ACTION AGENDA ITEM ABSTRACT**
Meeting Date: March 8, 2023

**Action Agenda
Item No. 8**

SUBJECT: Application for Amendments to the Joint Planning Land Use Plan, Future Land Use Map, and Zoning Atlas – 2106 Mount Carmel Church Road within the Chapel Hill Township

DEPARTMENT: Planning and Inspections

ATTACHMENTS:

1. Application
2. Staff Report
3. Notification Materials and Certification
4. Draft Resolution to Amend the Joint Planning Land Use Plan
5. Statement of Consistency
6. Draft Ordinance to Amend the Orange County Comprehensive Plan and Zoning Atlas

INFORMATION CONTACT:

Perdita Holtz, Deputy Director – Long-Range Planning & Administration, (919) 245-2578
Cy Stoiber, Director, (919) 245-2592

PURPOSE: To review and make a recommendation to the Board of County Commissioners (BOCC) on applicant-initiated amendments to the Joint Planning Land Use Plan, Future Land Use Map, and Zoning Atlas to apply the Rural Buffer (RB) Land Use designation and Zoning district to a portion of a parcel (4.66 acres of an 8.14 acre parcel) that was annexed into Orange County from Chatham County in 2021. The parcel is located at 2106 Mount Carmel Church Road (PIN: 9796-29-3144), within the Chapel Hill Township of Orange County.

BACKGROUND: In January 2023, an application (Attachment 1) was received proposing to amend the plans described above and the Zoning Atlas. In 2021, Session Law 2021-67 (contained in Attachment 1) annexed 4.66 acres of an 8.14 acre parcel of property into Orange County, from Chatham County. The county line had previously split the parcel, and that area already in Orange County is zoned RB and designated as Rural Buffer land use by the Joint Planning Land Use Plan and Future Land Use Map. The Staff Report in Attachment 2 contains additional information, maps, and analysis.

Because this parcel is located within an area of the county subject to the [Orange County – Chapel Hill – Carrboro Joint Planning Land Use Plan](#), all three local governments must review and approve amendments to the plan and a joint public hearing of all three elected boards must be held.

Basic Review Process: The cadence for review of this multi-part application is:

- **FIRST ACTION** – Submission of an application with required supporting documents by the property owner.

STAFF COMMENT: The applicant submitted an application and documents on January 12, 2023 and clarifying information was submitted on January 30.

- **SECOND ACTION** – The Planning Board reviews the application at a regular meeting and makes a recommendation to the BOCC.

STAFF COMMENT: The Planning Board will begin its review on March 8, 2023. The Town Planning Boards will also review the application, following each Town's regular review process. Dates of expected review are included in the Staff Report in Attachment 2.

- **THIRD ACTION** – The 3 elected boards (BOCC and 2 Town Councils) receive the available Planning Board recommendations, and hold an advertised joint public hearing. (The Town of Carrboro's Planning Board makes a recommendation after the public hearing).

STAFF COMMENT: A joint public hearing is expected to be held in late April or in May. The date is to be determined.

- **FOURTH ACTION** – The 3 elected boards (BOCC and 2 Town Councils) take action on the application at a regularly scheduled meeting of the elected board subsequent to the joint public hearing. As a technicality, the Towns' actions are on the amendment to the Joint Land Use Plan only (i.e., the Towns do not act on the amendments to the County's Future Land Use Map or Zoning Atlas).

STAFF COMMENT: Dates for actions are to be determined.

Conventional District Rezoning: Zoning promotes development of land uses that can co-exist in proximity to one another consistent with the promotion of the public health, safety, and general welfare. Regulations establish opportunities/constraints associated with land development in an attempt to ensure one person's 'reasonable use' of property does not impact another person's ability to make reasonable use of their property.

The RB (Rural Buffer) zoning district is a "conventional district". As such, the County is unable to impose conditions and the applicant is not required to define what type of development (i.e. land use) is anticipated. If approved, all land uses permitted within the RB district could be developed on the property, consistent with applicable regulations. Conventional district rezoning applications are processed in a legislative manner (i.e., does not require sworn testimony or evidence) and decisions are based on the BOCC's determination the request is consistent with the purpose and intent of the Comprehensive Plan.

A formal site plan, reviewed and approved by staff in accordance with Section 2.5 of the UDO, must be submitted and approved prior to any new development activity on the parcel. The property's current land use would not introduce any non-conformities to the county.

Public Notifications: In accordance with Section 2.8.7 of the UDO, notices of the Planning Board meeting were mailed via first class mail to property owners within 1,000 ft. of the subject parcel. These notices were mailed on February 21, 15 days before the meeting. Staff also posted the subject parcel with a sign on February 24, 12 days before the meeting. See Attachment 3 for the notification materials.

Planning Director's Recommendation: The Planning Director recommends **approval** of the:

1. Resolution to Amend the Joint Planning Land Use Plan (Attachment 4).
2. Statement of Consistency (Attachment 5) indicating the zoning atlas amendment is reasonable and in the public interest.
3. Ordinance amending the Orange County Comprehensive Plan's Future Land Use Map and Zoning Atlas, as contained in Attachment 6.

FINANCIAL IMPACT: This request has been reviewed by various County departments which have determined that the approval of the request would not create the need for additional funding for the provision of County services. Costs associated with advertising, including meeting and public hearing notice and mailings, are covered by the application fee.

RECOMMENDATION: The Planning Director recommends the Board:

1. Receive the multi-part application,
2. Deliberate on the proposal as desired,
3. Consider the Planning Director's recommendation, and
4. Make a recommendation to the BOCC on the Resolution to Amend the Joint Land Use Plan (Attachment 4), Statement of Consistency (Attachment 5), and the proposed Ordinance (Attachment 6).

BROWN & BUNCH, PLLC
ATTORNEYS AND COUNSELORS AT LAW

CHARLES GORDON BROWN
gbrown@brownandbunch.com
WILLIAM W. BUNCH, III
bbunch@brownandbunch.net
LEANN NEASE BROWN
lnease@brownandbunch.com

101 North Columbia Street, Suite 100
Chapel Hill, North Carolina 27514
(919) 968-1111
Facsimile: (919) 968-1444

January 30, 2023

via e-mail: pholtz@orangecountync.gov

Perdita Holtz, AICP
Deputy Director, Long-Range Planning and Administration
Orange County Planning & Inspections
131 W. Margaret Lane, Suite 201
P. O. Box 8181
Hillsborough, NC 27278

RE: Clarifications of Future Land Use and Zoning Designations Sought by Mount Carmel Baptist Church of Chapel Hill, North Carolina #MA23-0001.

Dear Perdita Holtz:

Thank you for correspondence of January 18. It helped me understand the errors made on the Future Land Use Map Amendment and Zoning Atlas Amendment Applications. Ironically, I initially inserted "Rural Buffer" or "RB" in both applications before over thinking the answer to the question.

On the Future Land Use Map Amendment Application, I respectfully amend the Application as follows:

Land Use Plan Category Designation(s) Requested: Rural Buffer.

On the Application for Zoning Atlas Amendment, I respectfully amend the Application as follows:

Future Land Use Designation for Property: Rural Buffer.

Requested Zoning Designation: Rural Buffer (RB).

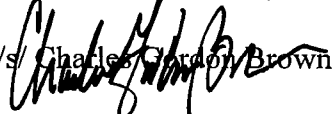
The Orange County Planning Department is authorized to endorse these corrections directly on the original applications. As corrected in accordance with the above, on behalf of the Applicant I ratify these changes.

January 30, 2023
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I look forward to working with you.

Very truly yours,

BROWN & BUNCH, PLLC


/s/ Charles Gordon Brown

Charles Gordon Brown

CGB/cf

cc: Taylor Perschau (via e-mail: tperschau@orangecountync.gov)
Cy Stober (via e-mail: cstober@orangecountync.gov)
Patrick R. Mallett (via e-mail: pmallett@orangecountync.gov)
12902\07\L\005Perdita Holtz - Orange County Planning and Inspections

BROWN & BUNCH, PLLC
ATTORNEYS AND COUNSELORS AT LAW

CHARLES GORDON BROWN
gbrown@brownandbunch.com
WILLIAM W. BUNCH, III
bbunch@brownandbunch.net
LEANN NEASE BROWN
lnease@brownandbunch.com

101 North Columbia Street, Suite 100
Chapel Hill, North Carolina 27514
(919) 968-1111
Facsimile: (919) 968-1444

January 11, 2023

VIA FEDERAL EXPRESS

Orange County Planning and Inspections
Department
131 W. Margaret Lane, Suite 201
Hillsborough, NC 27278
ATTN: Cy Stober, Director

OC Planning Staff Note: The original application included ~65 pages of maps and addresses pertaining to adjacent property owner notifications. These pages were removed by staff as they duplicate information contained in a different attachment and added considerable length to the application package. The full original application is available upon request from the Planning Department.

RE: Mount Carmel Baptist Church of Chapel Hill, North Carolina Application for Zoning Atlas Amendment (General Use Zoning Request) and Future Land Use Map Amendment.

Dear Mr. Stober:

Mount Carmel Baptist Church of Chapel Hill, North Carolina (the "Church") owns unzoned land adjacent to its principal worship facilities at 2106 Mount Carmel Church Road. The land in question became unzoned when the Orange-Chatham boundary was changed in 2021.

Mount Carmel is a bona fide Cooperative Baptist Fellowship Congregation. It has served its faith community since 1803. Until 2021, the property of the Church which supported and furthered its programs of worship, education, ministry and mission straddled the Orange-Chatham line. 4.6623 acres were in Chatham and 3.4730 acres, Orange. On June 30, 2021, Session Law 2021-67 went into effect. That Act annexed the Chatham County portion of the Church's property into Orange County. A copy of the Act is attached.

To transition tax administration, the Act provided "Beginning January 1, 2022, all property in the area described in Section 1 of this Act [the former Chatham acreage] which is subject to ad valorem taxation shall be listed, assessed, and taxed by Orange County in the same manner as is prescribed by law for all other property located in Orange County." Accordingly, Orange County recognized the annexed property as being recombined into the original 3.4730 Orange County tract and added it to PIN #9796-29-3144. On December 28, 2021, the Church registered a plat which showed the recombination into one parcel of 8.1353 acres. See Orange County Plat Book 124, Page 74 (copy attached).

This is as far as the Act went. Both the Orange and Chatham portions had long been recognized as exempt from real and personal property taxation, but to ensure continuity of exempt

status, the Church duly applied for exemption under G.S. §105.278.3 and .5 on December 29, 2021. The former Church grounds in Chatham had been historically used for Church gatherings, exercise, recreation, outdoor classes and the like. These uses had been recognized by Chatham County as qualifying for exemption before the annexation. After receiving the Church's Application, the entirety of the 8.1353 acre tract was accepted as exempt.

While the single tax parcel and the exemption were taken care of, there was still some unfinished business. In July 2022, Orange County Planning contacted the Church to advise additional steps had to be taken before all regulatory requirements were satisfied. More specifically, the Act did not transition zoning. This resulted in 4.6623 acres of the recombined 8.1353 acre tract being unzoned.

Objective

The Church seeks to comply with Orange County requirements in two ways:

1. Obtain a Zoning Atlas amendment to establish the same General Zoning Classification for 4.6623 acre newly annexed portion of the Church's property as currently applies to its original Orange County 3,4730 acre portion.
2. Obtain a FLUM designation for the 4.6623 acre portion of the Church's parcel the same as the existing Orange County 3.4730 portion.

Factors Supporting Application

- a. Alleged Error in Zoning Atlas To Be Corrected.

Technically, there is no error, nor is this a rezoning. It is an initial zoning of land not heretofore situated in Orange County. In most cases, an application for rezoning anticipates a change in use. Here there will be no change in use. The activities carried on within the boundaries of the Church's full 8.1353 footprint will be continued as before. Should the Church subsequently add or eliminate improvements to further its purposes, it will follow the permitting requirements otherwise applicable to Places of Worship elsewhere in the County.

- b. Consistency With Intent and Purpose of Adopted Comprehensive Plan.

The 4.6623 acres annexed into Orange County have been utilized historically by the Church to further its religious mission and purpose. The 2030 Comprehensive Plan anticipates the area around the original Church acreage in Orange County will continue to be RB, in which a Place of Worship is a permitted use. The uses currently made of the unzoned acreage qualify under the Place of Worship category and accessory uses attendant thereto.

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c. Changing Conditions Which Make Amendment Reasonably Necessary.

This criterion does not anticipate a change in a county boundary may create a need to zone property which slides from one jurisdiction to another. However, that is what occurred here.

As a courtesy, the delivery of this package to your office will be followed by an email containing electronic copies of the following in Word format:

1. Legal description of the 4.6623 acres annexed into Orange County from Chatham County as it appears in the 2021 Act.
2. Legal description of the recombined 8.1353 acre tract depicted in the plat recorded in the Orange County Registry at Plat Book 124, Page 74 and assigned PIN #9796-29-3144.
3. Adjacent Parcel Identification for notice purposes (Owners of record, addresses, PIN or Parcel Nos.).

Fees per the Orange County Fee Schedule are enclosed. The fees have been calculated on the 4.6623 acre area which needs to be zoned. Please feel free to contact me if you have any questions.

Very truly yours,

BROWN & BUNCH, PLLC



Charles Gordon Brown

CGB/cf

Enclosures

cc: John Eberhard (via e-mail: j.eberhard@icloud.com)
W. P. Whichard (via e-mail: wwwhichard@tillmanfirm.com)
Barrett Freeman, Pastor (via e-mail: barrett@mcabc1803.org)
12902\07\L\002Orange County Planning and Inspections

ORANGE COUNTY PLANNING DEPARTMENT

131 W. MARGARET LN., SUITE 201, P.O. BOX 8181
HILLSBOROUGH, NORTH CAROLINA 27278



FUTURE LAND USE MAP AMENDMENT APPLICATION

All persons requesting an amendment to the Land Use Plan of Orange County are required to complete the following application as completely as possible:

OFFICE USE ONLY

REQUEST #CP- - _____

DATE RECEIVED: _____

STAFF PERSON(S) RESPONSIBLE: _____

GENERAL DATA

Property Owner(s) Name: Mount Carmel Baptist Church of Chapel Hill, North Carolina

Mailing Address: 2016 Mt. Carmel Church Road, Chapel Hill, North Carolina

Telephone: (Home) N/A (Work) 919.933.8565

Agent(s) Name: Charles Gordon Brown

Mailing Address: Brown & Bunch, PLLC, 101 N. Columbia Street, Suite 100, Chapel Hill, NC 27514

Telephone: 919.968.1111

SPECIFIC DATA

Tax Reference: ~~Township~~ 9796-29-3144 ~~Tax Map~~ Block Lot

Public/Private Road Name: 2016 Mt. Carmel Church Road (NCSR #1008).

Lot Size: Acreage: 4.6623 Square Footage 203,091

Lot Frontage 521.41' Lot Depth 383.65' (N) 384.37' (S)

Current Plan Category Designation(s): General Currently unzoned; seeking general use nonresidential.

Activity Node N/A Watershed Jordan Lake Protected

Joint Planning Area Yes

SPECIFIC DATA (continued)

Request # CP- -

Describe Land Uses in the General Area: Residential with small EC5 node near intersection
Mt. Carmel Church Road and Mangum CourtOn Adjacent Parcels of Land: Place of Worship with accessory uses (Church property
originally in Orange County 3.4730 acres); adjoiners on east, south and west are
all residential and all in Chatham County.**REQUEST**Land Use Plan Category Designation(s) Requested: Place of Worship (Type 79)Type of Amendment: Primary _____ Secondary x

This application should be submitted with the following materials:

x Fully dimensioned ^{survey} ~~tax map~~ on which is highlighted the parcel, or portion thereof, in question.x Legal description of the parcel, or portion thereof.x Letter of request to include:

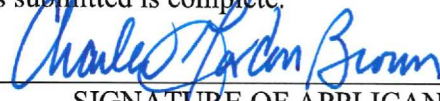
- the tax reference, general location and owner of the parcel
- the current and requested land use plan category designation(s)
- a narrative stating the manner in which the proposed amendment will carry out the intent and purpose of the adopted comprehensive plan or part thereof
- a statement of any other circumstances, factors and reasons which the applicant offers in support of the proposed amendment
- statement of the changed or changing conditions in the area, or in the County generally, which make the proposed amendment reasonable necessary.

x Application Fee.

I (We), the undersigned, certify that all statements furnished in this application are true and to the best of my (our) knowledge and that the application as submitted is complete.

Mount Carmel Baptist Church of
Chapel Hill, North Carolina

NAME OF APPLICANT


SIGNATURE OF APPLICANT(S)

January 11, 2023

DATE



Orange County Planning and Inspections Department

APPLICATION FOR ZONING ATLAS AMENDMENT GENERAL USE REZONING REQUEST

APPLICANT INFORMATION:

Date: January 11, 2023

Applicant: Mount Carmel Baptist Church of
Chapel Hill, North Carolina

Phone: 919.933.8565

Address: 2016 Mt. Carmel Church Road
Chapel Hill, NC 27517

Cell Phone: N/A

E-mail: mcbc1803.org

PROPERTY SUBJECT TO REQUEST:

Parcel Identification Number (PIN): 9796-29-3144

Address of property: 2016 Mt. Carmel Church Road

Owner of property: Mount Carmel Baptist Church of Chapel Hill, North Carolina

Future Land Use Designation for Property: General Use - Nonresidential

Current Zoning Designation: N/A. Unzoned.

Requested Zoning Designation: General Use - Nonresidential

**** If Applicant/Owner are different people, include a signed, notarized, statement indicating that the owner has authorized the applicant to submit the request. In cases where there are multiple property owners, please attach an additional document containing their signatures authorizing the submission of the application or other legal documentation establishing the applicants right to file on their behalf.**

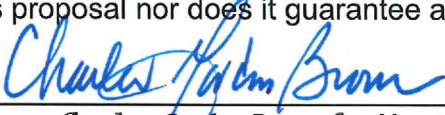
**** Signed, notarized authorization attached.**

SUBMITTAL INFORMATION - Section 2.8.3 of the Unified Development Ordinance (UDO)

- 1) A Map, at a legible scale, showing the property(s) subject to the request. A map may be procured at the Planning Department for a fee in accordance with the adopted Orange County Fee Schedule
- 2) A legal description of the property(s) proposed for rezoning
- 3) A list showing the names and addresses of all adjacent property owners within 1000' feet of the subject property.
- 4) A detailed narrative denoting the following:
 - a. The alleged error in the Zoning Atlas (if any) that will be corrected by the proposed request.
 - b. The changed, or changing, conditions (if any) that makes the proposed amendment reasonable necessary to promote the public health, safety, and general welfare.
 - c. How the proposed amendment is consistent with, or carries out the intent and purpose of, the Orange County Comprehensive Plan,

- 5) The filing fee per the adopted Orange County fee schedule in affect as of the date of the application.

I (we), the undersigned, have been made aware of the process for the review and action associated with a UDO Zoning Atlas Amendment application and understand only completed applications, containing all information required by the Orange County UDO shall be reviewed and acted upon by the County. Further I (we) understand that any assistance I (we) may receive from County staff in preparing this application in no way guarantees a favorable recommendation by staff on the merits of this proposal nor does it guarantee an approval of the proposed atlas amendment by the County.



January 11, 2023

Applicant Charles Gordon Brown for Mount Carmel
Baptist Church of Chapel Hill, North Carolina

Date:

Applicant

Date:



Orange County Planning and Inspections Department

Zoning Atlas Amendment Application Checklist

The purpose of the Zoning Atlas Amendment checklist is to provide direction to the general public on 'what' is necessary to submit a complete application package for review and processing by the Orange County Planning Department (hereafter 'Staff') consistent with the procedural requirements embodied within the Unified Development Ordinance (UDO), which can be accessed utilizing the following link:

<https://www.co.orange.nc.us/DocumentCenter/View/8305/Unified-Development-Ordinance-PDF>.

Questions on required submittal elements can be handled by calling (919) 245-2575

PART 1: SUBMITTAL INSTRUCTIONS:

SUBMIT TO: Orange County Planning and Inspections
131 West Margaret Lane – Suite 201
PO Box 8181
Hillsborough, NC 27278

EMAIL TO: planningapps@orangecountync.gov

SUBMITTAL: Applications for Zoning Atlas Amendments are accepted during normal business hours.

PLAN SUFFICIENCY REVIEW: Per Section 2.2.6 of the UDO, staff has 5 business days to determine if an application complies with all submittal requirements.

Staff shall notify the applicant, in writing (i.e. e-mail or formal letter), of any deficiencies and invite the applicant to revise the application package, correcting identified deficiencies. Incomplete or deficient applications shall not be processed until identified issues are addressed.

If and/or when the atlas amendment application complies with all submittal requirements as detailed within the UDO, Staff shall formally accept the application and notify the applicant of its acceptance.

REQUIREMENTS: As detailed within the Zoning Atlas Amendment application package, and Section 2.8 of the UDO, submittals are required to contain:

1. A completed/signed Zoning Atlas Amendment application;
2. A map, at a legible scale, showing the land proposed for rezoning;
3. A detailed narrative denoting the following:
 - a. The existing zoning of the subject property and the requested zoning as defined in Article 3 of the UDO;
 - b. The current land use designation of the subject property consistent with the Orange County Comprehensive Plan and Future Land Use Map (FLUM), which can be accessed utilizing the following link:
 - c. The alleged error in the Zoning Atlas (if any) that will be corrected by the proposed request;
 - d. The changed, or changing, conditions (if any) that makes the proposed amendment reasonable necessary to promote the public health, safety, and general welfare;
 - e. How the proposed amendment is consistent with, or carries out the intent and purpose of, the Orange County Comprehensive Plan.
4. Plan review fee(s) consistent with the adopted Orange County Fee Schedule.

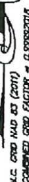
PART 2: SUBMITAL CHECKLIST – GENERAL ZONING ATLAS AMENDMENTS:

REQUIREMENT:	INCLUDED:	NOT APPLICABLE:
1. Map of the subject property including the boundary of the lot(s) subject to the atlas request.	x	
2. The name, address, and phone number of the: a. Applicant and the property owner (if different); b. Surveyor responsible for completing/sealing the site plan.	x	
3. Contact information for utility providers (i.e. power company, gas company, telecommunications, etc.) anticipated serving the project. PLEASE NOTE: This is required so County staff can coordinate review/approval of proposed utility line locations.		x
4. Adjacent right-of-way widths with road names and numbers.	x	
5. Adjacent parcel information (i.e. Zoning of adjacent property, Existing land uses, Legal information on adjacent property (i.e. owner, PIN number, Deed/Plat references), etc.) PLEASE NOTE: Most of this information can be obtained from the County's on-line GIS Mapping System, which can be accessed utilizing the following link: https://gis.orangecountync.gov:8443/orangeNCGIS/default.htm	x	

General Zoning Atlas Amendments

Part 2: Requirement 1

Map of Subject Property



General Zoning Atlas Amendments

Part 2: Requirement 2

a. Applicant:

**Mount Carmel Baptist Church of Chapel Hill,
North Carolina
2016 Mt. Carmel Church Road
Chapel Hill, NC 27517
919.933.8565**

Authorized Agent for Applicant:

**Charles Gordon Brown
c/o Brown & Bunch, PLLC
101 N. Columbia Street, Suite 100
Chapel Hill, NC 27514
919.968.1111**

b. Surveyor:

**Smith & Smith Surveyors, P.A.
P. O. Box 457
Apex, NC 27502
919.352.7111**

General Zoning Atlas Amendments

Part 2: Requirement 3

Utility Provider Contacts. N/A.

General Zoning Atlas Amendments

Part 2: Requirement 4

Adjacent right-of-way width, road names and numbers.

**Mount Carmel Church Road
S.R. 1008**

Variable width

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021**

**SESSION LAW 2021-67
HOUSE BILL 236**

**AN ACT TO ANNEX TO ORANGE COUNTY CERTAIN DESCRIBED PROPERTY
LOCATED IN CHATHAM COUNTY.**

Whereas, Mount Carmel Baptist Church (hereinafter "Church") is primarily located in Orange County, but approximately 4 acres of the Church's property is located in Chatham County; and

Whereas, the Church is preparing to implement a master plan that will likely involve multiple construction projects that will require approval from both Orange and Chatham County governments; and

Whereas, the Church believes it can complete the construction programs more efficiently if it is required to seek approval only from Orange County, where the majority of its property is located; and

Whereas, the board of commissioners of Orange County and Chatham County adopted resolutions on February 2, 2021, and February 15, 2021, respectively, expressing their support for the annexation of the Church's property by Orange County; and

Whereas, the establishment of a county boundary line is, pursuant to Section 1 of Article VII of the North Carolina Constitution, the responsibility of the General Assembly; Now, therefore,

The General Assembly of North Carolina enacts:

SECTION 1. The boundary line between Chatham County and Orange County is hereby changed and relocated so as to divest Chatham County of the territory described below, which territory shall vest in and become part of Orange County:

Lying and being in Williams Township, Chatham County, North Carolina, and described more fully as follows to wit:

BEGINNING at an iron pipe set, a new corner for Chatham – Orange County, in the western property line of Carolina Meadows, Inc., (Deed Book 477, Page 8 Chatham County Registry) bearing NAD 83 (2011) N.C. Grid Coordinate values of North 768,963.87 U.S. survey feet, East 1,992,521.14 U.S. survey feet; thence with Carolina Meadows, Inc., South 01° 52' 01" East, 532.37 feet to an existing concrete monument with a broken top, a new corner for Chatham – Orange County, also being a corner of Carolina Meadows, Inc., (Deed Book 706, Page 237 Chatham County Registry); thence with Carolina Meadows, Inc., South 88° 08' 00" West, 384.37 feet to a disturbed existing iron pipe (reset), a new corner for Chatham – Orange County, on or near the eastern maintenance right of way line of Mt. Carmel Church Road (NCSR 1008); thence North 01° 51' 57" West, 524.41 feet to an iron pipe set, a new corner for Chatham – Orange County, on or near the eastern maintenance right of way line of Mt. Carmel Church Road (NCSR 1008); thence with the former county line North 87° 40' 20" East, 0.80 feet to former county line monument # 3 as shown on Plat Slide 2004-425, Chatham County Registry (PID AB2055); thence continuing with the former county line North 86° 56' 43" East, 383.65 feet to the BEGINNING, containing 4.6623 acres more or less (203,091 square feet more or less) as shown



on a map prepared by Smith & Smith, Surveyors, P.A. entitled "Final Plat of a Partial Resurvey of the Chatham – Orange County Line," dated September 16, 2020.

The above-described parcel is a portion of that certain parcel described in Deed Book 469, Page 451, Chatham County Registry.

SECTION 2.(a) On and after the date this act becomes law, all papers, documents, and instruments required or permitted to be filed or registered involving property in the area described in Section 1 of this act, which previously would have been recorded in Chatham County, shall be recorded in Orange County.

SECTION 2.(b) All public records related to property in the area described in Section 1 of this act, which were filed or recorded prior to the date this act becomes law in Chatham County, shall remain in Chatham County where filed or recorded, and such records shall be valid public records as to the property involved even though they are recorded in Chatham County, a county where the property is no longer located.

SECTION 2.(c) Any unpaid taxes or tax liens for the fiscal year ending June 30, 2021, or for prior fiscal years on property subject to taxation in the area described in Section 1 of this act shall continue to be valid and enforceable by Chatham County, including the foreclosure remedies and the remedies of attachment and garnishment provided for by law.

SECTION 2.(d) On and after July 1, 2021, all real and personal property in the area described in Section 1 of this act which was subject to ad valorem taxation in that area on January 1, 2021, shall be subject to ad valorem taxes in Orange County for the fiscal year beginning July 1, 2021, to the same extent as it would have been had it been located in Orange County on January 1, 2021. On July 1, 2021, the Chatham County Tax Administrator shall transfer to the Orange County Tax Assessor the ad valorem tax listings and valuations for all real and personal property subject to ad valorem taxation in the area described in Section 1 of this act. Beginning January 1, 2022, all property in the area described in Section 1 of this act which is subject to ad valorem taxation shall be listed, assessed, and taxed by Orange County in the same manner as is prescribed by law for all other property located in Orange County.

SECTION 3. No cause of action, including criminal actions, involving persons or property in the area described in Section 1 of this act which is pending on the date this act becomes law shall be abated by virtue of this act, and such actions shall continue in the same county unless changed under some other provision of law.

SECTION 4. This act becomes effective June 30, 2021.

In the General Assembly read three times and ratified this the 2nd day of July, 2021.

s/ Carl Ford
Presiding Officer of the Senate

s/ Matthew Winslow
Presiding Officer of the House of Representatives

Legal Description
of 4.6623 Acres
Annexed into Orange County

Formerly lying and being in Williams Township, Chatham County, North Carolina, and now lying and being in Chapel Hill Township, Orange County, North Carolina, and described more fully as follows:

BEGINNING at an iron pipe set, a new corner for Chatham – Orange County, in the western property line of Carolina Meadows, Inc., (Deed Book 477, Page 8 Chatham County Registry) bearing NAD 83 (2011) N.C. Grid Coordinate values of North 768,963.87 U.S. survey feet, East 1,992,521.14 U.S. survey feet; thence with Carolina Meadows, Inc., South $01^{\circ} 52' 01''$ East, 532.37 feet to an existing concrete monument with a broken top, a new corner for Chatham – Orange County, also being a corner of Carolina Meadows, Inc., (Deed Book, 706, Page 237 Chatham County Registry); thence with Carolina Meadows, Inc. South $88^{\circ} 08' 00''$ West, 384.37 feet to a disturbed existing iron pipe (reset), a new corner for Chatham – Orange County, on or near the eastern maintenance right of way line of Mt. Carmel Church Road (NCSR 1008); thence North $01^{\circ} 51' 57''$ West, 524.41 feet to an iron pipe set, a new corner for Chatham – Orange County, on or near the eastern maintenance right of way line of Mt. Carmel Church Road (NCSR 1008); thence with the former county line North $87^{\circ} 40' 20''$ East, 0.80 feet to former county line monument #3 as shown on Plat Slide 2004-425, Chatham County Registry (PID AB2055); thence continuing with the former county line North $86^{\circ} 56' 43''$ East, 383.65 feet to the BEGINNING, containing 4.6623 acres more or less (203,091 square feet more or less) as shown on a map prepared by Smith & Smith, Surveyors, P.A. entitled “Final Plat of a Partial Resurvey of the Chatham – Orange County Line,” dated September 16, 2020.

The above-described was annexed into Orange County by Act of the North Carolina General Assembly, Session Law 2021-67 effective June 30, 2021 and recombined with that certain 3.4730 acre parcel of land as shown on that certain “Final Plat of a Partial Resurvey of the Chatham-Orange County Line” dated September 16, 2020 prepared by Smith & Smith, Surveyors, P.A., and recorded in the Orange County Registry in Plat Book 124, Page 74.

12902\07\M\005Legal Description (4.6623 Acres)

Legal Description
of 8.1353 Recombined Acres
Mount Carmel Baptist Church of Chapel Hill, North Carolina
Orange County PIN #9796-29-3144

Lying and being in Chapel Hill Township, Orange County, North Carolina, and described more fully as follows:

BEGINNING at an iron pipe set, a new corner for Chatham – Orange County, in the western property line of Carolina Meadows, Inc., (Deed Book 477, Page 8 Chatham County Registry) bearing NAD 83 (2011) N.C. Grid Coordinate values of North 768,963.87 U.S. survey feet, East 1,992,521.14 U.S. survey feet;

Thence with the common boundary of Carolina Meadows, Inc., South 01° 52' 01" East, 532.37 feet to an existing concrete monument with a broken top, a new corner for Chatham – Orange County, also being a corner of Carolina Meadows, Inc., (Deed Book, 706, Page 237 Chatham County Registry);

Thence with the common boundary of Carolina Meadows, Inc. South 88° 08' 00" West, 384.37 feet to a disturbed existing iron pipe (reset), a new corner for Chatham – Orange County, on or near the eastern maintenance right of way line of Mt. Carmel Church Road (NCSR 1008);

Thence along the eastern right-of-way of line of Mt. Carmel Church Road North 01° 51' 57" West, 524.41 feet to an iron pipe set, a new corner for Chatham – Orange County, on or near the eastern maintenance right of way line of Mt. Carmel Church Road (NCSR 1008);

Thence along the eastern right-of-way of line of Mt. Carmel Church Road N 01° 51' 57" W 90.54 feet to a magnetic nail set on top of a stone wall at an existing concrete monument on the eastern right-of-way line of Mt. Carmel Church Road,

Thence along the eastern right-of-way of line of Mt. Carmel Church Road N 05° 26' 14" W along a chord 225.15 feet in length with a radius of 1,692.23 feet a distance of 225.32 feet to a magnetic nail set in the eastern right-of-way of Mt. Carmel Church Road,

Thence S 88° 00' 20" E 6.67 feet to a magnetic nail set in an indentation in the eastern right-of-way of Mt. Carmel Church Road,

Thence along the eastern right-of-way of line of Mt. Carmel Church Road N 05° 18' 32" W 19.20 feet along with the eastern right-of-way of Mt. Carmel Church Road to an iron pipe set above broken concrete monument 1.5' deep,

Thence leaving the right-of-way of Mt. Carmel Church Road N 83° 31' 55" E 102.35 feet along the common boundary with L. Short, LLC to an existing concrete monument,

Thence continuing along the common boundary with L. Short, LLC N 84° 53' 48" E 164.80 feet to an existing iron stake in an L. Short, LLC corner,

Thence continuing with L. Short, LLC's line N 06° 45' 19" W 24.68 feet to an existing iron stake in a Mount Carmel Baptist Church corner with L. Short, LLC,

Thence continuing along the common boundary with L. Short, LLC N 84° 56' 40" E 108.53 feet to another Mount Carmel Baptist Church corner with L. Short, LLC,

Thence continuing from said corner S 05° 39' 51" E along the common boundary with L. Short, LLC 91.12 feet to an existing concrete monument, another corner with L. Short, LLC,

Thence continuing with L. Short, LLC S 88° 21' 36" E 87.14 feet to an existing iron set in another Mount Carmel Baptist Church corner with L. Short, LLC.

Thence continuing with the common boundary with L. Short, LLC S 05° 41' 03" E 206.17 feet to an existing iron set in the line of Carolina Meadows, Inc. (the southwest corner of L. Short, LLC and southeast corner of Mount Carmel Baptist Church),

Thence from said common corner along the common boundary with Carolina Meadows, Inc. S 89° 12' 12" W 86.69 feet to an existing concrete monument (broken top, 0.8' below ground),

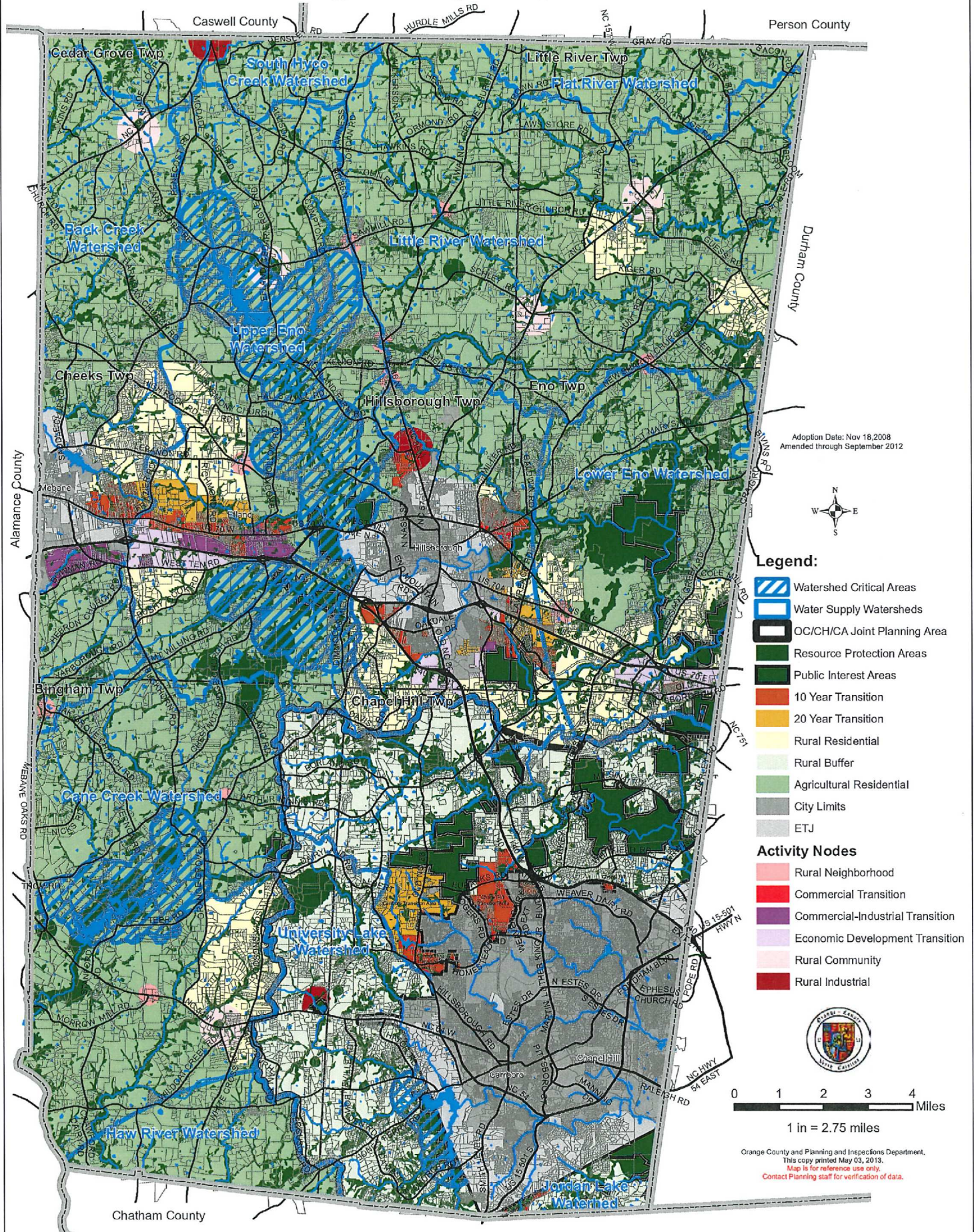
Thence along the common boundary with Carolina Meadows, Inc. S 01° 52' 01" E 73.81 feet to the new iron pipe set making the new corner of the Chatham – Orange County Line, THE POINT AND PLACE OF BEGINNING,

containing 8.1353 acres more or less (354,376 square feet more or less) as shown on a map prepared by Smith & Smith, Surveyors, P.A. entitled "Final Plat of a Partial Resurvey of the Chatham – Orange County Line," dated September 16, 2020.

The above-described includes 4.6623 acres annexed into Orange County by Act of the North Carolina General Assembly, Session Law 2021-67 effective June 30, 2021 and recombined with that certain 3.4730 acre parcel of land as shown on that certain "Final Plat of a Partial Resurvey of the Chatham-Orange County Line" dated September 16, 2020 prepared by Smith & Smith, Surveyors, P.A., and recorded in the Orange County Registry in Plat Book 124, Page 74.

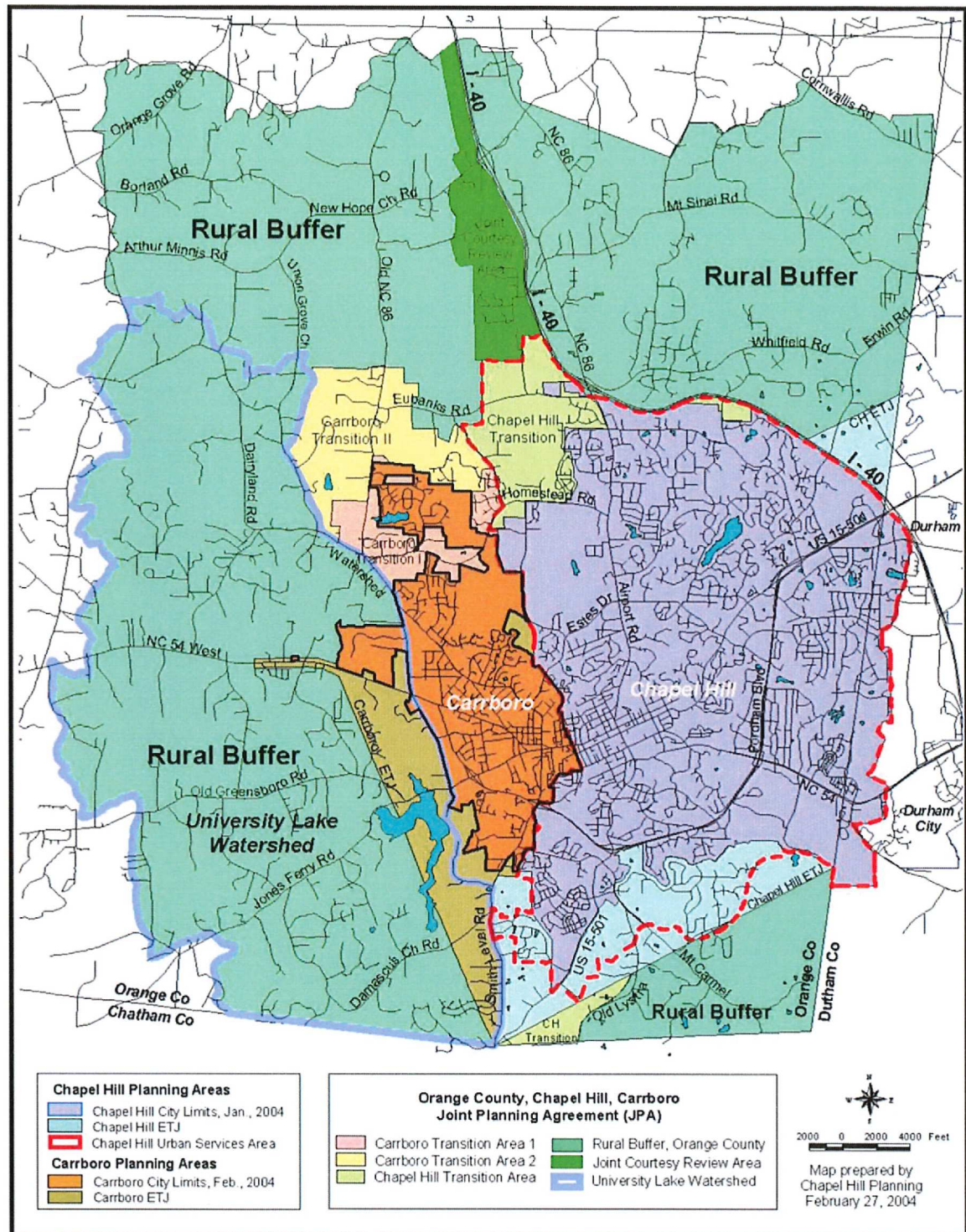
12902\07\M\007Legal Description (8.1353 acres)

Future Land Use Map of the Orange County Comprehensive Plan





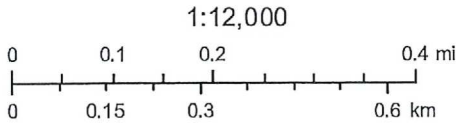
Chapter 5: Land Use Element



MAP 5-2: JOINT LAND USE PLANNING AREAS



November 14, 2022



Staff Report

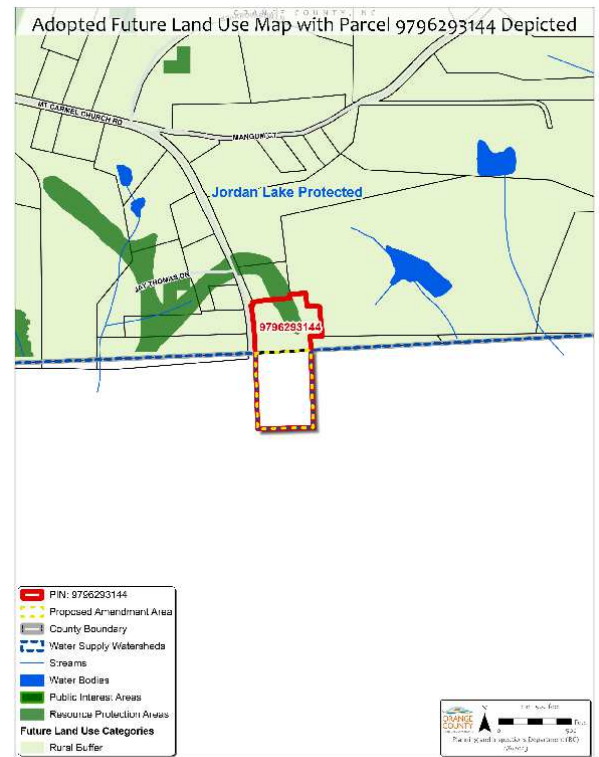
Zoning Atlas Amendment – Conventional District

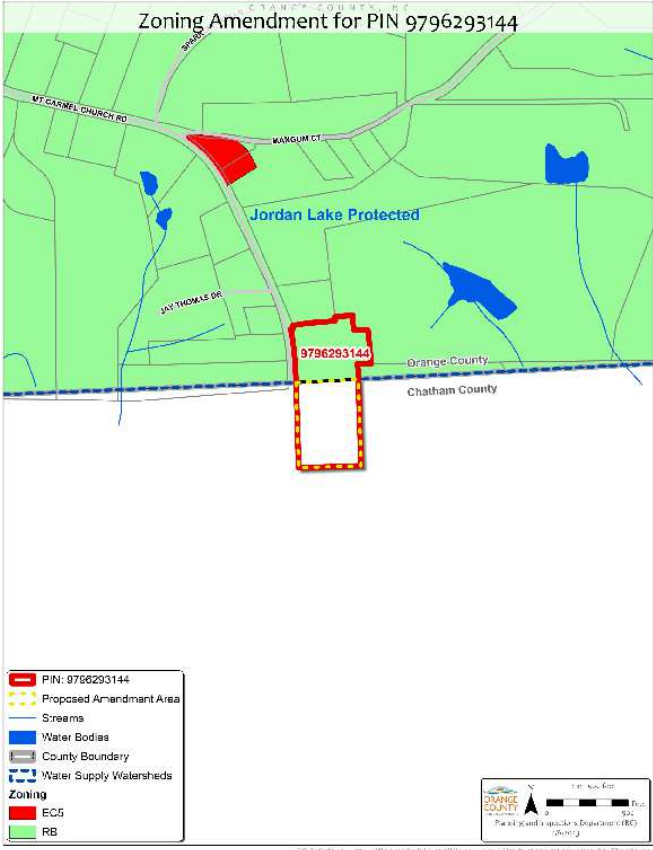


Parcel Information

	Parcel Address	2016 Mt. Carmel Church Rd. Chapel Hill 27517
	Parcel Identification Number (PIN)	9796-29-3144
	Applicant Name and Address	Mt. Carmel Baptist Church of Chapel Hill, NC 2016 Mt. Carmel Church Rd. Chapel Hill, NC 27517
	Property Owner Name and Address (if different from Applicant)	Same as Applicant
	Agent(s), if applicable	Charles Gordon Brown Brown & Bunch, PLLC 101 N. Columbia St., Suite 100 Chapel Hill, NC 27514

Parcel Size	4.6623 acres – affected area 8.1353 acres – total parcel
Future Land Use Map (FLUM) Designation	None – newly annexed land from Chatham County. Portion of parcel that has always been within Orange County is designated Rural Buffer
FLUM Overlay(s)	Resource Protection Area (on northern portion of parcel not included in proposed action)
Growth Management System Designation	Rural
Definition of FLUM Designation (from Article 10 of UDO)	No existing designation for subject area. Rural Buffer definition: Designated lands in the Comprehensive Plan that are adjacent to an urban or transition area that is rural in character and which should remain rural and not require urban services.



	Current Zoning District	None – newly annexed land from Chatham County. [Land was zoned “Residential District 1” (R-1) (Chatham County regulations) prior to being annexed into Orange County.]
	Requested Zoning District	RB (Rural Buffer)
	Requested Zoning District Consistent with Appendix F of 2030 Comprehensive Plan	Yes
	Existing Zoning Overlay Districts	None – newly annexed land from Chatham County.
	Amendments Proposed for Overlay Districts (Y/N)	Yes – area will be within the Jordan Lake Protected Watershed Overlay District

Surrounding Land Uses and Zoning

North	Church building is located on the northern portion of the parcel. A single-family residence on a 1.73 acre parcel is located to the north of the Church's parcel. All are zoned RB (Rural Buffer).
South	Multi-story attached residences associated with Carolina Meadows Retirement Community. Chatham County R-1 zoning.
East	Attached residences (quadplexes) associated with Carolina Meadows Retirement Community. Chatham County R-1 zoning.
West	Single-family residences on lots ranging from 1 to 4 acres in size. Chatham County R-1 zoning.

Existing Roads

North	None
South	None
East	None
West	Mt. Carmel Church Rd.



Existing Conditions/Physical Features

The affected portion of the parcel currently supports a large, flat, grassed field that appears to be used for field sports such as soccer; a gravel parking area; a fenced community garden; and a fenced children's playground. These uses occupy most of the affected area.

Public Water and Sewer

The Water and Sewer Management, Planning, and Boundary Agreement (WASMPBA) does not designate this area as a Primary Service Area for water and sewer services. As such, private well and septic systems are used in this area.

Review Milestones

Application Submittal Date	January 11, 2023, with clarifying information received January 30, 2023
Orange County Development Advisory Committee (DAC) Review	February 16, 2023
Note: the DAC is a staff/agency committee, established in Section 1.9 of the Unified Development Ordinance.	

Joint Planning Review

The subject parcel is located in a portion of the county included in the [Orange-County – Chapel Hill – Carrboro Joint Planning Land Use Plan](#). All three jurisdictions must approve amendments to the Land Use Map, following a joint public hearing by all three governing bodies. The date for the joint public hearing is still to be determined but is expected to be on either April 20, May 4, or May 30.

Jurisdiction	Anticipated Planning Board Review Date	Anticipated Governing Board Decision Date
Orange County	March 8, 2023	After Joint Public Hearing
Town of Chapel Hill	March 21, 2023	After Joint Public Hearing
Town of Carrboro	After Joint Public Hearing	After Joint Public Hearing

Analysis

Staff Analysis

As required under Section 2.8.5 of the UDO, the Planning Director shall cause an analysis to be made of the application. In analyzing this request, the Planning Director offers the following:

1. The application is complete in accordance with the requirements of Section 2.8.3 of the UDO;
2. The proposal appears consistent with the various goals outlined within the Orange County Comprehensive Plan concerning development, including:
 - a. Land Use Goal 2: *Land uses that are appropriate to on-site environmental conditions and features and that protect natural resources, cultural resources, and community character.*
 - b. Objective LU-2.1: Maintain the rural, low-density land surrounding Chapel Hill and Carrboro Transition Areas as Rural Buffer land, as designated on the Future Land Use Map. Future consideration should be given to designating Rural Buffer areas around other municipalities where such interest exists.

The proposal is consistent with this goal and objective because it will assign a Zoning district for the first time to property that was annexed into Orange County. The proposed RB (Rural Buffer) Zoning district is consistent with adjacent and nearby properties.

3. The proposal appears consistent with the Orange County – Chapel Hill – Carrboro Joint Planning Land Use Plan. Specifically, the Land Use Plan amendment will apply the “Rural Buffer” land use classification to a portion of a parcel that was annexed into Orange County, from Chatham County, in 2021. The Rural Buffer classification is consistent with adjoining and nearby lands in Orange County.

PLANNING *and* INSPECTIONS

 Cy Stober, AICP, Director | cstober@orangecountync.gov | 131 W. Margaret Lane, Hillsborough, NC 27278 | 919.245.2575

**CERTIFICATION OF MAILING
COMPREHENSIVE PLAN FUTURE LAND USE MAP AND
ZONING ATLAS AMENDMENT
ORANGE COUNTY, NORTH CAROLINA**

I, Perdita Holtz, Deputy Director, Long-Range Planning & Administration, with Orange County, North Carolina, DO HEREBY CERTIFY that in accordance with the provisions of Sections 2.3.5 and 2.8.7 of the Orange County Unified Development Ordinance I have mailed, or have caused to be mailed, a Notice of the Planning Board Meeting to be held regarding Future Land Use Map and Zoning Atlas amendments proposing to apply a Land Use classification and Zoning district for the first time to a portion of a parcel of property located at 2106 Mount Carmel Church Road, within the Chapel Hill Township of Orange County (PIN 9796-29-3144).

The owners were identified according to the Tax Records, as required by Sections 2.3.5 and 2.8.7 of the Orange County Unified Development Ordinance.

The mailed notices specified the date, time, place and subject of the Planning Board Meeting.

WITNESS my hand, this 21st day of February 2023.

Perdita Holtz, AICP
Deputy Director, Long-Range Planning &
Administration



Cy Stober, AICP, Director | cstober@orangecountync.gov | 131 W. Margaret Lane, Hillsborough, NC 27278 | 919.245.2575

February 21, 2023

NOTICE OF PLANNING BOARD MEETING

Dear Property Owner:

This notice is to inform you of the March 8, 2023, Planning Board meeting, at which an application to amend three regulatory documents will be reviewed. The review is in connection to applications to apply an Orange County Land Use classification and Zoning district for the first time to property that was annexed into Orange County from Chatham County. The subject property is 4.66 acres of an 8.14 acre parcel at 2106 Mount Carmel Church Road, Chapel Hill (PIN: 9796-29-3144).

This notification is occurring in accordance with the provisions of Section 2.8 *Zoning Atlas and Unified Development Ordinance Amendments* of the Orange County Unified Development Ordinance (UDO). **You are receiving this notice because you own property located within 1,000-feet of the affected parcel.**

YOUR PROPERTY IS NOT PROPOSED FOR REZONING.

The regulatory documents proposed for amendment are:

1. The Orange County – Chapel Hill – Carrboro Joint Planning Land Use Plan
2. The Orange County Comprehensive Plan – Future Land Use Map
3. The Orange County Zoning Atlas

Property Information	
Parcel ID Number (PIN)	9796-29-3144
Owner / Applicant	Mount Carmel Baptist Church of Chapel Hill, North Carolina
Agent	Charles Gordon Brown of Brown & Bunch, PLLC
Location	2106 Mount Carmel Church Rd., Chapel Hill, NC 27517
Acreage	+/- 4.66 acres of an +/- 8.14 acre parcel
Current Land Use Designation	None for the 4.66 annexed acres; the remainder of the parcel is designated Rural Buffer
Current Zoning	None for the 4.66 annexed acres; the remainder of the parcel is zoned RB (Rural Buffer)
Watershed Designation	None for the 4.66 annexed acres, but located in the Jordan Lake Protected Watershed

The requested designations for the Joint Land Use Plan and Orange County Future Land Use Map is "Rural Buffer." The requested Zoning district is RB (Rural Buffer). Additionally, the Jordan Lake Protected Watershed zoning overlay district will be applied due to the property's location within the protected watershed.

Additional information is available on the Orange County Planning Department's website:
<https://www.orangecountync.gov/3038/Active-Development-Projects>

These amendment requests will be reviewed by the Orange County Planning Board at a regular meeting at **7:00 p.m., March 8, 2023, at the Whitted Meeting Facility (300 West Tryon Street, Hillsborough, NC).** All interested persons are invited to address the Planning Board with their comments regarding the applications. The Planning Board is an advisory board comprised of appointed volunteers that makes recommendations to the Orange County Board of County Commissioners regarding land use and zoning matters.

A formal joint public hearing on the proposed amendments will be held by the Board of County Commissioners, and Town Councils of Chapel Hill and Carrboro. The date of the joint public hearing has not yet been determined; you will receive another written notice about the public hearing at a later date.

If you cannot attend the Planning Board meeting and the website does not answer your questions about the applications, you may call (919) 245-2575 during regular business hours and you will be directed to a staff person who can assist you.

Sincerely,

A handwritten signature in black ink, appearing to read 'Cy Stober', with a stylized flourish extending from the end of the signature.

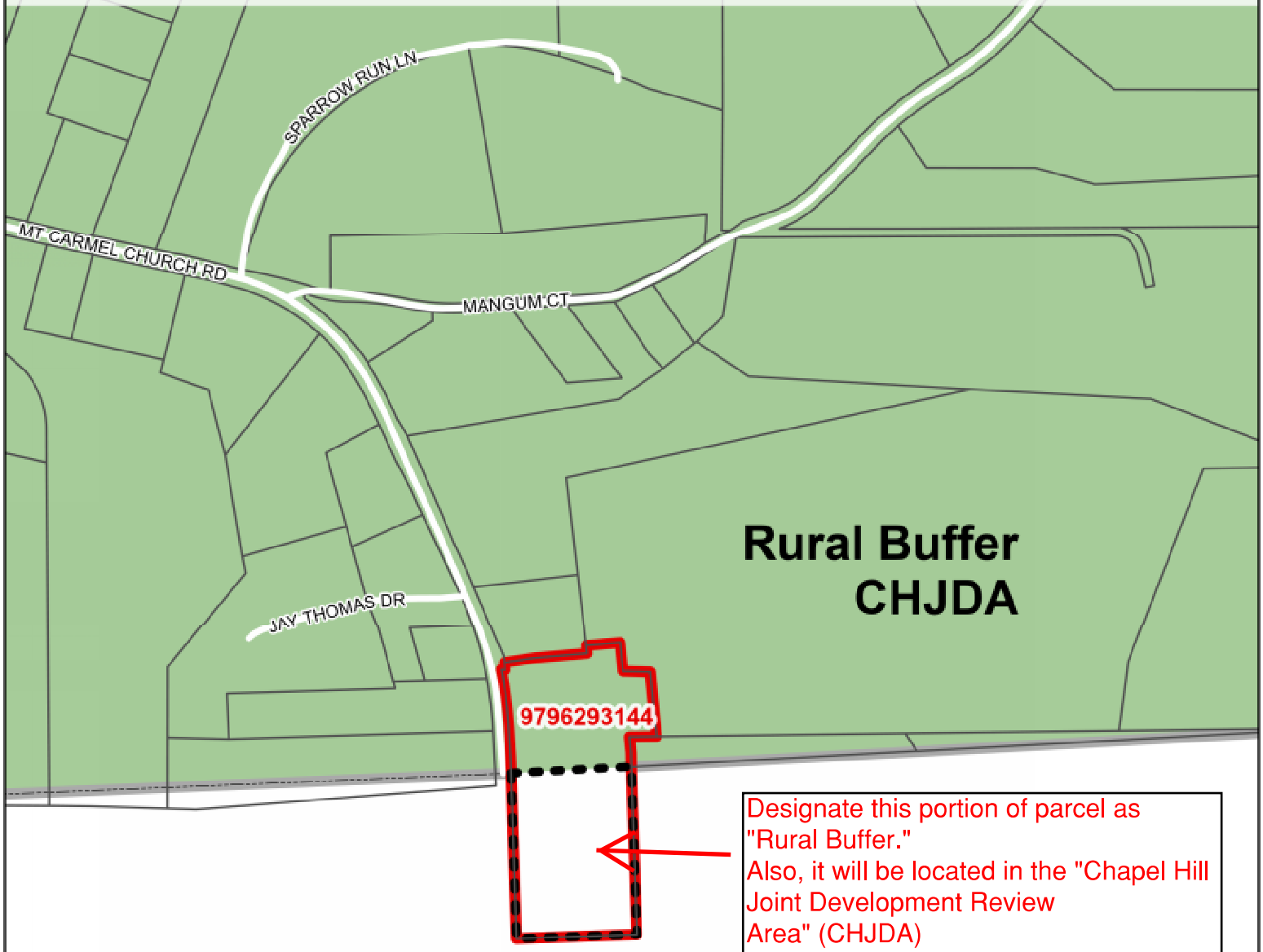
Cy Stober
Planning & Inspections Director

Enclosures (3 maps and Aerial Image of Meeting Location)

Whitted Building (300 W. Tryon St.) – Meeting Location



Orange County-Chapel Hill-Carrboro Joint Planning Area Proposed Land Use Plan and Joint Review Area Amendments

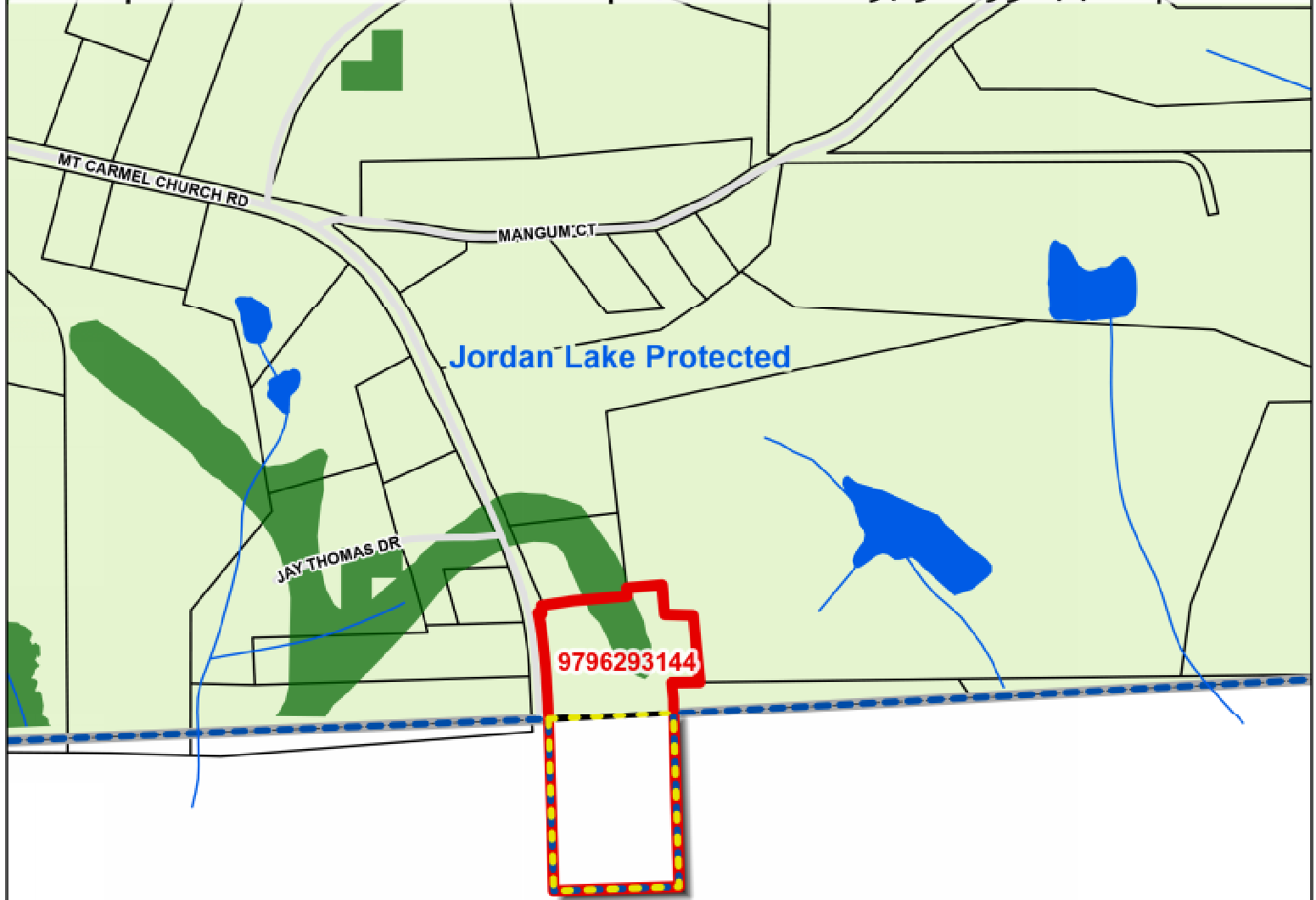


- PIN: 9796293144
- Proposed Amendment Area
- Rural Buffer
- Orange County Boundary
- Parcels



Adopted Future Land Use Map with Parcel 9796293144 Depicted

58

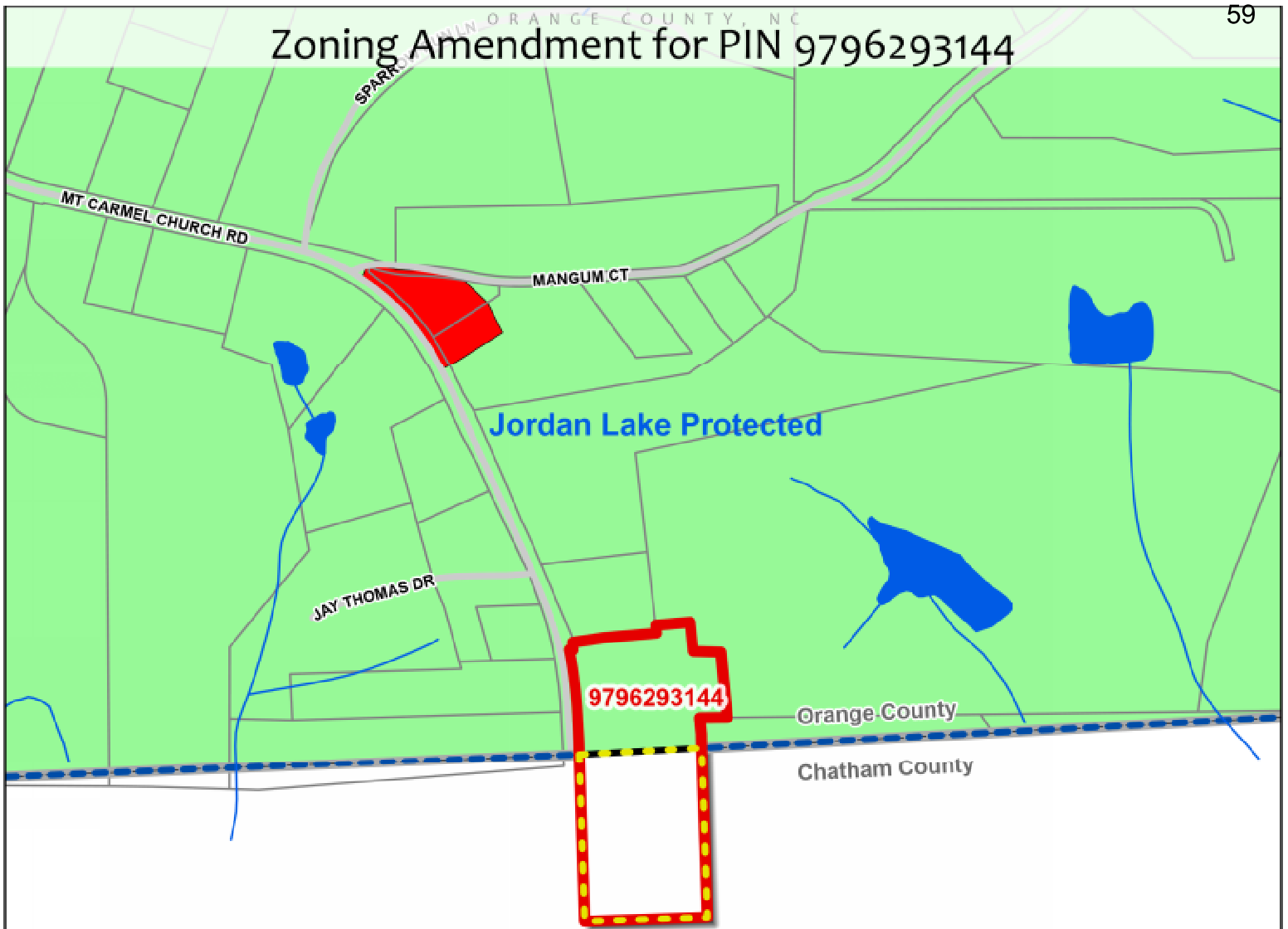



- PIN: 9796293144
- Proposed Amendment Area
- County Boundary
- Water Supply Watersheds
- Streams
- Water Bodies
- Public Interest Areas
- Resource Protection Areas
- Future Land Use Categories**
- Rural Buffer



Zoning Amendment for PIN 9796293144


59



 PIN: 9796293144

 Proposed Amendment Area

 Streams


 Water Bodies

 County Boundary

 Water Supply Watersheds

Zoning

 EC5

 RB

 **ORANGE COUNTY**
NORTH CAROLINA

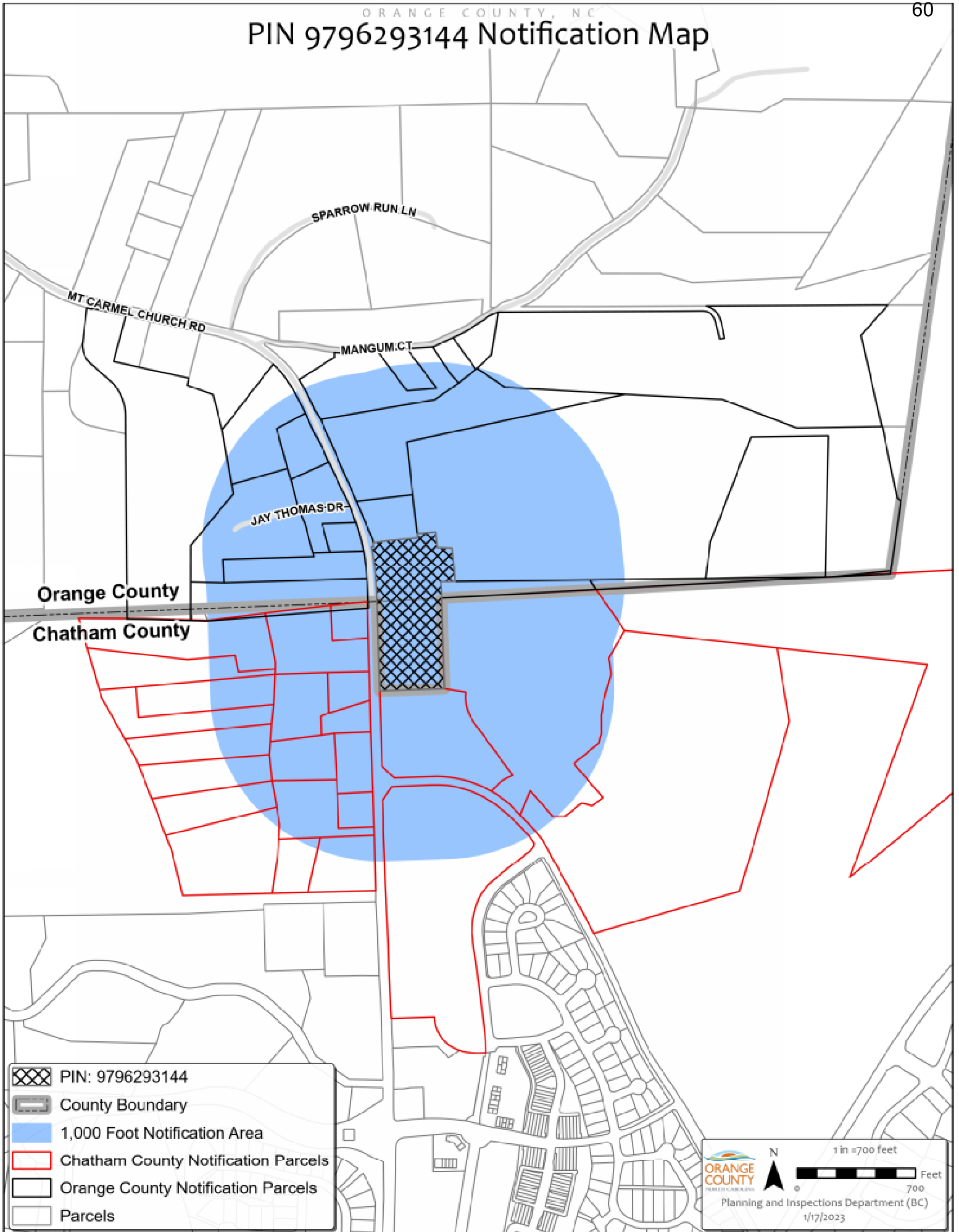
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1 in = 500 feet

 Feet
500

Planning and Inspections Department (BC)
2/6/2023

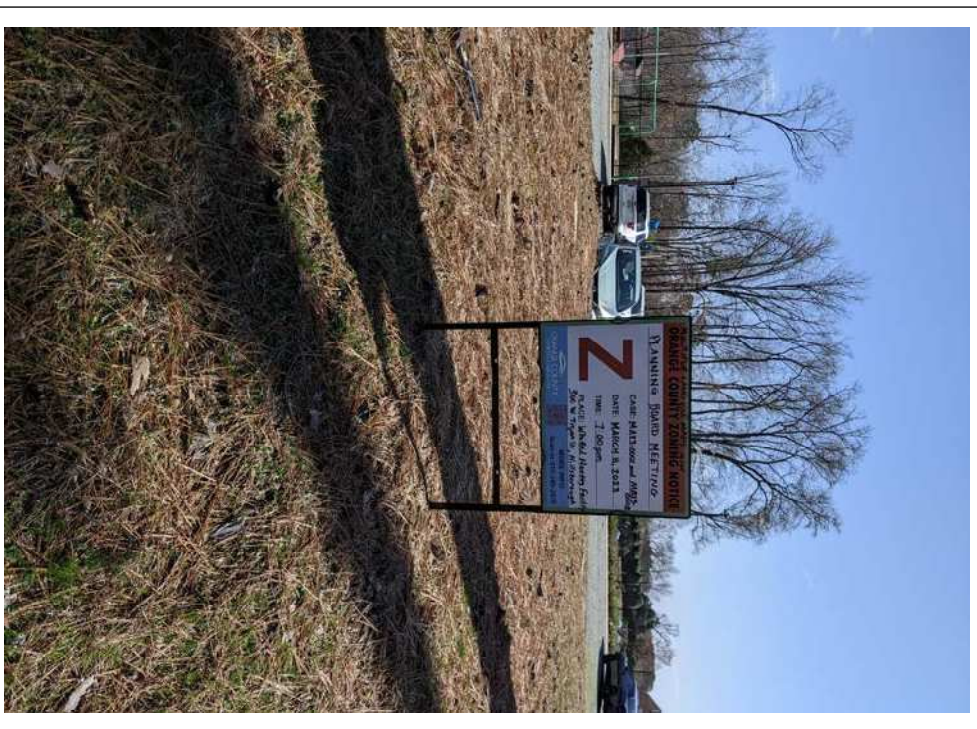
PIN 9796293144 Notification Map



PIN	OWNER1_FIRST	OWNER1_LAST	OWNER2_FIRST	OWNER2_LAST	ADDRESS1	CITY	STATE	ZIPCODE
9796196140	CHAPEL HILL NORTH CAROLINA INC	OWNER1_LAST	OWNER2_FIRST	OWNER2_LAST		CITY	STATE	ZIPCODE
9796196140	CHAPEL HILL NORTH CAROLINA INC	LABO	CHRISTOPHER T	LABO	2016 MT CARMEL CHURCH RD	CHAPEL HILL	NC	27514
9797203235	SAVANNAH L	LABO			1916 MT CARMEL CHURCH RD	CHAPEL HILL	NC	27517
9797207475	THERESA C	ARICO			2001 MANGUM CT	CHAPEL HILL	NC	275149234
97966098770	CAROL P TRUSTEE ET AL	WILLIAMS	CLARA R TRUSTEE	ROSS	109 W FRANKLIN ST SUITE 1	ROCKINGHAM	NC	28379
9796194308	<Null>	MOUNT CARMEL BAPTIST CHURCH	<Null>	<Null>	2016 MT CARMEL CHURCH RD	CHAPEL HILL	NC	27514
9796290405	CHAPEL HILL NC INC	MOUNT CARMEL BAPTIST CHURCH OF	<Null>	<Null>	2016 MT CARMEL CHURCH RD	CHAPEL HILL	NC	27514
9796293144	CHAPEL HILL NC INC	MOUNT CARMEL BAPTIST CH OF	<Null>	<Null>	2016 MT CARMEL CHURCH RD	CHAPEL HILL	NC	27517
9796290637	FREDERICK RAY	HUBBARD	KAREN SUMMERVILLE	HUBBARD	1937 MT CARMEL CHURCH RD	CHAPEL HILL	NC	27517
9796291368	CHAPEL HILL NC INC	MOUNT CARMEL BAPTIST CHURCH OF	<Null>	<Null>	2016 MT CARMEL CHURCH RD	CHAPEL HILL	NC	27514
9796292414	<Null>	L SHORT LLC	<Null>	<Null>	P O BOX 150	CHAPEL HILL	NC	27514
9797107003	CHARLES C III	DANIEL	MYRA	DANIEL	222 ROBERTSON RD	ROXBORO	NC	275748510
9797207103	LARRY T	SHORT			2002 MT CARMEL CH RD	CHAPEL HILL	NC	27517
9797208593	THERESA C	ARICO			2001 MANGUM CT	CHAPEL HILL	NC	275149234
9796199911	NORMAN JAMES	HORTON			1923 MT CARMEL CH RD	CHAPEL HILL	NC	27514
9796281089	WILLIAM D	GOODRICH			1175 MT CARMEL CHURCH RD	CHAPEL HILL	NC	27517
9796383969	MEADOWS	CAROLINA			100 CAROLINA MEADOWS	CHAPEL HILL	NC	275178505
9796396529	<Null>	L SHORT LLC	<Null>	<Null>	P O BOX 150	CHAPEL HILL	NC	27514
9797205340	PEDRO RAMIREZ ET AL	BARTOLO	<Null>	<Null>	1931 MANGUM CT	CHAPEL HILL	NC	27517
9797401314	<Null>	BUCKNER FAMMY FARM TRUST	<Null>	<Null>	109 W FRANKLIN ST SUITE 1	ROCKINGHAM	NC	283793543

Full_AKPAFOwnerName1	OwnerName2	OwnerAddre	OwnerAdd	OwnerCity	OwnerStat	OwnerZip
19387 CORVERA NERIZ FIDEL		1145 MOUNT CARMEL CHURCH RD		CHAPEL HILL NC		27517-8031
19408 CAROLINA MEADOWS INC		100 CAROLINA MDWS		CHAPEL HILL NC		27517-8501
19409 CAROLINA MEADOWS INC		100 CAROLINA MDWS		CHAPEL HILL NC		27517-8501
19410 CAROLINA MEADOWS INC		100 CAROLINA MDWS		CHAPEL HILL NC		27517-8501
19413 CAROLINA MEADOWS INC		100 CAROLINA MEADOWS		CHAPEL HILL NC		27517-8501
20039 CAROLINA MEADOWS INC		100 CAROLINA MEADOWS		CHAPEL HILL NC		27517-8501
64734 CAROLINA MEADOWS INC		100 CAROLINA MDWS		CHAPEL HILL NC		27517-8501
72756 CAROLINA MEADOWS INC		100 CAROLINA MEADOWS		CHAPEL HILL NC		27517-8501
76273 CAROLINA MEADOWS INC		100 CAROLINA MEADOWS		CHAPEL HILL NC		27517-8501
73471 CSP COMMUNITY OWNER LP		PO BOX 27329		HOUSTON TX		77227
77726 UNITED STATES OF AMERICA		C/O US ARMY CORPS OF ENGINEERS	PO BOX 14	MONCURE NC		27559-0141
20042 CAROLINA MEADOWS INC		100 CAROLINA MEADOWS		CHAPEL HILL NC		27517-8501
64812 MCCAMPBELL ROCKY	MCCAMPBELL KIMBERLEIGH	11310 GOVERNORS DR		CHAPEL HILL NC		27517
20041 CHEEK BEN FORD		1130 MADISON WOMBLE WAY		CHAPEL HILL NC		27514
93487 SPARROW CAROL C		204 GRADUATE CT		DURHAM NC		27713-6021
20037 CAROLINA MEADOWS INC		100 CAROLINA MEADOWS		CHAPEL HILL NC		27517-8501
93488 CHEEK BEN FORD		1130 MADISON WOMBLE WAY		CHAPEL HILL NC		27514
19423 SPARROW CAROL C		204 GRADUATE CT		DURHAM NC		27713-6021
20040 TCG SINGER ENTERPRISES	FUND 1 LP	9073 NEMO ST		WEST HOLICA		90069-551
60693 CARLYLE GROUP INC THE		9073 NEMO ST		LOS ANGEL CA		90069
20048 CHEEK BEN FORD		1130 MADISON WOMBLE WAY		CHAPEL HILL NC		27514
63618 CARLYLE GROUP INC THE		9073 NEMO ST		LOS ANGEL CA		90069
20033 CAROLINA MEADOWS INC		100 CAROLINA MEADOWS		CHAPEL HILL NC		27517-8501
74450 CAROLINA MEADOWS INC		100 CAROLINA MEADOWS		CHAPEL HILL NC		27517-8501

Pictures of Posted Notification Sign (posted February 24, 2023)



Resolution #: _____

**A RESOLUTION AMENDING
THE ORANGE COUNTY – CHAPEL HILL – CARRBORO
JOINT PLANNING LAND USE PLAN
TO ADD 4.66 ACRES TO THE RURAL BUFFER**

WHEREAS, Orange County, the Town of Chapel Hill, and the Town of Carrboro have engaged in a cooperative planning effort detailed within the Orange County – Chapel Hill – Carrboro Joint Planning Land Use Plan (hereafter 'Joint Planning Land Use Plan'), adopted October 13, 1986, and amended from time to time, and

WHEREAS, on June 30, 2021, North Carolina Session Law 2021-67 annexed 4.66 acres of land from Chatham County into Orange County, and

WHEREAS, a Land Use classification and a Zoning district must be applied to the annexed property by Orange County, and

WHEREAS, the property owner has filed applications to amend the Orange County Comprehensive Plan's Future Land Use Map and the Zoning Atlas to affix the "Rural Buffer" Land use classification and RB (Rural Buffer) zoning district to the property, and

WHEREAS, the annexed property is part of a parcel of land subject to the Joint Planning Land Use Plan and staff has determined that it should be added to said Plan for continuity and regulatory purposes, and

WHEREAS, Section 2.6.A of the Joint Planning Agreement, which is part of the Joint Planning Land Use Plan, requires that amendments to the Joint Planning Area Land Use Map must be adopted by all parties to the Joint Planning Land Use Plan, and

WHEREAS, a joint public hearing regarding the proposed Joint Planning Land Use Plan amendment was held on xxxx, 2023 [date to be filled in after hearing occurs], in accordance with the requirements of the Joint Planning Agreement.

NOW THEREFORE, the Board of Commissioners of Orange County hereby resolves that the Joint Planning Land Use Plan be amended as shown on the attached page.

BE IT FURTHER RESOLVED THAT the amendment to the Joint Planning Land Use Plan shall become effective upon adoption by the governing bodies of Orange County, Chapel Hill, and Carrboro.

Upon motion of Commissioner _____, seconded by Commissioner _____, the foregoing resolution was adopted this _____ day of _____, 2023.

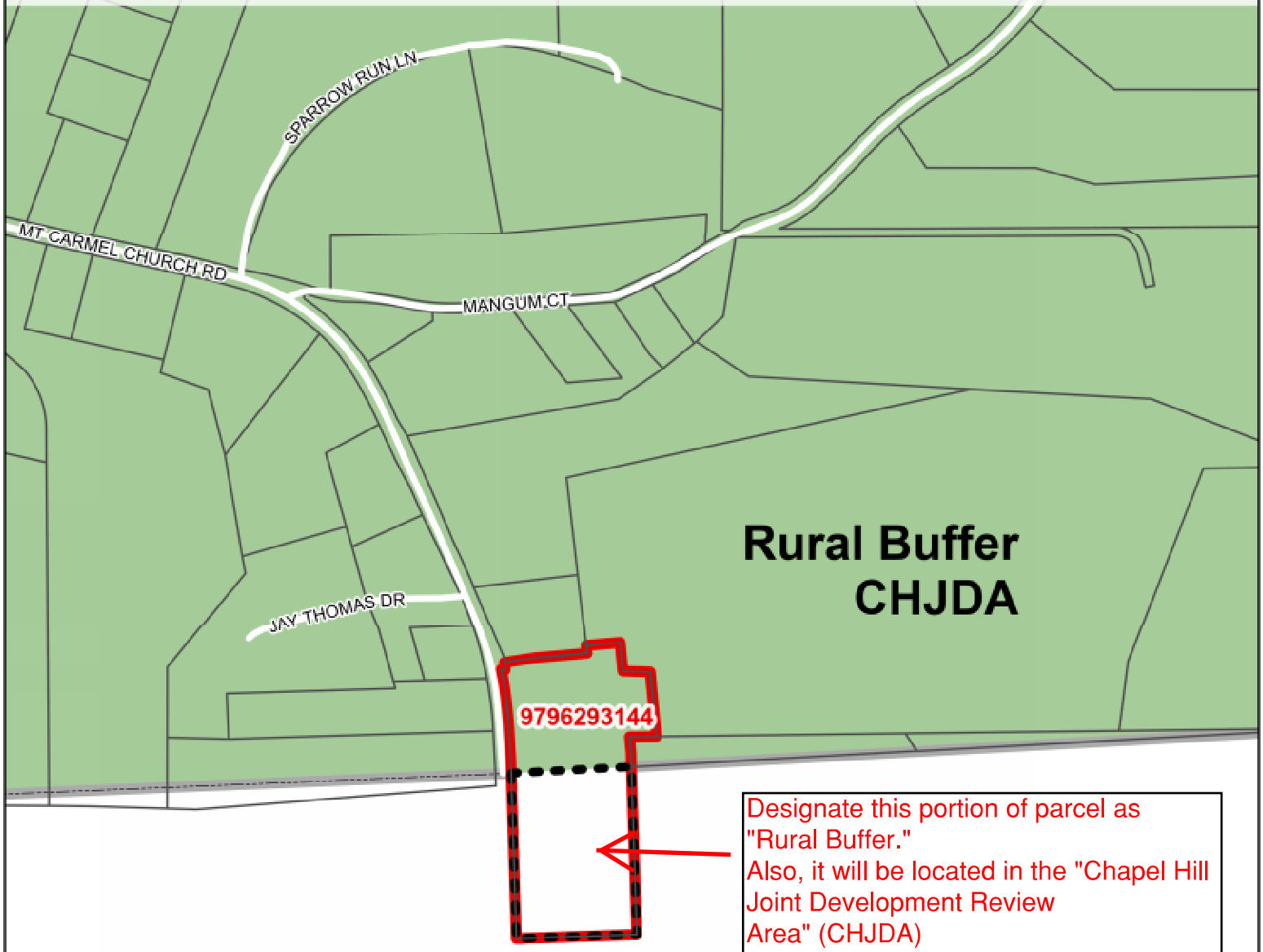
I, Laura Jensen, Clerk to the Board of Commissioners for Orange County, DO HEREBY CERTIFY that the foregoing is a true copy of so much of the proceedings of said Board at a meeting held on _____, 2023 as relates in any way to the adoption of the foregoing and that said proceedings are recorded in the minutes of the said Board.

WITNESS my hand and the seal of said County, this _____ day of _____, 2023.

SEAL

Clerk to the Board of Commissioners

Orange County-Chapel Hill-Carrboro Joint Planning Area Proposed Land Use Plan and Joint Review Area Amendments



- PIN: 9796293144
- Proposed Amendment Area
- Rural Buffer
- Orange County Boundary
- Parcels



**STATEMENT OF CONSISTENCY
OF A PROPOSED ZONING ATLAS MAP AMENDMENT
WITH THE ADOPTED ORANGE COUNTY 2030 COMPREHENSIVE PLAN**

An applicant-initiated amendment to the Zoning Atlas has been reviewed to rezone a parcel as follows:

Parcel Identification Number (PIN)	Township	Owner of Record	Current Zoning	Proposed Zoning
9796-29-3144 (4.66 acres of 8.14 acre parcel)	Chapel Hill	Mount Carmel Baptist Church of Chapel Hill, North Carolina	<ul style="list-style-type: none"> None (property was annexed into Orange County from Chatham County) 	<ul style="list-style-type: none"> RB (Rural Buffer) Jordan Lake Protected Watershed Overlay District

The Planning Board hereby finds:

- a. The requirements of Section 2.8 *Zoning Atlas and Unified Development Ordinance Amendments* of the UDO have been deemed complete; and,
- b. Pursuant to Sections 1.1.5 *Statement of Intent - Amendments*, and 1.1.7 *Conformance with Adopted Plans* of the UDO and to Section 160D-604(d) *Planning Board review and comment – Plan Consistency* and 160D-605(a) *Governing Board Statement – Plan Consistency* of the North Carolina General Statutes, the Board finds sufficient documentation within the record denoting that the amendment **is consistent** with the adopted 2030 Comprehensive Plan.
- c. The amendment is consistent with applicable plans because it supports the following:
 - Land Use Goal 2: Land uses that are appropriate to on-site environmental conditions and features and that protect natural resources, cultural resources, and community character.
 - Objective LU-2.1: Maintain the rural, low-density land surrounding Chapel Hill and Carrboro Transition Areas as Rural Buffer land, as designated on the Future Land Use Map. Future consideration should be given to designating Rural Buffer areas around other municipalities where such interest exists.

The amendment is consistent with this goal and objective because it will assign a Zoning district for the first time to property that was annexed into Orange County. The proposed RB (Rural Buffer) Zoning district is consistent with adjacent and nearby properties.

- d. The amendment is also consistent with the adopted Orange County – Chapel Hill – Carrboro Joint Planning Land Use Plan which established the area in which the property is located as “Rural Buffer”.
- e. The amendment is reasonable and in the public interest because it assigns a Zoning district for the first time to property that was annexed into Orange County; the proposed Zoning district is consistent with adjacent and nearby properties.

The Planning Board hereby adopts this Statement of Consistency and the findings expressed herein and recommends the Board of County Commissioners consider adoption of the proposed Zoning Atlas Amendment.

Adam Beeman, Chair

Date

Ordinance #: _____

Attachment 6

**AN ORDINANCE AMENDING THE
ORANGE COUNTY COMPREHENSIVE PLAN FUTURE LAND USE MAP AND
THE ORANGE COUNTY ZONING ATLAS**

WHEREAS, Orange County has received and processed applications seeking to amend the Orange County Comprehensive Plan's Future Land Use Map and the Orange County Zoning Atlas, as established in Sections 1.7 and 1.2, respectively, of the Orange County Unified Development Ordinance (UDO), and

WHEREAS, these applications seek to establish an Orange County Land Use classification and Zoning district for the first time on property annexed into Orange County on June 30, 2021, via North Carolina Session Law 2021-67, and

WHEREAS, the annexed piece of property is 4.66 acres of an 8.14 acre parcel of property with Parcel Identification Number (PIN) 9796-29-3144, and

WHEREAS, the annexed piece of property is described as:

Formerly lying and being in Williams Township, Chatham County, North Carolina, and now lying and being in Chapel Hill Township, Orange County, North Carolina, and described more fully as follows:

BEGINNING at an iron pipe set, a new corner for Chatham – Orange County, in the western property line of Carolina Meadows, Inc., (Deed Book 477, Page 8 Chatham County Registry) bearing NAD 83 (2011) N.C. Grid Coordinate values of North 768,963.87 U.S. survey feet, East 1,992,521.14 U.S. survey feet; thence with Carolina Meadows, Inc., South 01° 52' 01" East, 532.37 feet to an existing concrete monument with a broken top, a new corner for Chatham – Orange County, also being a corner of Carolina Meadows, Inc., (Deed Book, 706, Page 237 Chatham County Registry); thence with Carolina Meadows, Inc. South 88° 08' 00" West, 384.37 feet to a disturbed existing iron pipe (reset), a new corner for Chatham – Orange County, on or near the eastern maintenance right of way line of Mt. Carmel Church Road (NCSR 1008); thence North 01° 51' 57" West, 524.41 feet to an iron pipe set, a new corner for Chatham – Orange County, on or near the eastern maintenance right of way line of Mt. Carmel Church Road (NCSR 1008); thence with the former county line North 87° 40' 20" East, 0.80 feet to former county line monument #3 as shown on Plat Slide 2004-425, Chatham County Registry (PID AB2055); thence continuing with the former county line North 86° 56' 43" East, 383.65 feet to the BEGINNING, containing 4.6623 acres more or less (203,091 square feet more or less) as shown on a map prepared by Smith & Smith, Surveyors, P.A. entitled "Final Plat of a Partial Resurvey of the Chatham – Orange County Line," dated September 16, 2020.

The above-described was annexed into Orange County by Act of the North Carolina General Assembly, Session Law 2021-67 effective June 30, 2021 and recombined with that certain 3.4730 acre parcel of land as shown on that certain "Final Plat of a Partial Resurvey of the Chatham-Orange County Line" dated September 16, 2020 prepared by Smith & Smith, Surveyors, P.A., and recorded in the Orange County Registry in Plat Book 124, Page 74.

WHEREAS, the requirements of Sections 2.3 and 2.8 of the UDO have been deemed complete, and

WHEREAS, the proposals have been found to be internally consistent with the 2030 Orange County Comprehensive Plan or part thereof including, but not limited to, the following:

- **Land Use Goal 2:** Land uses that are appropriate to on-site environmental conditions and features and that protect natural resources, cultural resources, and community character.
- **Objective LU-2.1:** Maintain the rural, low-density land surrounding Chapel Hill and Carrboro Transition Areas as Rural Buffer land, as designated on the Future Land Use Map. Future consideration should be given to designating Rural Buffer areas around other municipalities where such interest exists.

and

WHEREAS, the proposals have been found to be consistent with the Orange County – Chapel Hill – Carrboro Joint Planning Land Use Plan. Specifically, the accompanying Joint Land Use Plan amendment will apply the “Rural Buffer” land use classification to a portion of a parcel that was annexed into Orange County, from Chatham County, in 2021. The Rural Buffer classification is consistent with adjoining and nearby lands in Orange County, and

WHEREAS, the Board has found the proposed Land Use classification of “Rural Buffer” and Zoning district of RB (Rural Buffer) to be reasonable and in the public interest, and

WHEREAS, the property lies within the Jordan Lake Protected Watershed delineated by the NC Department of Environmental Quality Water Supply Watershed program and is thereby consistent with that same zoning overlay district, as established in Section 4.2 of the UDO.

BE IT ORDAINED by the Board of Commissioners of Orange County that the Orange County Comprehensive Plan’s Future Land Use Map and the Orange County Zoning Atlas is hereby amended to apply the Land Use classification of “Rural Buffer,” the Zoning District of RB (Rural Buffer), and the Zoning Overlay District of Jordan Lake Protected Watershed to the aforementioned piece of property.

BE IT FURTHER ORDAINED THAT this ordinance be placed in the book of published ordinances and that this ordinance is effective upon its adoption.

Upon motion of Commissioner _____, seconded by Commissioner _____, the foregoing ordinance was adopted this _____ day of _____, 2023.

I, Laura Jensen, Clerk to the Board of Commissioners for Orange County, DO HEREBY CERTIFY that the foregoing is a true copy of so much of the proceedings of said Board at a meeting held on _____, 2023 as relates in any way to the adoption of the foregoing and that said proceedings are recorded in the minutes of the said Board.

WITNESS my hand and the seal of said County, this _____ day of _____, 2023.

SEAL

Clerk to the Board of Commissioners