

ORANGE COUNTY BOARD OF COMMISSIONERS

QUARTERLY PUBLIC HEARING AGENDA

November 21, 2016

7:00 P.M.

Richard Whitted Meeting Facility
300 West Tryon Street
Hillsborough, NC 27278

NOTE: Information is available on-line at the "Meeting Agendas" link at: <http://www.orangecountync.gov/> and also in the Planning Department or the County Clerk's Office

NOTICE TO PEOPLE WITH IMPAIRED HEARING: Audio amplification equipment is available on request. If you need this assistance, please call the County Clerk's Office at (919) 245-2130.

Note: The Legal Advertisement for the Quarterly Public Hearing is included in the agenda packet immediately following the agenda.

A. OPENING REMARKS FROM THE CHAIR

B. PUBLIC CHARGE

The Board of Commissioners pledges to the residents of Orange County its respect. The Board asks its residents to conduct themselves in a respectful, courteous manner, both with the Board and with fellow residents. At any time should any member of the Board or any resident fail to observe this public charge, the Chair will ask the offending member to leave the meeting until that individual regains personal control. Should decorum fail to be restored, the Chair will recess the meeting until such time that a genuine commitment to this public charge is observed. All electronic devices such as cell phones, pagers, and computers should please be turned off or set to silent/vibrate.

C. PUBLIC HEARING – QUASI JUDICIAL ITEMS

D. PUBLIC HEARING – LEGISLATIVE ITEMS

1. **Zoning Atlas Amendments** - To review government-initiated amendments to the zoning atlas that would modify the existing zoning boundaries of 16 parcels in the Bingham, Cheeks, and Cedar Grove Townships to address nonconforming issues.
2. **Unified Development Ordinance (UDO) Text Amendment** - To review government-initiated amendments to the text of the UDO regarding subdivision regulations and review processes.

E. ADJOURNMENT OF PUBLIC HEARINGS

F. INFORMATION ITEMS

1. **Transfer of Development Rights (TDR)/Strategic Growth and Rural Conservation**

**NOTICE OF PUBLIC HEARING
ORANGE COUNTY BOARD OF COMMISSIONERS**

A public hearing will be held at the Whitted Building, 300 West Tryon Street, 2nd Floor, Hillsborough, North Carolina, on Monday, November 21, 2016 at 7:00 PM for the purpose of giving all interested residents an opportunity to speak for or against the following items:

1. **Zoning Atlas Amendments:** In accordance with the provisions of Section 2.8 *Zoning Atlas and Unified Development Ordinance Amendments* of the Unified Development Ordinance, the Planning Director has initiated amendments to the Zoning Atlas (Map) for the following properties:

Township	PIN (Parcel ID Number)	Owner	Existing Zoning	Recommendation
Bingham	9739-24-2674 Approximately 13.95 acres in area	James Allen 7010 Gold Mine Loop Road Chapel Hill, NC 27516	Agricultural Residential (AR) – approximately 12.76 acres Existing Commercial (EC-5) – approximately 1.19 acres	Expand existing EC-5 zoning designation to ensure all structures associated with existing commercial operation are located within district. Portion of property zoned EC-5 would be increased to approximately 2.7 acres.
Bingham	9822-87-6580 Approximately 5.08 acres in area	Norma Reed PO Box 355 Mebane, NC 27302	Agricultural Residential (AR) – approximately 3.8 acres Neighborhood Commercial (NC-2) – approximately 1.28 acres Cane Creek Protected Watershed Protection Overlay	Eliminate the NC-2 zoning district designation and rezone entire property to AR.
Bingham	9841-20-4341 Approximately 0.6 acres in area (26,136 sq.ft.)	Steven Watson 6933 Orange Grove Road Hillsborough, NC 27278	Agricultural Residential (AR) – approximately 8,276 sq.ft. Existing Commercial (EC-5) – approximately 17,860 sq.ft. Cane Creek Critical Watershed Overlay District	Expand existing EC-5 zoning designation to cover entire property.

Township	PIN (Parcel ID Number)	Owner	Existing Zoning	Recommendation
Cheeks	9835-30-0230 Approximately 0.45 acres in area (19,602 sq.ft.)	Minhas, Inc. 2040 Webster Grove Drive Mebane, NC 27302	Rural Residential (R1). There is an existing gas station on the property.	Rezone property to Neighborhood Commercial (NC-2) to ensure the existing commercial land use constitutes a permitted use of property.
Cheeks	9835-80-9550 Approximately 40 acres in area.	Thomas Bradley (Trustee) 136 Louise Drive Mebane, NC 27302	Rural Residential (R1) – approximately 36.8 acres Existing Commercial (EC-5) – approximately 3.2 acres	Expand EC-5 zoning boundary to ensure required infrastructure supporting the property will be properly zoned. The EC-5 zoned area on the property shall be increased to 4.3 acres in size.
Cheeks	9844-78-6326 Approximately 0.06 acres in area (2,613 sq.ft.) 9844-78-6242 Approximately 0.46 acres in area (20,037 sq.ft.)	Efland Real Property, LLC C/O Gail Wilkerson 708 Hwy 57 Hillsborough, NC 27278	Existing Commercial (EC-5) (Note: this is for PIN 9844-78-6326) Rural Residential (R-1) (Note: this is for PIN 9844-78-6242)	Owner has requested both properties be zoned General Commercial (GC- 4).
Cheeks	9844-78-8137 Approximately 3.25 acres in area	Efland Real Property, LLC C/O Gail Wilkerson 708 Hwy 57 Hillsborough, NC 27278	Rural Residential (R-1) – approximately 2.21 acres in area Existing Industrial (E-I) – approximately 1.04 acres in area	Owner has requested both properties be zoned General Commercial (GC- 4).
Cheeks	9844-88-1230 Approximately 1.35 acres in area	Efland Real Property, LLC C/O Gail Wilkerson 708 Hwy 57 Hillsborough, NC 27278	Rural Residential (R-1)	Owner has requested both properties be zoned General Commercial (GC- 4).

Township	PIN (Parcel ID Number)	Owner	Existing Zoning	Recommendation
Cheeks	9844-95-4403 Approximately 0.65 acres in area (28,314 sq.ft.)	NC DOT – right-of-way	Existing Commercial (EC-5)	Rezone entire property to AR
Cheeks	9854-28-0393 Approximately 0.56 acres in area (24,393 sq.ft.)	Lucky 4 Properties, LLC 3131 US 70 W Efland, NC 27243	Neighborhood Commercial (NC2) – approximately 0.47 acres in area (20,473 sq.ft.) Rural Residential (R-1) – approximately 3,920 sq.ft. in area	Rezone the entire property to NC-2
Cedar Grove	9828-49-6869 Approximately 0.93 acres in area (40,510 sq.ft.)	James Thomas Wilson 3503 Mt. Zion Church Road Mebane, NC 27302	Existing Commercial (EC-5) Back Creek Protected Watershed Overlay District	Eliminate existing EC-5 zoning designation and rezone entire property to AR.
Cedar Grove	9848-21-5483 Approximately 34 acres in area	Mark Harris, Trustee, and Penny Harris, Trustee 687 James Griffin Drive Graham, NC 27253	Agricultural Residential (AR) – approximately 33 acres in area Existing Commercial (EC-5) – approximately 0.95 acres in area (41,382 sq.ft.) Upper Eno Critical Watershed Overlay District	Eliminate existing EC-5 zoning designation and rezone entire property to AR.
Cedar Grove	9858-04-5397 Approximately 6.4 acres in area	Richard J. Sims 5918 Efland Cedar Grove Road Cedar Grove, NC 27231	Agricultural Residential (AR) – approximately 4.8 acres Existing Industrial (EI) – approximately 1.6 acres Upper Eno Protected Watershed Overlay District	Eliminate existing EI zoning designation and rezone entire property to AR.

Township	PIN (Parcel ID Number)	Owner	Existing Zoning	Recommendation
Cedar Grove	9866-58-6953 Approximately 2.92 acres in area	Charles and Mary Beth Helgevold 214 Phelps Road Hillsborough, NC 27278	Agricultural Residential (AR) – approximately 1.62 acres in area Existing Commercial (EC-5) – approximately 1.3 acres Little River Protected Watershed Overlay District	Rezone entire 2.92 acre parcel to EC-5.
Cedar Grove	9867-41-7347 Approximately 5.4 acres in area	PCDP, LLC 2606 Highland Farm Rd. Hillsborough, NC 27278	Agricultural Residential (AR) Little River Protected Watershed Overlay District	Rezone entire property to Existing Commercial (EC-5) to accommodate existing automotive repair business.

Over the years different methodologies have been employed by former planning staff and the former County Attorney’s office related to the establishment of general use zoning district boundaries, most notably those associated with Existing Commercial (EC-5) zoned parcels.

Staff was directed to work with local property owners in an effort to identify the need to ‘fix’ existing district boundary lines to ensure existing, permitted, land uses are properly zoned.

Similar work is continuing on other properties throughout the county and will be reviewed at future public hearings.

The Orange County Planning Board has recommended approval of the proposed zoning atlas amendments.

Purpose: To review the item and receive public comment on the proposed amendments.

2. **Unified Development Ordinance (UDO) Text Amendment:** In accordance with the provisions of Section 2.8 *Zoning Atlas and Unified Development Ordinance Amendments* of the Unified Development Ordinance, the Planning Director has initiated amendments to the Unified Development Ordinance (UDO) regarding subdivision regulations and review processes. Specifically, the following Sections for the UDO are proposed for amendments:

- 2.1 *Review and decision Making Authority;*
- 2.2 *Applications;*
- 2.14 *Minor Subdivisions;*
- 2.15 *Major Subdivisions;*
- 3.3 *Residential Districts;*
- 4.2 *Watershed Protection;*
- 4.8 *Stoney Creek Basin;*
- 5.5 *Standards for Residential Use;*

- 6.2 *Lot and Building Standards*;
- Article 7 Subdivisions;
- Article 10 *Definitions*

The purpose of the proposed text amendments is to increase opportunities for greater flexibility with respect to the clustering and layout of proposed lots, including promoting the preservation of additional open space, within subdivision projects.

The Orange County Planning Board has recommended approval of the proposed text amendments.

Purpose: To review the item and receive public comment on the proposed amendments.

Substantial changes in items presented at the public hearing may be made following the receipt of comments made at the public hearing. Accommodations for individuals with physical disabilities can be provided if the request is made to the Planning Director at least 48 hours prior to the Public Hearing by calling one of the phone numbers below. The full text of the public hearing items may be obtained no later than November 11, 2016 at the County website www.orangecountync.gov at the County Commissioners Agendas link (http://www.orangecountync.gov/departments/board_of_county_commissioners/agendas.php#).

Questions regarding the proposals may be directed to the Orange County Planning Department located on the second floor of the County Office Building at 131 West Margaret Lane, Suite 201, Hillsborough, North Carolina. Office hours are from 8:00 a.m. to 5:00 p.m. Monday through Friday. You may also call (919) 245-2575 or 245-2585 and you will be directed to a staff member who will answer your questions or you may e-mail questions to planningdept@orangecountync.gov.

PUBLISH: The Herald Sun
November 9, 2016
November 16, 2016

News of Orange
November 9, 2016
November 16, 2016

**ORANGE COUNTY
BOARD OF COUNTY COMMISSIONERS
QUARTERLY PUBLIC HEARING ACTION AGENDA ITEM ABSTRACT**
Meeting Date: November 21, 2016

**Action Agenda
Item No. D.1**

SUBJECT: Zoning Atlas Amendment: Modification of the Existing Zoning Boundaries for Non-Residentially Zoned Parcels

DEPARTMENT: Planning and Inspections

ATTACHMENT(S):

1. Amendment Outline for Modifications to the Orange County Zoning Atlas (UDO/Zoning 2016-11)
2. Maps of Studied Properties – Bingham, Cheeks, and Cedar Grove Townships
3. Table Detailing Proposed Rezoning Including Maps of Individual Impacted Properties
4. Draft November 2, 2016 Planning Board Minutes and Signed Statement of Consistency
5. Certification of Public Hearing Mailing
6. Statement of Consistency
7. Ordinance Amending Zoning Atlas

INFORMATION CONTACT:

Michael Harvey, Planner III (919) 245-2597
Craig Benedict, Director (919) 245-2585

PURPOSE: To hold a public hearing on Planning Director initiated amendments to the Zoning Atlas within the Bingham, Cheeks, and Cedar Grove Townships for a total of 15 properties. A breakdown of the properties, and the number of acres involved with this atlas amendment, as contained in Attachment 3.

BACKGROUND: After a petition from BOCC members, staff began reviewing the zoning of several non-residentially zoned properties within the aforementioned townships and discovered existing designations do not fully encompass all required land area necessary to allow for the non-residential use of property. In many instances zoning district boundaries were drawn by former staff in a manner that encompassed only the building and parking area while excluding other required areas, most notably septic fields and required land use buffers.

Many of these boundaries were designated when zoning was originally put into effect over 30 years ago.

Staff has been working with several property owners impacted by this situation to address the problem. This proposal seeks to modify existing zoning district boundary lines to ensure all elements of the non-residential land use are located within the appropriate general use zoning designation as should have been done when affected properties were originally zoned. Staff considers this a necessary modification to existing district boundaries to ensure consistency with the UDO as well as the adopted Comprehensive Plan. For more information please refer to Attachment 1.

Maps denoting the properties reviewed as part of this project are contained within Attachment 2 and broken down by township. A breakdown of recommended rezoning actions, including maps of all impacted properties, is contained in Attachment 3.

Staff is moving forward with those properties where owners have indicated an interest and is still working to address questions from remaining owners who have not made a final decision. Work on these remaining properties will continue and staff will provide periodic updates as necessary.

Planning Director's Recommendation: The Planning Director recommends **approval** of the Statement of Consistency, indicating the amendments are reasonable and in the public interest, contained in Attachment 6 and proposed zoning atlas amendment package contained in Attachment 7.

Planning Board Recommendation: At its November 2, 2016 meeting, the Board voted unanimously to **recommend approval** of the Statement of Consistency and the Zoning Atlas amendments. The Planning Board's signed Statement of Consistency is included in Attachment 4. Agenda materials from the November 2, 2016 Planning Board meeting can be viewed at: <http://www.orangecountync.gov/November%20%20Planning%20Board%20Agenda%20Packet..pdf>.

SOCIAL JUSTICE IMPACT: The following Orange County Social Justice Goal is applicable to this agenda item:

- **GOAL: ENSURE ECONOMIC SELF-SUFFICIENCY**
The creation and preservation of infrastructure, policies, programs and funding necessary for residents to provide shelter, food, clothing and medical care for themselves and their dependents.

FINANCIAL IMPACT: Consideration and approval will not create the need for additional funding for the provision of County services. Costs for the required legal advertisement will be paid from FY2016-17 Departmental funds budgeted for this purpose. As this project involves modifying the Zoning Atlas staff notified property owners within 1,000 feet of all subject properties of the Planning Board meeting and Public Hearing where the item is reviewed. Costs for the mailings will be paid from FY 2016-17 Department funds budgeted for this purpose. Existing Planning staff included in the Departmental staffing budget will accomplish the work required to process these amendments.

RECOMMENDATION(S): The Administration recommends the BOCC:

1. Receive the proposed amendments to the Zoning Atlas as detailed in this abstract and attachments,
2. Conduct the public hearing and accept comment on the proposed amendments,

3. Close the public hearing. (Note that, because this is a legislative decision, additional comments at a later date are permitted),
4. Decide on one of the following options:
 - a. Adopt the proposed amendments by approving the Statement of Consistency (Attachment 6) and Ordinance amending the Zoning Atlas (Attachment 7).
 - b. Defer a decision to a later BOCC regular meeting date.
 - c. Refer the item back to the Planning Board for a specific purpose.
 - d. Deny the proposed amendments. (Note: Section 2.2.8 *Effect of Denial on Subsequent Applications* of the UDO states that no application for the same or similar amendment may be submitted for a period of one year. The one year period begins on the date of denial.)

Attachment 1

COMPREHENSIVE PLAN / FUTURE LAND USE MAP AND UNIFIED DEVELOPMENT ORDINANCE (UDO) AMENDMENT OUTLINE

UDO / Zoning-2016-11

Modification of the existing zoning boundaries for non-residentially zoned parcels within the Bingham, Cheeks, and Cedar Grove Townships to address nonconforming issues.

A. AMENDMENT TYPE

Map Amendments

- Future Land Use Map:
From:
To:
- Zoning Map: Multiple atlas amendments on numerous individual properties. Maps of the subject properties are contained within Attachments 2 and 3.
From:
To:
- Other:

Text Amendments

- Comprehensive Plan Text:
Section(s):
- UDO Text:
 UDO General Text Changes
 UDO Development Standards
 UDO Development Approval Processes
 Section(s):
- Other:

B. RATIONALE

1. Purpose/Mission

In accordance with the provisions of Section 2.8 *Zoning Atlas and Unified Development Ordinance Amendments* of the UDO, the County is reviewing the potential of modifying existing zoning boundaries on approximately 75 properties within the Bingham, Cheeks, and Cedar Grove Townships to address existing nonconformities, including the location of required land use buffers and septic area supporting non-residential land uses. At this time, 13 property owners have agreed to rezone a total of 15 properties.

This item is in response to previous requests made by Commissioners McKee and Pelissier.

Please note there will similar efforts within the remaining townships in the near future.

2. Analysis

As required under Section 2.8.5 of the UDO, the Planning Director is required to: *'cause an analysis to be made of the application and, based upon that analysis, prepare a recommendation for consideration by the Planning Board and the Board of County Commissioners'*.

Over the years there has been different methodologies employed by former planning staff and the County Attorney related to the establishment of general use zoning district boundaries, most notably those associated with Existing Commercial (EC-5) zoned parcels.

In many instances zoning district boundaries were drawn in a manner that encompassed only the building and parking areas while excluding other required areas, most notably septic fields and land use buffers.

The County had previously processed a request for Mr. Vernon Davis to rezone a portion of his property off of NC Highway 54 West to address this very issue. In this instance the septic area, used to support non-residential activities, was located on a portion of the property zoned residential. Land use regulations do not allow for residentially zoned property to be used in support of non-residential activities.

As a result, Mr. Davis could have been prevented from completing required improvements to the existing septic system due its location. The County rezoned the portion of the property supporting the septic system to address this concern. Minutes from the May 24, 2010 Quarterly Public Hearing where this item was reviewed can be viewed at: <http://server3.co.orange.nc.us:8088/weblink8/0/doc/18759/Page1.aspx>.

Staff has been, and will continue to, work with numerous property owners whose existing non-residential zoning boundaries do not fully capture the necessary land area allowing the use to be considered conforming.

This proposal seeks to modify zoning district boundary lines to ensure all elements of the non-residential land use are located within the appropriate general use zoning designation.

This process is voluntary meaning zoning district boundaries are being modified only with the full understanding and approval of the property owner(s).

It should be noted there are existing non-residential general use non-residential

zoning district designations that exist in contradiction to the adopted Comprehensive Plan. Staff will be working to address these matters as well.

3. Comprehensive Plan Linkage (i.e. Principles, Goals and Objectives)

Chapter 3: Economic Development Element - Section 3.5 Goals

- **Objective ED-1.5:** Identify barriers to development of desirable businesses and local businesses, and mitigate these barriers.

Chapter 5: Land Use Element - Section 5.6 Goals

- **Land Use Overarching Goal:** Coordination of the amount, location, pattern and designation of future land uses, with availability of County services and facilities sufficient to meet the needs of Orange County's population and economy consistent with other Comprehensive Plan element goals and objectives.
- **Land Use Goal 1 –** Fiscally and environmentally responsible, sustainable growth consistent with the provision of adequate services and facilities and a high quality of life.
- **Land Use Goal 4:** Land development regulations, guidelines, techniques and/or incentives that promote the integrated achievement of all Comprehensive Plan goals.

4. New Statutes and Rules

Not Applicable

C. PROCESS

1. TIMEFRAME/MILESTONES/DEADLINES

a. BOCC Authorization to Proceed

June 7, 2016

b. Quarterly Public Hearing

November 21, 2016

c. BOCC Updates/Checkpoints

June 7, 2016 – Approval of Amendment Outline Form

October 5, 2016 – Planning Board Recommendation (receive materials) – NOTE: meeting cancelled due to lack of quorum

November 2, 2016 – Planning Board Recommendation (receive materials)

d. Other

Not applicable

2. PUBLIC INVOLVEMENT PROGRAM

Mission/Scope: Public Hearing process consistent with NC State Statutes and Orange County ordinance requirements

a. Planning Board Review:

October 5, 2016 – Recommendation (NOTE: meeting cancelled due to lack of quorum)

November 2, 2016 – Recommendation. The Planning Board voted unanimously to recommend approval of the Statement of Consistency and the Ordinance amendment the Zoning Atlas for the 15 subject properties. Agenda materials from the November 2, 2016 meeting can be viewed at: <http://www.orangecountync.gov/November%20%20Planning%20Board%20Agenda%20Packet..pdf>.

The Planning Board’s signed statement of consistency is contained within Attachment 4.

b. Advisory Boards:

Staff forward this proposal to Economic Development staff to keep them apprised of our efforts.

c. Local Government Review:

Not applicable.

d. Notice Requirements

BOCC Quarterly Public Hearing meeting notices were mailed to all property owners within 1,000 feet of all affected properties on November 4, 2016. Signs were posted on the properties subject to rezoning on November 11, 2016. Please refer to Attachment 5 for additional information.

Legal advertisement for the public hearing was in accordance with the provisions of the UDO.

e. Outreach:

<input checked="" type="checkbox"/> General Public:	Staff notified impacted property owners of the proposal to adjust district boundaries and held individual meetings through the month of September 2016 to review options. Staff met with a total of 40 people, some requesting additional time to review options.
<input type="checkbox"/> Small Area Plan Workgroup:	
<input type="checkbox"/> Other:	

3. **FISCAL IMPACT**

Consideration and approval of the various atlas amendments will not create the need for additional funding for the provision of County services. Costs for outreach and required legal advertisement/adjacent property owner notification will be paid from departmental funds budgeted for this purpose. Existing Planning staff included in the Departmental staffing budget will accomplish the work required to process this amendment.

D. AMENDMENT IMPLICATIONS

The proposed atlas modifications will work towards the addressing existing nonconforming situations and eliminate the need for individual property owners to bear the expense of rezoning property on their own.

E. SPECIFIC AMENDMENT LANGUAGE

Please refer to Attachment(s) 6 and 7.

Primary Staff Contact:

Michael D. Harvey

Planning

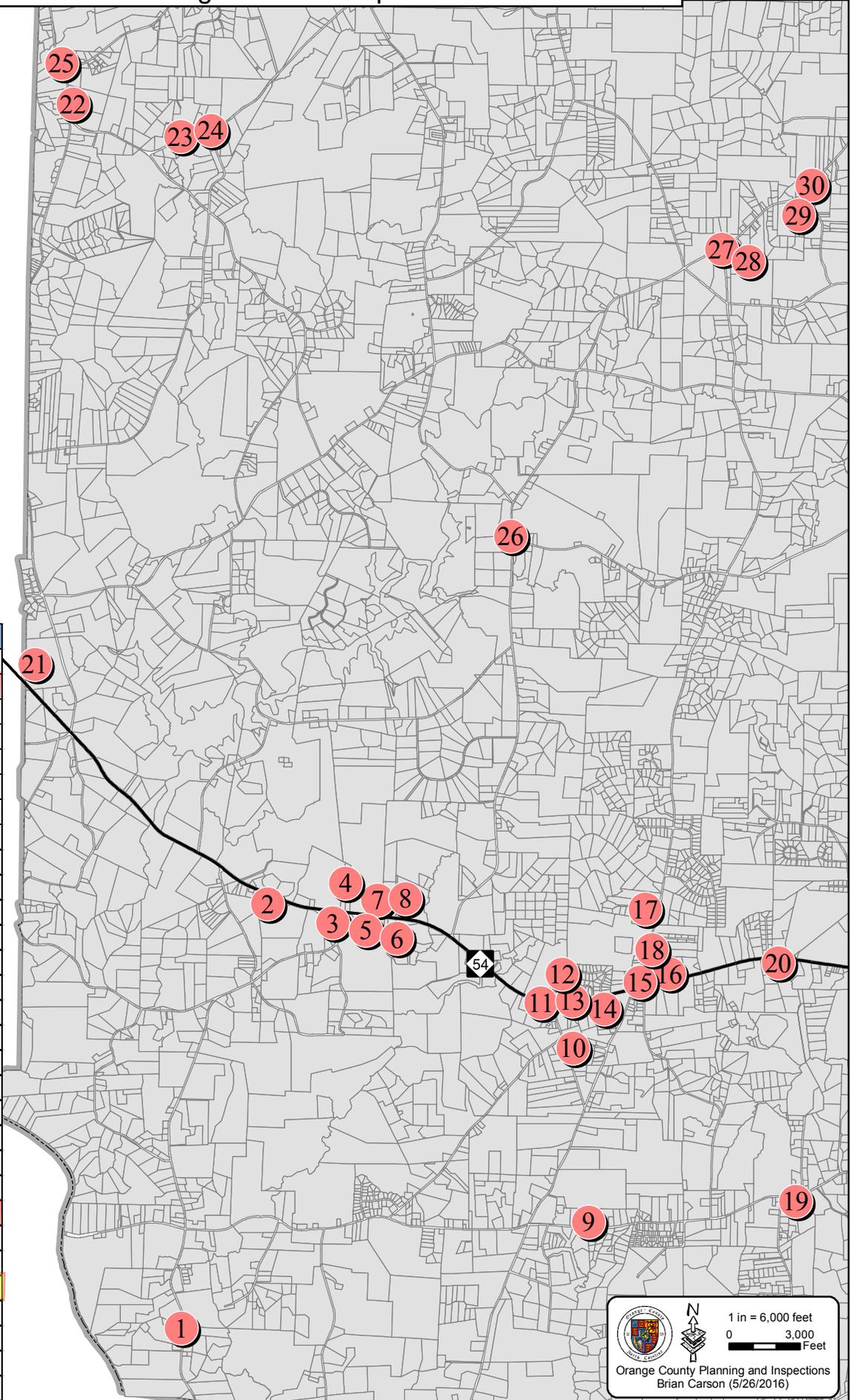
(919) 245-2597

mharvey@orangecountync.gov

Attachment 2 - Map of Properties Studied for Possible Zoning Modification Bingham Township

Please note yellow highlighting denotes a parcel being rezoned

ID	PIN	ZONING
1	9727864695	EC-5 ; AR
2	9739242674	EC-5 ; AR
3	9739536914	NC-2 ; AR
4	9739554446	GC-4 ; AR
5	9739637908	LC1 ; NC-2; GC-4; AR
6	9739731940	GC-4
7	9739740550	NC-2 ; AR
8	9739742504	NC-2 ; AR
9	9748517189	EC-5 ; AR
10	9748581760	EC-5 ; R-1
11	9749402837	LC-1 ; NC-2 ; R-1
12	9749408985	LC-1 ; NC-2 ; R-1
13	9749501789	EC-5 ; R-1
14	9749602419	EC-5
15	9749719414	NC-2 ; R-1
16	9749828015	NC-2
17	9749843622	EC-5 ; R-1
18	9749920296	NC-2
19	9758424098	EC-5 ; RB
20	9759410858	EC-5 ; RB
21	9820253261	EC-5 ; AR
22	9822388648	EC-5
23	9822876580	NC-2 ; AR
24	9822975424	I-1
25	9823503482	EC-5 ; AR
26	9841204341	EC-5 ; AR
27	9852123591	EC-5
28	9852127238	GC-4
29	9852540259	EC-5
30	9852543933	EC-5 ; RB

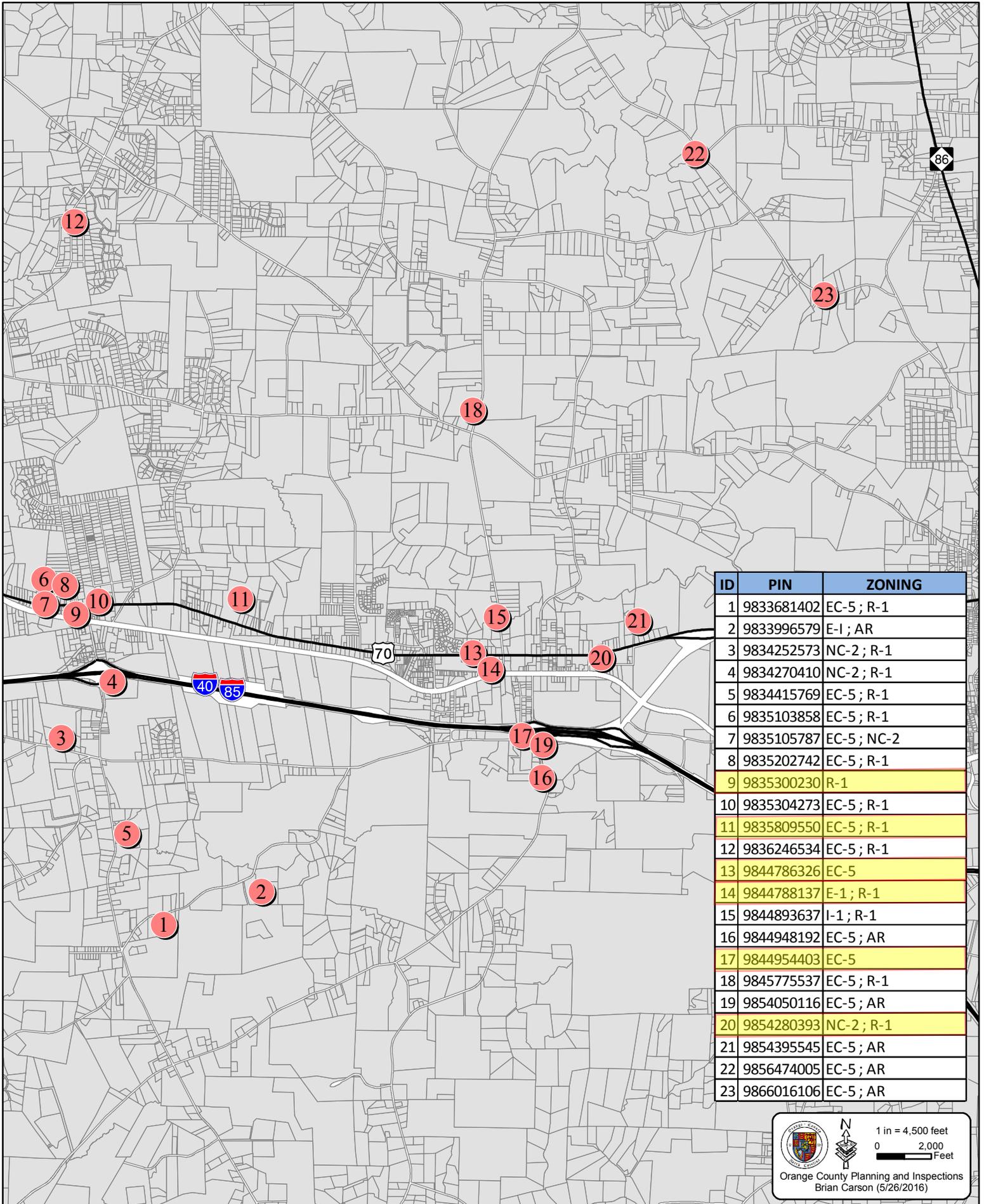


1 in = 6,000 feet

0 3,000 Feet

Orange County Planning and Inspections
Brian Carson (5/26/2016)

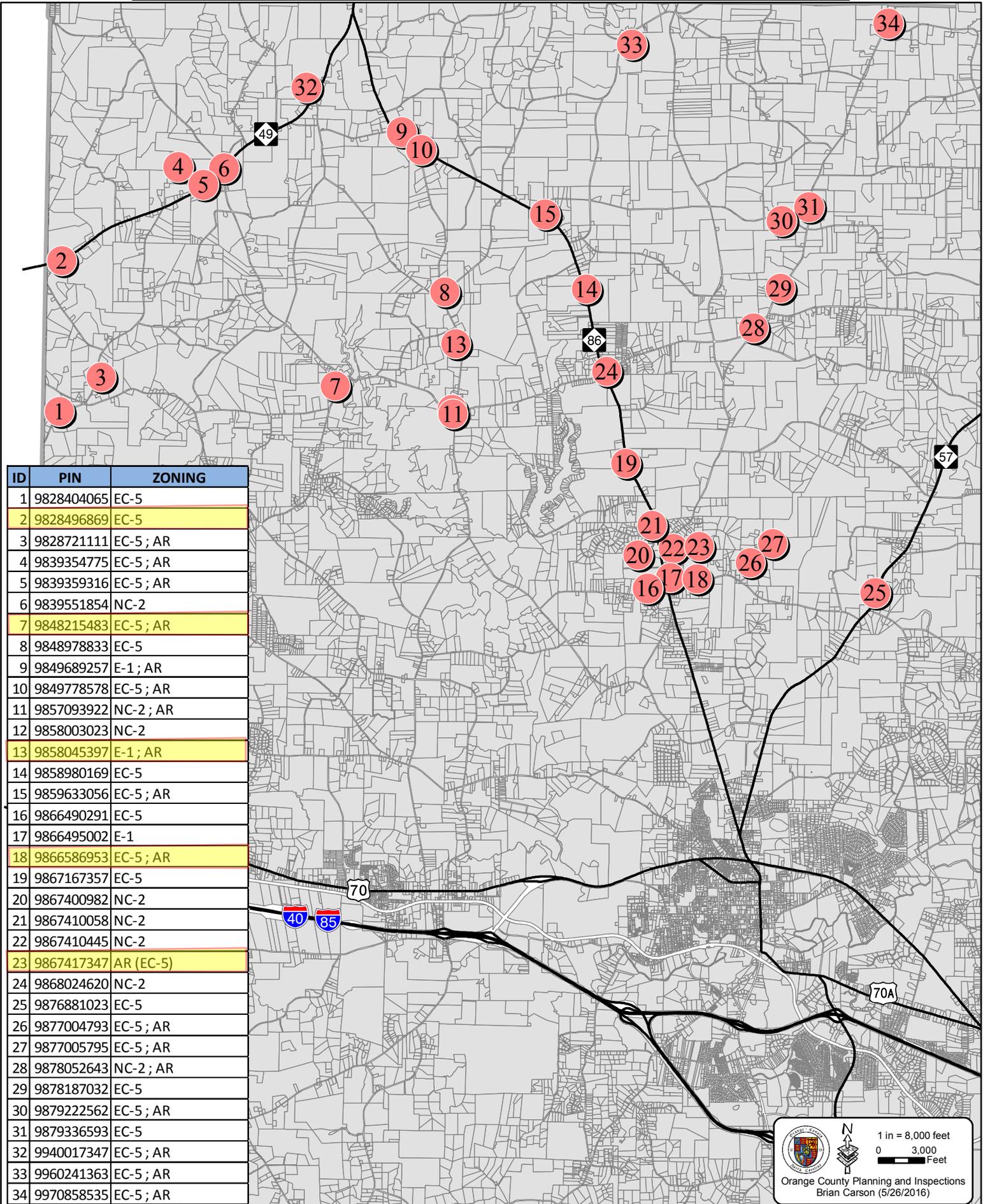
Map of Properties Studied for Possible Zoning Modification Cheeks Township



1 in = 4,500 feet
0 2,000 Feet

Orange County Planning and Inspections
Brian Carson (5/26/2016)

Map of Properties Studied for Possible Zoning Modification Cedar Grove Township



ID	PIN	ZONING
1	9828404065	EC-5
2	9828496869	EC-5
3	9828721111	EC-5 ; AR
4	9839354775	EC-5 ; AR
5	9839359316	EC-5 ; AR
6	9839551854	NC-2
7	9848215483	EC-5 ; AR
8	9848978833	EC-5
9	9849689257	E-1 ; AR
10	9849778578	EC-5 ; AR
11	9857093922	NC-2 ; AR
12	9858003023	NC-2
13	9858045397	E-1 ; AR
14	9858980169	EC-5
15	9859633056	EC-5 ; AR
16	9866490291	EC-5
17	9866495002	E-1
18	9866586953	EC-5 ; AR
19	9867167357	EC-5
20	9867400982	NC-2
21	9867410058	NC-2
22	9867410445	NC-2
23	9867417347	AR (EC-5)
24	9868024620	NC-2
25	9876881023	EC-5
26	9877004793	EC-5 ; AR
27	9877005795	EC-5 ; AR
28	9878052643	NC-2 ; AR
29	9878187032	EC-5
30	9879222562	EC-5 ; AR
31	9879336593	EC-5
32	9940017347	EC-5 ; AR
33	9960241363	EC-5 ; AR
34	9970858535	EC-5 ; AR



 1 in = 8,000 feet
 0 3,000 Feet

Orange County Planning and Inspections
 Brian Carson (5/26/2016)

Township:	Township Property Map Number (as contained in <u>Attachment 2</u>):	PIN:	Comprehensive Plan Designation for Property:	Owner:	Existing Zoning:	Recommendation:
Bingham	Bingham Map Site ID – 2	9739-24-2674 Approximately 13.95 acres in area	Agricultural Residential	James Allen 7010 Gold Mine Loop Road Chapel Hill, NC 27516	Agricultural Residential (AR) – approximately 12.76 acres Existing Commercial (EC-5) – approximately 1.19 acres	Expand the existing EC-5 zoning designation to ensure all structures associated with operation are located within district. Portion of property zoned EC-5 would be increased to approximately 2.7 acres in total.
Bingham	Bingham Map Site ID – 23	9822-87-6580 Approximately 5.08 acres in area	Agricultural Residential	Norma Reed PO Box 355 Mebane, NC 27302	Agricultural Residential (AR) – approximately 3.8 acres Neighborhood Commercial (NC-2) – approximately 1.28 acres Cane Creek Protected Watershed Protection Overlay	Eliminate the NC-2 zoning district designation and rezone entire property to AR. Entire 5.08 acre parcel would be zoned AR.
Bingham	Bingham Map Site ID – 26	9841-20-4341 Approximately 0.6 acres in area (26,136 sq.ft.)	Agricultural Residential	Steven Watson 6933 Orange Grove Road Hillsborough, NC 27278	Agricultural Residential (AR) – approximately 8,276 sq.ft. Existing Commercial (EC-5) – approximately 17,860 sq.ft. Cane Creek Critical Watershed Overlay District	Expand the existing EC-5 zoning designation to cover entire property to ensure septic and buffer areas are properly zoned. Entire 0.6 acre parcel would be zoned EC-5.

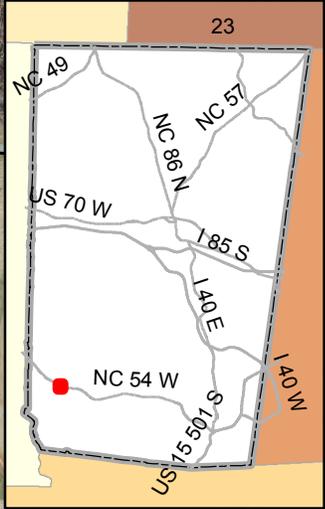
Township:	Township Property Map Number (as contained in Attachment 2):	PIN:	Comprehensive Plan Designation for Property:	Owner:	Existing Zoning:	Recommendation:
Cheeks	Cheeks Map Site ID – 9	9835-30-0230 Approximately 0.45 acres in area (19,602 sq.ft.)	10-year Transition	Minhas, Inc. 2040 Webster Grove Drive Mebane, NC 27302	Rural Residential (R1)	There is an existing gas station on the property. Staff is recommending the entire 0.45 acre parcel be rezoned to Neighborhood Commercial (NC-2) to ensure the existing commercial land use constitutes a permitted use of property.
Cheeks	Cheeks Map Site ID – 11	9835-80-9550 Approximately 40 acres in area.	Rural Residential	Thomas Bradley (Trustee) 136 Louise Drive Mebane, NC 27302	Rural Residential (R1) – approximately 36.8 acres Existing Commercial (EC-5) – approximately 3.2 acres	The EC-5 zoning boundary shall be expanded so that the existing non-residential land use has road frontage. The expansion will also ensure required infrastructure supporting (i.e. septic) will be properly zoned. The EC-5 zoned area on the property shall be increased to 4.3 acres in size.
Cheeks	Cheeks Map Site ID – 13	9844-78-6326 Approximately 0.06 acres in area (2,613 sq.ft.) 9844-78-6242 Approximately 0.46 acres in area (20,037 sq.ft.)	Commercial Industrial Transition (both identified properties)	Efland Real Property, LLC C/O Gail Wilkerson 708 Hwy 57 Hillsborough, NC 27278	Existing Commercial (EC-5) (Note: this is for PIN 9844-78-6326) Rural Residential (R-1) (Note: this is for PIN 9844-78-6242)	After reviewing the situation with the owner they have requested, and staff is recommending, rezoning both properties to General Commercial (GC-4).

Township:	Township Property Map Number (as contained in Attachment 2):	PIN:	Comprehensive Plan Designation for Property:	Owner:	Existing Zoning:	Recommendation:
Cheeks	Cheeks Map Site ID – 14	9844-78-8137 Approximately 3.25 acres in area	Commercial Industrial Transition	Efland Real Property, LLC C/O Gail Wilkerson 708 Hwy 57 Hillsborough, NC 27278	Rural Residential (R-1) – approximately 2.21 acres in area Existing Industrial (E-I) – approximately 1.04 acres in area	After reviewing the situation with the owner they have requested, and staff is recommending, rezoning the entire 3.25 acre parcel of property to General Commercial (GC-4).
Cheeks	Not identified on map – added at request of property owner	9844-88-1230 Approximately 1.35 acres in area	Commercial Industrial Transition	Efland Real Property, LLC C/O Gail Wilkerson 708 Hwy 57 Hillsborough, NC 27278	Rural Residential (R-1)	After reviewing the situation with the owner they have requested, and staff is recommending, rezoning the entire property to General Commercial (GC-4).
Cheeks	Cheeks Map Site ID – 17	9844-95-4403 Approximately 0.65 acres in area (28,314 sq.ft.)	Agricultural Residential	NC DOT – right-of-way	Existing Commercial (EC-5)	Rezone entire property to AR since there is no existing commercial operation on this lot and it is part of the NC DOT right-of-way.
Cheeks	Cheeks Map Site ID – 20	9854-28-0393 Approximately 0.56 acres in area (24,393 sq.ft.)	Commercial Industrial Transition	Lucky Properties, LLC 3131 US 70 W Efland, NC 27243	Neighborhood Commercial (NC2) – approximately 0.47 acres in area (20,473 sq.ft.) Rural Residential (R-1) – approximately 3,920 sq.ft. in area	Rezone the entire property to NC-2.

Township:	Township Property Map Number (as contained in Attachment 2):	PIN:	Comprehensive Plan Designation for Property:	Owner:	Existing Zoning:	Recommendation:
Cedar Grove	Cedar Grove Map Site ID – 2	9828-49-6869 Approximately 0.93 acres in area (40,510 sq.ft.)	Agricultural Residential	James Thomas Wilson 3503 Mt. Zion Church Road Mebane, NC 27302	Existing Commercial (EC-5) Back Creek Protected Watershed Overlay District	Eliminate existing EC-5 zoning designation and rezone entire property to AR.
Cedar Grove	Cedar Grove Map Site ID – 7	9848-21-5483 Approximately 34 acres in area	Agricultural Residential	Mark Harris, Trustee, and Penny Harris, Trustee 687 James Griffin Drive Graham, NC 27253	Agricultural Residential (AR) – approximately 33 acres in area Existing Commercial (EC-5) – approximately 0.95 acres in area (41,382 sq.ft.) Upper Eno Critical Watershed Overlay District	Eliminate existing EC-5 zoning designation and rezone entire property to AR.
Cedar Grove	Cedar Grove Map Site ID – 13	9858-04-5397 Approximately 6.4 acres in area	Agricultural Residential	Richard J. Sims 5918 Efland Cedar Grove Road Cedar Grove, NC 27231	Agricultural Residential (AR) – approximately 4.8 acres Existing Industrial (EI) – approximately 1.6 acres Upper Eno Protected Watershed Overlay District	Eliminate existing EI zoning designation and rezone entire 6.4 acre property to AR.

Township:	Township Property Map Number (as contained in Attachment 2):	PIN:	Comprehensive Plan Designation for Property:	Owner:	Existing Zoning:	Recommendation:
Cedar Grove	Cedar Grove Map Site ID – 18	9866-58-6953 Approximately 2.92 acres in area	Agricultural Residential	Charles and Mary Beth Helgevold 214 Phelps Road Hillsborough, NC 27278	Agricultural Residential (AR) – approximately 1.62 acres in area Existing Commercial (EC-5) – approximately 1.3 acres Little River Protected Watershed Overlay District	Rezone entire 2.92 acre parcel to EC-5 ensuring septic and land use buffer areas are properly zoned.
Cedar Grove	Cedar Grove Map Site ID – 23	9867-41-7347 Approximately 5.4 acres in area	Rural Neighborhood Activity Node	PCDP, LLC 2606 Highland Farm Rd. Hillsborough, NC 27278	Agricultural Residential (AR) Little River Protected Watershed Overlay District	Rezone entire property to Existing Commercial (EC-5) to accommodate existing automotive repair business.

Bingham Township Map
 Site ID - 2
 PIN: 9739-24-2674



Haw River
 Unprotected
 Watershed

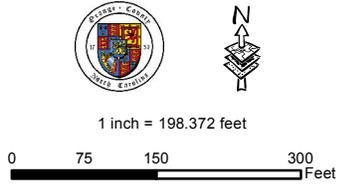
EC5

Property is split zoned AR and EC-5.
 EC-5 areas are being expanded (denoted in yellow) to ensure existing buildings, land use buffers, and infrastructure (i.e. well and septic) supporting existing commercial operation are zoned EC-5.

PIN#: 9739242674
 JAMES I ALLEN
 7010 GOLD MINE LOOP
 CHAPEL HILL, NC 27516

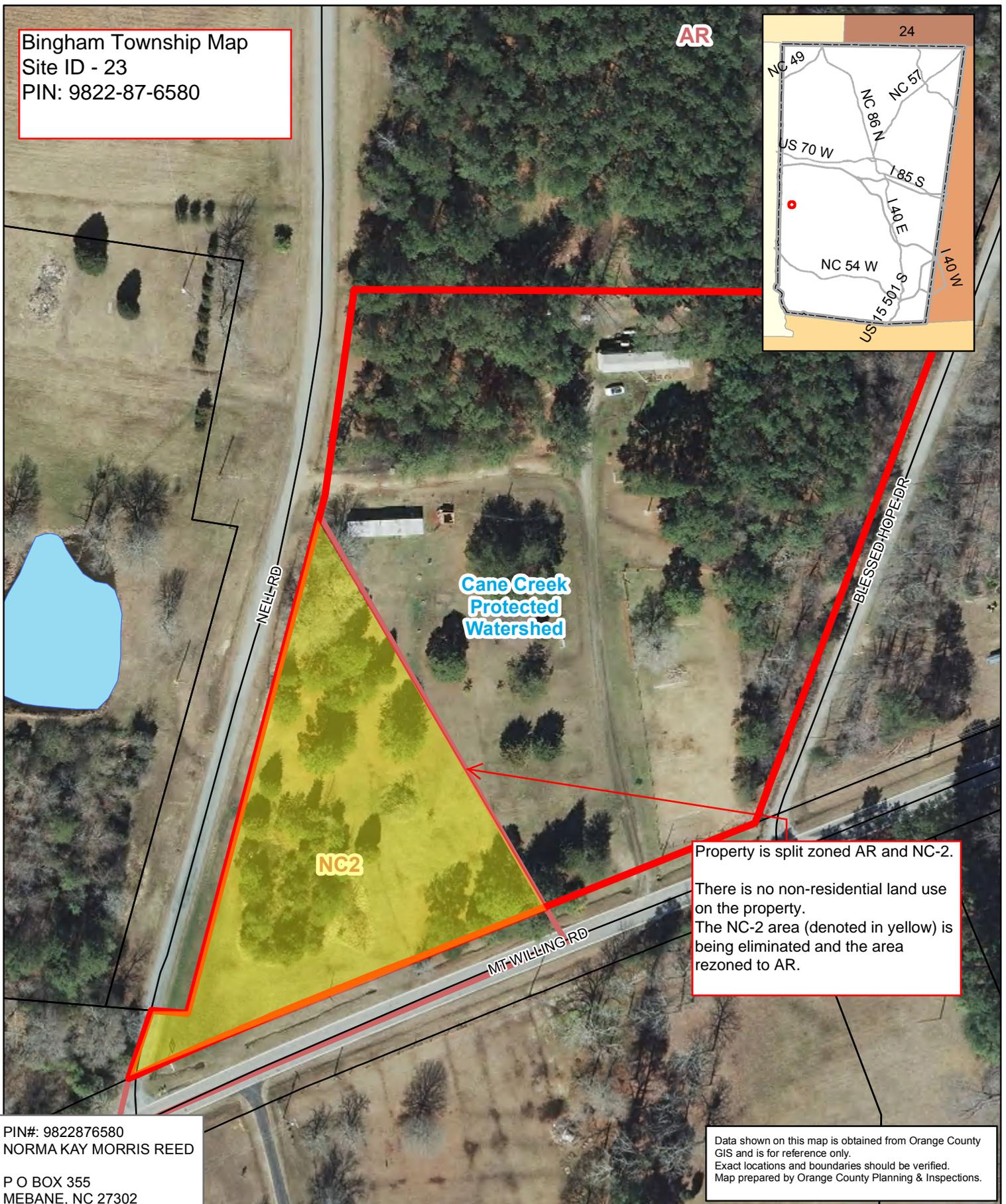
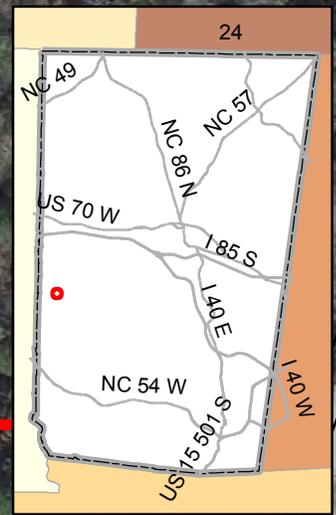
Data shown on this map is obtained from Orange County GIS and is for reference only. Exact locations and boundaries should be verified. Map prepared by Orange County Planning & Inspections.

- USGS Water Feature
- Soils Survey Water Feature
- OC Updated Water Feature
- Water Body
- River Basins
- Watershed
- ▭ Parcels
- ▭ Township
- ▭ School System Boundary
- Contours
- ▭ County Boundary
- ▭ Soils
- ▭ Zoning
- ▭ City Limits
- ▭ ETJ
- ▭ Conservation Easements Held by Others
- ▭ Orange County Conservation Easements
- ▭ 100 YR Floodplain (Effective 02/02/07)
- ▭ Floodway (Effective 02/02/07)
- ▭ 500 YR Floodplain (Effective 02/02/07)
- ▭ Buildings
- ▭ Water and Sewer Boundary



Bingham Township Map
 Site ID - 23
 PIN: 9822-87-6580

AR

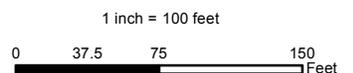


Property is split zoned AR and NC-2.
 There is no non-residential land use on the property.
 The NC-2 area (denoted in yellow) is being eliminated and the area rezoned to AR.

PIN#: 9822876580
 NORMA KAY MORRIS REED
 P O BOX 355
 MEBANE, NC 27302

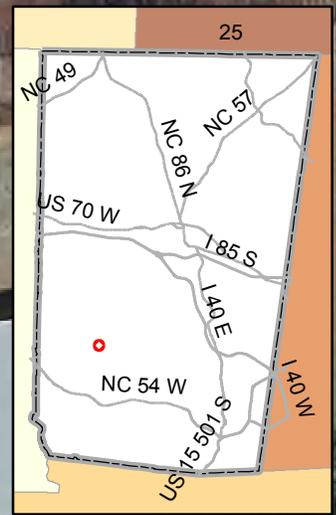
Data shown on this map is obtained from Orange County GIS and is for reference only. Exact locations and boundaries should be verified. Map prepared by Orange County Planning & Inspections.

- | | | | |
|----------------------------|------------------------|---------------------------------------|--|
| USGS Water Feature | Parcels | Zoning | 100 YR Floodplain (Effective 02/02/07) |
| Soils Survey Water Feature | Township | City Limits | Floodway (Effective 02/02/07) |
| OC Updated Water Feature | School System Boundary | ETJ | 500 YR Floodplain (Effective 02/02/07) |
| Water Body | Contours | Conservation Easements Held by Others | Buildings |
| River Basins | County Boundary | Orange County Conservation Easements | Water and Sewer Boundary |
| Watershed | Soils | | |



AR

Bingham Township Map
Site ID - 26
PIN: 9841-20-4341



Property is split zoned AR and EC-5.

The EC-5 area is being expanded (denoted in yellow) to cover the entire property. This is to ensure required buffer area and future septic repair area is appropriately zoned. The AR zoning is being eliminated in its entirety.

PIN#: 9841204341
STEVEN ANTHONY WATSON

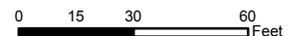
6933 ORANGE GROVE RD
HILLSBOROUGH, NC 272787476

Data shown on this map is obtained from Orange County GIS and is for reference only. Exact locations and boundaries should be verified. Map prepared by Orange County Planning & Inspections.

- | | | | |
|----------------------------|------------------------|---------------------------------------|--|
| USGS Water Feature | Parcels | Zoning | 100 YR Floodplain (Effective 02/02/07) |
| Soils Survey Water Feature | Township | City Limits | Floodway (Effective 02/02/07) |
| OC Updated Water Feature | School System Boundary | ETJ | 500 YR Floodplain (Effective 02/02/07) |
| Water Body | Contours | Conservation Easements Held by Others | Buildings |
| River Basins | County Boundary | Orange County Conservation Easements | Water and Sewer Boundary |
| Watershed | Soils | | |

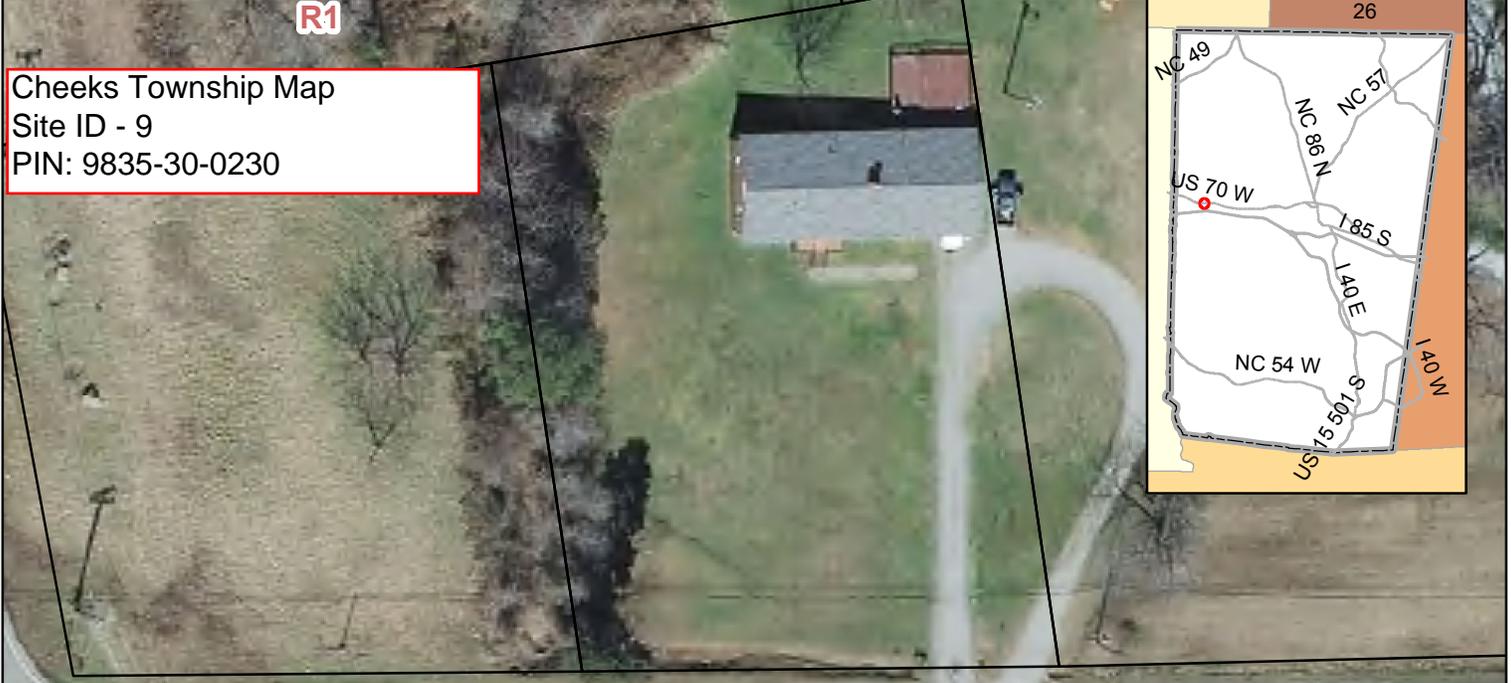
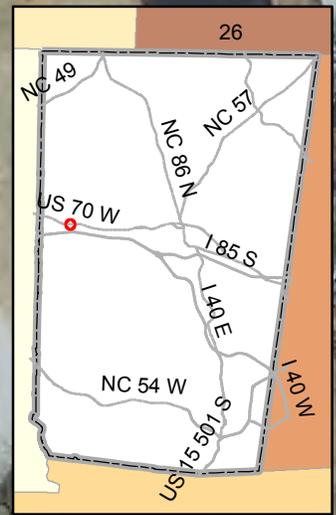


1 inch = 50 feet



R1

Cheeks Township Map
Site ID - 9
PIN: 9835-30-0230



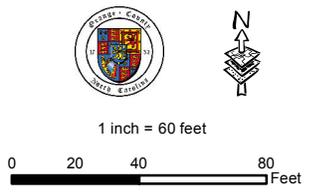
Property is split zoned R-1. There is an existing gas station operating on the property. The existing land use is not permitted within the R-1 general use zoning district.

The entire property (denoted in yellow) is being rezoned to NC-2 to ensure the land use is conforming.

PIN#: 9835300230
INC MINHAS
2040 WEBSTER GROVE DR
MEBANE, NC 27302

Data shown on this map is obtained from Orange County GIS and is for reference only. Exact locations and boundaries should be verified. Map prepared by Orange County Planning & Inspections.

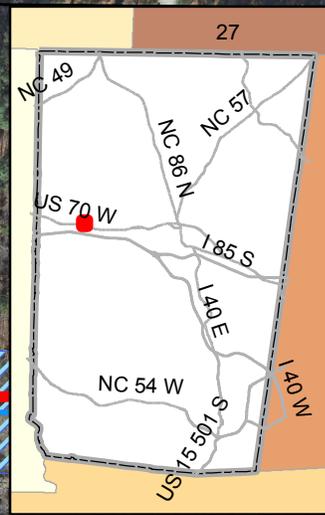
- | | | | |
|----------------------------|------------------------|---------------------------------------|--|
| USGS Water Feature | Parcels | Zoning | 100 YR Floodplain (Effective 02/02/07) |
| Soils Survey Water Feature | Township | City Limits | Floodway (Effective 02/02/07) |
| OC Updated Water Feature | School System Boundary | ETJ | 500 YR Floodplain (Effective 02/02/07) |
| Water Body | Contours | Conservation Easements Held by Others | Buildings |
| River Basins | County Boundary | Orange County Conservation Easements | Water and Sewer Boundary |
| Watershed | Soils | | |



R1

Cheeks Township Map
Site ID - 11
PIN: 9835-80-9550

Property is split zoned R-1 and EC-5.
There is also an existing mobile home park operating on the property.
Portions of the existing building, used as part of a commercial operation, are not within the EC-5 zoning district.



Upper Eno
Protected
Watershed

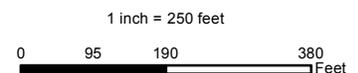
EC5

EC-5 zoning is being expanded (denoted in yellow) to ensure the existing structure is properly zoned and to ensure the access drive for the business is zoned appropriately as well.

PIN#: 9835809550
THOMAS H TRUSTEE BRADLEY
136 LOUISE DR
MEBANE, NC 27302

Data shown on this map is obtained from Orange County GIS and is for reference only.
Exact locations and boundaries should be verified.
Map prepared by Orange County Planning & Inspections.

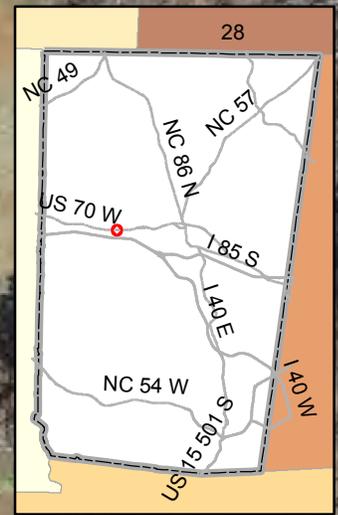
- USGS Water Feature
- Soils Survey Water Feature
- OC Updated Water Feature
- Water Body
- River Basins
- Watershed
- Parcels
- Township
- School System Boundary
- Contours
- County Boundary
- Soils
- Zoning
- City Limits
- ETJ
- Conservation Easements Held by Others
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- 100 YR Floodplain (Effective 02/02/07)
- Floodway (Effective 02/02/07)
- 500 YR Floodplain (Effective 02/02/07)
- Buildings
- Water and Sewer Boundary



R1

Cheeks Township Map
Site ID - 13
PIN: 9844-78-6326

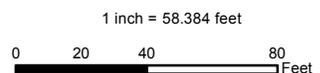
Property is zoned EC-5.
After conferring with the property owner,
property (denoted in yellow) is being
rezoned to GC-4.
This will involve rezoning a total of 4
properties owned by Efland Real
Property LLC to GC-4



PIN#: 9844786326
EFLAND REAL PROPERTY LLC
708 HWY 57
C/O GAIL WILKERSON
HILLSBOROUGH, NC 27278

Data shown on this map is obtained from Orange County GIS and is for reference only. Exact locations and boundaries should be verified. Map prepared by Orange County Planning & Inspections.

- Soils Survey Water Feature
- OC Updated Water Feature
- Water Body
- River Basins
- Watershed
- Township
- School System Boundary
- Contours
- County Boundary
- Soils
- Zoning
- City Limits
- ETJ
- Conservation Easements Held by Others
- Orange County Conservation Easements
- 100 YR Floodplain (Effective 02/02/07)
- Floodway (Effective 02/02/07)
- 500 YR Floodplain (Effective 02/02/07)
- Buildings
- Water and Sewer Boundary



R1

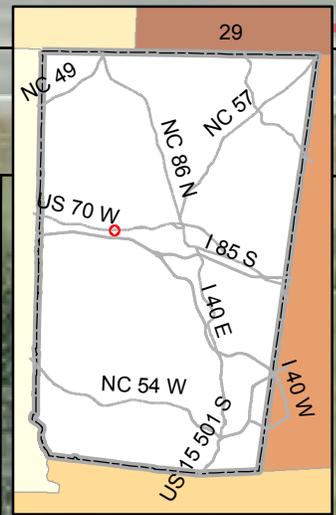
US-70 W

29

Cheeks Township
Map
Site ID - 13
PIN: 9844-78-6242

EC5

PIN 9844-78-6326
Efland Real Property LLC



Upper Eno
Protected
Watershed

EI

Property is zoned R-1.
After conferring with the property owner,
property (denoted in yellow) is being
rezoned to GC-4.
This will involve rezoning a total of 4
properties owned by Efland Real
Property LLC to GC-4

PIN#: 9844786242
EFLAND REAL PROPERTY LLC

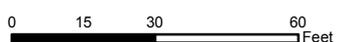
708 HWY 57
C/O GAIL WILKERSON
HILLSBOROUGH, NC 27278

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GIS and is for reference only.
Exact locations and boundaries should be verified.
Map prepared by Orange County Planning & Inspections.

- Soils Survey Water Feature
- OC Updated Water Feature
- Water Body
- River Basins
- Watershed
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- Soils
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- Floodway (Effective 02/02/07)
- 500 YR Floodplain (Effective 02/02/07)
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- Water and Sewer Boundary

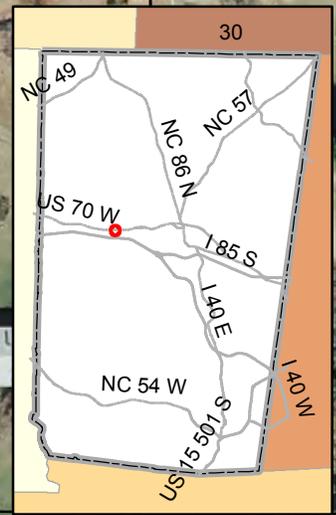


1 inch = 40 feet



R1

Cheeks Township Map
Site ID - 14
PIN: 9844-78-8137



EFLAND ST

US-70-W

EI

EC5

Upper Eno
Protected
Watershed

Property is split zoned R-1 and EI.
After conferring with the property owner,
property (denoted in yellow) is being
rezoned to GC-4.
This will involve rezoning a total of 4
properties owned by Efland Real
Property LLC to GC-4

PIN#: 9844788137
EFLAND REAL PROPERTY LLC

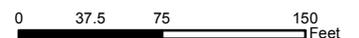
708 HWY 57
C/O GAIL WILKERSON
HILLSBOROUGH, NC 27278

Data shown on this map is obtained from Orange County
GIS and is for reference only.
Exact locations and boundaries should be verified.
Map prepared by Orange County Planning & Inspections.

- | | | | |
|----------------------------|------------------------|---------------------------------------|--|
| Soils Survey Water Feature | Township | Zoning | 100 YR Floodplain (Effective 02/02/07) |
| OC Updated Water Feature | School System Boundary | City Limits | Floodway (Effective 02/02/07) |
| Water Body | Contours | ETJ | 500 YR Floodplain (Effective 02/02/07) |
| River Basins | County Boundary | Conservation Easements Held by Others | Buildings |
| Watershed | Soils | Orange County Conservation Easements | Water and Sewer Boundary |



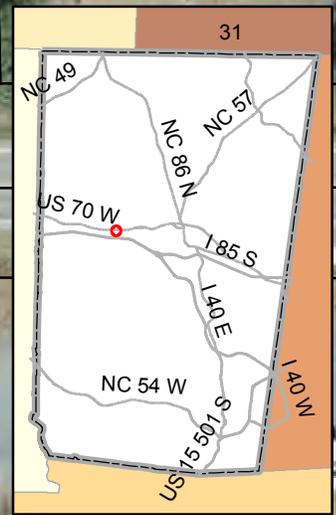
1 inch = 100 feet



Cheeks Township Map
 Not shown on Township Map -
 property included at owner's
 request
 PIN: 9844-88-1230

R1

US-70 W



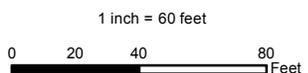
Upper Eno
 Protected
 Watershed

Property is zoned R-1.
 After conferring with the property owner,
 property (denoted in yellow) is being
 rezoned to GC-4.
 This will involve rezoning a total of 4
 properties owned by Efland Real
 Property LLC to GC-4

PIN#: 9844881230
 EFLAND REAL PROPERTY LLC
 708 HWY 57
 C/O GAIL WILKERSON
 HILLSBOROUGH, NC 27278

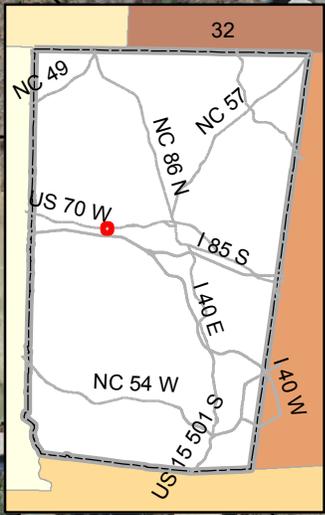
Data shown on this map is obtained from Orange County
 GIS and is for reference only.
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 Map prepared by Orange County Planning & Inspections.

- | | | | |
|--|---|--|---|
| <ul style="list-style-type: none"> Soils Survey Water Feature OC Updated Water Feature Water Body River Basins Watershed | <ul style="list-style-type: none"> Township School System Boundary Contours County Boundary Soils | <ul style="list-style-type: none"> Zoning City Limits ETJ Conservation Easements Held by Others Orange County Conservation Easements | <ul style="list-style-type: none"> 100 YR Floodplain (Effective 02/02/07) Floodway (Effective 02/02/07) 500 YR Floodplain (Effective 02/02/07) Buildings Water and Sewer Boundary |
|--|---|--|---|



R1

This is an illustrative map denoting all of the properties owned by Efland Real Property LLC subject to rezoning.



EFLAND ST

US-70 W

EC5

EI

PIN 9844-78-6326

Upper Eno Protected Watershed

PIN 9844-78-6242

PIN 9844-88-1230

PIN 9844-78-8137

FORREST AVE

FORREST AVE

PIN#: 9844881230
EFLAND REAL PROPERTY LLC

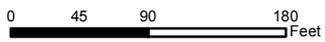
708 HWY 57
C/O GAIL WILKERSON
HILLSBOROUGH, NC 27278

Data shown on this map is obtained from Orange County GIS and is for reference only. Exact locations and boundaries should be verified. Map prepared by Orange County Planning & Inspections.

- Soils Survey Water Feature
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- Soils
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- Water and Sewer Boundary

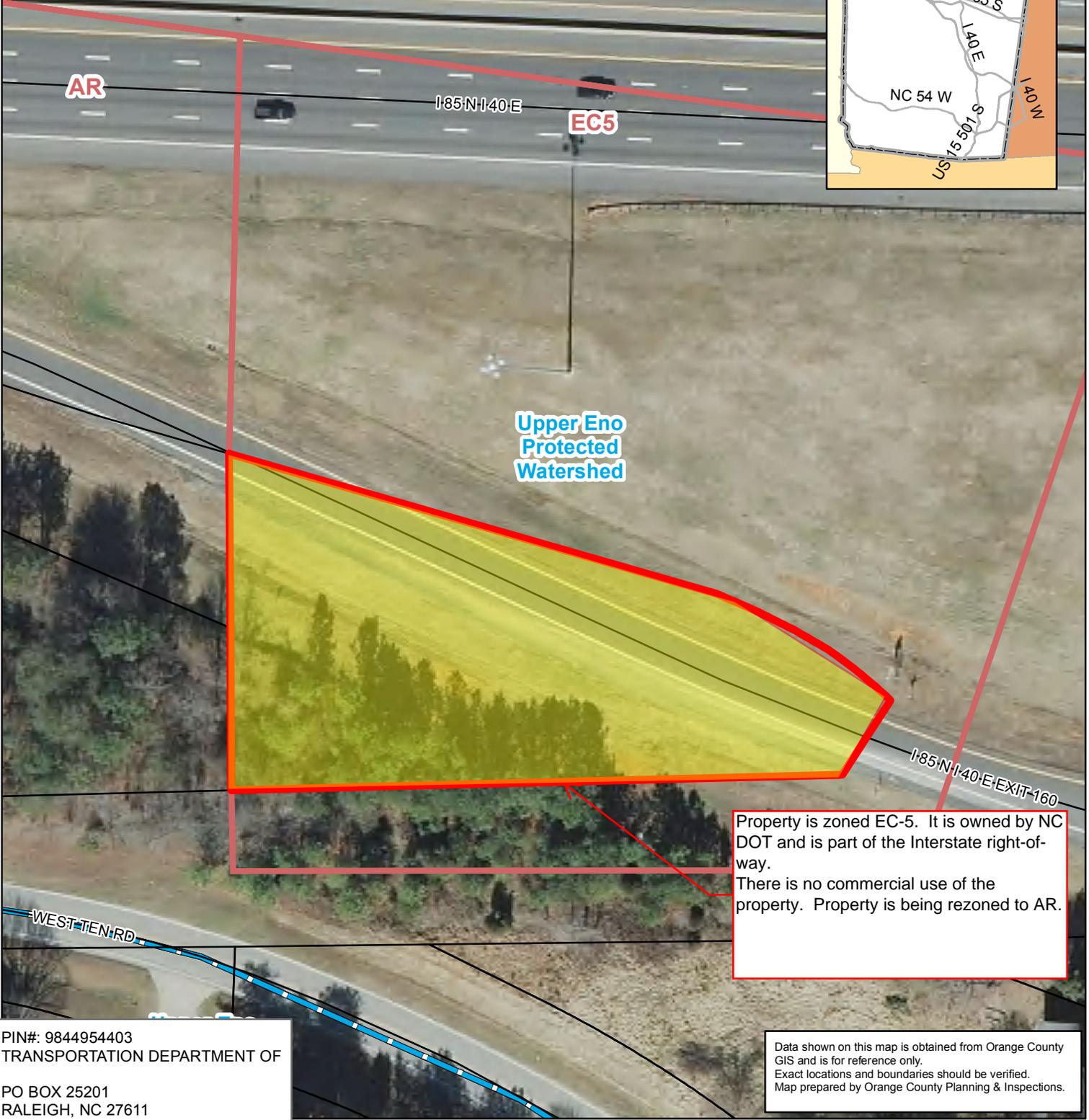
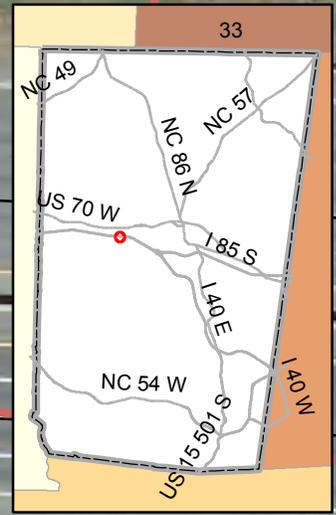


1 inch = 125 feet



R1

Cheeks Township Map
Site ID - 17
PIN: 9844-95-4403



Property is zoned EC-5. It is owned by NC DOT and is part of the Interstate right-of-way. There is no commercial use of the property. Property is being rezoned to AR.

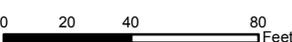
PIN#: 9844954403
TRANSPORTATION DEPARTMENT OF
PO BOX 25201
RALEIGH, NC 27611

Data shown on this map is obtained from Orange County GIS and is for reference only. Exact locations and boundaries should be verified. Map prepared by Orange County Planning & Inspections.

- USGS Water Feature
- Soils Survey Water Feature
- OC Updated Water Feature
- Water Body
- River Basins
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- Parcels
- Township
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- 100 YR Floodplain (Effective 02/02/07)
- Floodway (Effective 02/02/07)
- 500 YR Floodplain (Effective 02/02/07)
- Buildings
- Water and Sewer Boundary

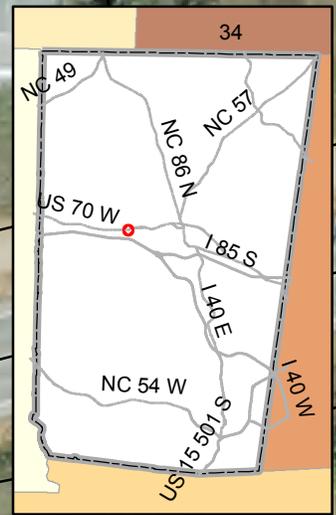



1 inch = 60 feet



R1

Cheeks Township Map
Site ID - 20
PIN: 9854-28-0393



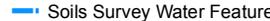
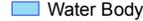
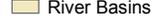
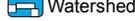
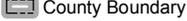
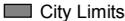
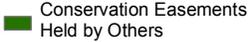
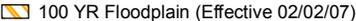
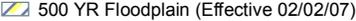
NC2

Upper Eno
Protected
Watershed

Property is split zoned NC-2 and R-1. The NC-2 zoning is being extended (denoted in yellow) to cover the entire property. The R-1 zoning is being eliminated.

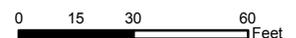
PIN#: 9854280393
LUCKY 4 PROPERTIES LLC
3131 US 70 W
Efland, NC 27243

Data shown on this map is obtained from Orange County GIS and is for reference only. Exact locations and boundaries should be verified. Map prepared by Orange County Planning & Inspections.

-  USGS Water Feature
-  Soils Survey Water Feature
-  OC Updated Water Feature
-  Water Body
-  River Basins
-  Watershed
-  Parcels
-  Township
-  School System Boundary
-  Contours
-  County Boundary
-  Soils
-  Zoning
-  City Limits
-  ETJ
-  Conservation Easements Held by Others
-  Orange County Conservation Easements
-  100 YR Floodplain (Effective 02/02/07)
-  Floodway (Effective 02/02/07)
-  500 YR Floodplain (Effective 02/02/07)
-  Buildings
-  Water and Sewer Boundary

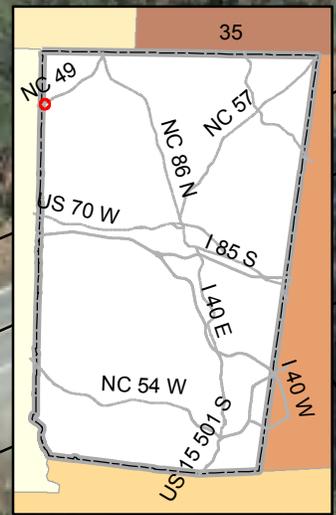


1 inch = 50 feet



AR

Cedar Grove Township Map
Site ID - 2
PIN: 9828-49-6869



EC5
Back Creek
Protected
Watershed

Property is zoned EC-5. There is no non-residential land use on the property. Property is being rezoned (denoted in yellow) to AR.

PIN#: 9828496869
JAMES THOMAS WILSON
3503 MT ZION CH RD
MEBANE, NC 27302

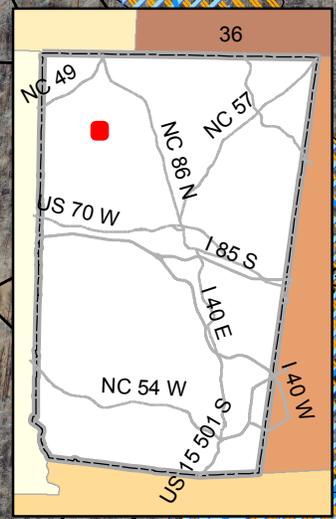
Data shown on this map is obtained from Orange County GIS and is for reference only. Exact locations and boundaries should be verified. Map prepared by Orange County Planning & Inspections.

- USGS Water Feature
- Soils Survey Water Feature
- OC Updated Water Feature
- Water Body
- River Basins
- Watershed
- Parcels
- Township
- School System Boundary
- Contours
- County Boundary
- Soils
- Zoning
- City Limits
- ETJ
- Conservation Easements Held by Others
- Orange County Conservation Easements
- 100 YR Floodplain (Effective 02/02/07)
- Floodway (Effective 02/02/07)
- 500 YR Floodplain (Effective 02/02/07)
- Buildings
- Water and Sewer Boundary



1 inch = 60 feet
0 20 40 80 Feet

Cedar Grove Township Map
 Site ID - 7
 PIN: 9848-21-5483



AR

DUNBAR LN

EC5

CARR STORE RD

Upper Eno
 Critical
 Area

Property is zoned EC-5. There is no longer a non-residential land use operating from the property and the property owner has requested the EC-5 designation be eliminated. The property (denoted in yellow) will be rezoned to AR.

MILL CREEK RD

6335

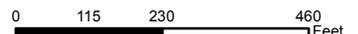
Multiple Parcels

Data shown on this map is obtained from Orange County GIS and is for reference only. Exact locations and boundaries should be verified. Map prepared by Orange County Planning & Inspections.

- USGS Water Feature
- Soils Survey Water Feature
- OC Updated Water Feature
- Water Body
- River Basins
- Watershed
- ▭ Parcels
- ▭ Township
- ▭ School System Boundary
- Contours
- ▭ County Boundary
- ▭ Soils
- ▭ Zoning
- ▭ City Limits
- ▭ ETJ
- ▭ Conservation Easements Held by Others
- ▭ Orange County Conservation Easements
- ▭ 100 YR Floodplain (Effective 02/02/07)
- ▭ Floodway (Effective 02/02/07)
- ▭ 500 YR Floodplain (Effective 02/02/07)
- ▭ Buildings
- ▭ Water and Sewer Boundary

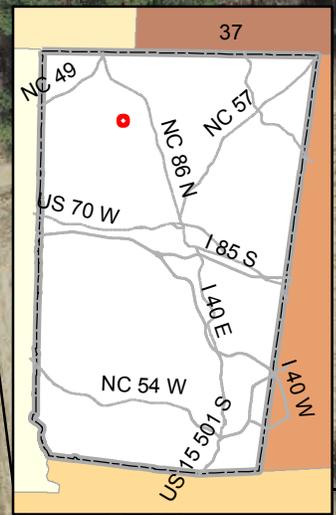


1 inch = 300 feet



AR

Cedar Grove Township Map
Site ID - 13
PIN: 9858-04-5397



Upper Eno
Protected
Watershed

Property is split zoned AR and EI.
After conferring with the property owner,
the EI zoned portion of property (denoted
in yellow) is being rezoned to AR. As a
result the entire property will be zoned
AR.

PIN#: 9858045397
RICHARD J SIMS

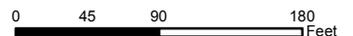
5918 EFLAND CEDAR GROVE RD
CEDAR GROVE, NC 27231

Data shown on this map is obtained from Orange County
GIS and is for reference only.
Exact locations and boundaries should be verified.
Map prepared by Orange County Planning & Inspections.

- | | | | |
|----------------------------|------------------------|---------------------------------------|--|
| USGS Water Feature | Parcels | Zoning | 100 YR Floodplain (Effective 02/02/07) |
| Soils Survey Water Feature | Township | City Limits | Floodway (Effective 02/02/07) |
| OC Updated Water Feature | School System Boundary | ETJ | 500 YR Floodplain (Effective 02/02/07) |
| Water Body | Contours | Conservation Easements Held by Others | Buildings |
| River Basins | County Boundary | Orange County Conservation Easements | Water and Sewer Boundary |
| Watershed | Soils | | |

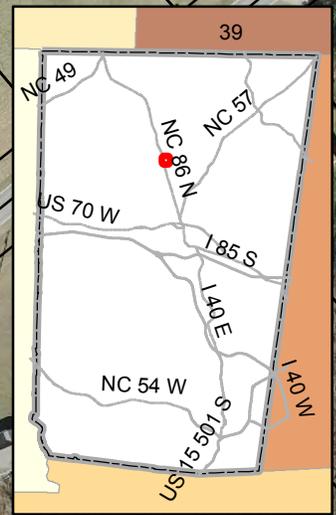


1 inch = 120 feet



AR

Cedar Grove Township Map
Site ID - 23
PIN: 9867-41-7347



NC2

Little River
Protected
Watershed

Property is zoned AR.
After conferring with the property owner,
property (denoted in yellow) is being
rezoned to EC-5 to accommodate an
existing non-residential land use.

PIN#: 9867417347
PCDP LLC
2606 HIGHLAND FARM RD
Hillsborough, NC 27278

Data shown on this map is obtained from Orange County GIS and is for reference only. Exact locations and boundaries should be verified. Map prepared by Orange County Planning & Inspections.

- USGS Water Feature
- Soils Survey Water Feature
- OC Updated Water Feature
- Water Body
- River Basins
- Watershed
- Parcels
- Township
- School System Boundary
- Contours
- County Boundary
- Soils
- Zoning
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- Conservation Easements Held by Others
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- 100 YR Floodplain (Effective 02/02/07)
- Floodway (Effective 02/02/07)
- 500 YR Floodplain (Effective 02/02/07)
- Buildings
- Water and Sewer Boundary



1 inch = 150 feet
0 55 110 220 Feet

**DRAFT MINUTES
ORANGE COUNTY PLANNING BOARD
NOVEMBER 2, 2016
REGULAR MEETING**

MEMBERS PRESENT: Lydia Wegman (Chair), At-Large Chapel Hill Township Representative; Tony Blake (Vice-Chair), Bingham Township Representative; Maxecine Mitchell, At-Large Bingham Township; Lisa Stuckey, Chapel Hill Township Representative; Andrea Rohrbacher, At-Large Chapel Hill Township; Patricia Roberts, Cheeks Township Representative; Paul Guthrie, At-Large Chapel Hill Township; Buddy Hartley, Little River Township Representative; Kim Piracci, At-Large;

MEMBERS ABSENT: Laura Nicholson, Eno Township Representative;

STAFF PRESENT: Craig Benedict, Planning Director; Michael Harvey, Current Planning Supervisor; Perdita Holtz; Planning Systems Coordinator; Patrick Mallett, Planner II, Rachel McCook, Planner I; Meredith Kern, Administrative Assistant II

AGENDA ITEM 1: CALL TO ORDER AND ROLL CALL

Lydia Wegman called the meeting to order.

AGENDA ITEM 2: INFORMATIONAL ITEMS
a) Planning Calendar for November and December

**AGENDA ITEM 3: APPROVAL OF MINUTES
OCTOBER 17TH REGULAR MEETING**

MOTION by Tony Blake to approve the October 17, 2016 Planning Board minutes. Seconded by Lisa Stuckey.
VOTE: UNANIMOUS

AGENDA ITEM 4. CONSIDERATION OF ADDITIONS TO AGENDA

No additions to Agenda

AGENDA ITEM 5: PUBLIC CHARGE

Introduction to the Public Charge

The Board of County Commissioners, under the authority of North Carolina General Statute, appoints the Orange County Planning Board (OCPB) to uphold the written land development laws of the County. The general purpose of OCPB is to guide and accomplish coordinated and harmonious development. OCPB shall do so in a manner which considers the present and future needs of its citizens and businesses through efficient and responsive process that contributes to and promotes the health, safety, and welfare of the overall County. The OCPB will make every effort to uphold a vision of responsive governance and quality public services during our deliberations, decisions, and recommendations.

PUBLIC CHARGE

The Planning Board pledges to the citizens of Orange County its respect. The Board asks its citizens to conduct themselves in a respectful, courteous manner, both with the Board and with fellow citizens. At any time, should any member of the Board or any citizen fail to observe this public charge, the Chair will ask the offending member to leave the meeting until that individual regains personal control. Should decorum fail to be restored, the Chair will recess the meeting until such time that a genuine commitment to this public charge is observed.

AGENDA ITEM 6: CHAIR COMMENTS

No comments

Agenda Item 7: Zoning Atlas Amendment - To make a recommendation to the BOCC on government initiated amendments to the Zoning Atlas modifying the existing zoning boundaries for non-residentially zoned parcels within the Bingham, Cheeks, and Cedar Grove Townships to address nonconforming issues. This item is scheduled for the November 21, 2016 quarterly public hearing.

The amendments will involve approximately:

- 3 parcels within the Bingham Township,
- 8 parcels within the Cheeks Township, and
- 5 parcels within the Cedar Grove Township

Presenter: Michael Harvey, Current Planning Supervisor

Michael Harvey reviewed the abstract

Tony Blake asked if Mr. Allen's property used to be a gas station and if the old tanks are gone.

Michael Harvey explained that it did used to be a gas station and he was uncertain about the status of the tanks but has no record of contaminants at the property.

Lydia Wegman asked about the possible consequences for these property owners

Michael Harvey stated he has had some property owners raise concern about their property taxes going up, which is a possibility since there will be more commercial area taxed. Michael also explained that some property owners do not want to put the effort into getting their property rezoned.

Craig Benedict explained that the original zoning atlas maps were not on GIS maps and that they were on not drawn properly scaled tax maps. The original zoning atlas was hand drawn with no reference to air photos.

Lydia Wegman asked what the consequences of rezoning the Eland Real Properties off of US Highway 70 to General Commercial would be.

Michael Harvey explained that General Commercial is an intensive commercial zoning district and allows for a myriad of different uses retail, office, and service land uses. Michael further explained that there is no site plan associated with this property so any of the permitted uses could be developed subject to site plan approval after an applicant demonstrated compliance with applicable land use regulations including land use buffers, parking, setbacks, etc.

Tony Blake had questions about the state road that goes through the parcel at Mill Creek and Carr Store.

Michael Harvey explained that either the state road bisected the property or this was always part of one big parcel.

Claude Breeze asked if the PCDP LLC parcel was currently zoned to have an automotive repair shop on it and explained that several nearby residents, including him, are concerned about possible oil leaks and well contamination.

Michael Harvey explained that currently it is not zoned for that use; however, it should have previously been zoned as EC-5 when the Cedar Grove township was originally zoned in the mid 1990's. Michael said there was, based on the information he had available, an automotive repair shop at that property at that time meaning staff should have zoned it to an appropriate commercial zoning designation.

Philip Ezel explained that he has to meet state and local requirements regarding possible contamination and that any contamination on the property would prevent him from possibly selling it in the future without spending a lot of money to get it fixed.

Paul Guthrie asked for clarification on the setbacks and buffers for this parcel

Michael Harvey explained that it was have to observe a 40 foot setback off of the property line from the road, a 20 foot setback from all other property lines, and according to the buffer regulations, EC-5 zoned properties are essentially required to have a 100 foot buffer from adjacent residential zoning districts.

Phillip Ezel stated that there are some discrepancies regarding the property line with his property and Mr. Breeze's property. He also explained that he is unable to move the cars from his property until the State of North Carolina tells him he can move them from his property.

Michael Harvey stated that if Phillip Ezel or any of the other property owner's that were discussed tonight sells their property the same regulatory standards would still apply and that there are still four more townships to review.

MOTION by Paul Guthrie to approve statement of consistency and to approve the proposed zoning atlas amendment package as amended by the staff. Seconded by Tony Blake.

VOTE: UNANIMOUS

**STATEMENT OF CONSISTENCY
OF A PROPOSED UNIFIED DEVELOPMENT ORDINANCE TEXT AMENDMENT
WITH THE ADOPTED ORANGE COUNTY 2030 COMPREHENSIVE PLAN**

Orange County has initiated amendments to the Zoning Atlas to rezone 16 properties within the Bingham, Cheeks, and Cedar Grove Townships

The following parcels are affected by this proposal:

Township:	Township Property Map Number (as contained in Attachment 2):	PIN:	Owner:	Existing Zoning:	Recommendation:
Bingham	Bingham Map Site ID – 2	9739-24-2674 Approximately 13.95 acres in area	James Allen 7010 Gold Mine Loop Road Chapel Hill, NC 27516	Agricultural Residential (AR) – approximately 12.76 acres Existing Commercial (EC-5) – approximately 1.19 acres	Expand the existing EC-5 zoning designation to ensure all structures associated with operation are located within district (proposal detailed within Attachment 4). Portion of property zoned EC-5 would be increased to approximately 2.7 acres in total.
Bingham	Bingham Map Site ID – 23	9822-87-6580 Approximately 5.08 acres in area	Norma Reed PO Box 355 Mebane, NC 27302	Agricultural Residential (AR) – approximately 3.8 acres Neighborhood Commercial (NC-2) – approximately 1.28 acres Cane Creek Protected Watershed Protection Overlay	Eliminate the NC-2 zoning district designation and rezoned entire property to AR (proposal detailed within Attachment 4). Entire 5.08 acre parcel would be zoned AR.
Bingham	Bingham Map Site ID – 26	9841-20-4341 Approximately 0.6 acres in area (26,136 sq.ft.)	Steven Watson 6933 Orange Grove Road Hillsborough, NC 27278	Agricultural Residential (AR) – approximately 8,276 sq.ft. Existing Commercial (EC-5) – approximately 17,860 sq.ft. Cane Creek Critical Watershed Overlay District	Expand the existing EC-5 zoning designation to cover entire property to ensure septic and buffer areas are properly zoned (proposal detailed within Attachment 4). Entire 0.6 acre parcel would be zoned EC-5.

Township:	Township Property Map Number (as contained in Attachment 2):	PIN:	Owner:	Existing Zoning:	Recommendation:
Cheeks	Cheeks Map Site ID – 9	9835-30-0230 Approximately 0.45 acres in area (19,602 sq.ft.)	Minhas, Inc. 2040 Webster Grove Drive Mebane, NC 27302	Rural Residential (R1)	There is an existing gas station on the property. Staff is recommending the entire 0.45 acre parcel be rezoned to Neighborhood Commercial (NC-2) to ensure the existing commercial land use constitutes a permitted use of property.
Cheeks	Cheeks Map Site ID – 11	9835-80-9550 Approximately 40 acres in area.	Thomas Bradley (Trustee) 136 Louise Drive Mebane, NC 27302	Rural Residential (R1) – approximately 36.8 acres Existing Commercial (EC-5) – approximately 3.2 acres	The EC-5 zoning boundary shall be expanded so that the existing non-residential land use has road frontage. The expansion will also ensure required infrastructure supporting (i.e. septic) will be properly zoned (proposal detailed within Attachment 4). The EC-5 zoned area on the property shall be increased to 4.3 acres in size.
Cheeks	Cheeks Map Site ID – 13	9844-78-6326 Approximately 0.06 acres in area (2,613 sq.ft.) 9844-78-6242 Approximately 0.46 acres in area (20,037 sq.ft.)	Efland Real Property, LLC C/O Gail Wilkerson 708 Hwy 57 Hillsborough, NC 27278	Existing Commercial (EC-5) (Note: this is for PIN 9844-78-6326) Rural Residential (R-1) (Note: this is for PIN 9844-78-6242)	After reviewing the situation with the owner they have requested, and staff is recommending, rezoning both properties to General Commercial (GC-4) (proposal detailed within Attachment 4).
Cheeks	Cheeks Map Site ID – 14	9844-78-8137 Approximately 3.25 acres in area	Efland Real Property, LLC C/O Gail Wilkerson 708 Hwy 57 Hillsborough, NC 27278	Rural Residential (R-1) – approximately 2.21 acres in area Existing Industrial (E-1) – approximately 1.04 acres in area	After reviewing the situation with the owner they have requested, and staff is recommending, rezoning the entire 3.25 acre parcel of property to General Commercial (GC-4) (proposal detailed within Attachment 4).

Township:	Township Property Map Number (as contained in Attachment 2):	PIN:	Owner:	Existing Zoning:	Recommendation:
Cheeks	Not identified on map – added at request of property owner	9844-88-1230 Approximately 1.35 acres in area	Efland Real Property, LLC C/O Gail Wilkerson 708 Hwy 57 Hillsborough, NC 27278	Rural Residential (R-1)	After reviewing the situation with the owner they have requested, and staff is recommending, rezoning the entire property to General Commercial (GC-4) (proposal detailed within Attachment 4).
Cheeks	Cheeks Map Site ID – 17	9844-95-4403 Approximately 0.65 acres in area (28,314 sq.ft.)	NC DOT – right-of-way	Existing Commercial (EC-5)	Rezone entire property to AR since there is no existing commercial operation on this lot and it is part of the NC DOT right-of-way (proposal detailed within Attachment 4).
Cheeks	Cheeks Map Site ID – 20	9854-28-0393 Approximately 0.56 acres in area (24,393 sq.ft.)	Lucky 4 Properties, LLC 3131 US 70 W Efland, NC 27243	Neighborhood Commercial (NC2) – approximately 0.47 acres in area (20,473 sq.ft.) Rural Residential (R-1) – approximately 3,920 sq.ft. in area	Rezone the entire property to NC-2 (proposal detailed within Attachment 4).
Cedar Grove	Cedar Grove Map Site ID – 2	9828-49-6869 Approximately 0.93 acres in area (40,510 sq.ft.)	James Thomas Wilson 3503 Mt. Zion Church Road Mebane, NC 27302	Existing Commercial (EC-5) Back Creek Protected Watershed Overlay District	Eliminate existing EC-5 zoning designation and rezone entire property to AR (proposal detailed within Attachment 4).
Cedar Grove	Cedar Grove Map Site ID – 7	9848-21-5483 Approximately 34 acres in area	Mark Harris, Trustee, and Penny Harris, Trustee 687 James Griffin Drive Graham, NC 27253	Agricultural Residential (AR) – approximately 33 acres in area Existing Commercial (EC-5) – approximately 0.95 acres in area (41,382 sq.ft.) Upper Eno Critical Watershed Overlay District	Eliminate existing EC-5 zoning designation and rezone entire property to AR (proposal detailed within Attachment 4).

Township:	Township Property Map Number (as contained in Attachment 2):	PIN:	Owner:	Existing Zoning:	Recommendation:
Cedar Grove	Cedar Grove Map Site ID – 13	9858-04-5397 Approximately 6.4 acres in area	Richard J. Sims 5918 Efland Cedar Grove Road Cedar Grove, NC 27231	Agricultural Residential (AR) – approximately 4.8 acres Existing Industrial (EI) – approximately 1.6 acres Upper Eno Protected Watershed Overlay District	Eliminate existing EI zoning designation and rezone entire 6.4 acre property to AR (proposal detailed within Attachment 4).
Cedar Grove	Cedar Grove Map Site ID – 18	9866-58-6953 Approximately 2.92 acres in area	Charles and Mary Beth Helgevoid 214 Phelps Road Hillsborough, NC 27278	Agricultural Residential (AR) – approximately 1.62 acres in area Existing Commercial (EC-5) – approximately 1.3 acres Little River Protected Watershed Overlay District	Rezone entire 2.92 acre parcel to EC-5 ensuring septic and land use buffer areas are properly zoned (proposal detailed within Attachment 4).
Cedar Grove	Cedar Grove Map Site ID – 23	9867-41-7347 Approximately 5.4 acres in area	PCDP, LLC 2606 Highland Farm Rd. Hillsborough, NC 27278	Agricultural Residential (AR) Little River Protected Watershed Overlay District	Rezone entire property to Existing Commercial (EC-5) to accommodate existing automotive repair business (proposal detailed within Attachment 4).

No modifications are being proposed to the boundaries of the aforementioned overlay districts and requirements related to the overlay districts will continue to apply.

The Planning Board finds:

- a. The requirements of Section 2.8 of the UDO have been deemed complete; and,
- b. Pursuant to Sections 1.1.5, and 1.1.7 of the UDO and to Section 153A-341 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.
 1. The amendment is consistent with applicable plans because it supports the following 2030 Comprehensive Plan goals and objectives:

Objective ED-1.5:

Identify barriers to development of desirable businesses and local businesses, and mitigate these barriers.

Land Use Goal 1: Fiscally and environmentally responsible, sustainable growth, consistent with the provision of adequate services and facilities and a high quality of life.

Objective LU-1.1:

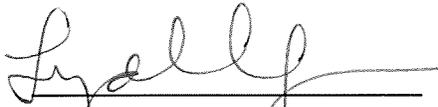
Coordinate the location of higher intensity / high density residential and non-residential development with existing or planned locations of public transportation, commercial and community services, and adequate supporting infrastructure (i.e., water and sewer, high-speed internet access, streets, and sidewalks), while avoiding areas with protected natural and cultural resources. This could be achieved by increasing allowable densities and creating new mixed-use zoning districts where adequate public services are available. (See also Economic Development Objectives ED-2.1, ED-2.3, ED-2.10, and Water and Wastewater Objective WW-2.)

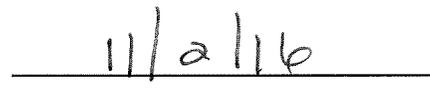
Land Use Goal 4: Land development regulations, guidelines, techniques and/or incentives that promote the integrated achievement of all Comprehensive Plan goals.

c. The amendment is reasonable and in the public interest because it:

1. Modifies existing non-residential zoning boundaries in an attempt to make existing operations more conforming to local land use regulations,
2. Eliminates non-residential zoning designations on property with no non-residential land use activity thereby bringing the property into greater compliance with the goals and objectives of the Comprehensive Plan.

The Planning Board of Orange County hereby recommends that the Board of County Commissioners consider adoption of the proposed Zoning Atlas amendments.


Lydia N. Wegman, Chair


Date

PLANNING & INSPECTIONS DEPARTMENT
Craig N. Benedict, AICP, Director

Current Planning
(919) 245-2575
(919) 644-3002 (FAX)
www.orangecountync.gov



131 W. Margaret Lane
Suite 201
P. O. Box 8181
Hillsborough, NC 27278



CERTIFICATION OF MAILING

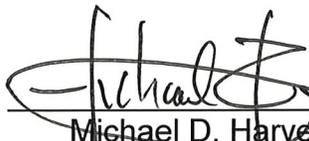
ZONING ATLAS AMENDMENT
ORANGE COUNTY, NORTH CAROLINA

I, Michael D. Harvey, Current Planning Supervisor with Orange County, North Carolina, DO HEREBY CERTIFY that in accordance with the provisions of Section 2.8.7 of the Orange County Unified Development Ordinance I have mailed, or caused to be mailed, a Notice of Public Hearing to be held regarding the proposed rezoning of 15 parcels and adjacent Interstate right-of-way located within the Bingham, Cheeks, and Cedar Grove Townships.

The owners were identified according to the Tax Records and as required by Section 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 and the Public Hearing.

WITNESS my hand, this 4th day of December, 2016.



Michael D. Harvey, AICP
Current Planning Supervisor

PLANNING & INSPECTIONS DEPARTMENT
Craig N. Benedict, AICP, Director

Current Planning
(919) 245-2575
(919) 644-3002 (FAX)
www.orangecountync.gov



131 W. Margaret Lane
Suite 201
P. O. Box 8181
Hillsborough, NC 27278



November 3, 2016

**RE: NOTICE OF PUBLIC HEARING – Review of ZONING ATLAS
 AMENDMENT(S) – PIN 9822-87-6580**

To Whom It May Concern:

As you are aware from previous correspondence, Orange County Planning Staff has been working with property owners to address inconsistencies associated with the boundaries of existing non-residential zoning designations on their property.

The purpose of this letter is to inform you of an upcoming PUBLIC HEARING pertaining to a proposed amendment to the Orange County Zoning Atlas associated with this project. You are receiving this notice because, according to Orange County Land Records data, you own property located within 1,000-feet of the following parcel:

PIN:	9822-87-6580
OWNER:	Norma Reed PO Box 355 Mebane, NC 27302
TOWNSHIP:	Bingham
EXISTING ZONING:	Agricultural Residential (AR) Neighborhood Commercial (NC-2) Cane Creek Protected Watershed Protection Overlay
PROPOSAL:	Eliminate the NC-2 zoning district designation and rezoned entire property to AR (see attached map for additional detail)

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).

Please note any zoning action taken with respect to this property will not impact the current zoning of your property. We are, however, required to notify you of zoning atlas amendment cases consistent with the requirements of the UDO in order to keep you informed of pending meeting and/or public hearing dates.

The Board of County Commissioners (BOCC) is scheduled to review the request at a PUBLIC HEARING, occurring:

Date: Monday November 21, 2016

Time: 7:00 p.m.

**Location: Whitted Building
300 West Tryon Street – 2nd floor main meeting room
Hillsborough, NC 27278**

You have the opportunity to attend the PUBLIC HEARING to learn more about the project and offer comment on the proposed atlas amendment.

We look forward to seeing you at the **BOCC Quarterly Public Hearing on Monday November 21, 2016 at 7:00pm at the Whitted Building located at 300 West Tryon Street in Hillsborough**. Please refer to the attached map showing the location of the meeting facility and identified public parking area(s).

If you need further assistance with regard to this matter, or if we can answer any questions, please feel free to contact staff at (919) 245-2575 or (919) 245-2585.

Respectfully,

Molly Boyle, Planning Technician

Rachel McCook, Planner I

Patrick Mallett, Planner II

Michael Harvey, Supervisor

CC: FILE

AR

9822888722

9822870582

9822876580

9822972994

9822970216

9822866379

9822866941

9822777086

Cane Creek
Protected
Watershed

NC-2 zoned area
being eliminated.
Property will be
rezoned to
Agricultural
Residential (AR).

NG2

NELL RD

BLESSED HOPE DR

MT WILKING RD

PIN#: 9822876580
NORMA KAY MORRIS REED
P O BOX 355
MEBANE, NC 27302

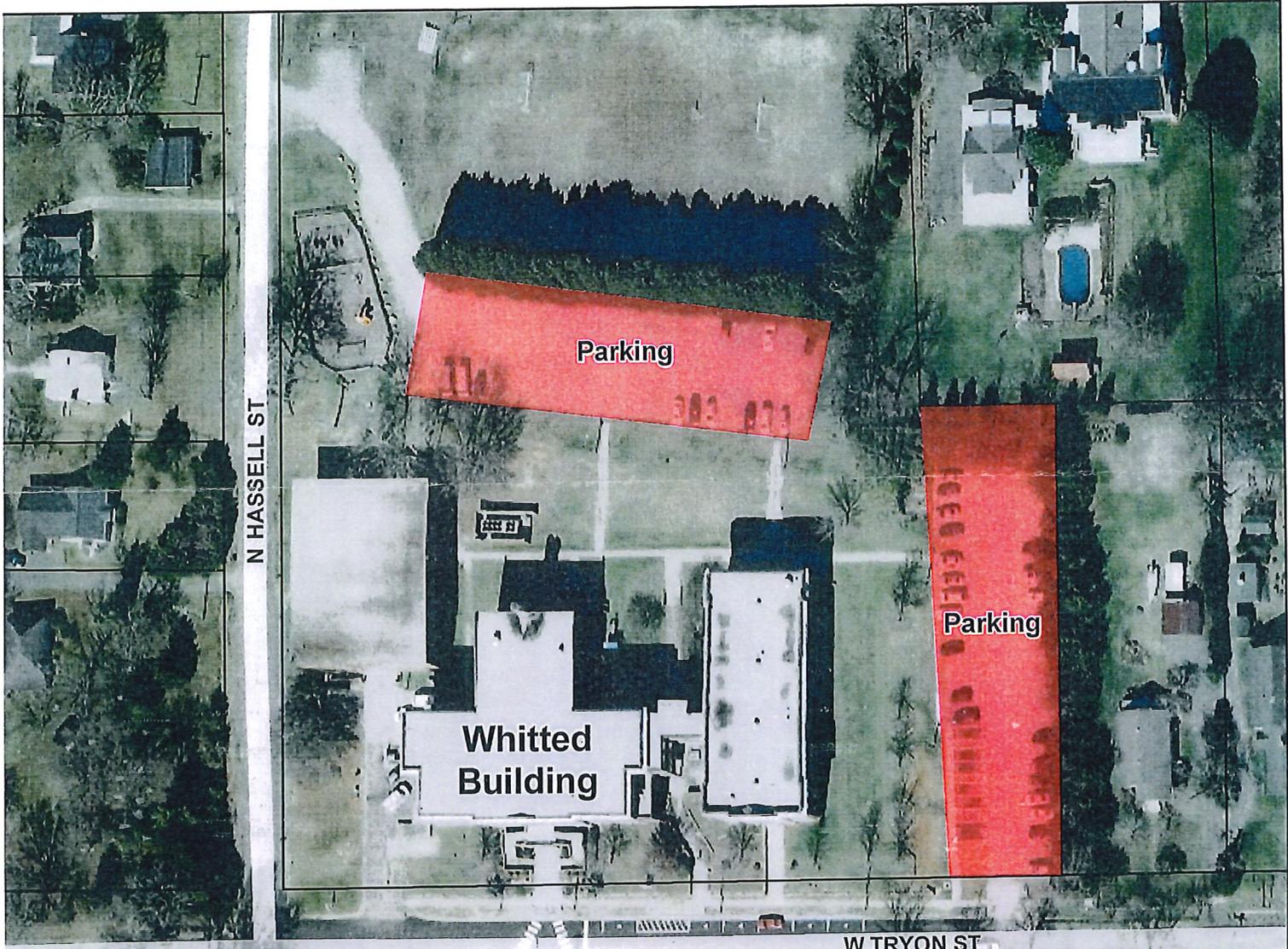
Data shown on this map is obtained from Orange County GIS and is for reference only. Exact locations and boundaries should be verified. Map prepared by Orange County Planning & Inspections. 08/09/2016 - mharvey

-  Stream Buffer 65ft
-  Watershed
-  Water Body Buffer 65ft
-  Parcels
-  Zoning
-  Water Body



1 inch = 92.984 feet
0 20 40 Feet

Whitted Building (300 W. Tryon St.)



1 in = 100 feet
0 50 Feet

Orange County Planning and Inspections
Brian Carson (5/8/2015)

STANFORD MANN FAMILY PROPERTIES
8525 STANFORD RD
CHAPEL HILL, NC 27516

NOTICE OF BOCC PUBLIC HEARING

PRESTON G IVEY
5618 NC 54 W
Chapel Hill, NC 27516

NOTICE OF BOCC PUBLIC HEARING

H E COPELAND
MARY H COPELAND
1221 BUCKHORN RD
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

NC OFFICE MANAGEMENT LLC
5505 HWY 54W
CHAPEL HILL, NC 27516

NOTICE OF BOCC PUBLIC HEARING

THOMAS D BIEK
PATRICIA B CUMMINS
5201 WEST HWY 54
CHAPEL HILL, NC 27516

NOTICE OF BOCC PUBLIC HEARING

PRESTON IVEY TRUSTEE
5618 HWY 54 W
CHAPEL HILL, NC 27516

NOTICE OF BOCC PUBLIC HEARING

BRIAN D SCARBORO
DENISE F SCARBORO
5801 COPELAND RD
CHAPEL HILL, NC 27516-5663

NOTICE OF BOCC PUBLIC HEARING

DONNA H BARRETT
19 KIRK RD NW
WHITE, GA 30184

NOTICE OF BOCC PUBLIC HEARING

SARAH HILL
5608 HWY 54 WEST
CHAPEL HILL, NC 27516

NOTICE OF BOCC PUBLIC HEARING

WAYNE MORRIS THOMPSON
SARAH W THOMPSON
6219 MORROW MILL RD
CHAPEL HILL, NC 27516

NOTICE OF BOCC PUBLIC HEARING

KENNETH W HUFFINES
20 SALEM BRANCH RD
COVINGTON, GA 30016

NOTICE OF BOCC PUBLIC HEARING

JOHN T GATZY
5621 HWY 54 WEST
CHAPEL HILL, NC 27516

NOTICE OF BOCC PUBLIC HEARING

JOYCE N STANFORD
8700 STANFORD RD
CHAPEL HILL, NC 27516

NOTICE OF BOCC PUBLIC HEARING

ELISE D DODSON
6011 MORROW MILL RD
CHAPEL HILL, NC 275167354

NOTICE OF BOCC PUBLIC HEARING

ERNEST W CRAWFORD
SHIRLEY C STROWD
4089 MT GILEAD CH RD
PITTSBORO, NC 27312

NOTICE OF BOCC PUBLIC HEARING

PEGGY Z WAY
3430 MEBANE OAKS RD
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

NORMA KAY MORRIS REED
P O BOX 355
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

WILLIAM G CONDREY
4910 MT WILLING RD
MEBANE, NC 273027244

NOTICE OF BOCC PUBLIC HEARING

RICHARD L SUMMERS
C/O JOANNIE WILSON
2716 MEBANE OAKS DR
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

WILLIAM ALBERT HANEY
MARY R HANEY
P O BOX 854
MEBANE, NC 273020854

NOTICE OF BOCC PUBLIC HEARING

D TOM CLARK
THERESA R CLARK
111 BLESSED HOPE RD
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

DONNIE E CARDEN
WILLIE LOU CARDEN
120 BLESSED HOPE DR
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

NICHOLAS N GREGORIS JR
MICHELLE J CAMPOS
5114 MT WILLING RD
MEBANE, NC 273027246

NOTICE OF BOCC PUBLIC HEARING

TERESA M POPE
2733 VIOLET LN
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

DOROTHY TERRELL MCADAMS
4116 OAK GROVE CH RD
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

ANDREW D PENDER
202 N SEVENTH ST
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

AIMEE J MCADAMS
5020 MT WILLING ROAD
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

RYAN GIMSON
101 BLESSED HOPE DR
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

THOMAS WAYNE BROWN
LUANNE MCA BROWN
2726 VIOLET LN
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

THAD AND CHARLES HUFFSTETLER
1960 ORANGE CHAPEL CLOVER GARDEN
RD
CHAPEL HILL, NC 27516

NOTICE OF BOCC PUBLIC HEARING

KAJA HOLDINGS 2 LLC
16 BERRYHILL RD
STE 200
COLUMBIA, SC 29210

NOTICE OF BOCC PUBLIC HEARING

JAMES CLIFTON TURNER JR
3726 HOLLY HILL RD
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

JAMES CLIFTON TURNER JR
3726 HOLLY HILL RD
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

WALTER BRYANT MCADAMS
4916 MT WILLING RD
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

YANG SIENG LU TRUSTEE
GRACE C LU TRUSTEE
10 HOLLY LN
SETAUKET, NY 117331612

NOTICE OF BOCC PUBLIC HEARING

MICHAEL LYNN LUNSFORD
TAMMY KAY LUNSFORD
3406 NELL RD
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

DIANE S RAMOS
1710 KILER CANNON RD
PASO ROBLES, CA 93446

NOTICE OF BOCC PUBLIC HEARING

DIANE S RAMOS
1710 KILER CYN RD
PASO ROBLES, CA 93446

NOTICE OF BOCC PUBLIC HEARING

TAMMY LUNSFORD
GINGER M GARREN
3406 NELL RD
MEBANE, NC 273028285

NOTICE OF BOCC PUBLIC HEARING

HAZIT PROPERTIES LLC
3505 OAK GROVE CH RD
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

THOMAS EDWARD STACEY JR
4920 MT WILLING RD
MEBANE, NC 273027244

NOTICE OF BOCC PUBLIC HEARING

ORANGE GROVE VOLUNTEER FIRE
COMPANY INC
6800 ORANGE GROVE RD
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

ERLE F LLOYD ETAL
PRISCILLA W LLOYD
7004 ORANGE GROVE RD
HILLSBOROUGH, NC 272787477

NOTICE OF BOCC PUBLIC HEARING

DANIEL E SNIPES ETAL
ELIZABETH C SNIPES
6602 ORANGE GROVE RD
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

JUDY L PIERCE
2106 LAWTON BLUFF RD
CHARLOTTE, NC 28226

NOTICE OF BOCC PUBLIC HEARING

JEWEL L CRAWFORD TRUSTEE
147 TUSCARORA DR
HILLSBOROUGH, NC 272782529

NOTICE OF BOCC PUBLIC HEARING

CANE CREEK BAPTIST CHURCH OF
ORANGE COUNTY INC
6901 ORANGE GROVE RD
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

ALLAN K GREEN
CHRISTINE B GREEN
5604 DAIRYLAND RD
HILLSBOROUGH, NC 272787481

NOTICE OF BOCC PUBLIC HEARING

JAMES M SNIPES JR HRS
5512 DAIRYLAND RD
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

MARGARET A LLOYD GLENN TRUSTEE
6407 CRAIG RD
DURHAM, NC 27712

NOTICE OF BOCC PUBLIC HEARING

CHRISTOPHER SCOTT GLENN
WILLIAM FRANKLIN IRBY
414 HILLCREST
BURLINGTON, NC 27215

NOTICE OF BOCC PUBLIC HEARING

SUSAN S NICHOLS
KAREN S SEXTON
6614 ORANGE GROVE RD
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

STEVEN ANTHONY WATSON
6933 ORANGE GROVE RD
HILLSBOROUGH, NC 272787476

NOTICE OF BOCC PUBLIC HEARING

CITY OF HILLSBOROUGH
101 E ORANGE ST
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

WILLIE H TINNIN
ANNIE LEE C
3008 CARR STORE RD
CEDAR GROVE, NC 272319221

NOTICE OF BOCC PUBLIC HEARING

BEVERLY D HOLT
3102 CARR STORE RD
CEDAR GROVE, NC 272319221

NOTICE OF BOCC PUBLIC HEARING

W T OAKLEY SR HRS ETAL
WILBER THOMAS JR OAKLEY
2516 CARR STORE RD
CEDAR GROVE, NC 272319217

NOTICE OF BOCC PUBLIC HEARING

XANTHUS LERON WADE
3611 MILL CREEK RD
EFLAND, NC 27243

NOTICE OF BOCC PUBLIC HEARING

LEWIS D SUMMERS
CHARLENE SUMMERS
3107 CARR STORE RD
CEDAR GROVE, NC 272319222

NOTICE OF BOCC PUBLIC HEARING

GEORGE W BRADSHER
SHERRY N BRADSHER
110 APACHE CR
PARKTON, NC 28371

NOTICE OF BOCC PUBLIC HEARING

SENERIA C TAYLOR
7717 NC 49
Mebane, NC 27302

NOTICE OF BOCC PUBLIC HEARING

MARCELLA OLIVIAN CORBETT
5100 TYBROOK CT APT 303
RALEIGH, NC 27612

NOTICE OF BOCC PUBLIC HEARING

CATHY FOWLER
P O BOX 171
CEDAR GROVE, NC 272310171

NOTICE OF BOCC PUBLIC HEARING

WILLIAM L RIMMER
5603 MILL CREEK RD
CEDAR GROVE, NC 272319291

NOTICE OF BOCC PUBLIC HEARING

CHARLES D TINNIN
2902 CARR STORE RD
CEDAR GROVE, NC 272319746

NOTICE OF BOCC PUBLIC HEARING

RONALD LINWOOD RIMMER
MARY B RIMMER
1461 RIMMER RD
CEDAR GROVE, NC 27231

NOTICE OF BOCC PUBLIC HEARING

HASELL TINNIN HRS
3008 CARR STORE ROAD
CEDAR GROVE, NC 27231

NOTICE OF BOCC PUBLIC HEARING

HASELL T TINNIN HRS
3024 CARR STORE RD
CEDAR GROVE, NC 272319221

NOTICE OF BOCC PUBLIC HEARING

ROSS L MICKENS
JILLIAN A MICKENS
5220 ENO CEMETERY RD
Cedar Grove, NC 27231

NOTICE OF BOCC PUBLIC HEARING

GLORIA T FARRAR
3004 CARR STORE RD
CEDAR GROVE, NC 27231

NOTICE OF BOCC PUBLIC HEARING

MARK A HARRIS TRUSTEE
PENNY W HARRIS TRUSTEE
687 JAMES GRIFFIN DR
GRAHAM, NC 27253

NOTICE OF BOCC PUBLIC HEARING

STACY F HOLT
TERESA S HOLT
3001 CARR STORE RD
CEDAR GROVE, NC 27231

NOTICE OF BOCC PUBLIC HEARING

GARY A THOMPSON
ANGELA S THOMPSON
3120 CARR STORE RD
CEDAR GROVE, NC 272319222

NOTICE OF BOCC PUBLIC HEARING

RICHARD J BELL
3024 CARR STORE RD
CEDAR GROVE, NC 27321

NOTICE OF BOCC PUBLIC HEARING

RENEE T STEWART
4337 WHITE LEVEL RD
MEBANE, NC 273029054

NOTICE OF BOCC PUBLIC HEARING

MICHAEL L RIMMER
JUDY T RIMMER
5421 MILL CREEK RD
CEDAR GROVE, NC 27231

NOTICE OF BOCC PUBLIC HEARING

TOMMY M SCOTT
151 LOG CABIN TRL
MEBANE, NC 27302

NOTICE OF PLANNING BOARD MEETING

DALTON AND BRENDA ABBOTT
611 N THIRD ST
MEBANE, NC 27302

NOTICE OF PLANNING BOARD MEETING

STEPHEN A HOPKINS
116 SHABIYL LN
MEBANE, NC 27302

NOTICE OF PLANNING BOARD MEETING

GABE L MILLER
226 METCALF DR
MEBANE, NC 273028541

NOTICE OF PLANNING BOARD MEETING

ROBERT MILLER
5207 US 70 W
MEBANE, NC 27302

NOTICE OF PLANNING BOARD MEETING

FOY WADE WALKER
1153 SHERWOOD DR
BALTIMORE, MD 212392229

NOTICE OF PLANNING BOARD MEETING

ROBERT N REAVES
601 GREYSON DR
DURHAM, NC 27703

NOTICE OF PLANNING BOARD MEETING

ETTA G TUCK
5502 US 70
MEBANE, NC 273028804

NOTICE OF PLANNING BOARD MEETING

WILLIAM AND JOYCE SCOTT
5517 US HWY 70
MEBANE, NC 27302

NOTICE OF PLANNING BOARD MEETING

CAROLYN & WILLIAM GREGORY
2810 CHARLOTTE LN
BURLINGTON, NC 272154625

NOTICE OF PLANNING BOARD MEETING

LINES WIL COM TRUCK
403 ORANGE HIGH SCH RD
HILLSBOROUGH, NC 27278

NOTICE OF PLANNING BOARD MEETING

KIMBERLEY C WRIGHT
116 S BELLUVE ST
HILLSBOROUGH, NC 27278

NOTICE OF PLANNING BOARD MEETING

JOHN AND DEBORAH HOPKINS
122 SHABIYL LN
MEBANE, NC 273028805

NOTICE OF PLANNING BOARD MEETING

DANNY R MILLER
5507 US 70
MEBANE, NC 27302

NOTICE OF PLANNING BOARD MEETING

KEVIN AND PAULA BROOKS
126 KP LN
MEBANE, NC 27302

NOTICE OF PLANNING BOARD MEETING

REBECCA A CARTER
1130 RED GATE RD
MEBANE, NC 27302

NOTICE OF PLANNING BOARD MEETING

WILLIAM AND JOYCE SCOTT
187 LOG CABIN TRL
MEBANE, NC 27302

NOTICE OF PLANNING BOARD MEETING

CATHERINE L JACKSON
5611 MORRISON RD
MEBANE, NC 27302

NOTICE OF PLANNING BOARD MEETING

ALICIA ANNE HERMANN
2470 LINNE CT
ASHEBORO, NC 27205

NOTICE OF PLANNING BOARD MEETING

JONATHAN AND TAMMY BROOKS
122 KP LN
MEBANE, NC 27302

NOTICE OF PLANNING BOARD MEETING

HOYLE M KING
5609 US 70 W
MEBANE, NC 273028805

NOTICE OF PLANNING BOARD MEETING

BONNIE MARIE MYERS
5213 US 70 W
MEBANE, NC 273028801

NOTICE OF PLANNING BOARD MEETING

BRYANT M CARTER
1120 RED GATE RD
MEBANE, NC 27302

NOTICE OF PLANNING BOARD MEETING

FLETCHER AND RUTH MORGAN
1125 RED GATE RD
MEBANE, NC 27302

NOTICE OF PLANNING BOARD MEETING

DAWN COPLAND
7404 HOWARD CT
FALLS CHURCH, VA 22043

NOTICE OF PLANNING BOARD MEETING

CONNIE L F WILSON
1236 RED GATE RD
MEBANE, NC 273027560

NOTICE OF PLANNING BOARD MEETING

HOYLE M KING
5609 US HIGHWAY 70
MEBANE, NC 273028805

NOTICE OF PLANNING BOARD MEETING

E. MACGIBBON & G. SCHRECENGOST
1220 RED GATE RD
MEBANE, NC 27302

NOTICE OF PLANNING BOARD MEETING

STACEY E SHANKLIN
5223 US 70 W
MEBANE, NC 27302

NOTICE OF PLANNING BOARD MEETING

TOMMY M SCOTT
151 LOG CABIN TRL
MEBANE, NC 27302

NOTICE OF PLANNING BOARD MEETING

JACK AND SANDRA METCALF
200 METCALF DR
MEBANE, NC 27302

NOTICE OF PLANNING BOARD MEETING

MOHAMED & VICTORIA DAMRA
5422 US HWY 70
Mebane, NC 27302

NOTICE OF PLANNING BOARD MEETING

JAMES H WHITFIELD
6962 BURLINGTON RD
HURDLE MILLS, NC 275419322

NOTICE OF PLANNING BOARD MEETING

HOYLE M KING
5609 US 70 W
MEBANE, NC 273028805

NOTICE OF PLANNING BOARD MEETING

VALGENE AND CHARLES MITCHELL
400 DANTON DR
CARY, NC 275119089

NOTICE OF PLANNING BOARD MEETING

MELISSA HERRERA
5616 MORRISON RD
Mebane, NC 27302

NOTICE OF PLANNING BOARD MEETING

SL EFLAND HEIRS LLC
4918 ANDREA AVE
ANNANDALE, VA 22003

NOTICE OF PLANNING BOARD MEETING

CATHERINE L JACKSON
5611 MORRISON RD
MEBANE, NC 27302

NOTICE OF PLANNING BOARD MEETING

ANTHONY AND ROBIN CECIL
5229 U S 70 W
MEBANE, NC 27302

NOTICE OF PLANNING BOARD MEETING

HOYLE M KING
5609 US HIGHWAY 70
MEBANE, NC 273028805

NOTICE OF PLANNING BOARD MEETING

DANIEL HILGENBERG
5410 US 70 WEST
MEBANE, NC 273028614

NOTICE OF PLANNING BOARD MEETING

ERIC AND AMY CRABTREE
5107 US 70 W
MEBANE, NC 27302

NOTICE OF PLANNING BOARD MEETING

SL EFLAND HEIRS LLC
4918 ANDREA AVE
ANNANDALE, VA 220034102

NOTICE OF PLANNING BOARD MEETING

BRENDA M ANTHONY
5423 HWY 70
MEBANE, NC 27302

NOTICE OF PLANNING BOARD MEETING

SUSANNA L CHEEK TRUSTEE
41 BRUTON AVE
NEWPORT NEWS, VA 23601

NOTICE OF PLANNING BOARD MEETING

JOHN SANTUCCI
5312 US 70 W
MEBANE, NC 273028802

NOTICE OF PLANNING BOARD MEETING

PTNS CEDARS LTD
6919 LEE ST
MEBANE, NC 27302

NOTICE OF PLANNING BOARD MEETING

TIMOTHY W MILLER
2751 LYNDALE CT
MEBANE, NC 27302

NOTICE OF PLANNING BOARD MEETING

RONALD AND DONNA BROOKS
100 KP LN
MEBANE, NC 273028804

NOTICE OF PLANNING BOARD MEETING

BRIAN J WHERRY
3036 ARNOLD RD
LEXINGTON, NC 27295

NOTICE OF PLANNING BOARD MEETING

HUNLEY RENTALS LLC
4308 GOVERNOR SCOTT RD
Efland, NC 27243

NOTICE OF PLANNING BOARD MEETING

PTNS CEDARS LTD
6919 LEE ST
MEBANE, NC 27302

NOTICE OF PLANNING BOARD MEETING

POLLY A DORNETTE
JOHN R PATRICK
1237 REDGATE RD
Mebane, NC 27302

NOTICE OF PLANNING BOARD MEETING

HARMONY HOMES OF HILLSBOROUGH
2202 SCHLEY RD
HURDLE MILLS, NC 27541

NOTICE OF PLANNING BOARD MEETING

THOMAS H BRADLEY TRUSTEE
136 LOUISE DR
MEBANE, NC 27302

NOTICE OF PLANNING BOARD MEETING

RANT B BARLOW JR
3315 OLD NC 86
HILLSBOROUGH, NC 27278

NOTICE OF PLANNING BOARD MEETING

NATASHA UDAIOVA
ROBERT DEKROON
1250 RED GATE RD
Mebane, NC 27302

NOTICE OF PLANNING BOARD MEETING

HOYLE MARSHALL KING
5609 US HIGHWAY 70
MEBANE, NC 273028805

NOTICE OF PLANNING BOARD MEETING

GABE LAWS MILLER
226 METCALF DR
MEBANE, NC 273028541

NOTICE OF PLANNING BOARD MEETING

NELLY J CRUZ
5320 US 70 W
MEBANE, NC 27302

NOTICE OF PLANNING BOARD MEETING

TOMMY AND SUSAN SCOTT
151 LOG CABIN TRL
MEBANE, NC 27302

NOTICE OF PLANNING BOARD MEETING

CARL A WESTMAN
802 SUSAN CAROL LN
CHATTANOOGA, TN 37421

NOTICE OF PLANNING BOARD MEETING

E. MACGIBBON & G. SCHRECEGOST
1201 RED GATE RD
MEBANE, NC 27302

NOTICE OF PLANNING BOARD MEETING

KLW INVESTMENTS LLC
4519 LEBANON RD
Efland, NC 27243

NOTICE OF PLANNING BOARD MEETING

THOMAS WILLIAM TILLEY
5300 US 70 W
MEBANE, NC 273028802

NOTICE OF PLANNING BOARD MEETING

WILLIAM AND JOYCE SCOTT
5517 US HWY 70
MEBANE, NC 27302

NOTICE OF PLANNING BOARD MEETING

JEFF THRONEBURG
405 STONEHEDGE DR
GRAHAM, NC 27253

NOTICE OF PLANNING BOARD MEETING

ROIBC PENSICO TRUST CO. IRA ACCT
700 RICHMOND RD
MEBANE, NC 27302

NOTICE OF PLANNING BOARD MEETING

BETTY VERCHEREAU
5115 US 70 W
MEBANE, NC 273028800

NOTICE OF PLANNING BOARD MEETING

JAMES MARSHALL KING
1503 BUCKHORN RD
MEBANE, NC 273028093

NOTICE OF PLANNING BOARD MEETING

MARY A SUTPHIN
PO BOX 52
PILGRIMS KNOB, VA 24634

NOTICE OF PLANNING BOARD MEETING

JAMES MARSHALL KING
1503 BUCKHORN RD
MEBANE, NC 273028093

NOTICE OF PLANNING BOARD MEETING

GREGORY J PIOTROWSKI
5414 US 70 WEST
MEBANE, NC 27302

NOTICE OF PLANNING BOARD MEETING

HARMONY HOMES OF HILLSBOROUGH
2202 SCHLEY RD
HURDLE MILLS, NC 27541

NOTICE OF PLANNING BOARD MEETING

THOMAS W THRONEBURG JR
5400 US 70 W
MEBANE, NC 273028803

NOTICE OF PLANNING BOARD MEETING

JACK E METCALF
200 METCALF DR
MEBANE, NC 27302

NOTICE OF PLANNING BOARD MEETING

DONNA J MILLER
PO BOX 1343
NORWOOD, NC 28128

NOTICE OF PLANNING BOARD MEETING

WIL COM TRUCK LINE INC
403 ORANGE HIGH SCH RD
HILLSBOROUGH, NC 27278

NOTICE OF PLANNING BOARD MEETING

ROBERT PURCELL
100 SHABIYL LN
MEBANE, NC 27302

NOTICE OF PLANNING BOARD MEETING

CITY OF HILLSBOROUGH
101 E ORANGE ST
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

WILLIE H TINNIN
ANNIE LEE C
3008 CARR STORE RD
CEDAR GROVE, NC 272319221

NOTICE OF BOCC PUBLIC HEARING

BEVERLY D HOLT
3102 CARR STORE RD
CEDAR GROVE, NC 272319221

NOTICE OF BOCC PUBLIC HEARING

W T OAKLEY SR HRS ETAL
WILBER THOMAS JR OAKLEY
2516 CARR STORE RD
CEDAR GROVE, NC 272319217

NOTICE OF BOCC PUBLIC HEARING

XANTHUS LERON WADE
3611 MILL CREEK RD
EFLAND, NC 27243

NOTICE OF BOCC PUBLIC HEARING

LEWIS D SUMMERS
CHARLENE SUMMERS
3107 CARR STORE RD
CEDAR GROVE, NC 272319222

NOTICE OF BOCC PUBLIC HEARING

GEORGE W BRADSHER
SHERRY N BRADSHER
110 APACHE CR
PARKTON, NC 28371

NOTICE OF BOCC PUBLIC HEARING

SENORIA C TAYLOR
7717 NC 49
Mebane, NC 27302

NOTICE OF BOCC PUBLIC HEARING

MARCELLA OLIVIAN CORBETT
5100 TYBROOK CT APT 303
RALEIGH, NC 27612

NOTICE OF BOCC PUBLIC HEARING

CATHY FOWLER
P O BOX 171
CEDAR GROVE, NC 272310171

NOTICE OF BOCC PUBLIC HEARING

WILLIAM L RIMMER
5603 MILL CREEK RD
CEDAR GROVE, NC 272319291

NOTICE OF BOCC PUBLIC HEARING

CHARLES D TINNIN
2902 CARR STORE RD
CEDAR GROVE, NC 272319746

NOTICE OF BOCC PUBLIC HEARING

RONALD LINWOOD RIMMER
MARY B RIMMER
1461 RIMMER RD
CEDAR GROVE, NC 27231

NOTICE OF BOCC PUBLIC HEARING

HASSELL TINNIN HRS
3008 CARR STORE ROAD
CEDAR GROVE, NC 27231

NOTICE OF BOCC PUBLIC HEARING

HASSELL T TINNIN HRS
3024 CARR STORE RD
CEDAR GROVE, NC 272319221

NOTICE OF BOCC PUBLIC HEARING

ROSS L MICKENS
JILLIAN A MICKENS
5220 ENO CEMETERY RD
Cedar Grove, NC 27231

NOTICE OF BOCC PUBLIC HEARING

GLORIA T FARRAR
3004 CARR STORE RD
CEDAR GROVE, NC 27231

NOTICE OF BOCC PUBLIC HEARING

MARK A HARRIS TRUSTEE
PENNY W HARRIS TRUSTEE
687 JAMES GRIFFIN DR
GRAHAM, NC 27253

NOTICE OF BOCC PUBLIC HEARING

STACY F HOLT
TERESA S HOLT
3001 CARR STORE RD
CEDAR GROVE, NC 27231

NOTICE OF BOCC PUBLIC HEARING

GARY A THOMPSON
ANGELA S THOMPSON
3120 CARR STORE RD
CEDAR GROVE, NC 272319222

NOTICE OF BOCC PUBLIC HEARING

RICHARD J BELL
3024 CARR STORE RD
CEDAR GROVE, NC 27321

NOTICE OF BOCC PUBLIC HEARING

RENEE T STEWART
4337 WHITE LEVEL RD
MEBANE, NC 273029054

NOTICE OF BOCC PUBLIC HEARING

MICHAEL L RIMMER
JUDY T RIMMER
5421 MILL CREEK RD
CEDAR GROVE, NC 27231

NOTICE OF BOCC PUBLIC HEARING

PHILLIP L PENNELL
KATHRYN L PENNELL
3412 LEES CHAPEL RD
CEDAR GROVE, NC 27231

NOTICE OF BOCC PUBLIC HEARING
RICHARD J SIMS
5918 EFLAND CEDAR GROVE RD
CEDAR GROVE, NC 27231

NOTICE OF BOCC PUBLIC HEARING
CLAUD T POPE
MARY W POPE
5800 EFLAND CEDAR GROVE
CEDAR GROVE, NC 27231

NOTICE OF BOCC PUBLIC HEARING
SUSAN P WILLIAMS
5807 EFLAND CEDAR GROVE RD
CEDAR GROVE, NC 27231

NOTICE OF BOCC PUBLIC HEARING
KENNETH EARL SLATER
RITA MARIE SLATER
3314 LEES CHAPEL RD
CEDAR GROVE, NC 272319420

NOTICE OF BOCC PUBLIC HEARING
SEAN S CIEUTAT
SHERRY C CIEUTAT
1600 JESSIE LN
CEDAR GROVE, NC 27231

NOTICE OF BOCC PUBLIC HEARING

MUHAMMAD S KHAN
MAUDE E KHAN
PO BOX 185
CEDAR GROVE, NC 27231

NOTICE OF BOCC PUBLIC HEARING
ALONZO B COLEMAN JR
NANCY W COLEMAN
1600 HALLS MILL RD
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING
JONATHAN E WILLIAMS
ANNA C WILLIAMS
4162 SEABROOK LN
BIRMINGHAM, AL 35216

NOTICE OF BOCC PUBLIC HEARING
ROBERT B CARROLL
SHIRLEY A CARROLL
1609 JESSIE LN
CEDAR GROVE, NC 27231

NOTICE OF BOCC PUBLIC HEARING
JOHN P OVERMAN
ELISHA L OVERMAN
1601 JESSIE LN
CEDAR GROVE, NC 27231

NOTICE OF BOCC PUBLIC HEARING
JOHN L JARRELL
AMANDA H JARRELL
1605 JESSE LN
CEDAR GROVE, NC 27231

NOTICE OF BOCC PUBLIC HEARING
CEDAR GROVE RURITAN CLUB INC
PO BOX 22
CEDAR GROVE, NC 27231

NOTICE OF BOCC PUBLIC HEARING

DEBORAH ANN WAGONER
6117 EFLAND CEDAR GROVE RD
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

ENO RIVER COON HUNTERS ASSOCIATION
5820 WILKINS DR
DURHAM, NC 27705

NOTICE OF BOCC PUBLIC HEARING

BRADLEY W SMITH
GLORIA J SMITH
2617 LEBANON RD
EFLAND, NC 27243

NOTICE OF BOCC PUBLIC HEARING
JOHN F POPE
6500 COMPTON RD
CEDAR GROVE, NC 27231

NOTICE OF BOCC PUBLIC HEARING

JEFFERSON D PAGE
SUSAN B PAGE
112 PHELPS RD
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

DAVID EVERETT WALTON
GAIL WALTON
312 PHELPS RD
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

CHRISTINA V DAVIDSON
CLIFF E DAVIDSON
300 GWEN RD
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

JOY E ALVIS
CHRISTOPHER M ALVIS
3221 HWY 86 N
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

HENRY MARK PAINTER
416 PHELPS RD
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

CURTIS W HOGAN
473 CR 271
WESTCLIFFE, CO 81252

NOTICE OF BOCC PUBLIC HEARING

CHARLES N HELGEVOLD
MARY BETH HELGEVOLD
214 PHELPS RD
HILLSBOROUGH, NC 27278-8951

NOTICE OF BOCC PUBLIC HEARING

STEVEN D BLEDSOE
505 PHELPS RD
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

HERITAGE OPERATING L P #7006
PO BOX 965
VALLEY FORGE, PA 19482

NOTICE OF BOCC PUBLIC HEARING

BILLY PENLAND
221 PHELPS RD
HILLSBOROUGH, NC 27278-8951

NOTICE OF BOCC PUBLIC HEARING

ULDARICO DATILES ETAL
AZUCENA M DATILES
114 BUTTERNUT DR
CHAPEL HILL, NC 27514

NOTICE OF BOCC PUBLIC HEARING

LAVERNE W JAMES
288 ATWATER ST
YANCEYVILLE, NC 27379

NOTICE OF BOCC PUBLIC HEARING

ROBIN CRABTREE
KELLY CRABTREE
3415 NC 86 NORTH
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

ETHAN C HELGEVOLD
KELLY E HELGEVOLD
182 PHELPS RD
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

LILLIAN G MCKEE
304 PHELPS RD
HILLSBOROUGH, NC 27278-8952

NOTICE OF BOCC PUBLIC HEARING

MELVIA H WARD
WILLARD A WARD
4124 WALNUT GROVE CHURCH RD
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

KING HILLSBOROUGH LLC
C/O HAN IL LEE
314 HWY 86 N
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

HENRY MARK PAINTER
PO BOX 203
HILLSBOROUGH, NC 27278-0203

NOTICE OF BOCC PUBLIC HEARING

STEVEN E SUMMEY
ALLISON L SUMMEY
205 PHELPS RD
HILLSBOROUGH, NC 27278-8951

NOTICE OF BOCC PUBLIC HEARING

STACY JOHNSON
VICTOR JOHNSON
3005 HWY 86 NORTH
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

FAYE K CRABTREE
3415 NC 86N
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

ARTIS EUGENE SUMMEY
DIANNE T SUMMEY
201 PHELPS RD
HILLSBOROUGH, NC 27278-8951

NOTICE OF BOCC PUBLIC HEARING

WILLIAM R BROWNING
305 PHELPS RD
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

JASON EDWARD MCGHEE
APRIL E MCGHEE
502 PHELPS RD
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

BILLY G BRILEY
JUDITH D BRILEY
118 PHELPS RD
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

TONY C SWANGER
MARY CATES BOYD
5707 CABE FORD RD
DURHAM, NC 27705

NOTICE OF BOCC PUBLIC HEARING

ETHAN C HELGEVOLD
KELLY E HELGEVOLD
182 PHELPS RD
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

ALEXANDER ESPADA
CINDY ESPADA
3015 NC 86N
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

ASHLEY W HICKMAN
HOWARD H HICKMAN
409 PHELPS RD
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

JOSEPH KANYUA
187 LAUREL AVE
UNION, NJ 7083

NOTICE OF BOCC PUBLIC HEARING

BRENDA B SUMMEY
211 PHELPS RD
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

DANIEL B HOUSTON
JENNA W HOUSTON
3313 NC HWY 86 NC
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

BLAIR R BROWNING
KATHRYN A BROWNING
311 PHELPS RD
HILLSBOROUGH, NC 27278-8952

NOTICE OF BOCC PUBLIC HEARING

WILLIAM A DAVIS
HILDA R DAVIS
323 PHELPS RD
HILLSBOROUGH, NC 27278-8952

NOTICE OF BOCC PUBLIC HEARING

JOSEPH G BATTS JR
KELLY S BATTS
3301 SERENITY LN
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

STEVEN D BLEDSOE
505 PHELPS ROAD
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

SHAWN NATHANIEL HIGH
KISHA N LEA
3820 WALNUT GROVE CHURCH RD
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

EVA KENNEDY
1535 RIVERSIDE DR
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

ALAN EUGENE WEBB
DONNA KENNEDY WEBB
3706 NC 86N
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

LILLIE MAE T WILLIAMS HRS
3917 WALNUT GROVE CHURCH RD
HILLSBOROUGH, NC 272788245

NOTICE OF BOCC PUBLIC HEARING

FBO SUSAN D HAMILTON, IRA EQUITY
TRUST COMPANY CUSTODIAN
114 JERICHO RD
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

VALERIE RENEE BALDWIN
3901 WALNUT GROVE CH RD
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

SUSAN D HAMILTON
114 JERICHO RD
HILLSBOROUGH, NC 27278-8905

NOTICE OF BOCC PUBLIC HEARING

HUGHLON ALEXANDER BREEZE
8074 NEWBURY PL
CLAY, NY 13041

NOTICE OF BOCC PUBLIC HEARING

DELMAR BREEZE
P O BOX 1413
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

JOHN E UFTRING
NATASHA R EULISS-UFTRING
202 CANAAN CIR
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

DIANE ELIZABETH CARVER
3610 WALNUT GROVE CH RD
HILLSBOROUGH, NC 27278-9241

NOTICE OF BOCC PUBLIC HEARING

CHARLES H HELMS III
KATHERINE E HELMS
3334 SERENITY LN
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

DEWEY PETTIFORD
3832 WALNUT GROVE CH RD
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

VESTER BREEZE
3916 WALNUT GROVE CHURCH RD
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

OLA VERLINE ROGERS HRS
RR 2 BOX 550
NEWTON, GA 398709613

NOTICE OF BOCC PUBLIC HEARING

FAYE K CRABTREE
3415 NC 86N
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

CHUVOLA CATES
3608 JO BREEZE LN
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

LEWIS W CRABTREE
FAYE CRABTREE
3415 NC 86N
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

FRAZIER HIAWATHA SMITH
ALICE D SMITH
3905 WALNUT GROVE CH RD
HILLSBOROUGH, NC 27278-8245

NOTICE OF BOCC PUBLIC HEARING

GIDEON A ROLAND
EUGENIA W ROLAND
3801 NC 86N
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

GLORIA JENNINGS SHANKLIN
3616 J J BREEZE LN
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

JAMES H FULLER
MARY O FULLER
3811 WALNUT GROVE CH RD
HILLSBOROUGH, NC 27278-6901

NOTICE OF BOCC PUBLIC HEARING

FREDRIC COOPER
JIMMILESSA O COOPER
3812 WALNUT GROVE CHURCH RD
HILLSBOROUGH, NC 27278-6901

NOTICE OF BOCC PUBLIC HEARING

PITTMAN ANGUS FARMS LLC
3711 NC 86N
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

DOROTHY P LEA ETAL
STEPHANIE MCBROOM
3902 WALNUT GROVE CH RD
HILLSBOROUGH, NC 272788245

NOTICE OF BOCC PUBLIC HEARING

DAVID EVERETT WALTON
GAIL WALTON
312 PHELPS RD
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

GIDEON AVERY ROLAND
EUGENIA W ROLAND
3801 NC 86N
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

CRAIG B MAKANUI
ANNE L MAKANUI
3420 IVA ADA DR
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

LEON S LEA
DOROTHY P LEA
PO BOX 396
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

LENNIE W BREEZE
CHERYL H BREEZE
3800 WALNUT GROVE CH RD
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

THEODORE R JOHNSON ETAL
SHEREE T PARKER
3917 WALNUT GROVE CH RD
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING
MACK A THORPE
LINDA THORPE
3807 WALNUT GROVE CH RD
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING
PCDP LLC
2606 HIGHLAND FARM RD
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

OCTAVIS TATE JR
SHIRLEY M TATE
3718 WALNUT GROVE CHURCH RD
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING
TAMARA L LAHUE
BRIAN J LAHUE
176 STONEY CREEK WAY
CHAPEL HILL, NC 27517

NOTICE OF BOCC PUBLIC HEARING

ALLAN E WEBB
DONNA K WEBB
3706 NC 86N
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING
RANDY H SPENCER
THERESA K STONE
3517 HWY 86 N
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING
CLAUDE A BREEZE JR
3719 WALNUT GROVE CHURCH RD
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

HARRY M ROBERTS TRUSTEE
SHIRLEY H ROBERTS TRUSTEE
4326 CORBETT RIDGE RD
MEBANE, NC 27302-8466

NOTICE OF BOCC PUBLIC HEARING

WESLEY W SELLEW
DIANE H SELLEW
6215 HWY 49 N
MEBANE NC 27302

NOTICE OF BOCC PUBLIC HEARING

JOYCE I CHAMBERS
106 DIANNE ST
KNIGHTDALE, NC 27545

NOTICE OF BOCC PUBLIC HEARING

JAMES T WILSON
3503 MT ZION CHURCH RD
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

CHRISTOPHER T CARTER
6156 NC HWY 49 N
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

RICHARD E BERNIER
AMY R BERNIER
6319 HWY 49 NORTH
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

KATIE B BYRD
8417 ATKINS RD
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

PINERIDGE SWIMMING POOL INC
3515 MCDADE STORE RD
CEDAR GROVE, NC 27231

NOTICE OF BOCC PUBLIC HEARING

MAURICIO AND ALEJANDRO RIVERA
5408 BAKERS MILL RD
DURHAM, NC 27707-9772

NOTICE OF BOCC PUBLIC HEARING

ZACHARY BEAVER
207 W MCKINLEY ST
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

PAUL AND TONI GRISWOLD
6322 US 70 W
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

RANJIT MINHAS
2040 WEBSTER GROVE DR
Mebane, NC 27302

NOTICE OF BOCC PUBLIC HEARING

MISSIONARY BAPTIST CHURCH
PO BOX 754
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

WALTER AND BARBARA BOOTH
3540 OLD HILLSBOROUGH RD
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

RANDY AND LUCY EVANS
121 SHAMBLY RD
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

SEAN AND AMY STARK
205 MACE RD
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

R S SYKES HRS
427 GREEN ST
GRAHAM, NC 27253

NOTICE OF BOCC PUBLIC HEARING

KATHERINE JONES
14839 ASHBY OAK CT
FORT HAYMARKET, VA 20169

NOTICE OF BOCC PUBLIC HEARING

DANNY C FORD
PO BOX 790
DUCOR, CA 93218

NOTICE OF BOCC PUBLIC HEARING

JERRY L DRIGGERS
6301 US 70 W
MEBANE, NC 273027596

NOTICE OF BOCC PUBLIC HEARING

WILLIAM A GOURLEY
107 SHAMBLEY RD
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

L AND L OF NC INC
5100 INVERNESS DR
DURHAM, NC 27712

NOTICE OF BOCC PUBLIC HEARING

STEVEN M HIPPS
7001 US 70
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

DALE GIFFORD DAVIS
2189 GIFFORD DR
HAW RIVER, NC 27258

NOTICE OF BOCC PUBLIC HEARING

ALEASE MACE
6517 US HIGHWAY 70
MEBANE, NC 27302-7598

NOTICE OF BOCC PUBLIC HEARING

JOHN AND JOYCE CLAYTON
2614 MT WILLING RD
EFLAND, NC 272439125

NOTICE OF BOCC PUBLIC HEARING

MINHAS INC
2040 WEBSTER GROVE DR
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

ZAWAR H SHAH
6303 W TEN RD
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

WENDY G WILLIAMS
PO BOX 543
ELON, NC 27244

NOTICE OF BOCC PUBLIC HEARING

HELEN MACE
6517 US HIGHWAY 70
MEBANE, NC 273027598

NOTICE OF BOCC PUBLIC HEARING

CLEO HOLMAN HRS
6208 US 70 W
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

CHEAPER HOMES LLC
P O BOX 171
GRAHAM, NC 27253

NOTICE OF BOCC PUBLIC HEARING

DALE G DAVIS
2189 GIFFORD DR
HAW RIVER, NC 27258

NOTICE OF BOCC PUBLIC HEARING

KIMBERLY TAYLOR
203 MACE RD
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

JOHN AND JOYCE CLAYTON
2614 MT WILLING RD
EFLAND, NC 27243-9125

NOTICE OF BOCC PUBLIC HEARING

NAOMI AND DAVID HESTER
6202 W US 70 HWY
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

MEBANE MHP LLC
PO BOX 403
WINTER PARK, FL 32790

NOTICE OF BOCC PUBLIC HEARING

DUSTIN T COOK
209 MACE RD
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

RONALD AND ANGELA OAKLEY
6410 US 70 W
MEBANE, NC 27302-7597

NOTICE OF BOCC PUBLIC HEARING

JUDITH H SETTLE
702 S FIFTH ST
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

TERRY L WILLIAMS
6123 US 70 W
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

JOHN D SWEPSON
5073 MINERAL SPRINGS RD
GRAHAM, NC 27253-9207

NOTICE OF BOCC PUBLIC HEARING

DALE G DAVIS
2189 GIFFORD DR
HAW RIVER, NC 27258

NOTICE OF BOCC PUBLIC HEARING

JOYCE CLAYTON
2614 MT WILLING RD
EFLAND, NC 27243-9125

NOTICE OF BOCC PUBLIC HEARING

OTHA LEE HESTER
P O BOX 185
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

GAIL GRAVES & FLORISSA WALKER
3354 CORBETT RD
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

CHAPEL HUNTERS
PO BOX 609
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

DEPT. OF TRANSPORTATION
331 W MAIN ST SUITE 100
DURHAM, NC 27701

NOTICE OF BOCC PUBLIC HEARING

FELTON BROWN
120 RANDALL CR
MEBANE, NC 27302-8705

NOTICE OF BOCC PUBLIC HEARING

JOSEPH MARTIN
P O BOX 1481
BURLINGTON, NC 27215-4553

NOTICE OF BOCC PUBLIC HEARING

MINHAS INC
2040 WEBSTER GROVE DR
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

EVANS
1667 N NC 49
BURLINGTON, NC 27217

NOTICE OF BOCC PUBLIC HEARING

BRYSON HILL
115 SHAMBLEY RD
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

SANDRA JONES & DEBRA GORDON
6530 KIMESVILLE RD
LIBERTY, NC 27298

NOTICE OF BOCC PUBLIC HEARING

ANTHONY CORBETT & VAN CONLEY
104 FRAZIER RD
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

LINDA MAE FEARRINGTON HRS
307 WALKER DRIVE
MEBANE, NC 27302-2818

NOTICE OF BOCC PUBLIC HEARING

PRUNTY INC
8227 FOUR SISTERS LN
CHARLOTTE, NC 28215

NOTICE OF BOCC PUBLIC HEARING

BENJAMIN J MCKELVEY
206 SHAMBLEY RD
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

TYLER S CHURCH
6122 HWY 70
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

SUZANNE TOMPKINS
211 SHAMBLEY RD
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

KATHERINE JONES
14839 ASHBY OAK CT
FORT HAYMARKET, VA 20169

NOTICE OF BOCC PUBLIC HEARING

JONES
6501 US 70 W
MEBANE, NC 273027598

NOTICE OF BOCC PUBLIC HEARING

RANJIT MINHAS
2040 WEBSTER GROVE DR
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

TYSON AND ROBIE COBLE
111 SHAMBLEY RD
MEBANE, NC 27302-8547

NOTICE OF BOCC PUBLIC HEARING

ELIZABETH CRISP
6300 WASHINGTON ST
MEBANE, NC 27302-8201

NOTICE OF BOCC PUBLIC HEARING

ARTELIA W DEGRAFFENREIDT
PO BOX 632
MEBANE, NC 27302-0632

NOTICE OF BOCC PUBLIC HEARING

SHAH
6302 E WASHINGTON ST EXT
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

NELLIE L JONES
6501 US HWY 70
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

MARIE HOLLAND
6406 US 70 W
MEBANE, NC 273027597

NOTICE OF BOCC PUBLIC HEARING

LUCY GRAY HRS
5210 HWY 70
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

RANJIT AND JASVIR MINHAS
2040 WEBSTER GROVE DR
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

RANDALL P YOUNG
7927 YARBOROUGH RD
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

CLAUDE MEBANE HRS
812 FRAZIER RD
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

JENNIFER J CECIL
6417 US 70
MEBANE, NC 27302-7597

NOTICE OF BOCC PUBLIC HEARING

DAVID AND MARIE SINKIEWICZ
6414 US 70 W
MEBANE, NC 27302-7597

NOTICE OF BOCC PUBLIC HEARING

ARTELIA DEGRAFFENREIDT
PO BOX 632
MEBANE, NC 273020632

NOTICE OF BOCC PUBLIC HEARING

ADRIAN AND ANNA CROWDER
6418 US 70 W
MEBANE, NC 273027597

NOTICE OF BOCC PUBLIC HEARING

ROY AND LISA COOK
207 SHAMBLEY RD
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

IRENE H WHALEY
PO BOX 421
MEBANE, NC 273020421

NOTICE OF BOCC PUBLIC HEARING

DEPT. OF TRANSPORTATION
331 WEST MAIN ST SUITE 100
DURHAM, NC 27701

NOTICE OF BOCC PUBLIC HEARING

IRIS J TORAIN
1220 DEER RUN TR #28
BURLINGTON, NC 27217

NOTICE OF BOCC PUBLIC HEARING

WALKER
6210 E WASHINGTON EXT
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

LOVEY ALSTON SWEPSON ETAL
215 BUCKHORN RD
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

JOHN AND JOYCE CLAYTON
2614 MT WILLING RD
EFLAND, NC 27243-9125

NOTICE OF BOCC PUBLIC HEARING

JOHN T WALKER
104 FRAZIER RD
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

KAMAL ROWHANI
500 UMSTEAD DR, APT F203
CHAPEL HILL, NC 27516

NOTICE OF BOCC PUBLIC HEARING

CHARLIE A MARTIN
6116 US 70 W
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

JENNIFER K SMITH
6130 W US 70 HWY
Mebane, NC 27302

NOTICE OF BOCC PUBLIC HEARING

ROGELIO MEDRANO
6316 US 70 W
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

SWEETWATER PROPERTY DEV LLC
150 PROVIDENCE RD 100B
CHAPEL HILL, NC 27514

NOTICE OF BOCC PUBLIC HEARING

DEGRAFFENREIDT
PO BOX 632
MEBANE, NC 27302-0632

NOTICE OF BOCC PUBLIC HEARING

AUSTIN SEIFTS & ANDREA WERNEKE
212 MACE RD
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

RANJIT AND JASVIR MINHAS
2040 WEBSTER GROVE DR
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

MICHAEL EVANS & ROBIN WALKER
6304 E WASHINGTON ST
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

BRIAN AND ELIZABETH ROCAFUERTE
212 SHAMBLEY RD
MEBANE, NC 273028569

NOTICE OF BOCC PUBLIC HEARING

MINHAS
2040 WEBSTER GROVE DR
Mebane, NC 27302

NOTICE OF BOCC PUBLIC HEARING

TOMMY M SCOTT
151 LOG CABIN TRL
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

DALTON AND BRENDA ABBOTT
611 N THIRD ST
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

STEPHEN A HOPKINS
116 SHABIYL LN
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

GABE L MILLER
226 METCALF DR
MEBANE, NC 27302-8541

NOTICE OF BOCC PUBLIC HEARING

ROBERT MILLER
5207 US 70 W
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

FOY WADE WALKER
1153 SHERWOOD DR
BALTIMORE, MD 21239-2229

NOTICE OF BOCC PUBLIC HEARING

ROBERT N REAVES
601 GREYSON DR
DURHAM, NC 27703

NOTICE OF BOCC PUBLIC HEARING

ETTA G TUCK
5502 US 70
MEBANE, NC 27302-8804

NOTICE OF BOCC PUBLIC HEARING

WILLIAM AND JOYCE SCOTT
5517 US HWY 70
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

CAROLYN & WILLIAM GREGORY
2810 CHARLOTTE LN
BURLINGTON, NC 272154625

NOTICE OF BOCC PUBLIC HEARING

LINES WIL COM TRUCK
403 ORANGE HIGH SCH RD
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

KIMBERLEY C WRIGHT
116 S BELLUVE ST
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

JOHN AND DEBORAH HOPKINS
122 SHABIYL LN
MEBANE, NC 27302-8805

NOTICE OF BOCC PUBLIC HEARING

DANNY R MILLER
5507 US 70
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

KEVIN AND PAULA BROOKS
126 KP LN
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

REBECCA A CARTER
1130 RED GATE RD
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

WILLIAM AND JOYCE SCOTT
187 LOG CABIN TRL
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

CATHERINE L JACKSON
5611 MORRISON RD
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

ALICIA ANNE HERMANN
2470 LINNE CT
ASHEBORO, NC 27205

NOTICE OF BOCC PUBLIC HEARING

JONATHAN AND TAMMY BROOKS
122 KP LN
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

HOYLE M KING
5609 US 70 W
MEBANE, NC 27302-8805

NOTICE OF BOCC PUBLIC HEARING

BONNIE MARIE MYERS
5213 US 70 W
MEBANE, NC 273028-801

NOTICE OF BOCC PUBLIC HEARING

BRYANT M CARTER
1120 RED GATE RD
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

FLETCHER AND RUTH MORGAN
1125 RED GATE RD
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

DAWN COPLAND
7404 HOWARD CT
FALLS CHURCH, VA 22043

NOTICE OF BOCC PUBLIC HEARING

CONNIE L F WILSON
1236 RED GATE RD
MEBANE, NC 27302-7560

NOTICE OF BOCC PUBLIC HEARING

HOYLE M KING
5609 US HIGHWAY 70
MEBANE, NC 27302-8805

NOTICE OF BOCC PUBLIC HEARING

E. MACGIBBON & G. SCHRECENGOST
1220 RED GATE RD
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

STACEY E SHANKLIN
5223 US 70 W
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

TOMMY M SCOTT
151 LOG CABIN TRL
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

JACK AND SANDRA METCALF
200 METCALF DR
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

MOHAMED & VICTORIA DAMRA
5422 US HWY 70
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

JAMES H WHITFIELD
6962 BURLINGTON RD
HURDLE MILLS, NC 27541-9322

NOTICE OF BOCC PUBLIC HEARING

HOYLE M KING
5609 US 70 W
MEBANE, NC 27302-8805

NOTICE OF BOCC PUBLIC HEARING

VALGENE AND CHARLES MITCHELL
400 DANTON DR
CARY, NC 27511-9089

NOTICE OF BOCC PUBLIC HEARING

MELISSA HERRERA
5616 MORRISON RD
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

SL EFLAND HEIRS LLC
4918 ANDREA AVE
ANNANDALE, VA 22003

NOTICE OF BOCC PUBLIC HEARING

CATHERINE L JACKSON
5611 MORRISON RD
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

ANTHONY AND ROBIN CECIL
5229 U S 70 W
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

HOYLE M KING
5609 US HIGHWAY 70
MEBANE, NC 27302-8805

NOTICE OF BOCC PUBLIC HEARING

DANIEL HILGENBERG
5410 US 70 WEST
MEBANE, NC 27302-8614

NOTICE OF BOCC PUBLIC HEARING

ERIC AND AMY CRABTREE
5107 US 70 W
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

SL EFLAND HEIRS LLC
4918 ANDREA AVE
ANNANDALE, VA 22003-4102

NOTICE OF BOCC PUBLIC HEARING

BRENDA M ANTHONY
5423 HWY 70
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

SUSANNA L CHEEK TRUSTEE
41 BRUTON AVE
NEWPORT NEWS, VA 23601

NOTICE OF BOCC PUBLIC HEARING

JOHN SANTUCCI
5312 US 70 W
MEBANE, NC 27302-8802

NOTICE OF BOCC PUBLIC HEARING

PTNS CEDARS LTD
6919 LEE ST
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

TIMOTHY W MILLER
2751 LYNDALE CT
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

RONALD AND DONNA BROOKS
100 KP LN
MEBANE, NC 27302-8804

NOTICE OF BOCC PUBLIC HEARING

BRIAN J WHERRY
3036 ARNOLD RD
LEXINGTON, NC 27295

NOTICE OF BOCC PUBLIC HEARING

HUNLEY RENTALS LLC
4308 GOVERNOR SCOTT RD
EFLAND, NC 27243

NOTICE OF BOCC PUBLIC HEARING

PTNS CEDARS LTD
6919 LEE ST
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

POLLY A DORNETTE
JOHN R PATRICK
1237 REDGATE RD
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

HARMONY HOMES OF HILLSBOROUGH
2202 SCHLEY RD
HURDLE MILLS, NC 27541

NOTICE OF BOCC PUBLIC HEARING

THOMAS H BRADLEY TRUSTEE
136 LOUISE DR
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

RANT B BARLOW JR
3315 OLD NC 86
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

NATASHA UDAIOVA
ROBERT DEKROON
1250 RED GATE RD
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

HOYLE MARSHALL KING
5609 US HIGHWAY 70
MEBANE, NC 27302-8805

NOTICE OF BOCC PUBLIC HEARING

GABE LAWS MILLER
226 METCALF DR
MEBANE, NC 27302-8541

NOTICE OF BOCC PUBLIC HEARING

NELLY J CRUZ
5320 US 70 W
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

TOMMY AND SUSAN SCOTT
151 LOG CABIN TRL
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

CARL A WESTMAN
802 SUSAN CAROL LN
CHATTANOOGA, TN 37421

NOTICE OF BOCC PUBLIC HEARING

E. MACGIBBON & G. SCHRECEGOST
1201 RED GATE RD
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

KLW INVESTMENTS LLC
4519 LEBANON RD
EFLAND NC 27243

NOTICE OF BOCC PUBLIC HEARING

THOMAS WILLIAM TILLEY
5300 US 70 W
MEBANE, NC 27302-8802

NOTICE OF BOCC PUBLIC HEARING

WILLIAM AND JOYCE SCOTT
5517 US HWY 70
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

JEFF THRONEBURG
405 STONEHEDGE DR
GRAHAM, NC 27253

NOTICE OF BOCC PUBLIC HEARING

ROIBC PENSICO TRUST CO. IRA ACCT
700 RICHMOND RD
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

BETTY VERCHEREAU
5115 US 70 W
MEBANE, NC 27302-8800

NOTICE OF BOCC PUBLIC HEARING

JAMES MARSHALL KING
1503 BUCKHORN RD
MEBANE, NC 27302-8093

NOTICE OF BOCC PUBLIC HEARING

MARY A SUTPHIN
PO BOX 52
PILGRIMS KNOB, VA 24634

NOTICE OF BOCC PUBLIC HEARING

JAMES MARSHALL KING
1503 BUCKHORN RD
MEBANE, NC 27302-8093

NOTICE OF BOCC PUBLIC HEARING

GREGORY J PIOTROWSKI
5414 US 70 WEST
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

HARMONY HOMES OF HILLSBOROUGH
2202 SCHLEY RD
HURDLE MILLS, NC 27541

NOTICE OF BOCC PUBLIC HEARING

THOMAS W THRONEBURG JR
5400 US 70 W
MEBANE, NC 273028803

NOTICE OF BOCC PUBLIC HEARING

JACK E METCALF
200 METCALF DR
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

DONNA J MILLER
PO BOX 1343
NORWOOD, NC 28128

NOTICE OF BOCC PUBLIC HEARING

WIL COM TRUCK LINE INC
403 ORANGE HIGH SCH RD
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

ROBERT PURCELL
100 SHABIYL LN
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

EFLAND REAL PROPERTY LLC
C/O GAIL WILKERSON
708 HWY 57
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

EFLAND REAL PROPERTY LLC
C/O GAIL WILKERSON
708 HWY 57
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

ASHWICK ASSOCIATES, LLC
5523 WALL STREET
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

SNC PROPERTIES, LLC
5718 W TEN RD
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

DAVID MARION
211 LAWRENCE RD null
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

KRISTEN LINER MARBAIS
P O BOX 325
EFLAND, NC 27243

NOTICE OF BOCC PUBLIC HEARING

ROBERT E GRAY
STACI D GRAY
205 NORWICH CT
EFLAND, NC 27243

NOTICE OF BOCC PUBLIC HEARING

EFLAND PRESBYTERIAN CHURCH
UNKNOWN ADDRESS
EFLAND, NC 27243

NOTICE OF BOCC PUBLIC HEARING

JAMES MCADOO, JR.
PO BOX 82
EFLAND, NC 27243

NOTICE OF BOCC PUBLIC HEARING

PAMELA J SARAPHIS
STEVEN SARAPHIS
110 GLENWICK LN
EFLAND, NC 27243

NOTICE OF BOCC PUBLIC HEARING

EFLAND VOLUNTEER FIRE COMPANY, INC
PO BOX 39
EFLAND, NC 27243

NOTICE OF BOCC PUBLIC HEARING

CORP PERRYS CONSTRUCTION
827 MCDADE STORE RD
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

MD ASHRAF UDDIN
5012 LINDEN OAKS AVE
DURHAM, NC 27713

NOTICE OF BOCC PUBLIC HEARING

EFLAND PRESBYTERIAN CHURCH
CHURCH

NOTICE OF BOCC PUBLIC HEARING

EFLAND VOLUNTEER FIRE COMPANY, INC
PO BOX 39
EFLAND, NC 27243

NOTICE OF BOCC PUBLIC HEARING

TAYLOR R EFLAND
115 SEA OATS DR
EMERALD ISLE, NC 28594

NOTICE OF BOCC PUBLIC HEARING

CLARENCE A LOFTIN
PO BOX 672
HALIFAX, NC 27839

NOTICE OF BOCC PUBLIC HEARING

SAMUEL L WHITE
302 CIRCLE DR
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

ASHWICK HOMEOWNERS ASSOCIATION, INC
829 MCDADE STORE RD
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

WILLIAM DAVID LINER
MARILYN E LINER
P O BOX 231
EFLAND, NC 27243

NOTICE OF BOCC PUBLIC HEARING

EFLAND REAL PROPERTY LLC
C/O GAIL WILKERSON
708 HWY 57
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

PETER L EFLAND
3623 US 70 W
EFLAND, NC 27243

NOTICE OF BOCC PUBLIC HEARING

EFLAND REAL PROPERTY LLC
C/O GAIL WILKERSON
708 HWY 57
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

ASHWICK HOMEOWNERS ASSOCIATION, INC
827 MCDADE STORE RD
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

EFLAND REAL PROPERTY LLC
C/O GAIL WILKERSON
708 HWY 57
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

EFLAND PRESBYTERIAN CHURCH
PO BOX 219
EFLAND, NC 27243

NOTICE OF BOCC PUBLIC HEARING

MD ASHRAF UDDIN
5012 LINDEN OAKS AVE null
DURHAM, NC 277136560

NOTICE OF BOCC PUBLIC HEARING

VALERIE W MCADOO
209 ELFAND AVE
EFLAND, NC 27243

NOTICE OF BOCC PUBLIC HEARING

ANDY LLOYD LAND INVESTMENT COMPANY LLC
C/O BEN LLOYD
2701 US 70 W
EFLAND, NC 27243

NOTICE OF BOCC PUBLIC HEARING

BYRON A DALTON
SUELLYN DALTON
PO BOX 187
EFLAND, NC 27243

NOTICE OF BOCC PUBLIC HEARING

DONALD C EFLAND
PO BOX 97
EFLAND, NC 27243

NOTICE OF BOCC PUBLIC HEARING

KIMBERLY B POTTS
ALVIN L POTTS
6833 JUSTICE DR
RALEIGH, NC 27615

NOTICE OF BOCC PUBLIC HEARING

ASHWICK ASSOCIATES LLC
5523 WALL STREET
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

EFLAND VOLUNTEER FIRE COMPANY
PO BOX 39
EFLAND, NC 27243

NOTICE OF BOCC PUBLIC HEARING

DAVID R MARION
211 LAWRENCE RD
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

ELIZABETH K DEITZ
THOMAS E JR DEITZ
112 GLENWICK LN
EFLAND, NC 27243

RYAN WINSTON
TINA WINSTON
109 GLENWICK LN
EFLAND, NC 27243

NOTICE OF BOCC PUBLIC HEARING

ASHWICK HOMEOWNERS ASSC. INC.
827 MCDADE STORE RD
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

EFLAND HOISERY MILL INC
PO BOX 246
EFLAND, NC 27243

NOTICE OF BOCC PUBLIC HEARING

WILEY WHITTED
KATTIE WHITTED
P O BOX 274 R CROAKER
EFLAND, NC 27243-0274

NOTICE OF BOCC PUBLIC HEARING

TAYLOR R EFLAND
PETER L EFLAND
3715 US 70 W
EFLAND, NC 27243-0154

NOTICE OF BOCC PUBLIC HEARING

EFLAND REAL PROPERTY LLC
C/O GAIL WILKERSON
708 HWY 57
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

ASHWICK HOMEOWNERS ASSC. INC.
829 MCDADE STORE RD
HILLSBOROUGH, NC 27278

PETER L EFLAND
3623 US 70 W
EFLAND, NC 27243

NOTICE OF BOCC PUBLIC HEARING

ROBERT E GRAY
STACI D GRAY
205 NORWICH CT
EFLAND, NC 27243

NOTICE OF BOCC PUBLIC HEARING

DARLENE B STAFFORD
300 BRIARWOOD DR
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

DARLENE B STAFFORD
300 BRIARWOOD DR
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

BYRON A DALTON
SUELLYN DALTON
PO BOX 187
EFLAND, NC 27243

NOTICE OF BOCC PUBLIC HEARING

ROBERT FLEMING EFLAND
JANE C EFLAND
PO BOX 38
EFLAND, NC 27243-0038

NOTICE OF BOCC PUBLIC HEARING

EFLAND REAL PROPERTY LLC
C/O GAIL WILKERSON
708 HWY 57
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

PAMELA J SARAPHIS
STEVEN SARAPHIS
110 GLENWICK LN
EFLAND, NC 27243

NOTICE OF BOCC PUBLIC HEARING

DAVID MARION
211 LAWRENCE RD
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

PETER L EFLAND
3715 US 70 W
EFLAND, NC 27243-0154

TAYLOR R EFLAND
115 SEA OATS DR
EMERALD ISLE, NC 28594

NOTICE OF BOCC PUBLIC HEARING

EFLAND REAL PROPERTY LLC
C/O GAIL WILKERSON
708 HWY 57
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

CLARENCE A LOFTIN
PO BOX 672
HALIFAX, NC 27839

NOTICE OF BOCC PUBLIC HEARING

RANDY P CROAKER
CLARA F CROAKER
PO BOX 274
EFLAND, NC 272430274

NOTICE OF BOCC PUBLIC HEARING

SL EFLAND HEIRS LLC
4918 ANDREA AVE
ANNANDALE, VA 22003

NOTICE OF BOCC PUBLIC HEARING

MD ASHRAF UDDIN
5012 LINDEN OAKS AVE
DURHAM, NC 27713-6560

NOTICE OF BOCC PUBLIC HEARING

JONATHAN S WARREN
HAIDYTH S WARREN
108 GLENWICK LN
EFLAND, NC 27243

NOTICE OF BOCC PUBLIC HEARING

WILLIAM DAVID LINER
MARILYN E LINER
P O BOX 231
EFLAND, NC 27243

NOTICE OF BOCC PUBLIC HEARING

MARILYN EFLAND LINER
P O BOX 231
EFLAND, NC 27243

NOTICE OF BOCC PUBLIC HEARING

DARLENE B STAFFORD
300 BRIARWOOD DR
MEBANE, NC 27302-2749

NOTICE OF BOCC PUBLIC HEARING

SL EFLAND HEIRS LLC
4918 ANDREA AVE
ANNANDALE, VA 22003

NOTICE OF BOCC PUBLIC HEARING

TAYLOR R EFLAND
115 SEA OATS DR
EMERALD ISLE, NC 28594

NOTICE OF BOCC PUBLIC HEARING

EFLAND VOLUNTEER FIRE COMPANY
PO BOX 39
EFLAND, NC 27243

NOTICE OF BOCC PUBLIC HEARING

KIMBERLY A GUSH
207 NORWICH CT
EFLAND, NC 27243

NOTICE OF BOCC PUBLIC HEARING

KHAWAJA A WASIUDDIN
NAZ WASIUDDIN
110 BRADLEY CIR
DURHAM, NC 27713

NOTICE OF BOCC PUBLIC HEARING

MD ASHRAF UDDIN
5012 LINDEN OAKS AVE
DURHAM, NC 27713

NOTICE OF BOCC PUBLIC HEARING

SAMUEL L WHITE
302 CIRCLE DR
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

DARLENE B STAFFORD
300 BRIARWOOD DR
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

EFLAND PRESBYTERIAN CHURCH
PO BOX 219
EFLAND, NC 27243

NOTICE OF BOCC PUBLIC HEARING

JOHN A CHRISTOFF
BARBARA CHRISTOFF
213 NORWICH CT
EFLAND, NC 27243

NOTICE OF BOCC PUBLIC HEARING

STEPHEN D SCOTT
CASSANDRA D SCOTT
118 EFLAND ST
EFLAND, NC 27243

NOTICE OF BOCC PUBLIC HEARING

EFLAND REAL PROPERTY LLC
C/O GAIL WILKERSON
708 HWY 57
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

DANIEL S DAUBENSPECK
326 GAINES CHAPEL RD
EFLAND, NC 27243

NOTICE OF BOCC PUBLIC HEARING

EFLAND REAL PROPERTY LLC
C/O GAIL WILKERSON
708 HWY 57
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

TRUDY TINNIN
PO BOX 54159
ATLANTA, GA 30308

NOTICE OF BOCC PUBLIC HEARING

KENNETH A NORDAN
MARY S NORDAN
1612 FRAZIER RIDGE LN
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

ANDY LLOYD LAND INVESTMENT CO. LLC
C/O BEN LLOYD
2701 US 70 W
EFLAND, NC 27243

NOTICE OF BOCC PUBLIC HEARING

EFLAND PRESBYTERIAN CHURCH
PO BOX 219
EFLAND, NC 27243

NOTICE OF BOCC PUBLIC HEARING

MARK FLEMING EFLAND
AMY V EFLAND
210 EFLAND ST
EFLAND, NC 27243-9774

NOTICE OF BOCC PUBLIC HEARING

TEMPIE L ANDERSON
4004 WAKE FOREST HWY
DURHAM, NC 27703

NOTICE OF BOCC PUBLIC HEARING

KRISTEN LINER MARBAIS
P O BOX 325
EFLAND, NC 27243

NOTICE OF BOCC PUBLIC HEARING

SNC PROPERTIES LLC
5718 W TEN RD
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

CORP PERRYS CONSTRUCTION
827 MCDADE STORE RD
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

TEMPIE L ANDERSON
4004 WAKE FOREST HWY
DURHAM, NC 27703

NOTICE OF BOCC PUBLIC HEARING

EFLAND REAL PROPERTY LLC
C/O GAIL WILKERSON
708 HWY 57
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

VALERIE W MCADOO
209 ELFAND AVE
EFLAND, NC 27243

NOTICE OF BOCC PUBLIC HEARING

JULIE HARDING
533 ARUNDEL BLVD
CROWNSVILLE, MD 21032-2107

NOTICE OF BOCC PUBLIC HEARING

JAMES MCADOO, JR.
PO BOX 82
EFLAND, NC 27243

NOTICE OF BOCC PUBLIC HEARING

DARLENE B STAFFORD
300 BRIARWOOD DR
MEBANE, NC 27302

NOTICE OF BOCC PUBLIC HEARING

KURT K KUNTTU
204 HARDING ST
EFLAND, NC 27243-0036

NOTICE OF BOCC PUBLIC HEARING

MD ASHRAF UDDIN
5012 LINDEN OAKS AVE
DURHAM, NC 27713-6560

NOTICE OF BOCC PUBLIC HEARING

W & J FAMILY FARM LLC
5004 NC 86 N
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

ANGELA DONAHUE
524 JERICO RD
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

DORIS S CECIL
JULIE CHARLENE CECIL
P O BOX 112
EFLAND, NC 27243

NOTICE OF BOCC PUBLIC HEARING

JAMES B FAUCETTE
JUSTIN BROWN
3225 US 70 W
EFLAND, NC 27243

NOTICE OF BOCC PUBLIC HEARING

ODELL CECIL MINNIS JR
BRENDA G MINNIS
3210 SOUTHERN DR
EFLAND, NC 27243-9714

NOTICE OF BOCC PUBLIC HEARING

JOHN SMITH
284 AUBREY GRAHAM LN
EFLAND, NC 27243

NOTICE OF BOCC PUBLIC HEARING

BACON CUSTOM HOMES LLC
PO BOX 40
HILLSBOROUGH, NC 27278

NOTICE OF BOCC PUBLIC HEARING

WINDHAM MOBILE HOME PARK INC
4175 8TH ST SE
SOUTHPORT, NC 28461

NOTICE OF BOCC PUBLIC HEARING

JAMES L JORGENSON
TAMMY A JORGENSON
3014 GYM RD
EFLAND, NC 27243-9729

NOTICE OF BOCC PUBLIC HEARING

DANIEL SHANE GRAHAM
295 AUBREY GRAHAM LN
EFLAND, NC 27243

NOTICE OF BOCC PUBLIC HEARING

GRAHAMS MOBILE HOME PARK LLC
3201 US 70W
EFLAND, NC 27243-9730

NOTICE OF BOCC PUBLIC HEARING

EUNICE A HRS NICHOLSON
ANN N CRABTREE
P O BOX 61
EFLAND, NC 27243

NOTICE OF BOCC PUBLIC HEARING

SL EFLAND HEIRS LLC
4918 ANDREA AVE
ANNANDALE, VA 22003

NOTICE OF BOCC PUBLIC HEARING

JOSEPH T FORREST
P O BOX 322
EFLAND, NC 27243

NOTICE OF BOCC PUBLIC HEARING

LLC SNC PROPERTIES
PO BOX 487
ELFAND, NC 27243

NOTICE OF BOCC PUBLIC HEARING

JOANN MURRAY
2918 GYM RD
EFLAND, NC 27243

NOTICE OF BOCC PUBLIC HEARING

JAMES A LLOYD
3011 US 70 W
EFLAND, NC 27243

NOTICE OF BOCC PUBLIC HEARING

PETER L COKER
SUSAN COKER
12804 MOREHEAD
CHAPEL HILL, NC 27517

NOTICE OF BOCC PUBLIC HEARING

DONALD M II DAY
2905 US 70 W
EFLAND, NC 27243

NOTICE OF BOCC PUBLIC HEARING

WILLIAM EDWARD CRABTREE
ANN N CRABTREE
PO BOX 61
EFLAND, NC 27243-0061

NOTICE OF BOCC PUBLIC HEARING

CRAIG LLOYD LAND INVESTMENT LLC
2701 US 70 W
EFLAND, NC 27243

NOTICE OF BOCC PUBLIC HEARING

HOWARD BENTLY JR CECIL
EVELYN M CECIL
3223 FORREST AVE
EFLAND, NC 27243

NOTICE OF BOCC PUBLIC HEARING

GRAHAMS MOBILE HOME PARK LLC
3201 US 70W
EFLAND, NC 27243-9730

NOTICE OF BOCC PUBLIC HEARING

GRAHAMS MOBILE HOME PARK LLC
3201 US 70 W
EFLAND, NC 27243-9609

NOTICE OF BOCC PUBLIC HEARING

EDNA BURKE N POOLE
2913 US 70 W
EFLAND, NC 27243-8406

NOTICE OF BOCC PUBLIC HEARING

JOSEPH T FORREST
P O BOX 322
EFLAND, NC 27243

NOTICE OF BOCC PUBLIC HEARING

EFLAND RURITAN CLUB
PO BOX 250
EFLAND, NC 27243

NOTICE OF BOCC PUBLIC HEARING

NOEL G PAK HARVEY
HELEN P HARVEY
3211 US 70 W
EFLAND, NC 27243-9609

NOTICE OF BOCC PUBLIC HEARING

JEFFREY S BAITY
 REGINIA A WILLIAMS
 3021 US 70 W
 EFLAND, NC 27243

NOTICE OF BOCC PUBLIC HEARING

EFLAND RURITAN CLUB
 PO BOX 250
 EFLAND, NC 27243

NOTICE OF BOCC PUBLIC HEARING

EFLAND METHODIST CHURCH
 3418 US 70 W
 EFLAND, NC 27243

NOTICE OF BOCC PUBLIC HEARING

EFLAND RURITAN CLUB
 PO BOX 250
 EFLAND, NC 27243

NOTICE OF BOCC PUBLIC HEARING

KENNETH A SNYDER
 RHONDA W SNYDER
 109 S LLOYDS DAIRY RD
 EFLAND, NC 27243

NOTICE OF BOCC PUBLIC HEARING

EFLAND RURITAN CLUB
 PO BOX 250
 EFLAND, NC 27243

NOTICE OF BOCC PUBLIC HEARING

JOSEPH T FORREST
 P O BOX 322
 EFLAND, NC 27243

NOTICE OF BOCC PUBLIC HEARING

FORREST RESOURCES LLC
 P O BOX 322
 EFLAND, NC 27243

NOTICE OF BOCC PUBLIC HEARING

WALLACE KENT MURRAY
 PEGGY MURRAY
 3004 GYM RD
 EFLAND, NC 27243

NOTICE OF BOCC PUBLIC HEARING

ANDREW B LLOYD JR
 2701 US 70W
 EFLAND, NC 27243

NOTICE OF BOCC PUBLIC HEARING

ANDY LLOYD LAND INVESTMENT LLC
 2701 US HIGHWAY 70W
 C/O BEN LLOYD
 EFLAND, NC 27243

NOTICE OF BOCC PUBLIC HEARING

LUCKY 4 PROPERTIES LLC
 3131 US 70 W
 EFLAND, NC 27243

NOTICE OF BOCC PUBLIC HEARING

NATHAN HALL
 LISA BRIGGS
 3058 GYM RD
 EFLAND, NC 27243

NOTICE OF BOCC PUBLIC HEARING

CHRISTOPHER T SMITH
 HEATHER N SMITH
 3102 GYM RD
 EFLAND, NC 27243

NOTICE OF BOCC PUBLIC HEARING

WILLIAM M HICKS III
 COREY L HICKS
 2315 CLARK FARM ROAD
 EFLAND, NC 27243

NOTICE OF BOCC PUBLIC HEARING

WALLACE KENT MURRAY
 2912 GYM RD
 EFLAND, NC 27243

NOTICE OF BOCC PUBLIC HEARING

SL EFLAND HEIRS LLC
4918 ANDREA AVE
ANNANDALE, VA 22003

DANIEL G MCDONALD
BETTY J MCDONALD
2555-403 ST JAMES DR SE
SOUTHPORT, NC 28461

STEVEN M RAMARGE
PO BOX 155
EFLAND, NC 27243

JAMIE CARVER
320 CENTER ST
EFLAND, NC 27243

A B LLOYD JR
2701 US 70W
EFLAND, NC 27243

DEPT. OF TRANSPORTATION
PO BOX 15580
DURHAM, NC 27704

SEVEN MILE FARM LLC
101 N COLUMBIA ST
CHAPEL HILL, NC 27514

DEPT. OF TRANSPORTATION
331 W MAIN ST SUITE 100
DURHAM, NC 27701

DEPT. OF TRANSPORTATION
PO BOX 25201
RALEIGH, NC 27611

AMERICA SARASWATA SANGHA
101 SUNDANCE PLACE
Chapel Hill, NC 27514

ENVIRONMENTAL HEATING
SOLUTIONS LLC
270 BOGER RD
MOCKERVILLE, NC 27028

DEPT. OF TRANSPORTATION
PO BOX 25201
RALEIGH, NC 27611

MARIE C WILSON
RAYMOND WILSON
503 MT WILLING RD
EFLAND, NC 27243

DEPT. OF TRANSPORTATION
331 W MAIN ST
DURHAM, NC 27701

DEPT. OF TRANSPORTATION
PO BOX 15580
DURHAM, NC 27704

ROGER L KIRCHNER
313 CENTER ST
EFLAND, NC 27243

RONNIE CARROL GROVES
317 CENTER ST
EFLAND, NC 27243

FOWLER M M INC LOC
4220 NEAL RD, #230
DURHAM, NC 27702

ANDREW B JR LLOYD
2701 US 70 W
EFLAND, NC 27243

KENAN ENTERPRISES INC
1011 PINEHURST DRIVE
CHAPEL HILL, NC 27517

SIMPSON EFLAND HRS
DOUGLAS K WATSON
4918 ANDREA AVE
ANNANDALE, VA 22003

A B JR LLODY
2701 US 70W
EFLAND, NC 27243

FOWLER M M INC LOC
4220 NEAL RD, #230
DURHAM, NC 27705

COPPLE PROPERTIES LLC
213 MT WILLING RD
EFLAND, NC 27243

SEVEN MILE FARM LLC
101 N COLUMBIA ST
CHAPEL HILL, NC 27514

DEPT. OF TRANSPORTATION
331 W MAIN ST -SUITE 100
DURHAM, NC 27701

DEPT. OF TRANSPORTATION
PO BOX 15580
DURHAM, NC 27704

DEPT. OF TRANSPORTATION
331 W MAIN ST SUITE 100
DURHAM, NC 27701

DEPT. OF TRANSPORTATION
331 W MAIN ST SUITE 100
DURHAM, NC 27701

STEVEN M RAMARGE
PO BOX 155
EFLAND, NC 272430155

DEPT. OF TRANSPORTATION
331 W MAIN ST SUITE 100
DURHAM, NC 27701

DEPT. OF TRANSPORTATION
331 W MAIN ST, SUITE 100
DURHAM, NC 27701

CLINT G BOGGS
270 BOGER RD
MOCKERVILLE, NC 27028

CARLTON A LAWS TRUSTEE
LYNNE J LAWS TRUSTEE
1300 FAUCETTE MILL RD
HILLSBOROUGH, NC 27278

EFLAND FOWLER M M INC
4220 NEAL RD, #230
DURHAM, NC 27705

DEPT. OF TRANSPORTATION
331 W MAIN SUITE 100
DURHAM, NC 27701

DORIS H LLOYD
PO BOX 86
EFLAND, NC 272430086

BETTY B HALE
421 MT WILLING RD
EFLAND, NC 272439510

CARL THOMAS HICKS
JANET R HICKS
PO BOX 126
EFLAND, NC 272430126

DEPT. OF TRANSPORTATION
331 W MAIN SUITE 100
DURHAM, NC 27701

ELOISE B SMITH
3610 WEST TEN RD
EFLAND, NC 272439103

DEPT. OF TRANSPORTATION
331 W MAIN
DURHAM, NC 27701

TIERRE L COOPER
312 CENTER ST
EFLAND, NC 27243

ANDREW B LLOYD JR
2701 US 70W
EFLAND, NC 27243

DEPT. OF TRANSPORTATION
PO BOX 15580
DURHAM, NC 27704

FOWLER M M INC LOC
4220 NEAL RD, #230
DURHAM, NC 27705

ANDREW BENJAMIN LLOYD JR
MABLE L GORDON
2701 US 70W
EFLAND, NC 27243

DONALD T ROUNTREE JR
LORI H ROUNTREE
1254 MCCULLOUGH LOOP RD
HURDLE MILLS, NC 27541

DEPT. OF TRANSPORTATION
331 W MAIN ST-SUITE 100
DURHAM, NC 27701

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

Orange County has initiated amendments to the Zoning Atlas to rezone 16 properties within the Bingham, Cheeks, and Cedar Grove Townships

The following parcels are affected by this proposal:

Township:	Township Property Map Number (as contained in Attachment 2):	PIN:	Owner:	Existing Zoning:	Recommendation:
Bingham	Bingham Map Site ID – 2	9739-24-2674 Approximately 13.95 acres in area	James Allen 7010 Gold Mine Loop Road Chapel Hill, NC 27516	Agricultural Residential (AR) – approximately 12.76 acres Existing Commercial (EC-5) – approximately 1.19 acres	Expand the existing EC-5 zoning designation to ensure all structures associated with operation are located within district. Portion of property zoned EC-5 would be increased to approximately 2.7 acres in total.
Bingham	Bingham Map Site ID – 23	9822-87-6580 Approximately 5.08 acres in area	Norma Reed PO Box 355 Mebane, NC 27302	Agricultural Residential (AR) – approximately 3.8 acres Neighborhood Commercial (NC-2) – approximately 1.28 acres Cane Creek Protected Watershed Protection Overlay	Eliminate the NC-2 zoning district designation and rezone entire property to AR. Entire 5.08 acre parcel would be zoned AR.
Bingham	Bingham Map Site ID – 26	9841-20-4341 Approximately 0.6 acres in area (26,136 sq.ft.)	Steven Watson 6933 Orange Grove Road Hillsborough, NC 27278	Agricultural Residential (AR) – approximately 8,276 sq.ft. Existing Commercial (EC-5) – approximately 17,860 sq.ft. Cane Creek Critical Watershed Overlay District	Expand the existing EC-5 zoning designation to cover entire property to ensure septic and buffer areas are properly zoned. Entire 0.6 acre parcel would be zoned EC-5.

Township:	Township Property Map Number (as contained in Attachment 2):	PIN:	Owner:	Existing Zoning:	Recommendation:
Cheeks	Cheeks Map Site ID – 9	9835-30-0230 Approximately 0.45 acres in area (19,602 sq.ft.)	Minhas, Inc. 2040 Webster Grove Drive Mebane, NC 27302	Rural Residential (R1)	There is an existing gas station on the property. Staff is recommending the entire 0.45 acre parcel be rezoned to Neighborhood Commercial (NC-2) to ensure the existing commercial land use constitutes a permitted use of property.
Cheeks	Cheeks Map Site ID – 11	9835-80-9550 Approximately 40 acres in area.	Thomas Bradley (Trustee) 136 Louise Drive Mebane, NC 27302	Rural Residential (R1) – approximately 36.8 acres Existing Commercial (EC-5) – approximately 3.2 acres	The EC-5 zoning boundary shall be expanded so that the existing non-residential land use has road frontage. The expansion will also ensure required infrastructure supporting (i.e. septic) will be properly zoned. The EC-5 zoned area on the property shall be increased to 4.3 acres in size.
Cheeks	Cheeks Map Site ID – 13	9844-78-6326 Approximately 0.06 acres in area (2,613 sq.ft.) 9844-78-6242 Approximately 0.46 acres in area (20,037 sq.ft.)	Efland Real Property, LLC C/O Gail Wilkerson 708 Hwy 57 Hillsborough, NC 27278	Existing Commercial (EC-5) (Note: this is for PIN 9844-78-6326) Rural Residential (R-1) (Note: this is for PIN 9844-78-6242)	After reviewing the situation with the owner they have requested, and staff is recommending, rezoning both properties to General Commercial (GC-4).
Cheeks	Cheeks Map Site ID – 14	9844-78-8137 Approximately 3.25 acres in area	Efland Real Property, LLC C/O Gail Wilkerson 708 Hwy 57 Hillsborough, NC 27278	Rural Residential (R-1) – approximately 2.21 acres in area Existing Industrial (E-1) – approximately 1.04 acres in area	After reviewing the situation with the owner they have requested, and staff is recommending, rezoning the entire 3.25 acre parcel of property to General Commercial (GC-4).

Township:	Township Property Map Number (as contained in Attachment 2):	PIN:	Owner:	Existing Zoning:	Recommendation:
Cheeks	Not identified on map – added at request of property owner	9844-88-1230 Approximately 1.35 acres in area	Efland Real Property, LLC C/O Gail Wilkerson 708 Hwy 57 Hillsborough, NC 27278	Rural Residential (R-1)	After reviewing the situation with the owner they have requested, and staff is recommending, rezoning the entire property to General Commercial (GC-4).
Cheeks	Cheeks Map Site ID – 17	9844-95-4403 Approximately 0.65 acres in area (28,314 sq.ft.)	NC DOT – right-of-way	Existing Commercial (EC-5)	Rezone entire property to R-1 since there is no existing commercial operation on this lot and it is part of the NC DOT right-of-way.
Cheeks	Cheeks Map Site ID – 20	9854-28-0393 Approximately 0.56 acres in area (24,393 sq.ft.)	Lucky 4 Properties, LLC 3131 US 70 W Efland, NC 27243	Neighborhood Commercial (NC2) – approximately 0.47 acres in area (20,473 sq.ft.) Rural Residential (R-1) – approximately 3,920 sq.ft. in area	Rezone the entire property to NC-2.
Cedar Grove	Cedar Grove Map Site ID – 2	9828-49-6869 Approximately 0.93 acres in area (40,510 sq.ft.)	James Thomas Wilson 3503 Mt. Zion Church Road Mebane, NC 27302	Existing Commercial (EC-5) Back Creek Protected Watershed Overlay District	Eliminate existing EC-5 zoning designation and rezone entire property to AR.
Cedar Grove	Cedar Grove Map Site ID – 7	9848-21-5483 Approximately 34 acres in area	Mark Harris, Trustee, and Penny Harris, Trustee 687 James Griffin Drive Graham, NC 27253	Agricultural Residential (AR) – approximately 33 acres in area Existing Commercial (EC-5) – approximately 0.95 acres in area (41,382 sq.ft.) Upper Eno Critical Watershed Overlay District	Eliminate existing EC-5 zoning designation and rezone entire property to AR.

Township:	Township Property Map Number (as contained in Attachment 2):	PIN:	Owner:	Existing Zoning:	Recommendation:
Cedar Grove	Cedar Grove Map Site ID – 13	9858-04-5397 Approximately 6.4 acres in area	Richard J. Sims 5918 Efland Cedar Grove Road Cedar Grove, NC 27231	Agricultural Residential (AR) – approximately 4.8 acres Existing Industrial (EI) – approximately 1.6 acres Upper Endo Protected Watershed Overlay District	Eliminate existing EI zoning designation and rezone entire 6.4 acre property to AR.
Cedar Grove	Cedar Grove Map Site ID – 18	9866-58-6953 Approximately 2.92 acres in area	Charles and Mary Beth Helgevold 214 Phelps Road Hillsborough, NC 27278	Agricultural Residential (AR) – approximately 1.62 acres in area Existing Commercial (EC-5) – approximately 1.3 acres Little River Protected Watershed Overlay District	Rezone entire 2.92 acre parcel to EC-5 ensuring septic and land use buffer areas are properly zoned.
Cedar Grove	Cedar Grove Map Site ID – 23	9867-41-7347 Approximately 5.4 acres in area	PCDP, LLC 2606 Highland Farm Rd. Hillsborough, NC 27278	Agricultural Residential (AR) Little River Protected Watershed Overlay District	Rezone entire property to Existing Commercial (EC-5) to accommodate existing automotive repair business.

No modifications are being proposed to the boundaries of the aforementioned overlay districts and requirements related to the overlay districts will continue to apply.

The Board of County Commissioners finds:

- a. The requirements of Section 2.8 of the UDO have been deemed complete; and,
- b. Pursuant to Sections 1.1.5, and 1.1.7 of the UDO and to Section 153A-341 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.
 1. The amendment is consistent with applicable plans because it supports the following 2030 Comprehensive Plan goals and objectives:

Objective ED-1.5:

Identify barriers to development of desirable businesses and local businesses, and mitigate these barriers.

Land Use Goal 1: Fiscally and environmentally responsible, sustainable growth, consistent with the provision of adequate services and facilities and a high quality of life.

Objective LU-1.1:

Coordinate the location of higher intensity / high density residential and non-residential development with existing or planned locations of public transportation, commercial and community services, and adequate supporting infrastructure (i.e., water and sewer, high-speed internet access, streets, and sidewalks), while avoiding areas with protected natural and cultural resources. This could be achieved by increasing allowable densities and creating new mixed-use zoning districts where adequate public services are available. (See also Economic Development Objectives ED-2.1, ED-2.3, ED-2.10, and Water and Wastewater Objective WW-2.)

Land Use Goal 4: Land development regulations, guidelines, techniques and/or incentives that promote the integrated achievement of all Comprehensive Plan goals.

- c. The amendment is reasonable and in the public interest because it:
1. Modifies existing non-residential zoning boundaries in an attempt to make existing operations more conforming to local land use regulations,
 2. Eliminates non-residential zoning designations on property with no non-residential land use activity thereby bringing the property into greater compliance with the goals and objectives of the Comprehensive Plan.

The Board of County Commissioners hereby adopts this Statement of Consistency and findings expressed herein.

Earl McKee, Chair

Date

**AN ORDINANCE AMENDING
THE ORANGE COUNTY ZONING ATLAS**

WHEREAS, Orange County has initiated amendments to the Orange County Zoning Atlas, as established in Section 1.2 of the Orange County Unified Development Ordinance (UDO), and

WHEREAS, the proposed rezoning consists of the following:

Township:	Township Property Map Number (as contained in Attachment 2):	PIN:	Owner:	Existing Zoning:	Recommendation:
Bingham	Bingham Map Site ID – 2	9739-24-2674 Approximately 13.95 acres in area	James Allen 7010 Gold Mine Loop Road Chapel Hill, NC 27516	Agricultural Residential (AR) – approximately 12.76 acres Existing Commercial (EC-5) – approximately 1.19 acres	Expand the existing EC-5 zoning designation to ensure all structures associated with operation are located within district. Portion of property zoned EC-5 would be increased to approximately 2.7 acres in total.
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Cedar Grove	Cedar Grove Map Site ID – 7	9848-21-5483 Approximately 34 acres in area	Mark Harris, Trustee, and Penny Harris, Trustee 687 James Griffin Drive Graham, NC 27253	Agricultural Residential (AR) – approximately 33 acres in area Existing Commercial (EC-5) – approximately 0.95 acres in area (41,382 sq.ft.) Upper Eno Critical Watershed Overlay District	Eliminate existing EC-5 zoning designation and rezone entire property to AR.

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Cedar Grove	Cedar Grove Map Site ID – 18	9866-58-6953 Approximately 2.92 acres in area	Charles and Mary Beth Helgevold 214 Phelps Road Hillsborough, NC 27278	Agricultural Residential (AR) – approximately 1.62 acres in area Existing Commercial (EC-5) – approximately 1.3 acres Little River Protected Watershed Overlay District	Rezone entire 2.92 acre parcel to EC-5 ensuring septic and land use buffer areas are properly zoned.
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and

WHEREAS, the proposal has been found to be consistent with the 2030 Orange County Comprehensive Plan, and

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

WHEREAS, the Board has found the proposed zoning atlas amendment to be reasonably necessary to promote the public health, safety, and general welfare.

BE IT ORDAINED by the Board of Commissioners of Orange County that the Orange County Zoning Atlas is hereby amended to rezone the areas described above and depicted on the attached maps.

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 _____, 2016.

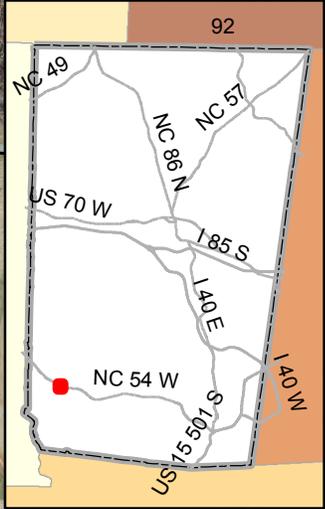
I, Donna S. Baker, Clerk to the Board of Commissioners for Orange County, DO HEREBY CERTIFY that the foregoing is a true copy of so much of the proceedings of said Board at a meeting held on _____, 2016 as relates in any way to the adoption of the foregoing and that said proceedings are recorded in the minutes of the said Board.

WITNESS my hand and the seal of said County, this _____ day of _____, 2016.

SEAL

Clerk to the Board of Commissioners

Bingham Township Map
 Site ID - 2
 PIN: 9739-24-2674



Haw River
 Unprotected
 Watershed

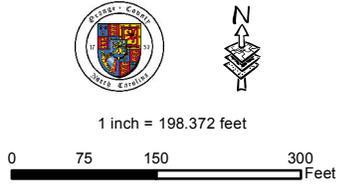
EC5

Property is split zoned AR and EC-5.
 EC-5 areas are being expanded (denoted in yellow) to ensure existing buildings, land use buffers, and infrastructure (i.e. well and septic) supporting existing commercial operation are zoned EC-5.

PIN#: 9739242674
 JAMES I ALLEN
 7010 GOLD MINE LOOP
 CHAPEL HILL, NC 27516

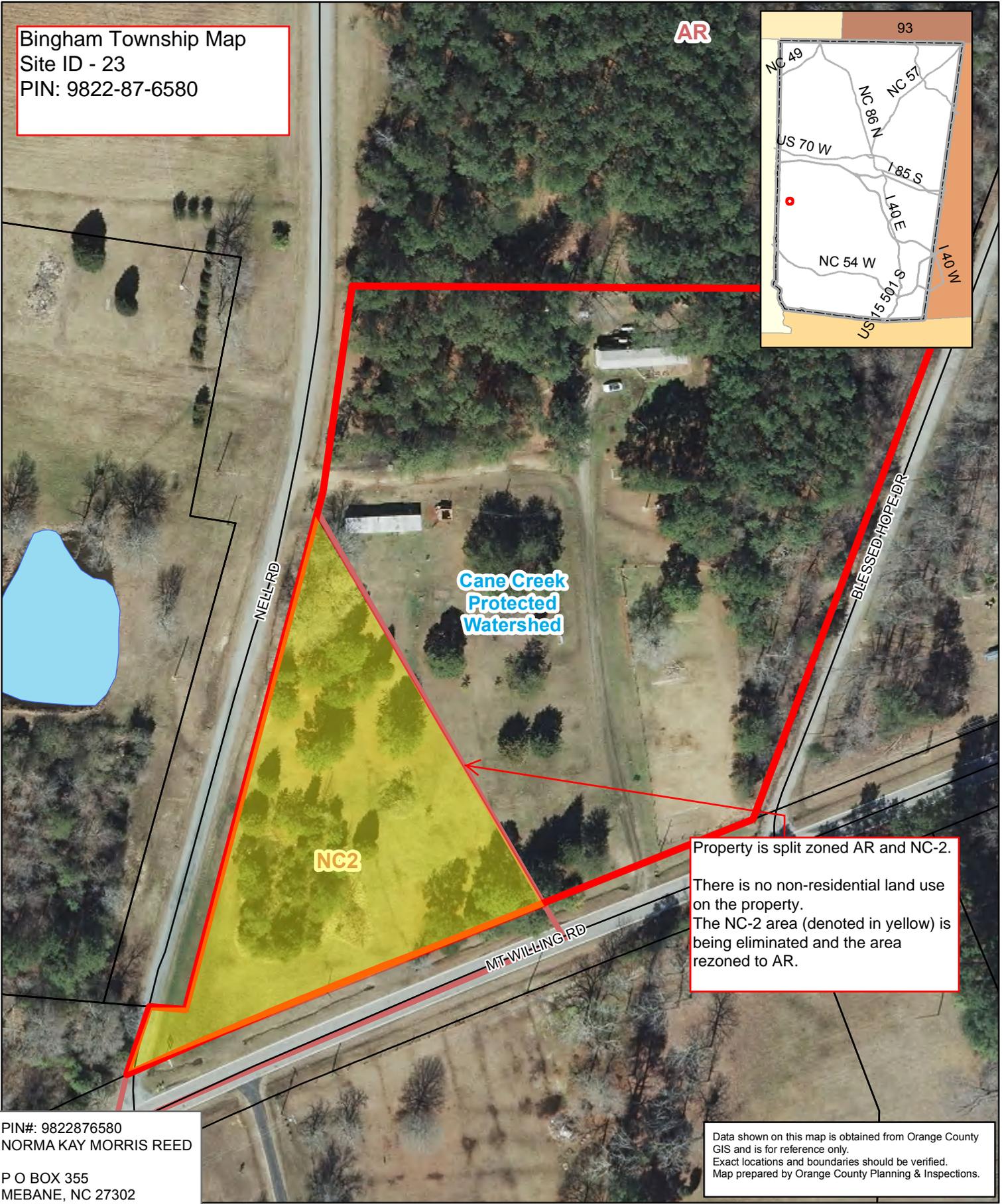
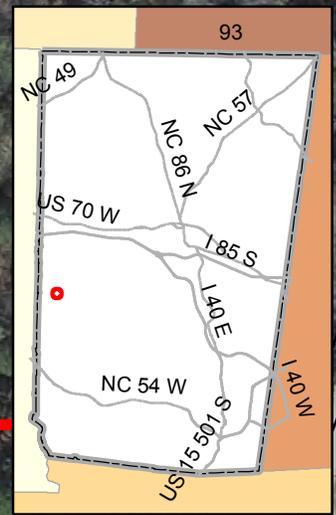
Data shown on this map is obtained from Orange County GIS and is for reference only.
 Exact locations and boundaries should be verified.
 Map prepared by Orange County Planning & Inspections.

- USGS Water Feature
- Soils Survey Water Feature
- OC Updated Water Feature
- Water Body
- River Basins
- Watershed
- ▭ Parcels
- ▭ Township
- ▭ School System Boundary
- Contours
- ▭ County Boundary
- ▭ Soils
- ▭ Zoning
- ▭ City Limits
- ▭ ETJ
- ▭ Conservation Easements Held by Others
- ▭ Orange County Conservation Easements
- ▭ 100 YR Floodplain (Effective 02/02/07)
- ▭ Floodway (Effective 02/02/07)
- ▭ 500 YR Floodplain (Effective 02/02/07)
- ▭ Buildings
- ▭ Water and Sewer Boundary



Bingham Township Map
 Site ID - 23
 PIN: 9822-87-6580

AR



Cane Creek
 Protected
 Watershed

NC2

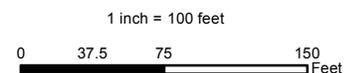
Property is split zoned AR and NC-2.

There is no non-residential land use on the property.
 The NC-2 area (denoted in yellow) is being eliminated and the area rezoned to AR.

PIN#: 9822876580
 NORMA KAY MORRIS REED
 P O BOX 355
 MEBANE, NC 27302

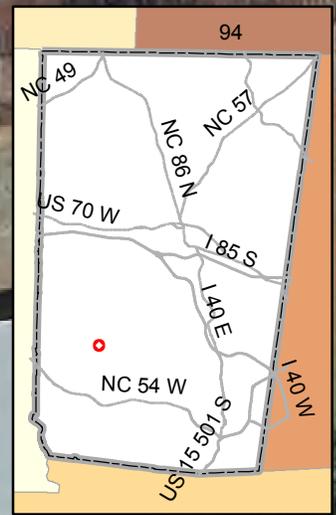
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- USGS Water Feature
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- ▭ Parcels
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- ▭ 500 YR Floodplain (Effective 02/02/07)
- ▭ Buildings
- ▭ Water and Sewer Boundary



AR

Bingham Township Map
Site ID - 26
PIN: 9841-20-4341



Property is split zoned AR and EC-5.

The EC-5 area is being expanded (denoted in yellow) to cover the entire property. This is to ensure required buffer area and future septic repair area is appropriately zoned. The AR zoning is being eliminated in its entirety.

PIN#: 9841204341
STEVEN ANTHONY WATSON

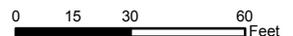
6933 ORANGE GROVE RD
HILLSBOROUGH, NC 272787476

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- USGS Water Feature
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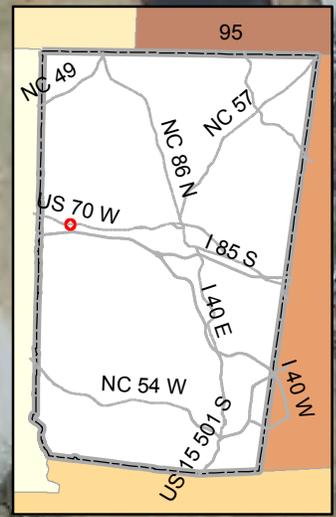


1 inch = 50 feet



R1

Cheeks Township Map
Site ID - 9
PIN: 9835-30-0230



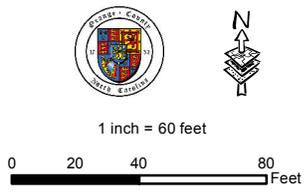
Property is split zoned R-1. There is an existing gas station operating on the property. The existing land use is not permitted within the R-1 general use zoning district.

The entire property (denoted in yellow) is being rezoned to NC-2 to ensure the land use is conforming.

PIN#: 9835300230
INC MINHAS
2040 WEBSTER GROVE DR
MEBANE, NC 27302

Data shown on this map is obtained from Orange County GIS and is for reference only. Exact locations and boundaries should be verified. Map prepared by Orange County Planning & Inspections.

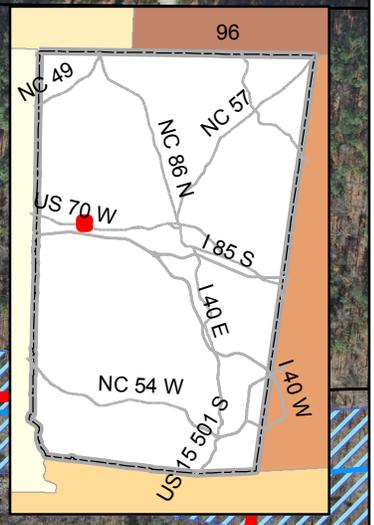
- USGS Water Feature
- Soils Survey Water Feature
- OC Updated Water Feature
- Water Body
- River Basins
- Watershed
- Parcels
- Township
- School System Boundary
- Contours
- County Boundary
- Soils
- Zoning
- City Limits
- ETJ
- Conservation Easements Held by Others
- Orange County Conservation Easements
- 100 YR Floodplain (Effective 02/02/07)
- Floodway (Effective 02/02/07)
- 500 YR Floodplain (Effective 02/02/07)
- Buildings
- Water and Sewer Boundary



R1

Cheeks Township Map
Site ID - 11
PIN: 9835-80-9550

Property is split zoned R-1 and EC-5.
There is also an existing mobile home park operating on the property.
Portions of the existing building, used as part of a commercial operation, are not within the EC-5 zoning district.



LOUISE DR
Upper Eno Protected Watershed

EC5

NATHAN JACK DR

JENNY-DARE-DR

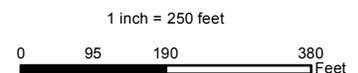
EC-5 zoning is being expanded (denoted in yellow) to ensure the existing structure is properly zoned and to ensure the access drive for the business is zoned appropriately as well.

METCALFE DR

PIN#: 9835809550
THOMAS H TRUSTEE BRADLEY
136 LOUISE DR
MEBANE, NC 27302

Data shown on this map is obtained from Orange County GIS and is for reference only.
Exact locations and boundaries should be verified.
Map prepared by Orange County Planning & Inspections.

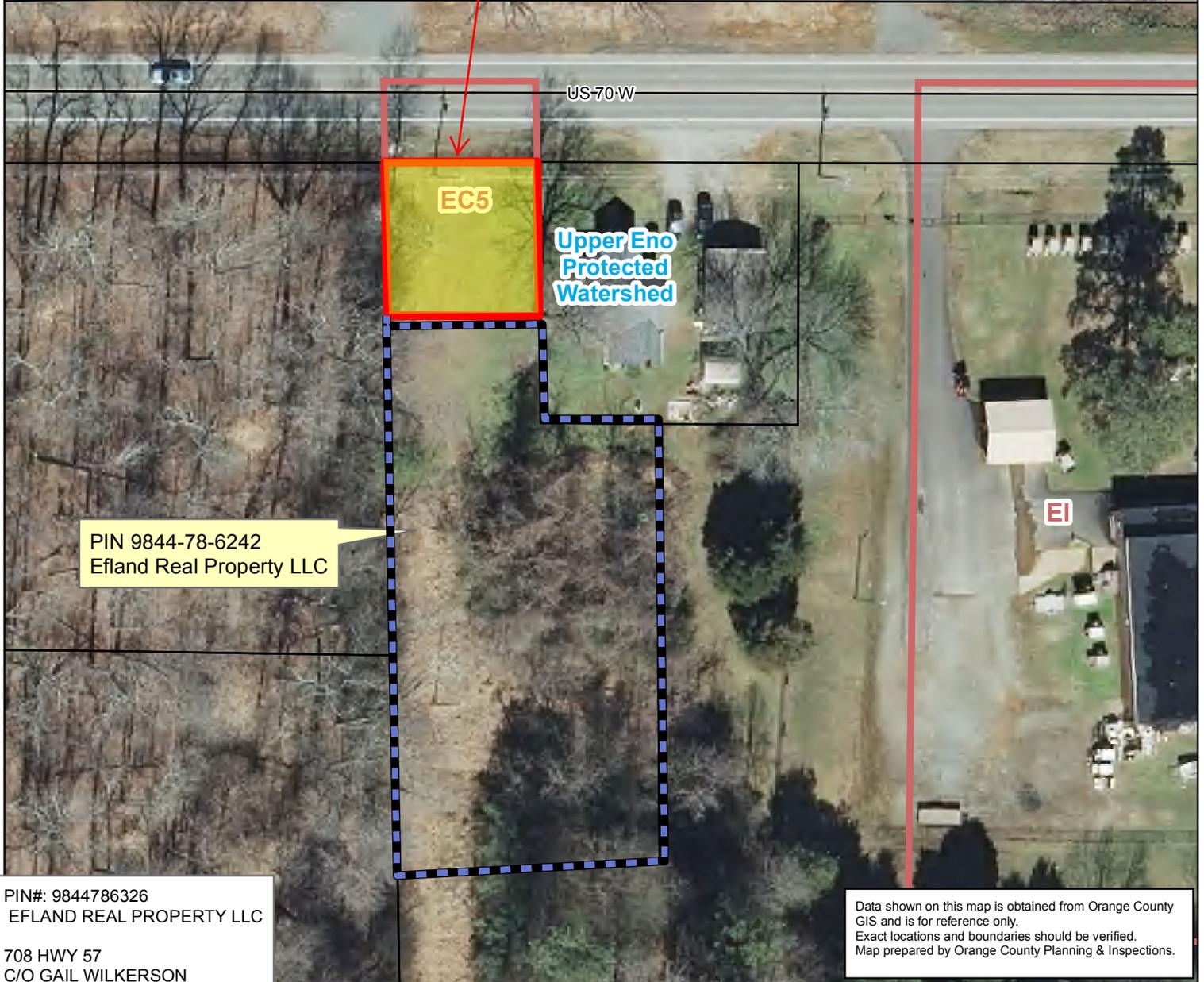
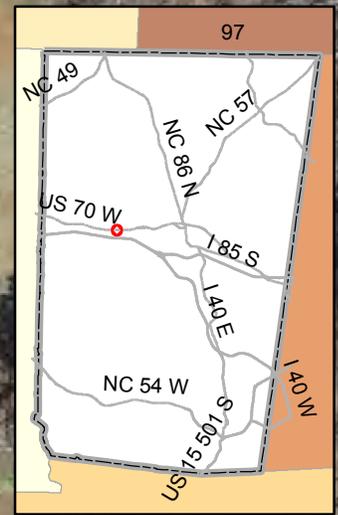
- USGS Water Feature
- Soils Survey Water Feature
- OC Updated Water Feature
- Water Body
- River Basins
- Watershed
- Parcels
- Township
- School System Boundary
- Contours
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- Floodway (Effective 02/02/07)
- 500 YR Floodplain (Effective 02/02/07)
- Buildings
- Water and Sewer Boundary



R1

Cheeks Township Map
Site ID - 13
PIN: 9844-78-6326

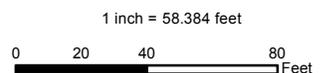
Property is zoned EC-5.
After conferring with the property owner,
property (denoted in yellow) is being
rezoned to GC-4.
This will involve rezoning a total of 4
properties owned by Efland Real
Property LLC to GC-4



PIN#: 9844786326
EFLAND REAL PROPERTY LLC
708 HWY 57
C/O GAIL WILKERSON
HILLSBOROUGH, NC 27278

Data shown on this map is obtained from Orange County GIS and is for reference only. Exact locations and boundaries should be verified. Map prepared by Orange County Planning & Inspections.

- Soils Survey Water Feature
- OC Updated Water Feature
- Water Body
- River Basins
- Watershed
- Township
- School System Boundary
- Contours
- County Boundary
- Soils
- Zoning
- City Limits
- ETJ
- Conservation Easements Held by Others
- Orange County Conservation Easements
- 100 YR Floodplain (Effective 02/02/07)
- Floodway (Effective 02/02/07)
- 500 YR Floodplain (Effective 02/02/07)
- Buildings
- Water and Sewer Boundary



R1

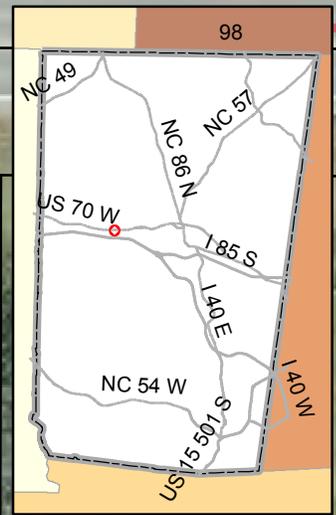
US-70 W

98

Cheeks Township
Map
Site ID - 13
PIN: 9844-78-6242

EC5

PIN 9844-78-6326
Efland Real Property LLC



Upper Eno
Protected
Watershed

EI

Property is zoned R-1.
After conferring with the property owner,
property (denoted in yellow) is being
rezoned to GC-4.
This will involve rezoning a total of 4
properties owned by Efland Real
Property LLC to GC-4

PIN#: 9844786242
EFLAND REAL PROPERTY LLC

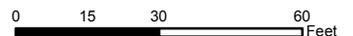
708 HWY 57
C/O GAIL WILKERSON
HILLSBOROUGH, NC 27278

Data shown on this map is obtained from Orange County
GIS and is for reference only.
Exact locations and boundaries should be verified.
Map prepared by Orange County Planning & Inspections.

- | | | | |
|----------------------------|------------------------|---------------------------------------|--|
| Soils Survey Water Feature | Township | Zoning | 100 YR Floodplain (Effective 02/02/07) |
| OC Updated Water Feature | School System Boundary | City Limits | Floodway (Effective 02/02/07) |
| Water Body | Contours | ETJ | 500 YR Floodplain (Effective 02/02/07) |
| River Basins | County Boundary | Conservation Easements Held by Others | Buildings |
| Watershed | Soils | Orange County Conservation Easements | Water and Sewer Boundary |

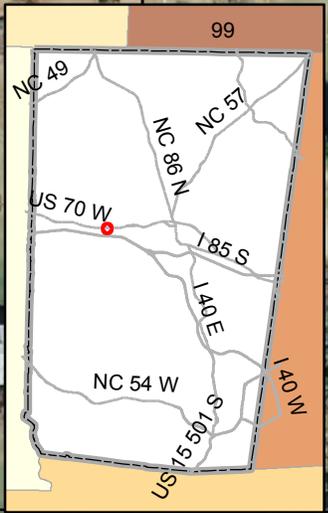


1 inch = 40 feet



R1

Cheeks Township Map
Site ID - 14
PIN: 9844-78-8137



EFLAND ST

US-70-W

EC5

EI

Upper Eno
Protected
Watershed

Property is split zoned R-1 and EI.
After conferring with the property owner,
property (denoted in yellow) is being
rezoned to GC-4.
This will involve rezoning a total of 4
properties owned by Efland Real
Property LLC to GC-4

PIN#: 9844788137
EFLAND REAL PROPERTY LLC

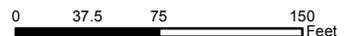
708 HWY 57
C/O GAIL WILKERSON
HILLSBOROUGH, NC 27278

Data shown on this map is obtained from Orange County
GIS and is for reference only.
Exact locations and boundaries should be verified.
Map prepared by Orange County Planning & Inspections.

- | | | | |
|--|---|--|---|
| <ul style="list-style-type: none"> Soils Survey Water Feature OC Updated Water Feature Water Body River Basins Watershed | <ul style="list-style-type: none"> Township School System Boundary Contours County Boundary Soils | <ul style="list-style-type: none"> Zoning City Limits ETJ Conservation Easements Held by Others Orange County Conservation Easements | <ul style="list-style-type: none"> 100 YR Floodplain (Effective 02/02/07) Floodway (Effective 02/02/07) 500 YR Floodplain (Effective 02/02/07) Buildings Water and Sewer Boundary |
|--|---|--|---|



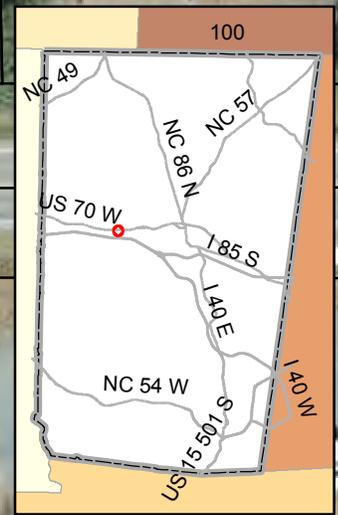
1 inch = 100 feet



Cheeks Township Map
 Not shown on Township Map -
 property included at owner's
 request
 PIN: 9844-88-1230

R1

US-70 W



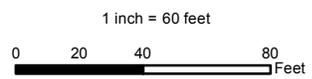
Upper Eno
 Protected
 Watershed

Property is zoned R-1.
 After conferring with the property owner,
 property (denoted in yellow) is being
 rezoned to GC-4.
 This will involve rezoning a total of 4
 properties owned by Efland Real
 Property LLC to GC-4

PIN#: 9844881230
 EFLAND REAL PROPERTY LLC
 708 HWY 57
 C/O GAIL WILKERSON
 HILLSBOROUGH, NC 27278

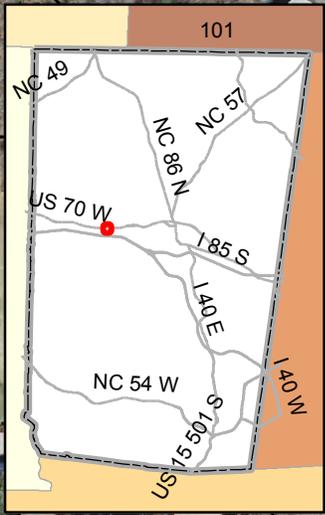
Data shown on this map is obtained from Orange County
 GIS and is for reference only.
 Exact locations and boundaries should be verified.
 Map prepared by Orange County Planning & Inspections.

- | | | | |
|--|---|--|---|
| <ul style="list-style-type: none"> Soils Survey Water Feature OC Updated Water Feature Water Body River Basins Watershed | <ul style="list-style-type: none"> Township School System Boundary Contours County Boundary Soils | <ul style="list-style-type: none"> Zoning City Limits ETJ Conservation Easements Held by Others Orange County Conservation Easements | <ul style="list-style-type: none"> 100 YR Floodplain (Effective 02/02/07) Floodway (Effective 02/02/07) 500 YR Floodplain (Effective 02/02/07) Buildings Water and Sewer Boundary |
|--|---|--|---|



R1

This is an illustrative map denoting all of the properties owned by Efland Real Property LLC subject to rezoning.



EFLAND ST

US-70 W

EC5

EI

PIN 9844-78-6326

Upper Eno Protected Watershed

PIN 9844-78-6242

PIN 9844-88-1230

PIN 9844-78-8137

FORREST AVE

FORREST AVE

PIN#: 9844881230
EFLAND REAL PROPERTY LLC

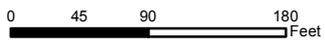
708 HWY 57
C/O GAIL WILKERSON
HILLSBOROUGH, NC 27278

Data shown on this map is obtained from Orange County GIS and is for reference only. Exact locations and boundaries should be verified. Map prepared by Orange County Planning & Inspections.

- Soils Survey Water Feature
- OC Updated Water Feature
- Water Body
- River Basins
- Watershed
- Township
- School System Boundary
- Contours
- County Boundary
- Soils
- Zoning
- City Limits
- ETJ
- Conservation Easements Held by Others
- Orange County Conservation Easements
- 100 YR Floodplain (Effective 02/02/07)
- Floodway (Effective 02/02/07)
- 500 YR Floodplain (Effective 02/02/07)
- Buildings
- Water and Sewer Boundary

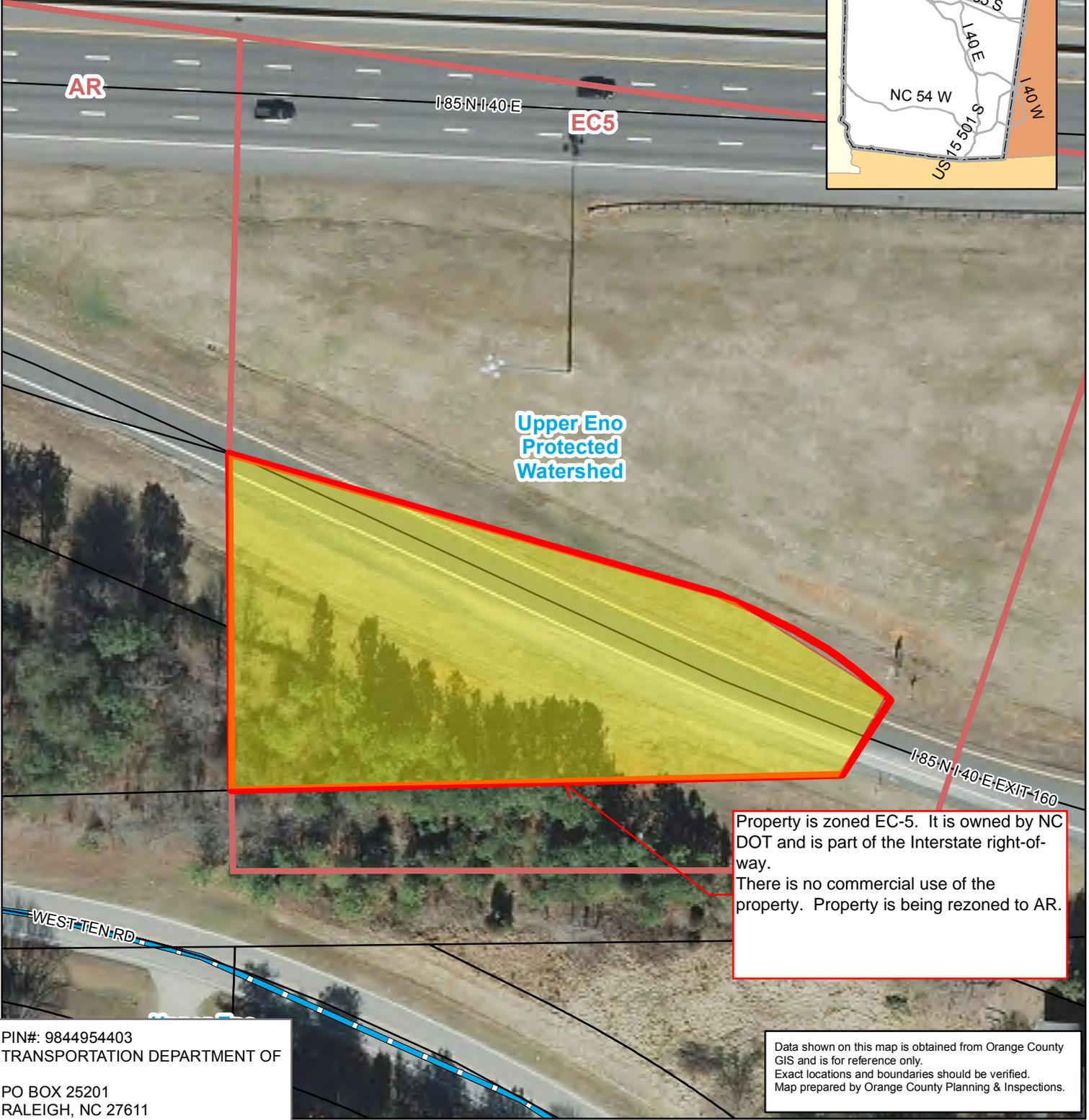
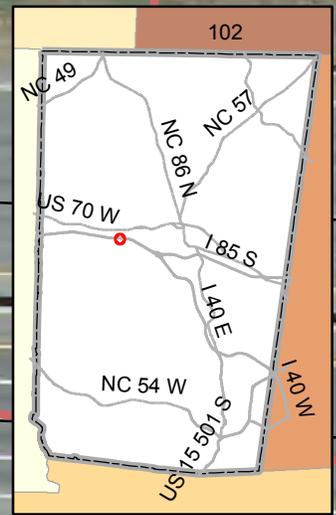


1 inch = 125 feet



R1

Cheeks Township Map
Site ID - 17
PIN: 9844-95-4403



Property is zoned EC-5. It is owned by NC DOT and is part of the Interstate right-of-way.
There is no commercial use of the property. Property is being rezoned to AR.

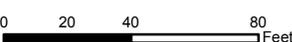
PIN#: 9844954403
TRANSPORTATION DEPARTMENT OF
PO BOX 25201
RALEIGH, NC 27611

Data shown on this map is obtained from Orange County GIS and is for reference only.
Exact locations and boundaries should be verified.
Map prepared by Orange County Planning & Inspections.

- USGS Water Feature
- Soils Survey Water Feature
- OC Updated Water Feature
- Water Body
- River Basins
- Watershed
- Parcels
- Township
- School System Boundary
- Contours
- County Boundary
- Soils
- Zoning
- City Limits
- ETJ
- Conservation Easements Held by Others
- Orange County Conservation Easements
- 100 YR Floodplain (Effective 02/02/07)
- Floodway (Effective 02/02/07)
- 500 YR Floodplain (Effective 02/02/07)
- Buildings
- Water and Sewer Boundary

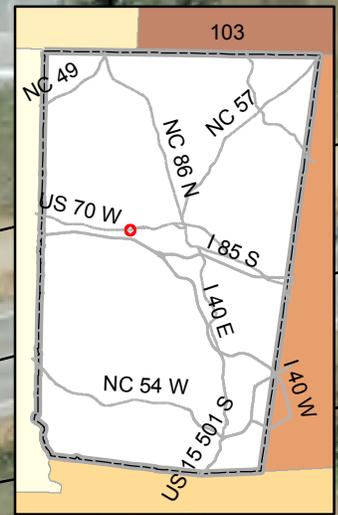



1 inch = 60 feet



R1

Cheeks Township Map
Site ID - 20
PIN: 9854-28-0393



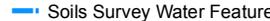
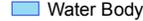
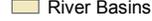
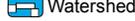
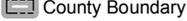
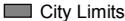
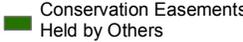
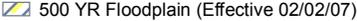
NC2

Upper Eno
Protected
Watershed

Property is split zoned NC-2 and R-1. The NC-2 zoning is being extended (denoted in yellow) to cover the entire property. The R-1 zoning is being eliminated.

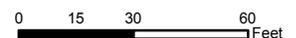
PIN#: 9854280393
LUCKY 4 PROPERTIES LLC
3131 US 70 W
Efland, NC 27243

Data shown on this map is obtained from Orange County GIS and is for reference only. Exact locations and boundaries should be verified. Map prepared by Orange County Planning & Inspections.

-  USGS Water Feature
-  Soils Survey Water Feature
-  OC Updated Water Feature
-  Water Body
-  River Basins
-  Watershed
-  Parcels
-  Township
-  School System Boundary
-  Contours
-  County Boundary
-  Soils
-  Zoning
-  City Limits
-  ETJ
-  Conservation Easements Held by Others
-  Orange County Conservation Easements
-  100 YR Floodplain (Effective 02/02/07)
-  Floodway (Effective 02/02/07)
-  500 YR Floodplain (Effective 02/02/07)
-  Buildings
-  Water and Sewer Boundary

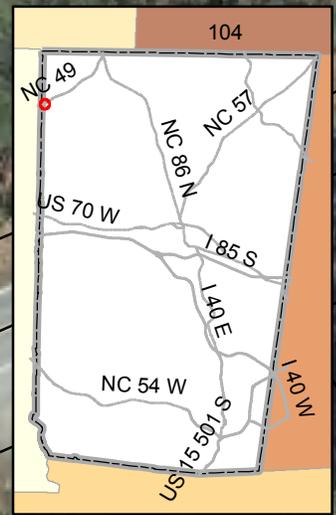


1 inch = 50 feet



AR

Cedar Grove Township Map
Site ID - 2
PIN: 9828-49-6869



Property is zoned EC-5. There is no non-residential land use on the property. Property is being rezoned (denoted in yellow) to AR.

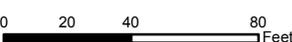
PIN#: 9828496869
JAMES THOMAS WILSON
3503 MT ZION CH RD
MEBANE, NC 27302

Data shown on this map is obtained from Orange County GIS and is for reference only. Exact locations and boundaries should be verified. Map prepared by Orange County Planning & Inspections.

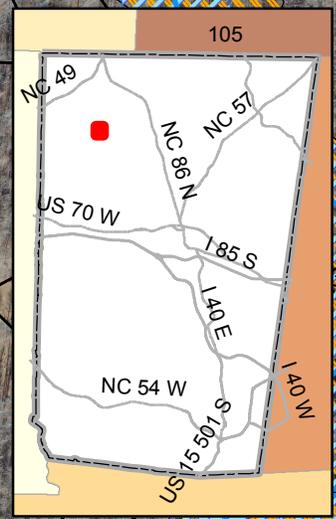
- USGS Water Feature
- Soils Survey Water Feature
- OC Updated Water Feature
- Water Body
- River Basins
- Watershed
- Parcels
- Township
- School System Boundary
- Contours
- County Boundary
- Soils
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- Water and Sewer Boundary




1 inch = 60 feet



Cedar Grove Township Map
 Site ID - 7
 PIN: 9848-21-5483



AR

DUNBAR LN

EC5

CARR STORE RD

Upper Eno
 Critical
 Area

Property is zoned EC-5. There is no longer a non-residential land use operating from the property and the property owner has requested the EC-5 designation be eliminated. The property (denoted in yellow) will be rezoned to AR.

MILL CREEK RD

635

Multiple Parcels

Data shown on this map is obtained from Orange County GIS and is for reference only. Exact locations and boundaries should be verified. Map prepared by Orange County Planning & Inspections.

- USGS Water Feature
- Soils Survey Water Feature
- OC Updated Water Feature
- Water Body
- River Basins
- Watershed
- ▭ Parcels
- ▭ Township
- ▭ School System Boundary
- Contours
- ▭ County Boundary
- ▭ Soils
- ▭ Zoning
- ▭ City Limits
- ▭ ETJ
- ▭ Conservation Easements Held by Others
- ▭ Orange County Conservation Easements
- ▭ 100 YR Floodplain (Effective 02/02/07)
- ▭ Floodway (Effective 02/02/07)
- ▭ 500 YR Floodplain (Effective 02/02/07)
- ▭ Buildings
- ▭ Water and Sewer Boundary

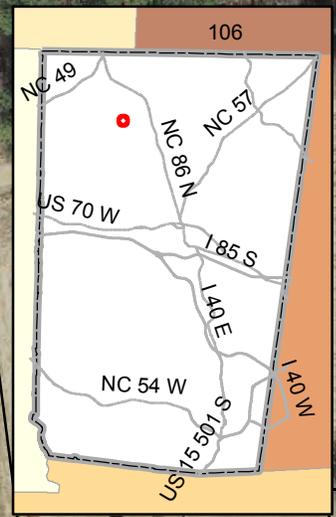


1 inch = 300 feet

0 115 230 460 Feet

AR

Cedar Grove Township Map
Site ID - 13
PIN: 9858-04-5397



Upper Eno
Protected
Watershed

Property is split zoned AR and EI.
After conferring with the property owner,
the EI zoned portion of property (denoted
in yellow) is being rezoned to AR. As a
result the entire property will be zoned
AR.

PIN#: 9858045397
RICHARD J SIMS
5918 EFLAND CEDAR GROVE RD
CEDAR GROVE, NC 27231

Data shown on this map is obtained from Orange County
GIS and is for reference only.
Exact locations and boundaries should be verified.
Map prepared by Orange County Planning & Inspections.

- USGS Water Feature
- Soils Survey Water Feature
- OC Updated Water Feature
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- 500 YR Floodplain (Effective 02/02/07)
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- Water and Sewer Boundary

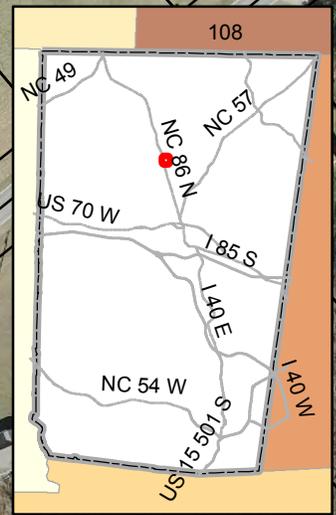


1 inch = 120 feet



AR

Cedar Grove Township Map
Site ID - 23
PIN: 9867-41-7347



NC2

Little River
Protected
Watershed

Property is zoned AR.
After conferring with the property owner,
property (denoted in yellow) is being
rezoned to EC-5 to accommodate an
existing non-residential land use.

PIN#: 9867417347
PCDP LLC
2606 HIGHLAND FARM RD
Hillsborough, NC 27278

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- USGS Water Feature
- Soils Survey Water Feature
- OC Updated Water Feature
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- 500 YR Floodplain (Effective 02/02/07)
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- Water and Sewer Boundary



1 inch = 150 feet
0 55 110 220 Feet

**ORANGE COUNTY
BOARD OF COMMISSIONERS
QUARTERLY PUBLIC HEARING ACTION AGENDA ITEM ABSTRACT**
Meeting Date: November 21, 2016

**Action Agenda
Item No. D.2**

SUBJECT: Unified Development Ordinance (UDO) Text Amendments - Subdivision Regulations and Processes

DEPARTMENT: Planning and Inspections

ATTACHMENT(S):

INFORMATION CONTACT:

- | | | |
|--|--------------------------------|----------------|
| 1. UDO Amendment Outline Form | Patrick Mallett, Planner II | (919) 245-2577 |
| 2. Statement of Consistency | Rachel McCook, Planner I | (919) 245-2598 |
| 3. Ordinance and Proposed UDO Text Amendments | Molly Boyle, Planning Tech | (919) 245-2599 |
| 4. Minutes from February 18, 2016 BOCC Work Session | Michael D. Harvey, Planner III | (919) 245-2597 |
| 5. Copy of Open House Meeting Information Notices and Summary of Comments | Craig Benedict, Director | (919) 245-2592 |
| 6. Excerpt of Minutes from September 7, 2016 ORC meeting | | |
| 7. Excerpt of Draft Minutes from the October 17, 2016 Planning Board meeting | | |

Under Separate Cover: Flexible Design Subdivision Information (Binder)

PURPOSE: To hold a public hearing on Planning Director initiated text amendments to the Unified Development Ordinance (UDO) that would modify regarding subdivision regulations and review processes.

BACKGROUND: In response to a BOCC petition, staff conducted a work session on February 18, 2016 to review current subdivision regulations and discuss opportunities for allowing for more flexibility with respect to residential development in rural areas. The primary focus was to develop opportunities for greater flexibility for the clustering of proposed lots with the preservation of additional open space. Minutes from this meeting are contained in Attachment 4.

Information from the BOCC work session can be viewed at:
<http://server3.co.orange.nc.us:8088/weblink8/0/foi/40558/Row1.aspx>.

Community Outreach: As part of the outreach program, two open house meetings were held on July 20, 2016 to solicit public input/comment on potential subdivision modifications. The meetings were:

- From 2:00 to 4:00 p.m. with local land surveyors, developers, and property owners who had gone through the existing subdivision review process. Approximately five people were in attendance; and
- From 5:30 to 7:00 p.m. with local property owners. Approximately five people were in attendance.

As a result of comments received during these various meetings, staff crafted an amendment that:

- i. Eliminates the “outdated” Cluster Development subdivision type as currently contained in Section 7.12 of the UDO, and replaces it with a Flexible Design process.
- ii. Allows for residential lots to be clustered smaller than the 40,000 sq. ft. limit as detailed in Section 7.13.4 (B) (6) of the UDO with the preservation of additional common open space area(s) within the subdivision.
- iii. Allows for a maximum of 12 lots (vs. the current maximum of 5 lots with a conventional design) to be allowed through the Minor Subdivision process if the property owner/applicant chooses to go through the Flexible Design subdivision process.
- iv. Maintains current density limits, but allows for added lots via more flexible design requirements.
- v. Mimics Flexible Designed provisions already permitted with Major Subdivisions within County.
- vi. Allows development to cluster in logical land use patterns that complement the transition from urban to rural areas of the County.

The goal is to revise existing development standards in an effort to encourage purposeful growth and development within the County in a cost efficient manner (e.g. shorted roads and area cleared for residential lots), while promoting the perpetual maintenance/preservation of common open space areas.

Planning Director’s Recommendation: The Planning Director **recommends approval** of the Statement of Consistency, indicating the amendments are reasonable and in the public interest, contained in Attachment 2 and proposed UDO text amendment package contained in Attachment 3.

Planning Board Recommendation: The text amendment was presented to the Planning Board's Ordinance Review Committee (ORC) on September 7, 2016. Planning and Environmental Health Staff presented materials related to conservation, open space, flexible design, and the state's new guidelines for off-site individual septic systems. This item was then presented to the Planning Board at its October 17, 2016 meeting. The Planning Board voted unanimously to **recommend approval** of the Statement of Consistency contained in Attachment 2 and the UDO text amendment package contained in Attachment 3.

Meeting notes from the ORC meeting on September 7, 2016 are contained in Attachment 6. Agenda materials and can also be viewed at:
<http://www.orangecountync.gov/090716ORCAgenda.pdf>

Minutes from the Planning Board meeting on October 17, 2016 are contained in Attachment 7. Agenda materials can also be viewed at viewed at:
<http://www.orangecountync.gov/10172016PlanningBoardAgendaPacket.pdf>

FINANCIAL IMPACT: Consideration and approval will not create the need for additional funding for the provision of County services. Costs for the required legal advertisement will be paid from FY2016-17 Departmental funds budgeted for this purpose. Existing Planning staff included in the Departmental staffing budget will accomplish the work required to process this amendment.

SOCIAL JUSTICE IMPACT: The following Orange County Social Justice Goal is applicable to this agenda item:

GOAL: ESTABLISH SUSTAINABLE AND EQUITABLE LAND-USE AND ENVIRONMENTAL POLICIES

The fair treatment and meaningful involvement of people of all races, cultures, incomes and educational levels with respect to the development and enforcement of environmental laws, regulations, policies, and decisions. Fair treatment means that no group of people should bear a disproportionate share of the negative environmental consequences resulting from industrial, governmental and commercial operations or policies.

RECOMMENDATION(S): The Administration recommends the Board:

1. Receive the proposed amendments to the UDO as detailed in this abstract and attachments.
2. Conduct the public hearing and accept comment on the proposed amendments.
3. Close the public hearing. (Note that, because this is a legislative decision, additional comments at a later date are permitted).
4. Decide on one of the following options:
 - a. Adopt the proposed amendments by approving the Statement of Consistency (Attachment 2) and Ordinance (Attachment 3);
 - b. Defer a decision to a later BOCC regular meeting date;
 - c. Refer the item back to the Planning Board for a specific purpose; or
 - d. Deny the proposed amendments. (Note: Section 2.2.8 *Effect of Denial on Subsequent Applications* of the UDO states that no application for the same or similar amendment may be submitted for a period of one year. The one year period begins on the date of denial.)

COMPREHENSIVE PLAN / FUTURE LAND USE MAP AND UNIFIED DEVELOPMENT ORDINANCE (UDO) AMENDMENT OUTLINE

UDO / Zoning-2016-06

Revision of subdivision regulations and processes.

A. AMENDMENT TYPE

Map Amendments

- Comprehensive Plan – Future Land Use Element Map:
From: - - -
To: - - -
- Zoning Map:
From: - - -
To: - - -
- Other:

Text Amendments

- Comprehensive Plan Text:

Section(s):

- UDO Text:
 - UDO General Text Changes
 - UDO Development Standards
 - UDO Development Approval Processes

Section(s): Section(s):

- 2.2 Applications;
- 2.14: Minor Subdivisions;
- 2.15 Major Subdivisions;
- 3.3: Residential Districts;
- 4.2 Watershed Protection;
- 4.8 Stoney Creek Basin;
- 7 Subdivisions (numerous subsections); and
- 10 Definitions.

- Other: N/a

B. RATIONALE

1. Purpose/Mission

In accordance with the provisions of Section 2.8 *Zoning Atlas and Unified Development Ordinance Amendments* of the UDO, the Planning Director is initiating text amendments to modify existing subdivision development requirements and review processes in an effort to provide additional opportunities for the clustering of subdivision lots and preservation of open space.

This item has been developed to address a petition previously submitted by Commissioner Pelissier on ways to encourage and promote the additional clustering of residential lots and preservation of open space.

2. Analysis

As required under Section 2.8.5 of the UDO, the Planning Director is required to: *'cause an analysis to be made of the application and, based upon that analysis, prepare a recommendation for consideration by the Planning Board and the Board of County Commissioners'*.

In response to a petition submitted by Commissioner Pelissier, staff conducted a work session with the BOCC on February 18, 2016 to:

- a. Review the County's subdivision development and review processes,
- b. Discuss minimum lot size and density limitations/requirements, and
- c. Identify opportunities and constraints associated with the clustering of subdivision lots.

Agenda materials from this meeting can be viewed

at: http://www.orangecountync.gov/document_center/BOCCAgendaMinutes/160218.pdf.

During this work session, staff recommended modifying existing subdivision standards/regulations, including:

- i. Elimination of the Cluster Development subdivision type, as currently contained in Section 7.12 of the UDO,
- ii. Revisions to existing language allowing the use of off-site septic for wastewater processing,
- iii. Allowing for lots to be clustered smaller than the 40,000 sq. ft. limit as detailed in Section 7.13.4 (B) (6) of the UDO, and
- iv. Revising submittal and review processes to give greater flexibility to projects proposing clustering of lots and dedication of open space,

The goal is to revise existing development standards in an effort to encourage purposeful growth and development within the County in a cost efficient manner while promoting the perpetual maintenance/preservation of open space areas.

3. Comprehensive Plan Linkage (i.e. Principles, Goals and Objectives)

Chapter 2 *Planning Principles* of the Comprehensive Plan:

- Principle 2 – Sustainable Growth and Development: Growth and development within the county should occur in a pattern, location, and density that is sustainable over the long-term.
- Principle 4 – Natural Area Resource Preservation: Protection of the County’s natural areas, including forests, wildlife, habitat, and other important open spaces, should be a priority. The County should work with regional and local organizations, the towns, and private landowners to promote and achieve preservation of the County’s important natural resources.

Chapter 4 *Housing Element* of the Comprehensive Plan:

- Housing Goal 1 – A wide-range of types and densities of quality housing affordable to all in all parts of the County.
- Housing Goal 4 - Development ordinances and incentives that promote inclusionary practices and housing options for all income levels.

Chapter 5 *Land Use Element* of the Comprehensive Plan:

- Land Use Goal 1 – Fiscally and environmentally responsible, sustainable growth consistent with the provision of adequate services and facilities and a high quality of life.
- 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.
- Land Use Goal 3 – A variety of land uses that are coordinated within a program and pattern that limits sprawl, preserves community and rural character, minimizes land use conflicts, and supported by an efficient and balanced transportation system.
- Land Use Goal 4 – Land development regulations, guidelines, techniques, and/or incentives that promote the integrated achievement of all Comprehensive Plan goals.

4. **New Statutes and Rules**

Text change coincides with new statutes (ref. NCGS 130A-343 and 15A NCAC 18A.1969) and guidelines from NC DHHS – Public Health regarding Innovative Wastewater Systems: Off-site Septic (IWWS 2016-01).

C. PROCESS

1. **TIMEFRAME/MILESTONES/DEADLINES**

- a. BOCC Authorization to Proceed

May 5, 2016

- b. Quarterly Public Hearing

November 21, 2016

c. BOCC Updates/Checkpoints

May 5, 2016 – Approval of UDO Amendment Outline Form
 September 7, 2016 – Planning Board Ordinance Review Committee (ORC) meeting (BOCC receives agenda materials)
 October 17, 2016 – Planning Board Meeting (BOCC receives agenda materials)

d. Other

N/A

2. PUBLIC INVOLVEMENT PROGRAM

Mission/Scope: Public Hearing process consistent with NC State Statutes and Orange County ordinance requirements

a. Planning Board Review:

September 7, 2016 – Ordinance Review Committee
 October 17, 2016 – Recommendation

b. Advisory Boards:

Staff will forward proposal to the Orange County Commission for the Environment (CFE) for review and comment.	Staff presented the amendment at CFE’s October 10, 2016 meeting. Note: DEAPR and CFE have since issued letters of support for the text amendment.
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c. Local Government Review:

Staff shall transmit the proposed amendment(s) to the Towns of Chapel Hill, Carrboro, and Hillsborough for JPA and courtesy review.	Sent to Town Planning Departments the week of September 24-28, 2016. No significant issues received from any of the Towns.
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d. Notice Requirements

Legal advertisement for the public hearing was run in accordance with the provisions of the UDO.

e. Outreach:

General Public: Staff held two open house meetings to review and discuss options on proposed subdivision amendments on July 20, 2016.

Staff coordinated the release of a press release with the Manager’s office advertising the time/date/location of the open house meetings.

The first meeting occurred at 1:00 p.m. and was attended by land surveyors and engineers who have gone through a subdivision review with the County. The session was attended by approximately five people. The second meeting, which was open to the general public, was held at 5:30 p.m. and was attended by approximately five people.

- | | |
|---|-----|
| <input type="checkbox"/> Small Area Plan Workgroup: | N/a |
| <input type="checkbox"/> Other: | N/a |

3. FISCAL IMPACT

Consideration and approval will not create the need for additional funding for the provision of County services. Costs for the required legal advertisement will be paid from departmental funds budgeted for this purpose. Existing Planning staff included in the Departmental staffing budget will accomplish the work required to process this amendment.

D. AMENDMENT IMPLICATIONS

The amendment(s) will encourage more efficient and sustainable land uses, which in-turn lessen public costs for services, promote diversity with respect to available housing types, and promote the preservation of additional land area as open space.

E. SPECIFIC AMENDMENT LANGUAGE

Please refer to Attachment 3.

Primary Staff Contact:
 Patrick Mallett
 Planning
 (919) 245-2577
 pmallett@orangecountync.gov

**STATEMENT OF CONSISTENCY
OF A PROPOSED UNIFIED DEVELOPMENT ORDINANCE TEXT AMENDMENT
WITH THE ADOPTED ORANGE COUNTY 2030 COMPREHENSIVE PLAN**

Orange County has initiated an amendment to the Unified Development Ordinance (UDO) to modify existing subdivision development requirements and review processes to provide additional opportunities for the clustering of subdivision lots and preservation of open space.

The Planning Board finds:

- a. The requirements of Section 2.8 of the UDO have been deemed complete; and,
- b. Pursuant to Sections 1.1.5, and 1.1.7 of the UDO and to Section 153A-341 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.
 1. The amendment is consistent with applicable plans because it supports the following 2030 Comprehensive Plan goals and objectives:

Chapter 2 *Planning Principles* of the Comprehensive Plan:

- Principle 2 – Sustainable Growth and Development: Growth and development within the county should occur in a pattern, location, and density that is sustainable over the long-term.
- Principle 4 – Natural Area Resource Preservation: Protection of the County’s natural areas, including forests, wildlife, habitat, and other important open spaces, should be a priority. The County should work with regional and local organizations, the towns, and private landowners to promote and achieve preservation of the County’s important natural resources.

Chapter 4 *Housing Element* of the Comprehensive Plan:

- Housing Goal 1 – A wide-range of types and densities of quality housing affordable to all in all parts of the County.
- Housing Goal 4 - Development ordinances and incentives that promote inclusionary practices and housing options for all income levels.

Chapter 5 *Land Use Element* of the Comprehensive Plan:

- Land Use Goal 1 – Fiscally and environmentally responsible, sustainable growth consistent with the provision of adequate services and facilities and a high quality of life.
- 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.
- Land Use Goal 3 – A variety of land uses that are coordinated within a program and pattern that limits sprawl, preserves community and rural character, minimizes land use conflicts, and supported by an efficient and balanced transportation system.

- Land Use Goal 4 – Land development regulations, guidelines, techniques, and/or incentives that promote the integrated achievement of all Comprehensive Plan goals.

c. The amendment is reasonable and in the public interest because it:

1. Assists Orange County in promoting more efficient and sustainable land uses.
2. Encourage the preservation of additional natural area while allowing for new development opportunities.
3. Promote diversity with respect to available housing types.

The Planning Board of Orange County hereby recommends that the Board of County Commissioners consider adoption of the proposed UDO text amendment.

Lydia N. Wegman, Chair

Date

Attachment 3

Ordinance # ORD-2016-040

AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCE OF ORANGE COUNTY

Whereas, Orange County has initiated amendments to its Unified Development Ordinance (UDO) to modify existing regulations governing signage.

Whereas, staff as determined the amendments are necessary to address existing inconsistent language within the UDO, establish definitive standards associated with what constitutes electronic scrolling messages, and expand opportunities within specific non-residential zoning districts for additional sign area based on the size and road frontage of a parcel of property, and

Whereas, the requirements of Section 2.8 of the Unified Development Ordinance have been deemed complete, and

Whereas, the Orange County Planning Board has recommended approval of the proposed text amendments, and

Whereas, the County has held the required public hearing and has found the proposed text amendments are consistent with the goals and policies of the adopted Comprehensive Plan.

Be it ordained by the Board of Commissioners of Orange County that the Unified Development Ordinance of Orange County is hereby amended as depicted in the attached pages.

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 _____, 2016.

I, Donna S. Baker, 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 _____, 2016 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 _____, 2016.

SEAL

Clerk to the Board of Commissioners

UDO AMENDMENT PACKET NOTES:

The following packet details staff's proposed modifications to existing regulations associated with the review and permitting of subdivisions.

As the number of affected pages/sections of the existing UDO are being modified with this proposal staff has divided the proposed amendments into the following color coded classifications:

- Red Underlined Text: Denotes new, proposed text, that staff is suggesting be added to the UDO
- ~~Red Strikethrough Text~~: Denotes existing text that staff is proposing to delete

Staff has included footnotes within the amendment package to provide additional information/rationale concerning the proposed amendments to aid in your review.

Only those pages of the UDO impacted by the proposed modification(s) have been included within this packet. Some text on the following pages has a large "X" through it to denote that these sections are not part of the amendments under consideration. The text is shown only because in the full UDO it is on the same page as text proposed for amendment or footnotes from previous sections 'spill over' onto the included page. Text with a large "X" is not proposed for deletion.

Please note that the page numbers in this amendment packet may or may not necessarily correspond to the page numbers in the adopted UDO because adding text may shift all of the text/sections downward.

Users are reminded that these excerpts are part of a much larger document (the UDO) that regulates land use and development in Orange County. The full UDO is available online at:

http://www.orangecountync.gov/departments/planning_and_inspections/ordinances.php

- (B) If the applicant is not the owner, or sole owner, of the land, a notarized letter signed by the owner(s) consenting to the submission of the application shall be submitted along with all required application information and materials.

2.2.2 Timely Processing of Applications

The Planning Director, Planning Board, Board of Adjustment, Board of County Commissioners and all other authorized review and decision-making bodies shall make every reasonable effort to process, review, and act on applications in a timely manner, consistent with the need to fully consider the application's proposed impact and ensure that it is consistent with the spirit and intent of the Orange County Comprehensive Plan and otherwise advances the public health, safety, and general welfare.

2.2.3 Burden Of Proof

The burden of demonstrating that an application complies with applicable submittal, review, and approval criteria is on the applicant.

2.2.4 Form of Application and Filing Fees

- (A) Unless a greater number is specified herein for a specific review procedure, three copies of all applications, including required supporting documentation, shall be submitted by the applicant. Applications detailing the submittal requirements for each type of application are available in the Planning Department office.
- (B) Officials responsible for accepting applications shall maintain a list specifying the materials and information to be submitted with each application filed. The list shall be made available to all applicants and to any other person who requests a copy.
- (C) The Planning Director is authorized to propose and promulgate administrative regulations, including but not limited to the type and amount of data required for a completed application, in order to implement the provisions of this Ordinance.
- (D) Applications must be accompanied by the fee amount that has been established by Board of County Commissioners. Application fees are nonrefundable.

2.2.5 Pre-application Conference

- (A) Prior to submittal of an application for review and approval of a:

- (1) Non-residential development,
- (2) Special Use Permit (SUP),
- (3) Conditional Use District (CUD),
- (4) Conditional Zoning District (CZD), *and/or*
- (5) Major Subdivision *and/or*,
- (6) Minor Subdivisions¹

The applicant shall schedule a pre-application conference with the Planning Department.

- (B) In preparation for the pre-application conference, the applicant shall submit a sketch plan illustrating the location, size and major design elements of the proposed development no later than five working days prior to the pre-application meeting.
- (C) The Planning Department may request that representatives of other public agencies be present at the pre-application conference, including, but not limited to:
- (1) Planning Board,

¹ Pre-application conferences are held for all subdivision projects to ensure the applicant's are aware of all applicable standards. We are adding language within this section ensuring the requirement is clear.

- (d) A copy of the Final Plat indicating approval of the plan to control sedimentation and erosion during construction of improvements. Where an erosion control plan is required, it shall comply with the provisions of Section 6.15 of this Ordinance. If an erosion control plan is not required, the copy of the Final Plat must be signed by the Erosion Control Officer certifying that a plan waiver has been approved or the amount of land disturbance on the site is not subject to the provisions of Section 6.15 of this Ordinance; and
- (e) A statement describing the methods proposed to protect environmental resources identified in "An Inventory of Sites of Cultural, Historic, Recreational, Biological and Geological Significance in the Unincorporated Portions of Orange County" and/or "Inventory of the Natural Areas and Wildlife Habitats of Orange County, North Carolina".

(B) Review and Action

- (1) The Planning Director shall determine if the plat and application conform with all applicable regulations.
- (2) Auxiliary documents required by Article 7 shall be submitted by the Planning Director to the County Attorney for review and recommendation.
- (3) The Planning Director may submit copies of the Final Plat application and accompanying material to other officials and agencies for review and comment. Other potential reviewers include, but are not limited to:
- (a) NC DOT,
 - (b) Orange County Schools,
 - (c) Orange County Land Records,
 - (d) County Attorney,
 - (e) Orange County Environmental Health,
 - (f) Orange County Erosion Control,
 - (g) Orange County Engineering,
 - (h) Public Utility Companies, and
 - (~~h~~)(i) Orange County Department of Environment, Agriculture, Parks and Recreation (DEAPR).²
- (4) Reviewers shall provide a certification to the Planning Director of the suitability, provisional suitability, or unsuitability of the proposal. Recommendations of the reviewers may be incorporated as conditions of approval of the subdivision.
- (5) The Planning Director shall take action on an application solely on his/her findings as to compliance with applicable regulations and conditions and shall either:
- (a) Approve the application; or
 - (b) Approve the application with conditions; or
 - (c) Deny the application.
- (6) The Planning Director shall notify the applicant of the action in writing.

(C) Action Subsequent to Approval

² Although part of the Development Advisory Committee (DAC) meeting process, staff is modifying this list to include DEAPR so that we receive their comment(s) on any final plat application.

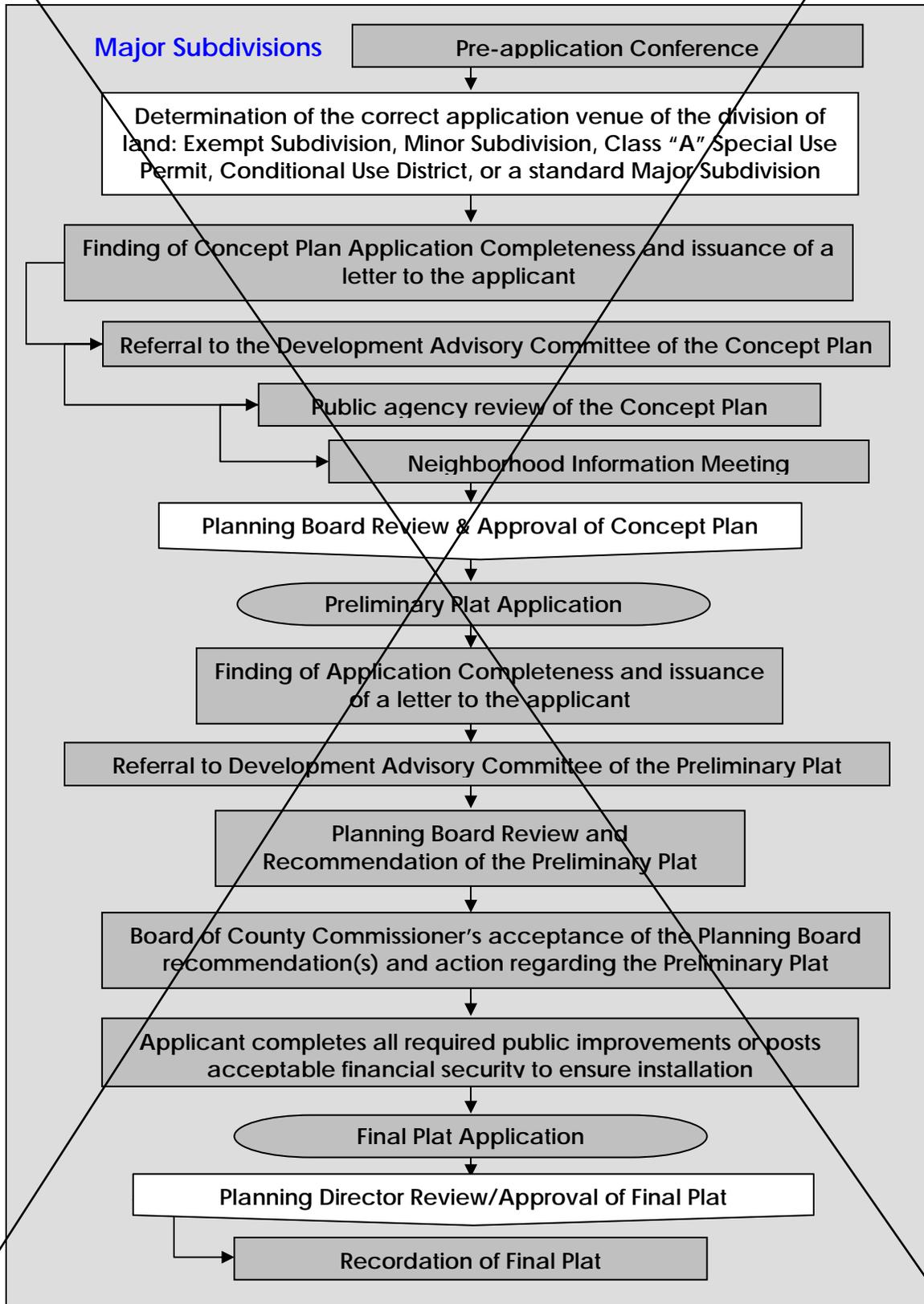
- (1) The applicant shall submit a reproducible mylar original of the Final Plat to the Planning Director for endorsement within one year of Final Plat approval.
- (2) The Planning Director may grant an extension of this time limit to one-year from the original date of expiration if the applicant files an extension application in accordance with Section 2.2.
- (3) The Planning Director shall obtain all required certification signatures and shall endorse approval of the approved Final Plat on a reproducible mylar original after all other certification signatures have been obtained. The Planning Director shall prepare the Declaration of Restrictions.
- (4) The Planning Director shall notify the applicant when all required certification signatures have been obtained and County Attorney review is complete. The applicant shall then make an appointment with the Planning Director to have the approved plat and any associated documents necessary to assure conformance with regulations recorded in the Office of the Register of Deeds. The approved plat and any associated documents must be recorded within 90 days after the Planning Director's endorsement of approval.
- (5) The Planning Director shall accompany the applicant to the Register of Deeds Office to ensure the approved plat and any required documents are recorded in the correct order and to fill in the book and page references, where applicable. Documents shall be numbered in the order they are to be recorded. The order is as follows:
 - (a) Approved plat
 - (b) Road Maintenance Agreement, if required
 - (c) Declaration of Restrictions
 - (d) Homeowners/Property Owners' Association documents, if required
- (6) If the approved plat is not recorded within the specified time period, the plat is void.
- ~~(7)~~ Any plat or portion thereof not receiving final plat approval within the time period set forth in (5) above shall be null and void except under the following conditions:
 - (a) The subdivision is built in sections or phases, and a phasing plan was approved as part of the Preliminary Plat;
 - (b) The period between the approval date of the Preliminary Plat and the approval date of the Final Plat for the first phase does not exceed one year; and
 - (c) The period between the approval date of the Final Plat of the first phase and the approval date(s) of the Final Plat(s) of any subsequent phase(s) does not exceed the time limits specified in the phasing plan of the Preliminary Plat. If no phasing plan is indicated, then the period between Final Plat approvals shall not exceed six months.
- ~~(7)~~(8) If a phasing plan for construction of the subdivision is approved, the expiration date of the Preliminary Plat shall be governed by the time period(s) approved as part of the phasing plan.
- ~~(8)~~(9) The Planning Director may extend the deadline for recordation provided the applicant can demonstrate a good faith effort to comply with the deadline, but for reasons beyond his/her control, fails to meet the requirements for recordation within the specified period.
- ~~(9)~~(10) All final plats shall conform to drawing specifications and certification requirements for Final Plats contained in Section 7.14.3 of this Ordinance.

| ~~(10)~~(11) Recordation of the approved final plat, and any required auxiliary documentation shall be with the advice and consent of the Planning Director.

SECTION 2.15: MAJOR SUBDIVISIONS

2.15.1 Review and Decision Process Flow Chart

The review and approval process for a Major Subdivision is shown in the procedure's flowchart.



2.15.2 Concept Plan

(A) Pre-Application Review

To promote better communication and avoid unnecessary expense in the design of acceptable subdivision proposals, each subdivider is encouraged to meet with the Planning Department staff prior to submitting an application for Concept Plan approval. The purpose of this informal meeting is to introduce the applicant to the provisions of this Ordinance and discuss his/her objectives in relation thereto.

(B) On-Site Visit

- (1) Prior to submission of a Concept Plan application, the applicant shall schedule a mutually convenient time to walk the property with the Planning Director. The purpose of this visit is to familiarize the Planning Director with the property's special features, and to provide an informal opportunity to offer guidance to the applicant regarding the tentative location of Secondary ~~Conservation~~ Open Space³ Areas, potential dwelling locations, and potential street alignments.
- (2) Prior to scheduling the on-site visit, the applicant shall have prepared the Site Analysis Map as required in Section 7.~~4413~~.2(A)(3) and shall submit the Site Analysis Map to the Planning Director when the on-site visit is scheduled.
- (3) If the on-site visit is not scheduled before submittal of the Concept Plan application, it shall occur prior to the Neighborhood Information Meeting.

(C) Application Requirements

- (1) Applications shall be submitted on forms provided by the Planning Department in accordance with Section 2.2 of this Ordinance.
- (2) Applications shall include:
 - (a) An Orange County Geographic Information Systems (GIS) Map showing the location of the parcel to be subdivided.
 - (b) 25 copies of a Concept Plan of the proposed major subdivision prepared in accordance with the specifications for Concept Plan drawings as contained in Section 7.~~4413~~.2(A) of this Ordinance. A Concept Plan shall include the following:
 - (i) A Site Analysis Map;
 - (ii) A Conventional Development Option; and
 - (iii) A Flexible Development Option.
- (3) In lieu of a three-part Concept Plan, one Concept Plan may be submitted if the applicant is seeking approval only of a Flexible Development Plan. The applicant may also combine the Site Analysis Map and the Flexible Development Option into a single plan, provided the information required in Section 7.~~4413~~.2(A) is displayed in a clear and legible form. If an applicant chooses this option, he/she shall comply with the provisions for determining density contained in Section 7.~~4312.74~~.74(A).
- (4) A comparison of the impacts of the Flexible Development Option to those that would result from the Conventional Development Option.
- (5) A checklist identifying consistency with applicable design guidelines as contained in Section 7.~~4312.78~~.78 (B).

³ Modifying language to be consistent throughout the UDO.

SECTION 3.3: RESIDENTIAL DISTRICTS

<h1 style="margin: 0;">RB</h1> <h2 style="margin: 0;">RURAL BUFFER</h2>	DIMENSIONAL AND RATIO STANDARDS								
	Lot Size, min. (square feet)	87,120							
	Conventional Subdivision Lot Size, min. (square feet)	87,120							
	Flexible Development Subdivision [1] Lot Size, min. (square feet)	87,120 ^[1] 43,560							
PURPOSE									
<p>The purpose of the Rural Buffer (RB) District is to provide locations for rural residential developments and agricultural, silvicultural or horticultural uses which serve to buffer or separate more intensively planned and/or developed portions of Orange County. Development within the Rural Buffer (RB) District is at very low densities (the minimum lot size per dwelling unit is two acres) and relies on individual wells and ground absorption systems for domestic water supply and sewage disposal, respectively.</p>	Lot Width, min. (feet)		130						
	Front Setback from ROW, min. (feet)		40 [42]						
	Corner Side Setback, min. (feet)		40 [23]						
APPLICABILITY									
<p>This district will usually be applied where the following conditions exist:</p> <ol style="list-style-type: none"> Designated by the adopted Comprehensive Plan as Rural Buffer or by the adopted Joint Planning Area Land Use Plan as Rural Residential or both. Urban services, including water distribution and sewage collection mains, are not likely within 10-20 years. 	Side Setback, min. (feet)		20 [42]						
	Rear Setback, min. (feet)		20 [42]						
	Height, max. (feet)		25 [34]						
<p>DIMENSIONAL STANDARDS NOTES:</p> <p>[1] Refer to Section 7.12.3: Flexible Development, which requires additional standards and requirements to reduce minimum lot size.</p> <p>[2] Accessory structures shall not be erected in any required front open space and shall also conform to all other regulations.</p> <p>[32] Any corner lot having an abutting interior lot on its side street shall observe a front yard setback from both streets provided, however, that this requirement does not reduce the width suitable for a building on said lot to less than 25 feet. (See graphic in Section 6.2.7).</p> <p>[34] Two feet of additional height shall be allowed for one foot increase of the required front and side setbacks.</p> <p>[45] R = residential, NR = non-residential, CU = conditional use</p> <p>[56] Permitted non-residential uses existing as of 5/6/98 shall be limited to a maximum floor area ratio of .141 in the RB, AR, R-1, R-2, R-3, and R-4 zoning districts.</p>	Floor Area Ratio, max.		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">R-CU [45]</td> <td style="text-align: center;">.058</td> </tr> <tr> <td style="text-align: center;">NR</td> <td style="text-align: center;">.088 [56]</td> </tr> <tr> <td style="text-align: center;">NR-CU</td> <td style="text-align: center;">.100 [56]</td> </tr> </table>	R-CU [45]	.058	NR	.088 [56]	NR-CU	.100 [56]
	R-CU [45]	.058							
	NR	.088 [56]							
	NR-CU	.100 [56]							
	Required Open Space Ratio, min.		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">R-CU NR NR-CU</td> <td style="text-align: center;">.84</td> </tr> </table>	R-CU NR NR-CU	.84				
	R-CU NR NR-CU	.84							
	Required Livability Space Ratio, min.		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">R-CU</td> <td style="text-align: center;">.75</td> </tr> </table>	R-CU	.75				
	R-CU	.75							
	Required Recreation Space Ratio, min.		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">R</td> <td style="text-align: center;">.028</td> </tr> <tr> <td style="text-align: center;">R-CU</td> <td style="text-align: center;">.031</td> </tr> </table>	R	.028	R-CU	.031		
	R	.028							
R-CU	.031								
Gross Land Area, min. (square feet)		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">R-CU NR-CU</td> <td style="text-align: center;">174.240</td> </tr> </table>	R-CU NR-CU	174.240					
R-CU NR-CU	174.240								
Required Pedestrian/Landscape Ratio, min.		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">NR NR-CU</td> <td style="text-align: center;">.21</td> </tr> </table>	NR NR-CU	.21					
NR NR-CU	.21								

RB DISTRICT SPECIFIC DEVELOPMENT STANDARDS

1. Uses shall be restricted to those indicated for the RB District in Section 5.2, unless a Conditional Use (CU) or MPD-CZ District is approved (see Section 3.8).
2. Development within the zoning district shall be subject to all applicable use standards detailed in Article 5 and all applicable development standards detailed in Article 6 of this Ordinance.
3. While the Minimum Lot Size may be 87,120 square feet, the density permitted on a given parcel is based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.4 for a breakdown of the allowable density (i.e., the number of individual dwellings that can be developed on a parcel of property).
4. Allowable impervious surface area is based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.5 for a breakdown of the allowable impervious surface area.
- ~~5. For lots outside of a Watershed Protection Overlay District (see Section 4.2), the minimum usable lot area for lots that utilize ground absorption wastewater systems shall be 30,000 square feet for parcels between 40,000 square feet and 1.99 acres in size; zoning lots two acres and greater in size shall have a minimum usable lot area of at least 40,000 square feet.⁴~~
- ~~65.~~ With the exception of Orange County government development projects, wastewater treatment facilities with a design capacity of 3,000 gallons per day or more and package treatment plants for sanitary sewage disposal are prohibited in the RB zoning district unless approved through the Special Use Permit (SUP) process or as a Conditional Use (CU) District.
- ~~67.~~ ~~Proposed subdivisions are subject to all applicable subdivision standards detailed in Article 7. Note that Article 7 provides for different dimensional requirements than those shown in the Dimensional and Ratio Standards table depending upon the type of subdivision proposed and the percentage of open space provided.—~~The “Village Option” for a flexible development is not permitted in ~~the~~ RB districts.
- ~~78.~~ Subdivisions ~~utilizing , following the conventional design process, and/or~~ proposing private roads are subject to larger setbacks and minimum lot sizes than those listed in the Dimensional and Ratio Standards. Refer to Section 7.8.4 for additional requirements. Refer to Section 7.8.5 for private road standards.⁵
- ~~89.~~ The storage of junked or wrecked motor vehicles is prohibited except if the vehicle is stored in an enclosed building that conforms to applicable building code and zoning regulations or if such building is a legal non-conforming use.

⁴ This standard is being eliminated as it would impede the ability for a property owner to adhere to the new State septic system guidelines/statutes as well as invalidate proposed amendments designed to encourage greater clustering of lots and preservation of common open space.

⁵ Private road justification is still required for all subdivisions following the conventional design model (i.e. not proposing separate open space). Staff is modifying existing language to ensure consistency with proposed changes to Article 7.

AR AGRICULTURAL RESIDENTIAL		DIMENSIONAL AND RATIO STANDARDS		
		Lot Size, min. (square feet)	<u>Standard Lot Size – Conventional Subdivision Process (Section 7.12):</u>	<u>40,000</u>
<u>Lot Size – Flexible Development Subdivision Process (Section 7.12):</u>	Proposed Open Space within subdivision:			<u>Allowable Minimum Lot Size (sq. ft.):</u>
	33-39%			<u>40,000</u>
	40-44%			<u>30,000</u>
	45-49%			<u>20,000</u>
50-59%	<u>15,000</u>			
60% and over	<u>10,000</u>			
PURPOSE	Lot Width, min. (feet)	<u>Standard Lot Width – Conventional Subdivision Process (Section 7.12):</u>	150	
The purpose of the Agricultural Residential (AR) District is to assist in the preservation of land suitable, as a result of location, existing farming operations, soils and topography, for agricultural, silvicultural or horticultural uses and to protect such uses from the adverse effects of incompatible land uses.	Lot Width, min. (feet)	<u>Flexible Development Subdivision Process – Lot width (Section 7.12)</u>	<u>100⁶</u>	
	Front Setback from ROW, min. (feet)	40 [1] <u>[6]</u>		
	Corner Side Setback, min. (feet)	40 [2] <u>[6]</u>		
APPLICABILITY	Side Setback, min. (feet)	20 [1] <u>[6]</u>		
This district will usually be applied where the following conditions exist: 1. Designated by the adopted Comprehensive Plan Agricultural Residential. 2. Urban services, including water distribution and sewage collection mains, are not likely within 10-20 years.	Rear Setback, min. (feet)	20 [1] <u>[6]</u>		
	Height, max. (feet)	25 [3]		
DIMENSIONAL STANDARDS NOTES: [1] Accessory structures shall not be erected in any	Floor Area Ratio, max.	R-CU [4]	.058	
		NR	.088 [5]	

⁶ The flexible development subdivision process allows for a reduction in the required lot width in Section 7.13.4 (B) (6) (a) of the UDO. In reviewing issues with the County Attorney’s office there is a concern over the subdivision regulations allowing for a modification to minimum required zoning dimensional standards. To address concerns over legal sufficiency of the current UDO, staff is including references within the various zoning district tables detailing required minimum lot size, area, setbacks, etc. for the various subdivision processes.

<p>required front open space and shall also conform to all other regulations.</p> <p>[2] Any corner lot having an abutting interior lot on its side street shall observe a front yard setback from both streets provided, however, that this requirement does not reduce the width suitable for a building on said lot to less than 25 feet. (See graphic in Section 6.2.7).</p> <p>[3] Two feet of additional height shall be allowed for one foot increase of the required front and side setbacks.</p> <p>[4] R = residential, NR = non-residential, CU = conditional use</p> <p>[5] Permitted non-residential uses existing as of 5/6/98 shall be limited to a maximum floor area ratio of .141 in the RB, AR, R-1, R-2, R-3, and R-4 zoning districts.</p> <p><u>[6] Required setbacks for lots created through the Flexible Design Subdivision process, as detailed in Section 7.12 of this Ordinance, may be reduced by 25% with the preservation of more than 33% open space for the project. Under no circumstances shall any required setback be less than 10 feet.</u>⁷</p>		NR-CU	.100 [5]
	Required Open Space Ratio, min.	R-CU NR NR-CU	.84
	Required Livability Space Ratio, min.	R-CU	.75
	Required Recreation Space Ratio, min.	R	.028
		R-CU	.031
	Gross Land Area, min. (square feet)	R-CU NR- CU	80,000
Required Pedestrian/ Landscape Ratio, min.	NR NR- CU	.21	

AR DISTRICT SPECIFIC DEVELOPMENT STANDARDS

1. Uses shall be restricted to those indicated for the AR District in Section 5.2, unless a Conditional Use (CU) or MPD-CZ District is approved (see Section 3.8).
2. Development within the zoning district shall be subject to all applicable use standards detailed in Article 5 and all applicable development standards detailed in Article 6 of this Ordinance.
3. While the Minimum Lot Size may be 40,000 square feet, the density permitted on a given parcel is based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.4 for a breakdown of the allowable density (i.e., the number of individual dwellings that can be developed on a parcel of property).
4. Allowable impervious surface area is based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.5 for a breakdown of the allowable impervious surface area.
5. ~~For lots outside of a Watershed Protection Overlay District (see Section 4.2), the minimum usable lot area for lots that utilize ground absorption wastewater systems shall be 30,000 square feet for parcels between 40,000 square feet and 1.99 acres in size; zoning lots two acres and greater in size shall have a minimum usable lot area of at least 40,000 square feet.~~⁸
65. With the exception of Orange County government development projects, wastewater treatment facilities with a design capacity of 3,000 gallons per day or more and package treatment plants for sanitary sewage disposal are prohibited in the AR zoning district unless approved through the Special Use Permit (SUP) process or as a Conditional Use (CU) District.
76. Proposed subdivisions are subject to all applicable subdivision standards detailed in Article 7. Note that Article 7 provides for different dimensional requirements than those shown in the Dimensional and Ratio Standards table depending upon the type of subdivision proposed and the percentage of open space provided.
87. Subdivisions ~~utilizing, following the conventional design process and/or~~ proposing private roads are subject to larger setbacks and minimum lot sizes than those listed in the Dimensional and Ratio Standards. Refer to Section 7.8.4 for additional requirements. Refer to Section 7.8.5 for private road standards.
98. The storage of junked or wrecked motor vehicles is prohibited except if the vehicle is stored in an enclosed building that conforms to applicable building code and zoning regulations or if such building is a legal non-conforming use.

⁷ Current subdivision regulations allow for a reduction of required setbacks by 30% for projects developed through the Flexible Development process. After conferring with the County Attorney we are included references within the specific base zoning district standards for each impacted general use zoning district to ensure proper cross referencing.

⁸ Same rationale as Footnote 5 above.

<h1 style="margin: 0;">R-1</h1> <h2 style="margin: 0;">RURAL RESIDENTIAL</h2>	DIMENSIONAL AND RATIO STANDARDS		
	<p>Lot Size, min. (square feet)</p>	<p>Standard Lot Size – Conventional Subdivision Process (Section 7.12):</p>	40,000
<p>Lot Size, min. (square feet)</p>	<p>Lot Size – Flexible Development Subdivision Process (Section 7.12):</p>	<p>Proposed Open Space within subdivision:</p>	<p>Allowable Minimum Lot Size (sq. ft.):</p>
		<p>33-39%</p>	<p>40,000</p>
		<p>40-44%</p>	<p>30,000</p>
		<p>45-49%</p>	<p>20,000</p>
		<p>50-59%</p>	<p>15,000</p>
		<p>60% and over</p>	<p>10,000</p>
<p>PURPOSE</p>	<p>Lot Width, min. (feet)</p>	<p>Standard Lot Width – Conventional Subdivision Process (Section 7.12):</p>	130
<p>The purpose of the Rural Residential (R-1) District is to provide locations for rural non-farm residential development, at very low intensities, in areas where the short and long-term solutions to domestic water supply and sewage disposal shall be individual wells and ground absorption system.</p>		<p>Flexible Development Subdivision Process – Lot width (Section 7.12)</p>	100 ⁹
	<p>Front Setback from ROW, min. (feet)</p>		40 [1] <u>[6]</u>
	<p>Corner Side Setback, min. (feet)</p>		40 [2] <u>[6]</u>
<p>APPLICABILITY</p>	<p>Side Setback, min. (feet)</p>		20 [1] <u>[6]</u>
<p>This district will usually be applied where the following conditions exist:</p> <ol style="list-style-type: none"> 1. Designated by the adopted Comprehensive Plan as Rural Residential. 2. Urban services, including water distribution and sewage collection mains, are not likely within 10-20 years. 	<p>Rear Setback, min. (feet)</p>		20 [1] <u>[6]</u>
	<p>Height, max. (feet)</p>		25 [3]
<p>DIMENSIONAL STANDARDS NOTES: [1] Accessory structures shall not be erected in any required front open space and shall also conform to all other regulations. [2] Any corner lot having an abutting interior lot on its side street shall observe a front yard setback from both streets provided, however, that this</p>	<p>Floor Area Ratio, max.</p>	<p>R-CU [4]</p>	.058
		<p>NR</p>	.088 [5]
		<p>NR-CU</p>	.100 [5]
	<p>Required Open Space Ratio, min.</p>	<p>R-CU NR NR-CU</p>	
<p>Required Livability Space Ratio, min.</p>	<p>R-CU</p>		.75

⁹ Same rationale as Footnote 7.

<p>requirement does not reduce the width suitable for a building on said lot to less than 25 feet. (See graphic in Section 6.2.7).</p> <p>[3] Two feet of additional height shall be allowed for one foot increase of the required front and side setbacks.</p> <p>[4] R = residential, NR = non-residential, CU = conditional use</p> <p>[5] Permitted non-residential uses existing as of 5/6/98 shall be limited to a maximum floor area ratio of .141 in the RB, AR, R-1, R-2, R-3, and R-4 zoning districts.</p> <p>[6] <u>Required setbacks for lots created through the Flexible Design Subdivision process, as detailed in Section 7.12 of this Ordinance, may be reduced by 25% with the preservation of more than 33% open space for the project. Under no circumstances shall any required setback be less than 10 feet.</u>¹⁰</p>	Required Recreation Space Ratio, min.	R	.028
		R-CU	.031
	Gross Land Area, min. (square feet)	R-CU NR-CU	80,000
	Required Pedestrian/Landscape Ratio, min.	NR NR-CU	.21

R-1 DISTRICT SPECIFIC DEVELOPMENT STANDARDS

1. Uses shall be restricted to those indicated for the R-1 District in Section 5.2, unless a Conditional Use (CU) or MPD-CZ District is approved (see Section 3.8).
2. Development within the zoning district shall be subject to all applicable use standards detailed in Article 5 and all applicable development standards detailed in Article 6 of this Ordinance.
3. While the Minimum Lot Size may be 40,000 square feet, the density permitted on a given parcel is based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.4 for a breakdown of the allowable density (i.e., the number of individual dwellings that can be developed on a parcel of property).
4. Allowable impervious surface area is based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.5 for a breakdown of the allowable impervious surface area.
5. ~~For lots outside of a Watershed Protection Overlay District (see Section 4.2), the minimum usable lot area for lots that utilize ground absorption wastewater systems shall be 30,000 square feet for parcels between 40,000 square feet and 1.99 acres in size; zoning lots two acres and greater in size shall have a minimum usable lot area of at least 40,000 square feet.~~¹¹
65. Proposed subdivisions are subject to all applicable subdivision standards detailed in Article 7. Note that Article 7 provides for different dimensional requirements than those shown in the Dimensional and Ratio Standards table depending upon the type of subdivision proposed and the percentage of open space provided.
76. Subdivisions ~~utilizing, following the conventional design process and/or,~~ proposing private roads are subject to larger setbacks and minimum lot sizes than those listed in the Dimensional and Ratio Standards. Refer to Section 7.8.4 for additional requirements. Refer to Section 7.8.5 for private road standards.
87. The storage of junked or wrecked motor vehicles is prohibited except if the vehicle is stored in an enclosed building that conforms to applicable building code and zoning regulations or if such building is a legal non-conforming use.

¹⁰ Same rationale as Footnote 8.

¹¹ Same rationale as Footnote 5.

<h1 style="margin: 0;">R-2</h1> <h2 style="margin: 0;">LOW INTENSITY RESIDENTIAL</h2>	DIMENSIONAL AND RATIO STANDARDS		
	Lot Size, min. (square feet)	Standard Lot Size – Conventional Subdivision Process (Section 7.12):	20,000
	Lot Size – Flexible Development Subdivision Process (Section 7.12):	Proposed Open Space within subdivision:	Allowable Minimum Lot Size (sq. ft.):
		45-49%	20,000
		50-59%	15,000
		60% and over	10,000
PURPOSE	Lot Width, min. (feet)	Standard Lot Width – Conventional Subdivision Process (Section 7.12):	100
<p>The purpose of the Low Intensity Residential (R-2) District is to provide locations for low intensity residential development and supporting recreational, community service and educational uses in areas where urban services are available or are to be provided as part of the development process.</p>	Lot Width, min. (feet)	Flexible Development Subdivision Process – Lot width (Section 7.12)	70
		Front Setback from ROW, min. (feet)	30 [1] [6]
	Corner Side Setback, min. (feet)	30 [2] [6]	
	APPLICABILITY	Side Setback, min. (feet)	15 [1] [6]
<p>This district will usually be applied where the following conditions exist:</p> <ol style="list-style-type: none"> 1. Designated by the adopted Comprehensive Plan as a Transition Area, which can reasonably be expected to be annexed by a municipality in the ensuing 10-20 years. 2. Water and sewer lines should exist at site or be assured of installation as part of the development process. 3. Vehicular access must consist of direct access to a street classified as either arterial or collector as designated by the adopted Comprehensive Plan. 	Rear Setback, min. (feet)	15 [1] [6]	
	Height, max. (feet)	25 [3]	
	DIMENSIONAL STANDARDS NOTES: [1] Accessory structures shall not be erected in any	Floor Area Ratio, max.	R-CU [4] NR

<p>required front open space and shall also conform to all other regulations.</p> <p>[2] Any corner lot having an abutting interior lot on its side street shall observe a front yard setback from both streets provided, however, that this requirement does not reduce the width suitable for a building on said lot to less than 25 feet. (See graphic in Section 6.2.7).</p> <p>[3] Two feet of additional height shall be allowed for one foot increase of the required front and side setbacks.</p> <p>[4] R = residential, NR = non-residential, CU = conditional use.</p> <p>[5] Permitted non-residential uses existing as of 5/6/98 shall be limited to a maximum floor area ratio of .141 in the RB, AR, R-1, R-2, R-3, and R-4 zoning districts.</p> <p>[6] <u>Required setbacks for lots created through the Flexible Design Subdivision process, as detailed in Section 7.12 of this Ordinance, may be reduced by 25% with the preservation of more than 33% open space for the project. Under no circumstances shall any required setback be less than 10 feet.</u></p>		NR-CU	.100 [5]
	Required Open Space Ratio, min.	R-CU NR-CU	.82
		NR	.83
	Required Livability Space Ratio, min.	R-CU	.70
	Required Recreation Space Ratio, min.	R	.056
		R-CU	.059
	Gross Land Area, min. (square feet)	R-CU NR-CU	45,000
NR		.208	
Required Pedestrian/Landscape Ratio, min.	NR-CU	.205	

R-2 DISTRICT SPECIFIC DEVELOPMENT STANDARDS

1. Uses shall be restricted to those indicated for the R-2 District in Section 5.2, unless a Conditional Use (CU) or MPD-CZ District is approved (see Section 3.8).
2. Development within the zoning district shall be subject to all applicable use standards detailed in Article 5 and all applicable development standards detailed in Article 6 of this Ordinance.
3. While the Minimum Lot Size may be 20,000 square feet, the density permitted on a given parcel is based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.4 for a breakdown of the allowable density (i.e., the number of individual dwellings that can be developed on a parcel of property).
4. Allowable impervious surface area is based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.5 for a breakdown of the allowable impervious surface area.
5. ~~For lots outside of a Watershed Protection Overlay District (see Section 4.2), the minimum usable lot area for lots that utilize ground absorption wastewater systems shall be 30,000 square feet for parcels between 40,000 square feet and 1.99 acres in size; zoning lots two acres and greater in size shall have a minimum usable lot area of at least 40,000 square feet.~~
65. Proposed subdivisions are subject to all applicable subdivision standards detailed in Article 7. Note that Article 7 provides for different dimensional requirements than those shown in the Dimensional and Ratio Standards table depending upon the type of subdivision proposed and the percentage of open space provided.
76. Subdivisions ~~utilizing following the conventional design process, and~~ proposing private roads are subject to larger setbacks and minimum lot sizes than those listed in the Dimensional and Ratio Standards. Refer to Section 7.8.4 for additional requirements. Refer to Section 7.8.5 for private road standards.
87. The storage of junked or wrecked motor vehicles is prohibited except if the vehicle is stored in an enclosed building that conforms to applicable building code and zoning regulations or if such building is a legal non-conforming use.

<h1 style="margin: 0;">R-3</h1> <h2 style="margin: 0;">MEDIUM INTENSITY RESIDENTIAL</h2>	DIMENSIONAL AND RATIO STANDARDS			
	Lot Size, min. (square feet)	Standard Lot Size – Conventional Subdivision Process (Section 7.12):	15,000	
	Lot Size – Flexible Development Subdivision Process (Section 7.12):	Proposed Open Space within subdivision:	Allowable Minimum Lot Size (sq. ft.):	
		50-59%	15,000	
		60% and over	10,000	
PURPOSE	Lot Width, min. (feet)	Standard Lot Width – Conventional Subdivision Process (Section 7.12):	100	
<p>The purpose of the Medium Intensity Residential (R-3) District is to provide locations for moderate intensity residential development and supporting recreational, community service and educational uses in areas where urban services are available or are to be provided as part of the development process.</p>		Flexible Development Subdivision Process – Lot width (Section 7.12)	70	
	Front Setback from ROW, min. (feet)	30 [1] [6]		
	Corner Side Setback, min. (feet)	30 [2] [6]		
	APPLICABILITY	Side Setback, min. (feet)	15 [1] [6]	
<p>This district will usually be applied where the following conditions exist:</p> <ol style="list-style-type: none"> 1. Designated by the adopted Comprehensive Plan as a Transition Area, which can reasonably be expected to be annexed by a municipality in the ensuing 10-20 years. 2. Water and sewer lines should exist at site or be assured of installation as part of the development process. 3. Vehicular access must consist of direct access to a street classified as either arterial or collector as designated by the adopted Comprehensive Plan. 	Rear Setback, min. (feet)	15 [1] [6]		
	Height, max. (feet)	25 [3]		
<p>DIMENSIONAL STANDARDS NOTES: [1] Accessory structures shall not be erected in any required front open space and shall also conform to</p>	Floor Area Ratio, max.	R-CU [4]	.100	
		NR	.088 [5]	
		NR-CU	.100 [5]	

<p>all other regulations. [2] Any corner lot having an abutting interior lot on its side street shall observe a front yard setback from both streets provided, however, that this requirement does not reduce the width suitable for a building on said lot to less than 25 feet. (See graphic in Section 6.2.7). [3] Two feet of additional height shall be allowed for one foot increase of the required front and side setbacks. [4] R = residential, NR = non-residential, CU = conditional use. [5] Permitted non-residential uses existing as of 5/6/98 shall be limited to a maximum floor area ratio of .141 in the RB, AR, R-1, R-2, R-3, and R-4 zoning districts. [6] <u>Required setbacks for lots created through the Flexible Design Subdivision process, as detailed in Section 7.12 of this Ordinance, may be reduced by 25% with the preservation of more than 33% open space for the project. Under no circumstances shall any required setback be less than 10 feet.</u></p>	Required Open Space Ratio, min.	R-CU NR-CU	.80
		NR	.81
	Required Livability Space Ratio, min.	R-CU	.65
	Required Recreation Space Ratio, min.	R	.074
		R-CU	.077
	Gross Land Area, min. (square feet)	R-CU NR-CU	30,000
		NR	.203
Required Pedestrian/Landscape Ratio, min.	NR-CU	.20	

R-3 DISTRICT SPECIFIC DEVELOPMENT STANDARDS

1. Uses shall be restricted to those indicated for the R-3 District in Section 5.2, unless a Conditional Use (CU) or MPD-CZ District is approved (see Section 3.8).
2. Development within the zoning district shall be subject to all applicable use standards detailed in Article 5 and all applicable development standards detailed in Article 6 of this Ordinance.
3. While the Minimum Lot Size may be 15,000 square feet, the density permitted on a given parcel is based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.4 for a breakdown of the allowable density (i.e., the number of individual dwellings that can be developed on a parcel of property).
4. Allowable impervious surface area is based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.5 for a breakdown of the allowable impervious surface area.
5. ~~For lots outside of a Watershed Protection Overlay District (see Section 4.2), the minimum usable lot area for lots that utilize ground absorption wastewater systems shall be 30,000 square feet for parcels between 40,000 square feet and 1.99 acres in size; zoning lots two acres and greater in size shall have a minimum usable lot area of at least 40,000 square feet.~~¹²
65. Proposed subdivisions are subject to all applicable subdivision standards detailed in Article 7. Note that Article 7 provides for different dimensional requirements than those shown in the Dimensional and Ratio Standards table depending upon the type of subdivision proposed and the percentage of open space provided.
76. Subdivisions ~~utilizing, following the conventional design process and/or,~~ proposing private roads are subject to larger setbacks and minimum lot sizes than those listed in the Dimensional and Ratio Standards. Refer to Section 7.8.4 for additional requirements. Refer to Section 7.8.5 for private road standards.
87. The storage of junked or wrecked motor vehicles is prohibited except if the vehicle is stored in an enclosed building that conforms to applicable building code and zoning regulations or if such building is a legal non-conforming use.

¹² Staff is recommending the provision be deleted entirely. The district requires a minimum lot area of 15,000 sq.ft. and 'service' by sewer. Existing language is inconsistent with the intent of the district and established minimum lot area.

<h1 style="margin: 0;">R-4</h1> <h2 style="margin: 0;">MEDIUM INTENSITY RESIDENTIAL</h2>	DIMENSIONAL AND RATIO STANDARDS		
		Lot Size, min. (square feet)	Standard Lot Size – Conventional Subdivision Process (Section 7.12):
		Lot Size Flexible Development Subdivision Process (Section 7.12):	Proposed Open Space within subdivision: 60% and over
			Allowable Minimum Lot Size (sq. ft.): 10,000
PURPOSE	Lot Width, min. (feet)	75	
<p>The purpose of the Medium Intensity Residential (R-4) District is to provide locations for moderate intensity residential development and supporting recreational, community service and educational uses in areas where urban services are available or are to be provided as part of the development process.</p>	Front Setback from ROW, min. (feet)	25 [1]	
	Corner Side Setback, min. (feet)	25 [2]	
	Side Setback, min. (feet)	10 [1]	
APPLICABILITY	Rear Setback, min. (feet)	10 [1]	
<p>This district will usually be applied where the following conditions exist:</p> <ol style="list-style-type: none"> Designated by the adopted Comprehensive Plan as a Transition Area, which can reasonably be expected to be annexed by a municipality in the ensuing 10-20 years. Water and sewer lines should exist at site or be assured of installation as part of the development process. Vehicular access must consist of direct access to a street classified as either arterial or collector as designated by the adopted Comprehensive Plan. 	Height, max. (feet)	25 [3]	
	DIMENSIONAL STANDARDS NOTES:		
<p>[1] Accessory structures shall not be erected in any required front open space and shall also conform to all other regulations. [2] Any corner lot having an abutting interior lot on its side street shall observe a front yard setback from both streets provided, however, that this requirement does not reduce the width suitable for a building on said lot to less than 25 feet. (See graphic in Section 6.2.7). [3] Two feet of additional height shall be allowed for one foot increase of the required front and side setbacks. [4] R = residential, NR = non-residential, CU = conditional use. [5] Permitted non-residential uses existing as of</p>	Floor Area Ratio, max.	R-CU [4]	.141
		NR	.123[5]
		NR-CU	.141 [5]
	Required Open Space Ratio, min.	R-CU NR-CU	.78
		NR	.79
	Required Livability Space Ratio, min.	R-CU	.54
	Required Recreation Space Ratio, min.	R	.111
		R-CU	.114
	Gross Land Area, min. (square feet)	R-CU NR-CU	15,000
	Required Pedestrian/	NR	.198
	NR-CU	.195	

<p>5/6/98 shall be limited to a maximum floor area ratio of .141 in the RB, AR, R-1, R-2, R-3, and R-4 zoning districts. <u>[6] Required setbacks for lots created through the Flexible Design Subdivision process, as detailed in Section 7.12 of this Ordinance, may be reduced by 25% with the preservation of more than 33% open space for the project. Under no circumstances shall any required setback be less than 10 feet.</u></p>	<p>Landscape Ratio, min.</p>		
<p>R-4 DISTRICT SPECIFIC DEVELOPMENT STANDARDS</p>			
<p>1. Uses shall be restricted to those indicated for the R-4 District in Section 5.2, unless a Conditional Use (CU) or MPD-CZ District is approved (see Section 3.8). 2. Development within the zoning district shall be subject to all applicable use standards detailed in Article 5 and all applicable development standards detailed in Article 6 of this Ordinance. 3. While the Minimum Lot Size may be 10,000 square feet, the density permitted on a given parcel is based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.4 for a breakdown of the allowable density (i.e., the number of individual dwellings that can be developed on a parcel of property). 4. Allowable impervious surface area is based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.5 for a breakdown of the allowable impervious surface area. 5. For lots outside of a Watershed Protection Overlay District (see Section 4.2), the minimum usable lot area for lots that utilize ground absorption wastewater systems shall be 30,000 square feet for parcels between 40,000 square feet and 1.99 acres in size; zoning lots two acres and greater in size shall have a minimum usable lot area of at least 40,000 square feet.¹³ 65. Proposed subdivisions are subject to all applicable subdivision standards detailed in Article 7. Note that Article 7 provides for different dimensional requirements than those shown in the Dimensional and Ratio Standards table depending upon the type of subdivision proposed and the percentage of open space provided. 76. Subdivisions <u>utilizing, following the conventional design process and/or,</u> proposing private roads are subject to larger setbacks and minimum lot sizes than those listed in the Dimensional and Ratio Standards. Refer to Section 7.8.4 for additional requirements. Refer to Section 7.8.5 for private road standards. 87. The storage of junked or wrecked motor vehicles is prohibited except if the vehicle is stored in an enclosed building that conforms to applicable building code and zoning regulations or if such building is a legal non-conforming use.</p>			

¹³ Staff is recommending the provision be deleted entirely. The district requires a minimum lot area of 10,000 sq.ft. and 'service' by sewer. Existing language is inconsistent with the intent of the district and established minimum lot area.

R-5 HIGH INTENSITY RESIDENTIAL		DIMENSIONAL AND RATIO STANDARDS		
PURPOSE		Lot Size, min. (square feet)	7,500	
		Lot Width, min. (feet)	50	
<p>The purpose of the High Intensity Residential (R-5) District is to provide locations for high intensity residential development and supporting recreational community, service, or educational uses in areas where the full range urban services are available.</p> <p>It is further intended that these districts be used to promote economically mixed housing developments and to contribute to the provision of a range of housing types for lower income households.</p>		Front Setback from ROW, min. (feet)	20 [1]	
		Corner Side Setback, min. (feet)	20 [2]	
		Side Setback, min. (feet)	10 [1]	
APPLICABILITY		Rear Setback, min. (feet)	10 [1]	
<p>This district will usually be applied where the following conditions exist:</p> <ol style="list-style-type: none"> Designated by the adopted Comprehensive Plan as a Transition Area which can reasonably be annexed by a municipality in the ensuing 10-20 years, or within the Chapel Hill Joint Planning Area located at an Activity Node designated by the adopted Comprehensive Plan. Water and sewer lines should exist at site or be assured of installation as part of the development process. Vehicular access must consist of direct access to a street certified either arterial or collector as designated by the adopted Comprehensive Plan. The full range of urban services exist or are proposed at the time of the development including fire, police, recreation, education, commercial and cultural activities. 		Height, max. (feet)	25 [3]	
		<p>DIMENSIONAL STANDARDS NOTES: [1] Accessory structures shall not be erected in any required front open space and shall also conform to all other regulations. [2] Any corner lot having an abutting interior lot on its side street shall observe a front yard setback from both streets provided, however, that this requirement does not reduce the width suitable for a building on said lot to less than 25 feet. (See graphic in Section 6.2.7). [3] Two feet of additional height shall be allowed for one foot increase of the required front and side setbacks. [4] R = residential, NR = non-residential, CU = conditional use.</p>		
<p>DIMENSIONAL STANDARDS NOTES: [1] Accessory structures shall not be erected in any required front open space and shall also conform to all other regulations. [2] Any corner lot having an abutting interior lot on its side street shall observe a front yard setback from both streets provided, however, that this requirement does not reduce the width suitable for a building on said lot to less than 25 feet. (See graphic in Section 6.2.7). [3] Two feet of additional height shall be allowed for one foot increase of the required front and side setbacks. [4] R = residential, NR = non-residential, CU = conditional use.</p>		Floor Area Ratio, max.	R [4] NR	.174
			R - CU NR - CU	.200
		Required Open Space Ratio, min.	R NR	.77
			R-CU NR-CU	.76
		Required Livability Space Ratio, min.	R R-CU	.52
			R	.197
		Required Recreation Space Ratio, min.	R-CU	.200
			R-CU NR-CU	10,000
Gross Land Area, min. (square feet)	NR	.195		
	NR-CU	.19		
R-5 DISTRICT SPECIFIC DEVELOPMENT STANDARDS				
<ol style="list-style-type: none"> Uses shall be restricted to those indicated for the R-5 District in Section 5.2, unless a Conditional Use (CU) or MPD-CZ District is approved (see Section 3.8). Development within the zoning district shall be subject to all applicable use standards detailed in Article 5 and all applicable development standards detailed in Article 6 of this Ordinance. 				

3. While the Minimum Lot Size may be 7,500 square feet, the density permitted on a given parcel is based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.4 for a breakdown of the allowable density (i.e., the number of individual dwellings that can be developed on a parcel of property).
4. Allowable impervious surface area is based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.5 for a breakdown of the allowable impervious surface area.
5. ~~For lots outside of a Watershed Protection Overlay District (see Section 4.2), the minimum usable lot area for lots that utilize ground absorption wastewater systems shall be 30,000 square feet for parcels between 40,000 square feet and 1.99 acres in size; zoning lots two acres and greater in size shall have a minimum usable lot area of at least 40,000 square feet~~
65. Proposed subdivisions are subject to all applicable subdivision standards detailed in Article 7. Note that Article 7 provides for different dimensional requirements than those shown in the Dimensional and Ratio Standards table depending upon the type of subdivision proposed and the percentage of open space provided.
76. Subdivisions ~~utilizing, following the conventional design process and/or~~ proposing private roads are subject to larger setbacks and minimum lot sizes than those listed in the Dimensional and Ratio Standards. Refer to Section 7.8.4 for additional requirements. Refer to Section 7.8.5 for private road standards.
87. The storage of junked or wrecked motor vehicles is prohibited except if the vehicle is stored in an enclosed building that conforms to applicable building code and zoning regulations or if such building is a legal non-conforming use.

R-8 HIGH INTENSITY RESIDENTIAL		DIMENSIONAL AND RATIO STANDARDS		
PURPOSE	The purpose of the High Intensity Residential (R-8) District is to provide locations for high intensity residential development and supporting recreational community, service, or educational uses in areas where the full range urban services are available. It is further intended that these districts be used to promote economically mixed housing developments and to contribute to the provision of a range of housing types for lower income households.	Lot Size, min. (square feet)	5,000	
APPLICABILITY	This district will usually be applied where the following conditions exist: 1. Designated by the adopted Comprehensive Plan as a Transition Area which can reasonably be annexed by a municipality in the ensuing 10-20 years, or within the Chapel Hill Joint Planning Area located at an Activity Node designated by the adopted Comprehensive Plan. 2. Water and sewer lines should exist at site or be assured of installation as part of the development process. 3. Vehicular access must consist of direct access to a street certified either arterial or collector as designated by the adopted Comprehensive Plan. 4. The full range of urban services exist or are proposed at the time of the development including fire, police, recreation, education, commercial and cultural activities.	Lot Width, min. (feet)	50	
		Front Setback from ROW, min. (feet)	20 [1]	
APPLICABILITY	This district will usually be applied where the following conditions exist: 1. Designated by the adopted Comprehensive Plan as a Transition Area which can reasonably be annexed by a municipality in the ensuing 10-20 years, or within the Chapel Hill Joint Planning Area located at an Activity Node designated by the adopted Comprehensive Plan. 2. Water and sewer lines should exist at site or be assured of installation as part of the development process. 3. Vehicular access must consist of direct access to a street certified either arterial or collector as designated by the adopted Comprehensive Plan. 4. The full range of urban services exist or are proposed at the time of the development including fire, police, recreation, education, commercial and cultural activities.	Corner Side Setback, min. (feet)	20 [2]	
		Side Setback, min. (feet)	8[1]	
APPLICABILITY	This district will usually be applied where the following conditions exist: 1. Designated by the adopted Comprehensive Plan as a Transition Area which can reasonably be annexed by a municipality in the ensuing 10-20 years, or within the Chapel Hill Joint Planning Area located at an Activity Node designated by the adopted Comprehensive Plan. 2. Water and sewer lines should exist at site or be assured of installation as part of the development process. 3. Vehicular access must consist of direct access to a street certified either arterial or collector as designated by the adopted Comprehensive Plan. 4. The full range of urban services exist or are proposed at the time of the development including fire, police, recreation, education, commercial and cultural activities.	Rear Setback, min. (feet)	8 [1]	
		Height, max. (feet)	25 [3]	
APPLICABILITY	DIMENSIONAL STANDARDS NOTES: [1] Accessory structures shall not be erected in any required front open space and shall also conform to all other regulations. [2] Any corner lot having an abutting interior lot on its side street shall observe a front yard setback from both streets provided, however, that this requirement does not reduce the width suitable for a building on said lot to less than 25 feet. (See graphic in Section 6.2.7) [3] Two feet of additional height shall be allowed for one foot increase of the required front and side setbacks. [4] R = residential, NR = non-residential, CU = conditional use.	Floor Area Ratio, max.	R [4] NR	.246
			R - CU NR - CU	.283
		Required Open Space Ratio, min.	R NR	.75
			R-CU NR-CU	.74
		Required Livability Space Ratio, min.	R	.49
			R-CU	.48
		Required Recreation Space Ratio, min.	R	.296
		Gross Land Area, min. (square feet)	R-CU NR-CU	7,000
Required Pedestrian/Landscape Ratio, min.	NR	.088		
	NR-CU	.185		
R-8 DISTRICT SPECIFIC DEVELOPMENT STANDARDS				
1.	Uses shall be restricted to those indicated for the R-8 District in Section 5.2, unless a Conditional Use (CU) or MPD-CZ District is approved (see Section 3.8).			
2.	Development within the zoning district shall be subject to all applicable use standards detailed in Article 5 and all applicable development standards detailed in Article 6 of this Ordinance.			

3. While the Minimum Lot Size may be 5,000 square feet, the density permitted on a given parcel is based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.4 for a breakdown of the allowable density (i.e., the number of individual dwellings that can be developed on a parcel of property).
4. Allowable impervious surface area is based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.5 for a breakdown of the allowable impervious surface area.
5. ~~For lots outside of a Watershed Protection Overlay District (see Section 4.2), the minimum usable lot area for lots that utilize ground absorption wastewater systems shall be 30,000 square feet for parcels between 40,000 square feet and 1.99 acres in size; zoning lots two acres and greater in size shall have a minimum usable lot area of at least 40,000 square feet.~~
65. Proposed subdivisions are subject to all applicable subdivision standards detailed in Article 7. Note that Article 7 provides for different dimensional requirements than those shown in the Dimensional and Ratio Standards table depending upon the type of subdivision proposed and the percentage of open space provided.
76. Subdivisions ~~utilizing, following the conventional design process and/or~~ proposing private roads are subject to larger setbacks and minimum lot sizes than those listed in the Dimensional and Ratio Standards. Refer to Section 7.8.4 for additional requirements. Refer to Section 7.8.5 for private road standards.
87. The storage of junked or wrecked motor vehicles is prohibited except if the vehicle is stored in an enclosed building that conforms to applicable building code and zoning regulations or if such building is a legal non-conforming use.

R-13 HIGH INTENSITY RESIDENTIAL		DIMENSIONAL AND RATIO STANDARDS	
PURPOSE	The purpose of the High Intensity Residential (R-13) District is to provide locations for high intensity residential development and supporting recreational community, service, or educational uses in areas where the full range urban services are available. It is further intended that these districts be used to promote economically mixed housing developments and to contribute to the provision of a range of housing types for lower income households.	Lot Size, min. (square feet)	3,000
APPLICABILITY	This district will usually be applied where the following conditions exist: 1. Designated by the adopted Comprehensive Plan as a Transition Area which can reasonably be annexed by a municipality in the ensuing 10-20 years, or within the Chapel Hill Joint Planning Area located at an Activity Node designated by the adopted Comprehensive Plan. 2. Water and sewer lines should exist at site or be assured of installation as part of the development process. 3. Vehicular access must consist of direct access to a street certified either arterial or collector as designated by the adopted Comprehensive Plan. 4. The full range of urban services exist or are proposed at the time of the development including fire, police, recreation, education, commercial and cultural activities.	Lot Width, min. (feet)	50
		Front Setback from ROW, min. (feet)	20 [1]
		Corner Side Setback, min. (feet)	20 [2]
		Side Setback, min. (feet)	8[1]
DIMENSIONAL STANDARDS NOTES: [1] Accessory structures shall not be erected in any required front open space and shall also conform to all other regulations. [2] Any corner lot having an abutting interior lot on its side street shall observe a front yard setback from both streets provided, however, that this requirement does not reduce the width suitable for a building on said lot to less than 25 feet. (See graphic in Section 6.2.7). [3] Two feet of additional height shall be allowed for one foot increase of the required front and side setbacks. [4] R = residential, NR = non-residential, CU = conditional use.	Rear Setback, min. (feet)	8 [1]	
	Height, max. (feet)	25 [3]	
	Floor Area Ratio, max.	R [4]	.348
		R - CU NR - CU	.400
	Required Open Space Ratio, min.	R R-CU NR - CU	.72
	Required Livability Space Ratio, min.	R	.45
		R-CU	.44
	Required Recreation Space Ratio, min.	R	.494
		R-CU	.497
	Gross Land Area, min. (square feet)	R-CU NR-CU	5,000
Required Pedestrian/Landscape Ratio, min.	NR-CU	.18	
R-13 DISTRICT SPECIFIC DEVELOPMENT STANDARDS			
1.	Uses shall be restricted to those indicated for the R-13 District in Section 5.2, unless a Conditional Use (CU) or MPD-CZ District is approved (see Section 3.8).		
2.	Non-residential uses are permitted only as a Conditional Use (CU) District in the R-13 district.		
3.	Development within the zoning district shall be subject to all applicable use standards detailed in Article 5		

- and all applicable development standards detailed in Article 6 of this Ordinance.
4. The density permitted on a given parcel is based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.4 for a breakdown of the allowable density (i.e., the number of individual dwellings that can be developed on a parcel of property).
 5. Allowable impervious surface area is based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.5 for a breakdown of the allowable impervious surface area.
 6. ~~For lots outside of a Watershed Protection Overlay District (see Section 4.2), the minimum usable lot area for lots that utilize ground absorption wastewater systems shall be 30,000 square feet for parcels between 40,000 square feet and 1.99 acres in size; zoning lots two acres and greater in size shall have a minimum usable lot area of at least 40,000 square feet.~~
 76. Proposed subdivisions are subject to all applicable subdivision standards detailed in Article 7. Note that Article 7 provides for different dimensional requirements than those shown in the Dimensional and Ratio Standards table depending upon the type of subdivision proposed and the percentage of open space provided.
 87. Subdivisions ~~utilizing; following the conventional design process and/or~~ proposing private roads are subject to larger setbacks and minimum lot sizes than those listed in the Dimensional and Ratio Standards. Refer to Section 7.8.4 for additional requirements. Refer to Section 7.8.5 for private road standards.
 98. The storage of junked or wrecked motor vehicles is prohibited except if the vehicle is stored in an enclosed building that conforms to applicable building code and zoning regulations or if such building is a legal non-conforming use.

on which they are to be situated and to avoid the following environmentally sensitive areas:

- (1) Stream buffer zones as required by Section 6.13;
 - (2) Wetlands as defined by the U.S. Army Corps of Engineers;
 - (3) Land with slopes greater than 15%; and
 - (4) Natural areas as identified in the Inventory of Natural Areas and Wildlife Habitats of Orange County, NC.
- (B) To avoid creating lots that will be difficult to build upon in compliance with the standards of this Section, the preliminary plan shall show proposed building envelopes and approximate driveway locations for all lots within subdivisions.
- (1) A zoning compliance permit shall not be issued for the construction of buildings or driveways outside the areas so designated on the preliminary plan unless the Planning Director makes a written finding that the proposed location complies with the provisions of this Section and Sections 6.13 (Stream Buffers) and 6.14 (Stormwater Management).

4.2.8 Modifications of the Impervious Surface Ratio

Modifications of the Impervious Surface Ratios may be requested through one of the following provisions:

- (A) Through variance procedures of the Board of Adjustment, as described in Section 2.10.
- (B) Through approval and recordation of a conservation agreement, as provided in Article 4 of Chapter 121 of the N.C. General Statutes, between Orange County and a land owner that prohibits development of land in a protected watershed in perpetuity, subject to the following:
 - (1) A modification of the required impervious surface ratios may be approved administratively but only to the extent that additional land in the same watershed is conserved or protected from development.
 - (2) The land which will be subject to a conservation agreement must be adjacent to the land proposed for development and for which a modification of the impervious surface ratios is sought.
 - (a) As an example, a person owning a 40,000 square foot lot and subject to a 12% impervious surface ratio would be limited to 4,800 square feet of impervious coverage. If the person's plans called for 5,500 square feet of coverage (a difference of 700 square feet), the recording of a conservation easement on 5,833 square feet of contiguous property would satisfy the impervious surface ratio requirements. (12% of 5,833 square feet is 700 square feet.)
 - (b) The conservation easement shall describe the property restricted in a manner sufficient to pass title, provide that its restrictions are covenants that run with the land and, be approved in form by the County Attorney.
 - (c) The conservation easement shall, upon recording, be in the place of a first priority lien on the property (excepting current ad valorem property taxes) and shall remain so unless, with the approval of Orange County, it is released and terminated.
 - (d) Orange County shall require the priority of the conservation easement to be certified by an attorney-at-law, licensed to practice law in the State of North Carolina and approved to certify title to real property.

- (e) Orange County approval of a release or termination of the conservation agreement shall be declared on the document releasing or terminating the agreement. The document shall be signed by the Orange County Manager, upon approval of the Board of County Commissioners. No such document shall be effective to release or terminate the conservation agreement until it is filed for registration with the Register of Deeds of Orange County.
- (C) Through the installation of a stormwater feature, consistent with the minimum design standards as detailed within the State BMP Manual.
- (1) The proposed feature must be recognized by Orange County and the State as allowing for an increase in impervious surface area through an infiltration stormwater feature.
 - (2) Under no circumstances may impervious surface area be increased by more than 3% of the total allowable area on the subject parcel through this process.
 - (3) The property owner shall provide a stormwater assessment, completed by a licensed engineer, of the current property identifying its infiltration rates and carrying capacity as well as a comprehensive soil assessment for the property.
 - (4) The development/design of the feature shall be in accordance with established design criteria as embodied within the State stormwater manual and shall be completed by a licensed engineer with ~~expertise~~^{expertise}¹⁴ in stormwater management. Additional allowable impervious surface area shall be based on the soil composition of the property consistent with State regulations.
 - (5) The property owner shall be responsible for the completion and submission of a stormwater operation/maintenance and access agreement detailing the perpetual maintenance, inspection, and upkeep of the approved BMP in accordance with County and State regulations.

The Planning Director shall cause an analysis to be made of the agreement by qualified representatives of the ~~County~~^{County}¹⁰ and other agencies or ~~officials~~^{officials}¹⁰ as appropriate. Once approved, the document shall be recorded in the Orange County Registrar of Deeds office.

The property owner assumes all financial and legal responsibility for the perpetual maintenance and upkeep of the approved BMP.
 - (6) The property owner shall assume all costs associated with the preparation and recordation of new plat(s)/development restrictions detailing the allowable impervious surface limit(s) for the property after the BMP has been approved by the County.
 - (7) The property owner, at its cost and expense, shall be required to execute and file with the County a bond, or other form of acceptable security, to cover the cost of removal of a BMP, and any additional impervious surface area installed as the result of its approval, in the event the BMP is failed to be maintained in accordance with the recorded operations agreement. The amount of the bond shall be 110% of the estimated cost of removing the feature and impervious surface area as certified by a licensed professional engineer or surveyor.

¹⁴ Correction of typo.

4.2.9 Water Supply / Sewage Disposal Facilities

TABLE 4.2.9: WATER SUPPLY/SEWAGE DISPOSAL FACILITIES ¹⁵	
DISTRICT	WATER SUPPLY/SEWAGE DISPOSAL
UNIV-CA UNIV-PW	Water supply and sewage treatment systems shall be limited to individual wells and on-site septic tanks systems, <u>or</u> individual on-site alternative disposal systems. <u>No off-site system shall be permitted.</u>
All <u>Other</u> Watershed Overlay Districts	No new treatment system will be permitted where effluent disposal occurs on a separate lot from the source of wastewater generation; provided, however, off-site systems shall be permitted in all Watershed Overlay Districts except the University Lake Protected Watershed (UNIV-PW) and Critical Area (UNIV-CA) when located in a Flexible Development subdivision approved in accordance with Section 7.13 of this Ordinance. <u>Off-site individual septic systems associated with a Flexible Development Option Subdivision as outlined in UDO Section 7.12 must be contained within Common Open Space and approved by Orange County Environmental Health Department.</u> ¹⁶
UNIV-CA	New septic tanks and their nitrification fields shall be located outside of any stream buffers, or 300 feet from a reservoir or perennial or intermittent stream as shown on the USGS Quadrangle maps, whichever is further
CANE-CA U-ENO-CA	New septic tanks, pump tanks and their appurtenances shall be located outside of any stream buffers and at least 100 feet from a perennial or intermittent stream as shown on the USGS Quadrangle maps, and at least 150 feet from a reservoir. New nitrification fields shall be located outside of any stream buffers and at least 100 feet from a perennial or intermittent stream as shown on the USGS Quadrangle maps, and at least 300 feet from a reservoir.
CANE-PW CANE-CA U-ENO-CA	Water supply and sewage treatment systems shall be limited to individual wells and septic tanks or individual on-site alternative disposal systems; provided however, off-site systems shall be permitted when located in a Flexible Development subdivision approved in accordance with Section 7.13 of this Ordinance.
UNIV-PW CANE-PW U-ENO-PW HYCO-PW LITTLE-PW BACK-PW HAW-PW JORDAN-PW LENO-PW FLAT-PW	New septic tanks and their nitrification fields shall be located outside of any stream buffers and at least 100 feet from a perennial or intermittent stream as shown on the USGS Quadrangle maps.

¹⁵ There will need to be a comprehensive re-assessment of these provisions in light of new septic/well development standards initiated by the State. For the time being staff is recommending basic modification to ensure clarity as well as the promotion of the new Flexible Development options as detailed in this amendment package.

¹⁶ In consultation with both the County Attorney’s office and Environmental Health it was decided existing language is no longer applicable given recent changes in State law. Existing language could also have been interpreted as pre-empting Environmental Health’s permit authority, which it cannot do.

area's remaining rural character and is proposed to have the lowest average development densities in the future. The current character of the area is residential development on relatively large lots, with a considerable number consisting of large undeveloped tracts (both open and forested), and active farm land. The Lower Intensity area lies mostly in the central and southern part of the study area. A portion also extends north to I-85 in the undeveloped area east of Strayhorn Hills. It contains 2502 acres, 725 of which are contained in Duke Forest or the Stoney Creek wildlife corridor.

(B) Intermediate Intensity Development Area

The Intermediate Intensity Development Area includes land designated as intermediate intensity area in the Stoney Creek Basin Small Area Plan. The Intermediate Intensity area is intended to provide a transition between higher and lower intensity areas. It is envisioned as being predominantly residential with density being determined in large part by the character of existing development. The Intermediate Intensity area contains 1205 acres, and includes the existing residential developments of Strayhorn Hills and Wyngate, areas bordering University Station Road along the eastern side of the Plan area, and area west of NC 86 adjacent to the I-40/Old NC 86 Economic Development District.

(C) Higher Intensity Development Area

The Higher Intensity Development Area includes land designated as higher intensity area in the Stoney Creek Basin Small Area Plan and is generally synonymous with areas designated in the Land Use Element of the Comprehensive Plan as Ten- or Twenty-Year Transition Area. In the future, land within the Higher Intensity area will likely be annexed into the municipalities of Hillsborough or Durham. A mix of land uses is possible. The Higher Intensity area contains 699 acres, most of which lies in the western and northwestern parts of the Stoney Creek Basin Plan Area, with one smaller portion situated on the eastern tip of the area adjacent to the I-85/US 70 Economic Development District.

4.8.4 Applicable Regulations Pertaining to Flexible Developments

Flexible Development regulations contained in Section 7.13-12 shall apply within the Stoney Creek Basin Overlay District, except as indicated in the Table below:

TABLE 4.6.4: VARIATIONS FROM FLEXIBLE DEVELOPMENT PROVISIONS OF SECTION 7.13-12 APPLICABLE IN STONEY CREEK BASIN OVERLAY DISTRICT				
STANDARD		DEVELOPMENT AREA		
		LOWER INTENSITY	INTERMEDIATE INTENSITY	HIGHER INTENSITY
Calculation of Open Space		Active recreation area may not be included in open space calculations	50% of active recreation area may be included in open space calculations, per Section 7.12.47-13.3 of this Ordinance	
Number of Bonus Units ⁽¹⁾	33.1-50.0% Open Space	One additional dwelling unit per two acres of open space above 33%		
	50+% Open Space	One additional dwelling unit per two acres of open space between 33% and 50%, plus one additional dwelling unit per acre of open space above 50%		
Location of Bonus Units		Bonus units may not be located in the Lower Intensity Development Areas, but may be located in a flexible development in the Intermediate Intensity or Higher Intensity Development Areas.	Bonus units may be located in a flexible development in the Intermediate Intensity or Higher Intensity Development Areas.	Bonus units may only be located in a flexible development in the Higher Intensity Development Area.

TABLE 4.6.4: VARIATIONS FROM FLEXIBLE DEVELOPMENT PROVISIONS OF SECTION 7.13-12 APPLICABLE IN STONEY CREEK BASIN OVERLAY DISTRICT			
STANDARD	DEVELOPMENT AREA		
	LOWER INTENSITY	INTERMEDIATE INTENSITY	HIGHER INTENSITY
Village Option	Village option not permitted.	Village option permitted, but Village Proper limited to 50 acres.	

(1) ~~Bonus units do not apply to Minor Subdivisions utilizing the Flexible Development – Conservation Cluster design Option.~~

ARTICLE 7: SUBDIVISIONS

SECTION 7.1: GENERAL PROVISIONS

7.1.1 Purpose

- (A) The purpose of this Article is to guide and regulate the subdivision of land within Orange County, for sale or building development, in order to:
- (1) Ensure the public health, safety, and welfare;
 - (2) Provide for the sound use of land;
 - (3) Ensure adequate planning of street systems;
 - (4) Avoid overcrowding of land;
 - (5) Prevent fire, panic, and other dangers;
 - (6) Ensure that water and sewage systems are safe and adequate;
 - (7) Prevent flood damage;
 - (8) Facilitate an orderly use of land;
 - (9) Ensure the proper legal description and monumenting of subdivided land; and
 - (10) Encourage the proper management of Orange County's natural resources.
- (B) It is the expressed purpose of this Article to provide for, in addition to the above, the protection of water resources in Orange County, through the use, alone or in combination, of buffer zones, varying lot sizes, slope restrictions, vegetation, or other equally effective techniques. Innovative techniques on the part of the developer are encouraged where these techniques can be shown to be as effective as the specific requirements of the Article.

7.1.2 Jurisdiction and Applicability

- (A) In accordance with the North Carolina General Statutes, no person may subdivide their land within the planning jurisdiction of Orange County except in accordance with the provisions of this Ordinance.
- (B) No subdivision shall be recognized by the Planning Department until a final plat of the subdivision has been approved and signed by the Planning Director and recorded in the Orange County Register of Deeds Office, including the recordation of any additional documentation required by this Ordinance.
- (C) As provided in North Carolina General Statutes, the Orange County Review Officer shall not certify a plat of any subdivision within the County's subdivision jurisdiction unless the plat has been approved in accordance with the provisions of this Ordinance.

7.1.3 Compliance with Plans and Other Applicable Regulations

All subdivisions shall comply with applicable general provisions, standards, and policies outlined within this Ordinance and the Orange County Comprehensive Plan, as well as with any special planning studies, small area plans, corridor plans, or special planning studies approved or adopted by the Board of County Commissioners.

SECTION 7.2: CLASSIFICATION OF SUBDIVISIONS

Subdivisions shall be classified as Exempt, Minor, or Major, in accordance with the provisions of this Section. Review procedures for all subdivisions are contained in Article 2.

7.2.1 Exempt Subdivisions

- (A) In accordance with North Carolina General Statutes, the following activities do not constitute a subdivision and are expressly exempt from established review and approval processes, provided that the property's exempt status is confirmed in accordance with the procedures detailed in Article 2:
- (1) The combination or recombination of portions of previously subdivided and recorded lots if the total number of lots is not increased and the resultant lots are equal to or exceed the standards of the County, including private road justification standards, as detailed within this Ordinance.
 - (2) The division of land into parcels greater than ten acres if no street right-of-way dedication is involved.
 - (3) The public acquisition by purchase of strips of land for widening or opening streets.
 - (4) The division of a tract in single ownership of the entire area of which is no greater than two acres into not more than three lots, if no street right-of-way dedication is involved and if the resultant lots are equal to or exceed the standards of the County as detailed within this Ordinance.
- (B) Exempt subdivision shall be required to meet all applicable requirements for the granting of zoning and building permits.

7.2.2 Minor Subdivisions

A subdivision shall be classified as "minor" if it does not:

- (A) Create more than:
- (1) ~~Five~~ Five lots, including the residual acreage, following the Conventional subdivision design model; or
 - (2) ~~Twelve~~ Twelve lots, including the residual acreage, following the Flexible Development subdivision design model from any one tract of land in any ten year period.¹⁷
- (B) Dedicate or improve any new public street other than widening an existing public street;
- (C) Extend public water and/or sanitary sewerage systems other than laterals to serve individual lots; and
- (D) Necessitate the installation of drainage improvements which would require easements through one or more lots to serve other lots.

7.2.3 Major Subdivisions

- (A) A major subdivision is any subdivision that is not an Exempt or Minor subdivision, as classified in subsections 7.2.1 and 7.2.2. Major subdivisions are further classified as follows:
- (1) **Major Subdivision, Standard**
All subdivisions not classified as an Exempt Subdivision; Minor Subdivision; Major Subdivision, Class A Special Use; or Major Subdivision, Conditional Use.
 - (2) **Major Subdivision, Class A Special Use, Rural Designated**

¹⁷ As proposed by staff there will be different thresholds for what constitutes a minor subdivision based on the design process followed by the subdivider. In this case we want to promote/encourage the use of the Flexible Development design process and will allow more lots to be created through that process.

A tract of land in a Rural Designated area on the Growth Management System map that is proposed for a subdivision of 21-40 lots.

(3) Major Subdivision, Class A Special Use, Urban Designated

A tract of land in an Urban Designated area on the Growth Management System map that is proposed for a subdivision of 21-79 lots.

(4) Major Subdivision, Conditional Use, Rural Designated

A tract of land in a Rural Designated area on the Growth Management System map that is proposed for a subdivision of 41 or more lots.

(5) Major Subdivision, Conditional Use, Urban Designated

A tract of land in an Urban Designated area on the Growth Management System map that is proposed for a subdivision of 80 or more lots.

- (B)** For the purpose of determining whether a subdivision is a Major Subdivision, Class A Special Use (Rural Designated or Urban Designated), or a Major Subdivision, Conditional Use District (Rural Designated or Urban Designated), the number of lots created shall be determined by counting the cumulative number of lots created, through subdivisions, on a tract or parcel of land as the boundaries of said tract or parcel of land existed in the Land Records of Orange County as of November 5, 2003.

SECTION 7.3: PHASING OF MAJOR SUBDIVISIONS

A major subdivision may be developed in phases, provided that:

- (A)** Each phase contains at least five lots, unless depicted on a phasing plan approved by the Board of County Commissioners as part of the preliminary subdivision plat with the express determination that the proposed phasing makes it unlikely that a subdivider would willingly abandon a final phase that contains a required extension of a road or other infrastructure;
- (B)** The degree and extent of road, water supply, sewage disposal, stormwater management, erosion and sedimentation control, and other required improvements in the phase and previously approved phases is sufficient to serve or handle all development within the phase;
- ~~**(C)** The number of lots and amount of 100% of required open space in the phase and any previously approved phases is proportional shall be dedicated with the recordation of the first lot; and~~
- ~~**(D)**~~ **(C)** A phasing plan showing the phases of development and the requirements of this Ordinance that will be satisfied in each phase is approved by the Board of County Commissioners as part of the preliminary plat.

A minor subdivision utilizing the Flexible Development Option may be developed in phases, provided that:

- (A)** The degree and extent of road, water supply, sewage disposal, stormwater management, erosion and sedimentation control, and other required improvements in the phase and previously approved phases is sufficient to serve or handle all development within the phase;
- (B)** 100% of required open space shall be dedicated with the recordation of the first lot; and
- ~~**(D)**~~**(C)** A phasing plan showing the phases of development and the requirements of this Ordinance that will be satisfied in each phase is approved by the Planning Director as part of the final plat.

SECTION 7.4: IMPROVEMENTS AND PERFORMANCE GUARANTEES**7.4.1 Generally**

- (A) Improvements proposed by the subdivider or required by this Ordinance, shall be constructed in accordance with the standards and requirements provided in this Ordinance.
- (B) In those instances where said improvements are required to be constructed subsequent to the approval of the Final Plat, plans and specifications for said improvements shall be approved by the appropriate agency and reference to said improvements shall be made part of the Final Plat.

7.4.2 Improvements Required

- (A) Subdividers are responsible for the construction, installation, and maintenance of required improvements in accordance with the standards in this Ordinance in addition to any applicable federal, state, or county standards to include, but not be limited to, the following:
- (1) All roads within the subdivision and improvements to existing roads required for safe and adequate access to the subdivision;
 - (2) Road signs;
 - (3) Water supply and wastewater systems, other than individual wells and septic tanks;
 - (4) Drainage facilities and easements;
 - (5) Stormwater management devices;
 - (6) Erosion and sedimentation control devices;
 - (7) Low-impact (passive) and active recreation amenities;
 - (8) Fire suppression management facilities;
 - (9) Common Open sSpace, Rrecreation or Llandscape management improvements, areas, and facilities; and¹⁸
 - (10) Any other on- or off-site improvements required by this Ordinance or required at the time of preliminary plat approval.
- (B) If the subdivider records a plat for only a portion of the subdivision for which a preliminary plat was approved, the improvements required to be constructed, installed, and maintained in accordance with said recorded plat shall be those improvements that the Planning Director deems necessary to serve the lots shown on the recorded plat.

7.4.3 Completion of Improvements

- (A) The Planning Director shall not approve a final plat presented for recordation until:
- (1) All required improvements have been completed, or
 - (2) Applicable performance guarantee bonds has been evidenced in accordance with the provisions detailed herein.
- (B) An improvement shall be deemed completed only after the appropriate public agency has certified that the improvement(s) has been installed in accordance with the approved preliminary plat, the approved construction plan, and in accordance with applicable federal, state, and county regulations.

- (C) In lieu of certification from a public agency, the Planning Director is authorized to accept certification from the applicant's licensed professional engineer or licensed professional surveyor or other professional as authorized by the North Carolina General Statutes that the improvements have been installed in accordance with all applicable standards.

7.4.4 Performance Guarantees

- (A) Performance guarantees shall be required for the purpose of ensuring that subdividers/¹⁹ ~~developers~~ properly install all required subdivision improvements in a timely manner, in accordance with approved plats and construction plans.
- (B) The term of a performance guarantee shall not exceed two years. The Planning Director may, for good cause and with the approval of the provider of the guarantee, grant extensions of the term, with each such extension not to exceed one year.
- (C) Performance guarantees must be in the form of a performance bond, irrevocable letter of credit, or cash escrow account. The form of guarantee shall be determined by the subdivider/~~developer~~.
- (D) The performance guarantee shall be conditioned upon the performance of all work necessary to complete the required subdivision improvements within the time period specified at the time of preliminary plat or construction plan approval.
- (E) The amount of the performance guarantee shall equal at least 125% of the estimated cost, including project management costs, of the required improvements that have not been installed by the time of final plat submittal.
- (F) The estimated cost of required improvements, including project management costs, must be itemized by improvement type and certified by the subdivider/~~developer's~~ licensed professional engineer. In the case of minor subdivisions, the subdivider's licensed professional engineer or licensed professional surveyor may provide the itemized cost estimate. Cost estimates shall be based on industry norms within Orange County.
- (G) If a subdivider/~~developer~~ fails to properly install required improvements within the term of the guarantee, the guarantee will be deemed in default. In the case of default, the County is authorized to use the guarantee funds to complete the required subdivision improvements or to let a contract for installation of the required improvements.
- (H) Once the conditions of the performance guarantee have been completed to the satisfaction of the appropriate agencies and any required maintenance guarantee has been provided in accordance with the provisions of this Ordinance, the guarantee shall be released.
- (I) All improvements shall be completed in accordance with the conditions associated with the approved plat(s) and the applicable standards contained in this Article. No financial guarantee may be released until all required certifications of completion have been provided.
- (J) Once all of the required improvements have been at least 50% certified, the financial guarantee may be reduced by the ratio that the completed improvements bear to the total improvements required. However, only one such reduction shall be permitted prior to releasing the entire performance guarantee.

7.4.5 Maintenance of Required Improvements

Improvements installed as a requirement of subdivision approval shall be maintained by the subdivider/~~developer~~ until they are accepted for maintenance by NCDOT, a utility provider, the individual homeowner, or a Home Owners' or Property Owners' association.;

¹⁹ Staff is attempting to standardize terminology. We use the term 'subdividers' and 'developers' interchangeably but they can actually mean vastly different things. We are eliminating the use of the term 'developer' in Article 7 and relying solely on 'subdivider'.

- ~~(A) For a public road, the North Carolina Department of Transportation;~~
- ~~(B) For utilities, the utility provider;~~
- ~~(C) For landscaping, the individual homeowners or a property owners' association; For a private road and other community facilities such as recreation and stormwater management improvements, the individual homeowners or a property owners' association or similar legal entity~~

7.4.6 Property Owners' Association

- (A) Where a neighborhood, ~~P~~roperty ~~O~~wners', or ~~H~~omeowners'~~s~~ ~~association~~ Association, or similar legal entity is ~~to be~~ responsible for the maintenance and control of any improvements required as part of subdivision approval, the subdivider shall file, with the Planning Department and record with the final plat, a declaration of covenants and restrictions, articles of incorporation, where required, and/or by-laws as approved by the County Attorney that will govern the maintenance and control of such improvements. Provisions shall include but not be limited to the following:
 - (1) The association shall be established before any homes are sold and/or any building occupied;
 - (2) Membership shall be mandatory for each home buyer and all successive buyers;
 - (3) The association shall be responsible for liability insurance, local taxes and maintenance of recreation, Common Open Space areas, and other facilities, including streets and utility lines;
 - (4) The homeowners must pay their ~~pro-rated~~ share of the costs, and any sums levied by the association that remain unpaid shall become a lien on the individual homeowner's property which shall be subordinate only to tax and mortgage liens;
 - (5) If all or any portion of the property held by the association is being disposed of, or if the association is dissolved, adequate recreation space shall be deeded to Orange County or the appropriate unit of local government to satisfy the public recreation space required by this Ordinance;
 - (6) The lot owner of each dwelling unit or lot shall have voting rights in the association; and
 - (7) The homeowners association shall be able to adjust any assessments to meet changed needs.
- (B) When articles of incorporation are required, they shall be submitted in the form in which they will be filed with the North Carolina Secretary of State and, upon filing, a copy of the articles of incorporation shall be provided to the Planning Department.

7.4.7 Assumption of Maintenance Responsibilities by Property Owner's Association

In those instances where a property owner's association, as detailed within subsection 7.4.6, is to assume maintenance responsibility for improvements within the subdivision, the following process shall be adhered to:

- (A) The subdivider/~~developer~~ shall be required to submit to the Planning Department, in writing, notification that he or she intends to transfer maintenance responsibilities to an established property owner's association.
- (B) The subdivider/~~developer~~ shall coordinate and schedule a joint meeting with Planning Department staff and property owner's association members and officers to review the status of all required improvements and outline the association's perpetual maintenance responsibility. The meeting shall take place at the Planning Department's office during normal business hours.

- (C) The subdivider/~~developer~~ shall prepare a document, to be approved in both form and content by the Planning Department and County Attorney, outlining the current conforming status of all required improvements and providing documentation that the improvements have recently been inspected and certified as being compliant with federal, state, and local regulations.
- (D) Officers of the property owner's association shall review and sign the said document confirming the association's obligation in the perpetual maintenance of all improvements and facilities for which responsibility is being assumed.
- (E) Said document shall, upon execution, be recorded with the Orange County Register of Deeds, at the expense of the subdivider/~~developer~~, as formal recognition that maintenance responsibilities have been assumed by the property owner's association.
- (F) The Planning Department shall not release the subdivider/~~developer~~ of maintenance responsibilities, or authorize the release of performance guarantees, until this process is completed.

7.4.8 Maintenance Guarantees – Public Roads

- (A) Maintenance guarantees shall be required for the purpose of ensuring that roads that are to be dedicated to the public are properly maintained, free from defects, between the time of construction and the time of formal acceptance for maintenance by the North Carolina Department of Transportation.
- (B) A maintenance guarantee shall be in place before any required performance guarantee is released or before any building permits are issued for subdivisions containing public road improvements.
- (C) Maintenance guarantees for public road facilities shall stipulate that the subdivider/~~developer~~ will maintain all required public road improvements, drainage improvements, and sedimentation and erosion control improvements to the standards of this Ordinance until the public road improvements are added to the state-maintained road system. The guarantee shall also state that the subdivider/~~developer~~ will be responsible for correcting any defects that may arise during the maintenance period and shall remove temporary sedimentation and erosion control measures.
- (D) Maintenance guarantees shall be in the form of a performance bond, irrevocable letter of credit, or cash escrow account and shall conform to the following:
 - (1) The amount of the guarantee shall be at least 15% of the total cost of constructing the public road improvements (excluding the costs of clearing and rough grading).
 - (2) The estimated cost of the required improvements must be itemized and certified by the applicant's licensed professional engineer or licensed professional surveyor, if the surveyor was the original preparer of the plans for the subdivision.
 - (3) In the case of minor subdivisions, the subdivider's licensed professional engineer or licensed professional surveyor may provide the itemized cost estimate.
 - (4) Cost estimates must be based on industry norms within Orange County.
 - (5) The Planning Director or Planning Board may require a higher guarantee amount when deemed necessary to address higher potential correction costs due to the subdivision's size and site characteristics, but in no event may the amount exceed 25% of estimated construction costs.
- (E) The guarantee shall have a term of two years and shall provide an option for annual renewal if the subdivider/~~developer~~ has:
 - (1) Arranged for County inspection of the improvements,

- (2) Submitted to the County an acceptable estimate of the costs necessary to correct any deterioration or defects discovered by the inspection, and
- (3) Increased the amount of the security by the amount of said estimate.
- (F) The subdivider/~~developer~~ shall pay a fee in accordance with the Fee Schedule adopted by the Board of County Commissioners at the time of the initial posting of the guarantee and for each subsequent renewal or extension to cover the County's administrative costs.

SECTION 7.5: SUBDIVISION AGREEMENTS

- (A) The subdivider of all minor and major subdivisions shall record a subdivision agreement outlining the limitations associated with the development of created lots at the Orange County Register of Deeds at the same time the Final Plat is recorded.
- (B) The purpose of the subdivision agreement is to provide detail on various development limitations that will regulate the overall development of property consistent with the approval of the subdivision.
- (C) This subdivision agreement shall, at a minimum, outline the following development criteria for property within the subdivision:
 - (1) Required development setbacks for lots within the project~~;~~
 - (2) Impervious surface limits for the lots within the development~~;~~
 - (3) The presence of identified environmental features (i.e. stream buffers, flood plain, wetlands, etc) and an explanation on how development of the lot(s) is impacted~~;~~
 - (4) The presence of identified cultural features listed by the North Carolina Heritage Program, or identified in "An Inventory of Sites of Cultural, Historic, Recreational, Biological, and Geological Significance in the Unincorporated Portions of Orange County" or "Inventory of the Natural Areas and Wildlife Habitats of Orange County, North Carolina"~~;~~
 - (5) Identification of soil and septic limitations, if any, for each lot~~;~~
 - (6) Access restrictions for the project and individual lots~~;~~
 - (7) Limitations on land uses~~;~~
 - (8) Maintenance requirements for all roadways as well as references to the project's road maintenance agreement, if required~~;~~ and
 - ~~(8)~~(9) Maintenance requirements for all Common Open Space areas.

SECTION 7.6: GENERAL DESIGN STANDARDS

The avoidance of congestion and overcrowding and the creation of conditions essential to public health, safety and the general welfare may be best accomplished through the application of design standards providing for the distribution of population and traffic, safe and coordinated street systems, approved water supply and sewage disposal systems, usable lots and conformance to plans for Orange County as recommended by the Planning Board and adopted by the Board of Commissioners. The following general requirements and principles of land subdivision shall be observed:

7.6.1 Minimum Lot Size

- (A) All lots shall contain the minimum lot area required by Article 3 of this Ordinance and shall comply with all applicable development standards.
- ~~(B) Any lot which provides an easement for individual septic disposal for use by a separate lot shall contain an additional 20,000 square feet to accommodate the septic easement.~~

(B) Any lot which provides an easement for individual septic disposal for a separate lot shall be adequately sized, designed and approved by Orange County Environmental Health.²⁰

7.6.2 Residential Density

The allowable density on a given parcel of property proposed for subdivision shall comply with the residential maximum density requirements in Section 4.2.4.

7.6.3 Land Suitability

- (A) In reviewing subdivision proposals, the Planning Department and Planning Board shall consider the overall design of the subdivision with the suitability of the land for development to insure that the platting and development of the subdivision will not create a danger to the health, safety, and welfare of Orange County residents.
- (B) Land suitability shall be determined by an investigation of conditions including but not limited to flood prone areas, soil drainage, drainage patterns, slope, historic sites, maximum anticipated levels of land disturbance for the project and all proposed individual lots, and unique natural areas. The investigations shall be carried out by the Planning Board, the Planning Department, or other agencies or individuals having the appropriate technical expertise.
- (C) Special Flood Hazard Areas shall be considered during the review process.
- (D) Soils shall be evaluated for suitability or provisional suitability for septic tanks according to guidelines established in the Laws and Rules for Ground Absorption Sewage Disposal Systems, incorporated herein by reference.
- (1) Each lot that does not contain a suitable building site shall be designated on the plat as being of restricted development potential and by instrument recorded in the Orange County registry as specifically prescribed by Section 7.14.3(E)(1) of this Ordinance.
- (E) **Drainage**
- (1) Soil suitability, including slope and drainage, shall also be evaluated according to soil characteristics indicated by the Orange County Soil Survey and topography indicated by the U.S. Geological Topographic Maps.
- (2) Each lot shall contain a suitable building area safe from inundation and erosion.
- (3) Sanitary sewer systems, septic tank drainfields, water systems, wells, and adjacent properties shall be protected from inundation by surface water.
- (4) Roads, driveways and utilities shall be protected from damage caused by improper stormwater management.
- (5) Mechanical devices, drainage easements, natural buffers, large lots, and/or other technical means may be used to achieve these drainage objectives. Natural drainageways are a preferred means of stormwater run-off removal. The characteristics (including capacity) of natural drainageways shall be protected.
- (6) Runoff levels from the 25-year storm after the site is developed shall not be greater than the rate of runoff on the same site in its natural state.
- (7) In cases where anticipated land disturbance for the subdivision and the proposed lots will cumulatively exceed established thresholds denoted within Section 6.14.5 of this Ordinance, a formal ~~stomnwater~~ stormwater²¹ management plan shall be required as part of the application submittal.

(F) **Resource Protection**

²⁰ Standards are covered under new State guidelines as enforced by Environmental Health.

²¹ Correction of grammatical error.

- (1) Applications for subdivision shall be evaluated by the Planning Department and Planning Board for potential impairment of habitat of rare and endangered species or unique natural areas.
- (2) A strategy shall be developed to protect resources listed by the North Carolina Heritage Program, or identified in "An Inventory of Sites of Cultural, Historic, Recreational, Biological, and Geological Significance in the Unincorporated Portions of Orange County" or "Inventory of the Natural Areas and Wildlife Habitats of Orange County, North Carolina".
 - (a) The strategy shall provide protection of identified natural and cultural resources from impacts which could result from development of the subdivision, and shall include one or more of the following:
 - (i) Dedication of conservation easements,
 - (ii) Restrictive covenants prohibiting clearing or disturbance of the resource areas,
 - (iii) Dedication of resource areas to Orange County,
 - (iv) Clustering of lots to minimize land disturbance, and promote Common Open Space and preserve other environmentally sensitive areas, and preserve the special features of the property,
 - (v) Other restrictions or development options which provide an adequate level of protection.
- (3) The Planning Department shall review available documentation of the particular site and determine if the proposed strategy adequately protects the identified resources.
- (4) Maps, studies, and reports which are relevant to this section shall be maintained by the Planning Department.

SECTION 7.7: LOTS

7.7.1 Generally

All lots shall conform to all of the requirements of this Ordinance for the zoning district and any overlay district in which they are located.

7.7.2 Shape and Orientation

- (A) The shape and orientation of lots shall be appropriate to the location of the subdivision and the development intended.
- (B) Interior lot lines extending from a street should be approximately perpendicular or radial to the street right of way line.
- (C) Lot lines shall be located to permit efficient installation and maintenance of utility lines on utility easements, to maximize buildable area, and, where applicable, to provide a suitable area for septic systems.
- (D) Commercial and industrial lots shall be of sufficient size to include off street service facilities, and off street parking of all vehicles used by all patrons and employees.

7.7.3 Relationship to Street

- (A) Each lot shall abut a publicly dedicated street except in subdivision approved with private roads. In the latter situation, each lot must abut a private road or a state maintained road which is shown on the approved plat and constructed pursuant to the standards set by Orange County.

- ~~(B) Upon recommendation of the Planning Board and approval of the County Commissioners, the construction of the access road may be postponed until building or market development is undertaken.~~
- ~~(1) In this case the lots shall be designated on the plat: "This lot may not be sold, nor a building permit issued, until the access road has been built as specified for this subdivision."~~
- ~~(C) Except where reverse frontage is desirable, double frontage lots should be avoided.~~

7.7.4 Flag Lots

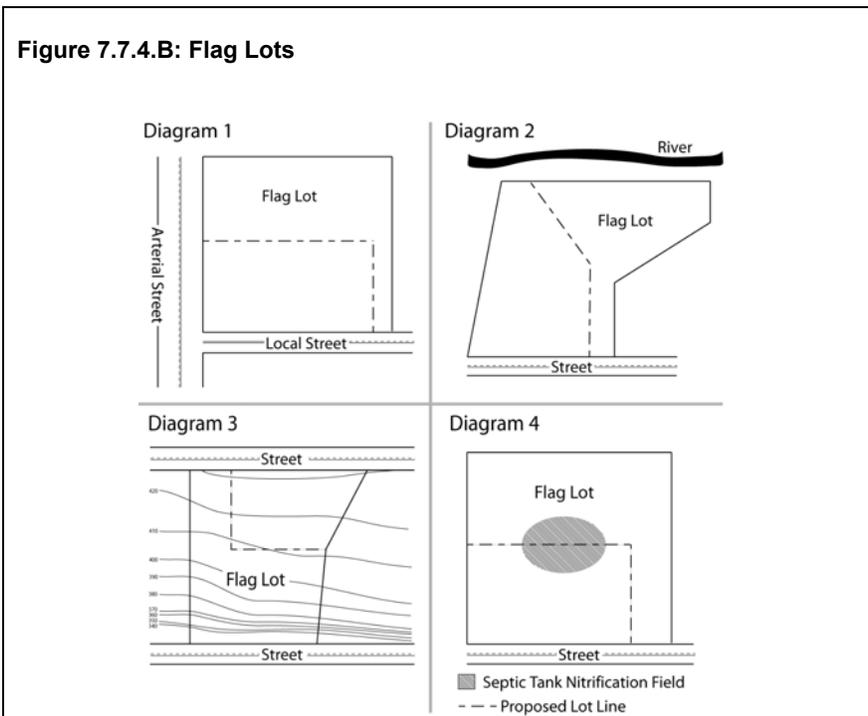
(A) Intent

Orange County discourages and restricts forming flag lots. A flag lot shall be permitted if necessary to allow a property owner reasonable use and benefit from his/her land or to alleviate situations which would otherwise cause extreme hardship for him/her.

(B) Lot Standards

Flag lots are allowed only:

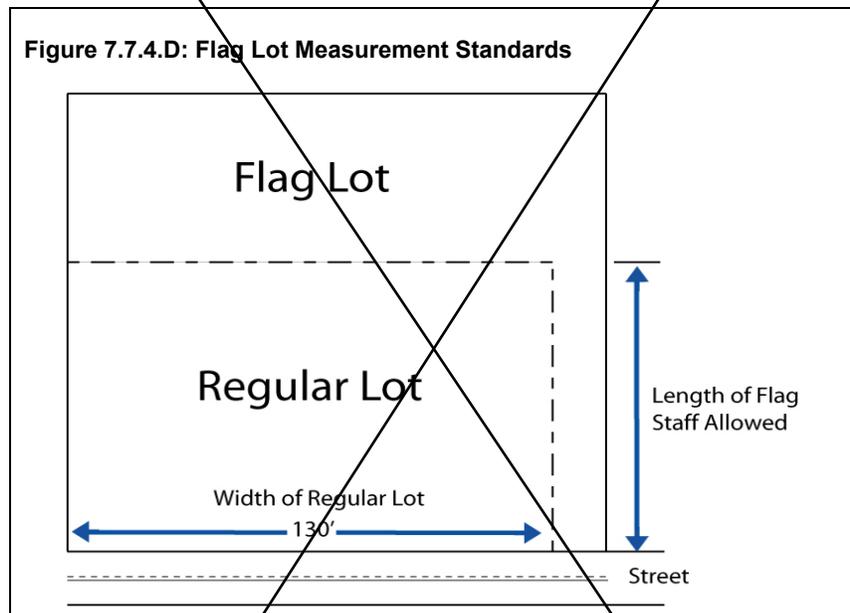
- (1) Where necessary to eliminate access onto arterials (See Fig. 7.7.4.B, Diagram 1);
- (2) To reasonably utilize irregularly shaped land (See Fig. 7.7.4.B, Diagram 2);
- (3) To reasonably utilize land with difficult topography (See Fig. 7.7.4.B, Diagram 3); and
- (4) To reasonably utilize land with limited sites suitable for septic tank nitrification fields (See Fig. 7.7.4.B, Diagram 4);



- ~~(5) Where it is unlikely that a road created in lieu of a flag lot would ever be extended, or otherwise needed to provide access to adjoining parcels; or,~~
- ~~(6) To provide for the protection of significant natural or cultural resources, and.~~
- ~~(7) To provide access and/or street frontage for Common Open Space areas.~~

- (C) No flag lot shall be permitted if it increases the number of access points onto an arterial or collector street.
- (D) The length of a flag lot between the street onto which it has access and the point where a lot dimension parallels the street shall be based on the size of the proposed regular lot. The following table indicates the allowed length of the flag portion of the lot based on the required minimum width of the regular lot (see example graphic).

TABLE 7.7.4.D: LOT SIZE REQUIREMENTS		
SIZE OF REGULAR LOT	REQUIRED MINIMUM WIDTH OF REGULAR LOT	LENGTH OF FLAG STAFF ALLOWED
40,000 sq. ft. to 1 acre	130 feet	308 to 336 feet
1+ acres to 2 acres	130 feet	337 to 671 feet
2+ acres	130 feet	672 to 700 feet [1]
[1] Maximum length allowed		



- (E) The maximum length allowed on any flag lot is 700 feet.
 - (1) The lot width and street frontage of a flag lot may be reduced to 35 feet.
 - (2) The Planning Director may approve further reductions to a minimum of 20 feet where topographical conditions permit the construction of an adequate driveway within that width.
 - (3) The Planning Director may also require greater widths where necessary to insure adequate access.
- (F) All flag lots created after October 3, 1988 shall be composed of contiguous land area, and that area shall not be divided by street right of way or other lots. A private road easement may divide a new lot only if all of the following criteria are met:
 - (1) The land underlying the easement in the same ownership as the remainder of the lot; and
 - (2) The proposed easement contains an existing road or driveway which is to be used for access to new lots; OR the proposed easement if located along a property line will have an irregular shape; and
 - (3) The minimum lot area requirement can be met on one side of the road easement but not both sides.

(G) Those lots with land area divided by a public road right-of-way prior to October 3, 1988 shall not be further subdivided in a manner which creates any additional lots with divided area.

~~**(G)(H)** The regulations of section 7.7.4 do not apply to flag lots which contain Common Open Space. For the purpose of these standards, properties created as shall not be considered flag lots²²~~

SECTION 7.8: ACCESS AND ROADWAYS

7.8.1 Streets and Common Open Space – General Standards

(A) Consistency with Comprehensive Plan

- (1) The provision of street rights-of-way shall conform to and meet the requirements of the Orange County Comprehensive Plan.
- (2) Reservation for or dedication of street rights-of-way for future transportation facilities proposed in the adopted Comprehensive Plan shall be required where appropriate.
- (3) A subdivider shall not be required to provide or dedicate right-of-way for a proposed street to which access would be prohibited by any governmental agency.

(B) Compliance with Approved Access Management Plans and Studies

- (1) Subdivision of land abutting a roadway for which the Board of County Commissioners has approved recommendations from a plan or corridor study is subject to provisions of the approved corridor plan or study.
 - (a) In such cases, the subdivider/landowner shall provide any improvements or other means to ensure construction recommended in such plan or corridor study. Such improvements may include facilities for bicycles, sidewalks, and public transportation.
 - (b) The subdivider, in cases where the recommendations address access management, shall use design elements recommended in the plan or corridor study to reduce conflict points.
- (2) Policies prescribed in Phase V of the Access Management Awareness Project and Report, or other adopted studies of strategies, shall be considered during subdivision and site plan review to assess access management and other corridor design considerations.

(C) Coordinated Street System

- (1) All subdivisions shall have a coordinated street system with public or private streets that access a public municipal street or a public State maintained street in accordance with the following:
 - (a) Public street rights-of-way shall abut adjacent properties as necessary to provide connectivity to the countywide transportation network; and
 - (b) Lot access to streets serving the subdivision shall be limited in the case of streets that provide a link between two or more roads designated in the Comprehensive Plan as arterials or collectors.

²² Technically an open space lot is not intended for development and does not face the same road and utility access issues as a parcel intended for development purposes. There is no need for the same standard to be observed.

(c) All subdivisions shall have at least one street that intersects with or joins a public municipal street, or a public State maintained street.²³

(D) Coordinated Common Open Space System(s)

~~(c) All subdivisions with Common Open Space shall have a coordinated relationship between streets, Primary/Secondary and Active/Passive areas within the subdivision, and, where logical and appropriate, shall connect and have access to adjacent Open Space and Conservation areas.~~

~~All subdivisions with Common Open Space shall be encouraged to connect with existing and planned streets, public trails, sidewalks, and greenways.~~

7.8.2 Public Streets – Where Required

Public streets are generally required in all subdivisions and shall be required where it is found that:

- (A) The subdivision streets would be accepted by the State for maintenance if:
- (1) They are built in a manner which satisfies the minimum State design and construction criteria for subdivision streets; and
 - (2) They would satisfy other requirements for addition to the State maintenance system, including, but not limited to, the general density standard of at least two occupied residences for each one-tenth of a mile of subdivision street.

If, upon review of a subdivision plat, it is determined that the general density standard is met, but a design standard is not, a re-design will be required where possible. For example, if the number of lots proposed along a subdivision street would clearly satisfy the density standard, but the street design was such that the centerline radius did not meet the minimum standard of 230 feet for level land, a new street design would be required. Another example is a situation where a landscaped island or entrance median prevents acceptance of the street for maintenance.

The State's criteria and standards are identified in the following publications: Subdivision Roads - Minimum Construction Standards and Traditional Neighborhood Development (TND) Guidelines, prepared by and available from the N.C. Department of Transportation; or

- (B) The subdivision streets extend existing streets which are public; or
- (C) The subdivision streets are part of a development which is located in an area designated as Urban or Transition by the Orange County Comprehensive Plan; or
- (D) A proposed street is designated as an arterial or collector on an approved Thoroughfare Plan for a municipality or in the Orange County Comprehensive Plan; or
- (E) The subdivision streets are part of a non-residential development consisting of office, retail, industrial, and similar businesses, each located on a separate lot. This provision shall only apply to that portion of a subdivision being developed for non-residential purposes.

7.8.3 Public Streets - Construction Standards

Public dedicated streets must meet the minimum construction standards as adopted by the N.C. Department of Transportation for acceptance of streets as additions to the State Highway System.

²³ Staff is still reviewing the need to add language mandating appropriate street connections/stub-outs within developments. Currently it is the policy to require same. This issue will be addressed in a future amendment package.

7.8.4 Private Roads – When Permitted

- (A) A private road ~~in a Conventional Subdivision Option~~ ~~Conventional Subdivision Option~~ shall be deemed justified for a minor ~~residential~~ subdivision resulting in no more than three lots provided:
- (1) No new lots have been created from the parent tract, through subdivision or other manner exempted from subdivision regulations, since the more recent:
- (a) Date of adoption of this provision (September 18, 2001); or
 - (b) Ten years from the date of recordation of the parent tract if the lot being subdivided was created using the three-lot private road justification provision.
- The parent tract, for the purpose of this provision, is the lot or tract of land that is being subdivided.
- (2) All resulting lots meet the minimum lot area per dwelling unit and maximum density requirements for the zoning district, including any overlay district, in which the subdivision is located.
- ~~(B)~~ A minor residential subdivision of three or fewer lots shall be encouraged to provide a private access easement for one adjacent lot to access the private road in order to reduce the number of access points on a public road.
- ~~(C)~~ ~~Minor Subdivisions utilizing the Flexible Development – Conservation Cluster subdivision eOption shall comply with Common Open Space requirements as detailed in Section 7.12 in lieu of the private road justification requirements and standards listed in this subsection, 7.8.4.~~²⁴
- ~~(D)~~ For all other subdivisions the Planning Board and the Board of County Commissioners (in the case of major subdivisions) and Planning staff (in the case of minor subdivisions) shall consider the design features in this subsection (~~8~~7.8.4)²⁵ when determining whether to permit private roads.
- ~~(E)~~ There is no right to a private road in any subdivision containing more than three lots.
- ~~(B)(F)~~ At a minimum, a private road may be justified if the subdivision meets standards of (1) below and at least two other design features (2 through 7) listed below.
- (1) The location and design of the subdivision is such that it clearly preserves the rural character of the County through:
- (a) The provision of lot sizes and building setbacks significantly greater than those required by the zoning district in which the proposed subdivision is located, including any overlay district requirements, in accordance with the following standards:
 - (i) Lot Sizes and Building Setbacks– Conventional Subdivisions:
 - a. All lots in the subdivision must be at least 80,000 square feet if the minimum lot size or area per dwelling unit of the zoning district is 40,000 square feet or less~~;~~
 - b. All lots must be at least 120,000 square feet (2.75 acres) if the minimum lot size or area per dwelling unit of the zoning district is 80,000 square feet~~;~~

²⁴ The goal is to allow for a further reduction of minimum lot area with the preservation of open space incorporating adaptive wastewater treatment techniques. Current design standards do not support stated BOCC/staff goals of allowing for the further clustering of lots with dedication of additional open space.

²⁵ Staff is correcting an erroneous section reference. Section 8.8.4 deals with 'non-conformities' and not subdivision road design standards.

- c. All lots must be at least 130,680 square feet (three acres) if the minimum lot size or area per dwelling unit of the zoning district is 87,120 square feet (two acres).
 - ~~d.~~ Lots must be at least five acres for all other cases, and
 - ~~d.~~ Minimum building setbacks for lots located on a private road shall be twice those required.
- (ii) Lot Sizes and Building Setbacks – Estate Lot Subdivisions without Density Bonus²⁶
- a. In zoning districts having a minimum lot size of 40,000 square feet:
 - i. All lots must be at least 80,000 sq. ft. in subdivisions providing 40% of Common Open Space;
 - ii. All lots must be at least 70,000 sq. ft. in subdivisions providing 41-49% or less Common Open Space; or
 - ~~iii.~~ All lots must be at least 60,000 sq. ft. in subdivisions providing 50% or greater Common Open Space.
 - ~~iii.~~ _____
 - b. In zoning districts having a minimum lot size of or area per dwelling unit of 80,000 square feet or 87,120 square feet or two acres: ~~(87,120 square feet):~~
 - i. All lots must be at least 130,680 square feet (3 acres) in subdivisions providing a minimum of 40% of Common Open Space ;
 - ii. All lots must be at least 90,000 square feet (2.07 acres) in subdivisions providing 41% - 49% Common Open Space;
 - iii. ~~i~~All lots must be at least 60,000 square feet (1.38 acres) in subdivisions providing 50% or greater open space.
 - ~~c.~~ Minimum building setbacks for lots located on a private road shall be twice those required.
 - ~~e.~~ _____
- (b) The retention and/or provision of landscaping and use of clustering of dwelling units to:
- (i) Screen the view of the subdivision from public roads,
 - (ii) Maintain a wooded or forested character,
 - (iii) Maintain scenic views, or
 - (iv) Preserve wildlife, botanical, historic, archaeological and/or recreation sites; and/or

²⁶ The Flexible Development – Estate Lot Option allows a subdivider to place required ‘open space’ within each proposed lot. We are revising existing language to allow/encourage some of this open space to become common area.

- (c) The preservation of site features which directly enhance the special or unique cultural, historical, archaeological or biological characteristics of the immediate area as referenced in:
 - (i) “An Inventory of Sites of Cultural, Historic, Recreational, Biological, and Geological Significance in the Unincorporated Portions of Orange County” or,
 - (ii) For historic sites, if the site is deemed eligible by the State Historic Preservation Office for inclusion in the National Register of Historic Places.
 - (2) The number, location and/or size of lots to be located in the subdivision are such that, even if constructed to State standards, the streets would not be accepted by the State for maintenance due to density or other State requirements.
 - (3) At least 50% of the site is to be dedicated and preserved through restrictive covenants and contains recreation and/or open space areas of significant botanical, wildlife, historic and/or archaeological sites as referenced in “An Inventory of Sites of Cultural, Historic, Recreational, Biological, and Geological Significance in the Unincorporated Portions of Orange County.”
 - (4) In subdivisions proposed to be located in a Watershed Protection Overlay District, as designated in Section 4.2 of this Ordinance, stream buffers are increased by at least 25% above those required by Section 6.13 of this Ordinance and the impervious surface allowed is decreased by at least 15% to allow greater infiltration of storm water runoff to prevent the pollution of water supply reservoirs.
 - (5) The site contains topographic and environmental features, such as streams, steep slopes, or watersheds that would be adversely affected by the use of roads constructed to State standards because of factors such as significant amounts of earthwork (cut and fill) that would contribute to increased run off of stormwater and siltation.
 - (6) The site is already developed to 100% of the capacity which could be achieved after approval of the subdivision and some or all of the non-conforming aspects of existing development on the site will be made more conforming as a result of the proposed subdivision, and all conforming aspects of the development will remain conforming.
 - (7) There is only one subdivision road proposed and:
 - (a) Its length does not exceed 350 feet,
 - (b) It serves no more than five lots,
 - (c) Its grade does not exceed 9%, and
 - (d) The land being subdivided is not connected to, or part of, another subdivision required to be served by public roads.
- ~~(C)~~(G) The Declaration of Development Restrictions, prepared by the Planning Department and recorded concurrently with the Final Plat, shall include a statement that further subdivision of any of the lots may require that the road be upgraded to a higher private road classification, or to public standards, and that the cost of the upgrade will be the responsibility of the subdivider.
- ~~(D)~~(H) Where a parcel being subdivided was created by a previous subdivision approved after July 5, 1983, then the previous subdivision as well as the proposed subdivision will be considered in determining whether a private road is still justified.
- ~~(E)~~(I) It shall be the responsibility of the ~~applicant-subdivider for subdivision approval~~ to supply a written statement justifying the reasons for private roads in the proposed subdivision.

Compliance with one or more of the standards in this subsection (8.8.4) does not insure approval of either a public or private road within a proposed subdivision.

~~(F)(J)~~ A private road shall be required to meet standards set by Orange County as described in Section 7.8.5. Satisfactory proof that the standards are met will be required by the County Manager or his/her appointed agents.

~~(G)(K)~~ If a subdivision is to contain private roads, the subdivider shall have the County's Standard Road Maintenance Agreement entitled, "DECLARATION OF RESTRICTIONS AND PROVISIONS FOR PRIVATE ROAD MAINTENANCE" prepared and processed in accordance with Section 2.14 for minor subdivisions or Section 2.15 for major subdivisions and shall conform to the requirements of Section 7.14.3(6)(b)(ii).

~~(H)(L)~~ The land within a private road easement shall be included within the lot boundaries of the lot or lots which border the easement. The road maintenance agreement shall include a provision that if the road is dedicated for public use at a later date, then the lot boundaries will be revised to extend only to the edge of the right-of-way, in accordance with NCDOT standards.

7.8.5 Private Road Standards

(A) Purpose and Intent

- (1) In Orange County, the preference is to serve subdivisions with State-maintained (NCDOT) public streets or municipal streets. The County recognizes, however, that private roads may be beneficial in some cases where the ~~Subdivider~~ ~~subdivider~~ provides significantly larger lots, and where a private road graded to a narrower cross-section saves valuable vistas, trees, or natural resources, and reduces cut-and-fill and overall land disturbance. Where the ~~Subdivider~~ ~~subdivider~~ clearly provides benefits such as enhancing entrances or streetscapes off an adjoining public road, saving trees, providing large lots, reducing disturbance, and "fitting" lots better into their natural surroundings, the Planning Department, Planning Board, and Board of County Commissioners may permit the use of private roads.
- (2) The County is concerned about the logical and safe extension of public roads throughout the County and notes that private roads cannot be served by school buses and sometimes not by rescue squads and fire trucks. Private roads are generally unpaved and property owners who use the road are solely responsible for maintenance of the road.
- (3) The County will approve only private roads where the "benefits" outweigh the negative aspects.
- (4) Private roads shall never be approved simply to save money.
- (5) Private roads are a privilege, and not a right, and must be justified by the particular lot arrangement and benefits provided by each development.

(B) General Requirements

- (1) Private Roads serve lots within subdivisions that do not have access to state-maintained roads.
- (2) Private Roads insure that all lots have documented legal right-of-way and provide adequate access for residents and emergency vehicles.
- (3) Private Roads may be allowed in a subdivision where, in the judgment of the Planning Board and with the approval of the Board of County Commissioners, it is found that the nature and location of the subdivision are such that a private road is justified.
 - (a) In determining whether to permit Private Roads in subdivisions, the design features contained in subsection (F)(5) of this Section shall be considered.

- (b) It is the responsibility of the subdivider to supply a written statement justifying the reasons for Private Roads in the proposed subdivision.
- (4) After approval of, and initial construction of the Private Road, maintenance must be provided by the property owners of lots located along the road. A Road Maintenance Agreement or Declaration between the lot owners is required to insure that the needed repairs are made (see subsection (F)(10)(i)).
- (5) Since Private Roads are not constructed to North Carolina Department of Transportation standards, they will not be added to the Secondary Road System and will not be maintained by the State or Orange County.

(C) Classifications

- (1) The standards and specifications for Private Roads apply to subdivisions in Orange County and the class of road required depends on the number of lots served by the road.
 - (a) A Class B road serves 1 to 5 lots or dwelling units.
 - (b) A Class A road serves 6 to 12 lots or dwelling units.
- (2) All Private Roads in a major subdivision require the approval of the Board of County Commissioners.
- (3) Before the final plat of the subdivision can be recorded, the Private Road must be built and approved, or the applicant-subdivider must post a security instrument with the County in an amount that would cover the cost of constructing the road.
- (4) Class B Private Roads intended to serve two lots or dwelling units are not required to be constructed to Orange County Standards or to be inspected before recordation of the final plat.
 - (a) Orange County recommends that such Class B roads be built to these standards in order to provide adequate access, especially for emergency vehicles which require the clearances and turn areas shown on the specifications.

(D) Construction Standards for Private Roads

The standards described herein are the minimum set forth by the County. Orange County has not determined, and is not responsible for determining, that these standards are adequate or appropriate for all uses by landowners. The standards also may not meet NCDOT criteria. No road will be accepted for maintenance by NCDOT unless or until NCDOT standards are met.

TABLE 7.8.5.D BASIC STANDARDS AND SPECIFICATIONS FOR PRIVATE ROADS				
	CLASS A		CLASS B	
Max. Number of Lots	12	2	3	5
Right-of-Way Width	50 ft.	50 ft.	50 ft.	50 ft.
Travel-Way Width	18 ft.	No Standard	12 ft.	12 ft.
Road Maintenance Agreement Required	Yes	Yes	Yes	Yes
Maintenance Responsibility	Property Owners	Property Owners	Property Owners	Property Owners

- (B) If the Board of Education has not purchased the site or begun proceedings to condemn the site within 18 months of site reservation, the subdivider may treat the land as freed of the reservation.

SECTION 7.11: RECREATIONAL FACILITIES

7.11.1 Applicability

- (A) Every person, firm or corporation who subdivides land for residential and/or non-residential purposes shall be required to dedicate a portion of such land for the purpose of public recreation/open space, including the preservation of natural and cultural resources, to serve the leisure needs of the residents of the subdivision and the residents of the immediate neighborhood within which the subdivision is located.

(See Article 10 for definition of "immediate neighborhood". The Planning Department keeps a map showing the location of recreation service area boundaries)

- (B) In all cases, the Recreation and Parks Advisory Council shall review and make recommendations to the Planning Board and Board of County Commissioners on the provision or dedication of recreation and/or open space areas.

7.11.2 Area Requirements

- (A) At least 1/57 of an acre shall be dedicated for each dwelling unit planned or provided for in the subdivision plan, except where land is located in the Special Flood Hazard Overlay District and/or is characterized by steep slopes (15% or greater), then at least 1/20 of an acre of such land shall be dedicated for each dwelling unit.
- (B) If the application of the provisions of Article 3 (Required Minimum Recreation Space Ratio, as shown on the table of each zoning district) and Section 6.3 (Land Use Intensity System) of this Ordinance results in a greater amount of land, then the difference between the application of the standards above and those of the referenced Articles shall be established as private recreation for the use of the residents of the development.
- (C) The total land area dedicated as part of a nonresidential subdivision shall be determined by an analysis of the site, the use(s) to be located thereon and the designation of recreation and/or open space sites as shown on the adopted Comprehensive Plan.
- (1) The site analysis shall be prepared by the subdivider/applicant and shall identify in written and graphic form those areas characterized by:
- (a) Steep slopes (15% or greater),
 - (b) Special flood hazard areas and wetlands,
 - (c) Rock outcroppings,
 - (d) Mature woodlands (trees of 18 inches or greater in diameter),
 - (e) Existing structures and cemeteries, and
 - (f) Lakes, ponds, rivers and other water resources.
- (2) A written and graphic description shall also be submitted by the subdivider/applicant which identifies:
- (a) The proposed use of each lot in the subdivision,
 - (b) The approximate amount of building and parking coverage for each lot, and
 - (c) The approximate number of employees associated with each use.
- (3) In no case shall the total land area be less than that required by application of the provisions of Article 3 (Required Minimum Pedestrian/Landscape Ratio, as shown on the Table of each zoning district) and Section 6.3 (Land Use Intensity System) of this Ordinance.

7.11.3 Site Suitability

- (A) Land provided or dedicated for active recreational purposes shall be of a character, slope, and location suitable for use as for play areas, tennis courts, multi-purpose courts, picnic areas, ball fields, and other similar recreation uses.
- (B) Active recreation areas shall be located on land that is relatively flat (0 to 7-1/2% slopes), free of wetlands and/or flood plains, free of easements for public utility transmission lines, and is otherwise capable of accommodating active recreation uses.
- (C) Land provided or dedicated for low impact recreation and open space purposes shall be of a character, slope, and location suitable for use for walking, jogging, reading and similar quiet activities, and the preservation of natural features and cultural resources such as steep slopes, rock outcrops, native plant life and wildlife cover, mature woodlands, and water resources.
- (D) In all cases, active and low impact recreation sites as well as open space areas designated in the adopted Comprehensive Plan shall be incorporated into the design of the subdivision.
- (E) Criteria for evaluating the suitability of proposed recreation areas shall include but not be limited to the following:

(1) Location

- (a) Land dedicated for recreation purposes shall be located so as to serve the needs of the residents of the subdivision and the residents of the immediate neighborhood within which the subdivision is located.
- (b) ~~As approved by DEAPR, the Orange County Parks and Recreation Board, and BOCC, land dedicated for public recreation purposes shall also maintain logical access to other private Common Open Space areas.~~
- (c) Recreation areas shall be located so as to provide, insofar as possible, reasonable accessibility to all residents of the subdivision and residents living in the immediate neighborhood.
- (d) Recreation areas shall be located where more land more suited for recreational purposes due to shape, level slopes and/or dry soil conditions is present.
- ~~(a)(e) Where proposed park sites are shown in the adopted Comprehensive Plan, and a subdivision contains a portion of the park site, then the developer may be required to locate the recreation area in accordance with the park site as shown thereon.~~

(2) Unity

- (a) Land dedicated for recreation purposes shall be a single parcel except where it is determined that two or more parcels are suited to the needs of a particular subdivision.
- (b) The Planning Department and/or Planning Board may recommend, and the Board of County Commissioners may require, the dedication of a connecting path in addition to the land required in Section 7.11.2 above.
 - (i) Where a connecting path is necessary, a path right-of-way of up to 50 feet in width may be required, but in no case shall the path right-of-way be less than 30 feet in width.

(3) Accessibility

- (a) Land dedicated for recreational purposes shall have at least 50 feet of frontage on at least one street within the subdivision.

- (b) Where a recreation area is not accessible due to lot arrangement, the Planning Department and/or Planning Board may recommend, and the Board of County Commissioners may require, the dedication of connecting paths which link the recreation area with other streets within the subdivision (see figure below).
 - (i) Connecting paths so required shall be in addition to the land required in Section 7.11.2 above.
 - (ii) Connecting paths may require a right-of-way of up to 50 feet in width but in no case shall the path right-of-way be less than 30 feet in width.

Figure 7.11.3.E.3: Connecting Paths



7.11.4 Site Improvements

- (A) Private recreation facilities, either required or provided at the option of the subdivider/applicant, shall meet the standards for site improvements contained in the Table below.
- (B) When choosing improvements for a recreational area, the anticipated characteristics and needs of the residents shall be considered in conjunction with the size of the development, any physical constraints posed by the site, and the availability of other improvements within the same general area as the subdivision.
 - (1) As an example, the existence of a multi-purpose court in an adjacent, existing subdivision and the availability of the facility for use by residents of the proposed subdivision may indicate to the subdivider/applicant that another facility, such as a tennis court, would be more appropriate.
- (C) Recreation facilities which are suitable for various age groups include, but are not limited to those shown in the Table below.
- (D) Trash receptacles shall be provided for all recreational areas regardless of the number and type of other improvements located thereon.

~~Section 7.12: CLUSTER DEVELOPMENTS~~

~~7.12.1 Generally²⁷~~

- ~~(A) Cluster development:
 - ~~(1) Allows for greater design flexibility and originality;~~
 - ~~(2) Permits the reasonable use of land with difficult physical conditions (topography, floodplain, unique natural areas, etc.);~~
 - ~~(3) Respects the physical qualities of the land;~~
 - ~~(4) Reduces the overall development and public costs; and~~
 - ~~(5) Preserves open space to serve recreational, scenic and public service purposes.~~~~
- ~~(B) Cluster developments permit the modification and variation of lot and yard requirements provided that the sum of reductions in lot area becomes common open and for recreation space for the benefit of all residents of the cluster development or for dedication to public use.~~
- ~~(C) Cluster development may be required where protection of environmental resources identified in "An Inventory of Site of Cultural, Historic, Recreational, Biological, and Geological Significance in the Unincorporated Portions of Orange County" or "Inventory of the Natural Areas and Wildlife Habitats of Orange County, North Carolina" cannot be accomplished through the development of a standard subdivision.~~
- ~~(D) If not required by (C) above, cluster developments are an option for the developer.~~
- ~~(E) All cluster developments, whether required or opted for by the developer, shall be done in compliance with the provisions and standards related to or referring to cluster developments contained in this Section.~~

~~7.12.2 Criteria in the Rural Buffer (RB) Zoning District²⁸~~

~~Cluster developments may be approved in the Rural Buffer zoning district upon the following findings:~~

- ~~(A) The tract is a minimum of 400,000 square feet.~~
- ~~(B) Approved water supply and wastewater treatment systems are available and each lot is served by separate water supply and sewerage connections.~~
- ~~(C) The total number of lots proposed for the tract, excluding parcels of reserved recreation/open space is not greater than the number determined by dividing the gross land area, excluding public and private road rights of way, by the minimum lot size required for the Rural Buffer zoning district and Watershed Protection Overlay District requirements for University Lake Watershed, if applicable.~~
- ~~(D) The recreation/open space reserved within the tract conforms Section 7.11.~~
- ~~(E) The minimum amount of land reserved as recreation/open space shall be the sum of all reductions in minimum lot area as a result of the cluster form of development and/or the minimum recreation/open space required in Section 7.11, whichever is greater.~~
- ~~(F) Cluster open space shall not include areas devoted to public or private vehicular streets.~~

²⁷ As staff has indicated in previous presentations, the current Cluster Development section is never employed by a subdivider given the Flexible Development – Conservation Cluster option. We are recommending the section be deleted in its entirety in favor of promoting the aforementioned Flexible Development option.

²⁸ Please note staff has moved the provisions contained in Section 7.12.2 to the Flexible Development – Conservation Cluster design standards to ensure continued compliance with established RB development standards as articulated within the County Comprehensive Plan as well as the Joint Planning Land Use Plan and Agreement.

- ~~(G) — Cluster developments in the UNIV-PW and UNIV-CA Watershed Protection Overlay Districts shall comply with the development standards as set forth in Sections 4.2 and 6.6 of this Ordinance.~~

~~7.12.3 — Reductions in Lot and Setback Requirements~~

~~For lots created as part of a cluster development, minimum lot area, lot width and setback requirements as specified in Article 3 of this Ordinance may be reduced as set forth below:~~

- ~~(A) — Minimum lot area requirements may be reduced to no less than one acre.~~
- ~~(B) — Minimum lot width requirements may be reduced to no less than 104 feet.~~
- ~~(C) — Minimum front setback requirements may be reduced to 30 feet except where the front lot line forms an exterior boundary of the cluster development in which case no reduction shall be permitted.~~
- ~~(D) — Minimum rear and side setback requirements may be reduced to 10 feet except where the rear and side lot line forms an exterior boundary of the cluster development in which case no reduction shall be permitted.~~

~~7.12.4 — Ownership of and Conveyance of Cluster Recreation/Open Space~~

- ~~(A) — Cluster recreation/open space shall be dedicated to the public unless the Board of County Commissioners finds that the size, location, type of development, or cost of development or maintenance of such space or the availability of public open/recreation space would make public use undesirable or unnecessary.~~
- ~~(B) — The applicant may request that the cluster recreation/open space be designated for private use.~~
- ~~(C) — If cluster open/recreation space is not dedicated for public use, it shall be subject to approved legal arrangements sufficient to assure its maintenance and preservation for the intended purpose as provided in Section 7.14.3.~~
- ~~(D)(I) — Open space designed to protect environmental resources identified in “An Inventory of Sites of Cultural, Historic, Recreational, Biological, and Geological Significance in the Unincorporated Portions of Orange County” or “Inventory of the Natural Areas and Wildlife Habitats of Orange County, North Carolina” shall be adequately protected through dedication of conservation easements, dedication to Orange County, restrictive covenants, or other means found appropriate for the long term preservation of the particular site or resource.~~

~~7.12.5 — Criteria for Approval of Major Subdivision Preliminary Plan or Minor Subdivision Final Plat~~

~~In addition to the requirements outlined in Article 2, an approved major subdivision preliminary plan or minor subdivision Final Plat shall provide for a total environment better than that which could be achieved under standard regulations and must meet the following criteria:~~

- ~~(A) — Individual lots, buildings and streets shall be designed and situated to minimize alteration of the natural site features to be preserved.~~
- ~~(B) — The usability of cluster open/recreation space shall be determined by the size, shape, topographic and location requirements specified in Section 7.11.~~
- ~~(C) — Cluster open space shall include irreplaceable natural features such as, but not limited to, streams, significant stands of trees, individual trees of significant size and/or species, uncommon plant communities, wildlife habitats and rock outcroppings.~~
- ~~(D) — Cluster recreation space shall be easily accessible to pedestrians, including the handicapped.~~
- ~~(E) — (E) — The suitability of cluster open space intended for scenic value shall be determined by its visibility from adjoining properties and streets and shall seek to lessen the area devoted to motor vehicle access.~~

- ~~(F) — Diversity and originality in lot layout shall be encouraged to achieve the best possible relationship between the land and the development.~~
- ~~(G) — Up to one-fourth of the land with slopes greater than 15% may be removed or altered only when such slopes are small and isolated and do not otherwise adversely affect the design of the development.~~
- ~~(H) — At least 20% of the gross land area is designated as common open space.~~
- ~~(I)(J) — No more than 50% of the required common open space shall be used exclusively for sewage treatment systems, utilities, or other uses which prohibit access by the residents of the cluster subdivision. This restriction does not apply to areas of historic or natural significance which may be protected by access restrictions.~~

7.12.6 Additional Submittal Requirements

In addition to the requirements outlined in Article 2 regarding Major Subdivision Preliminary Plans or Minor Subdivision Final Plans, applications must be accompanied by:

- ~~(A) — Application shall be identified as a Cluster Development Subdivision.~~
- ~~(B) — A precise description of the extent to which the proposed modifications depart from the standard requirements of the applicable zoning district and the reasons for such departures.~~
- ~~(C) — The location, type and area of the common open space and the adequacy of the amount and function of the open space in terms of densities and dwelling types proposed.~~
- ~~(D) — Written site analysis accompanies by an illustrative site map, which identifies the following:
 - ~~(1) — Slopes 7½ – 15%,~~
 - ~~(2) — Slopes 15% and greater,~~
 - ~~(3) — Existing vegetation,~~
 - ~~(4) — Significant stands of trees,~~
 - ~~(5) — Significant examples of a particular species of tree occurring in a native stand and specimen trees,~~
 - ~~(6) — Drainage and waterways,~~
 - ~~(7) — Special flood hazard areas,~~
 - ~~(8) — Significant rock outcroppings,~~
 - ~~(9) — Significant scenic vistas,~~
 - ~~(10) — Soils with limitations for on-site wastewater systems and building development,~~
 - ~~(11) — The manner in which the plan makes adequate provision for water and wastewater treatment, and~~
 - ~~(12) — The relationship of the plan to the physical environment, the neighborhood in which it is proposed to be established and the intent of the provisions providing for the establishment of a cluster subdivision.~~~~

Section 7.13: SECTION 7.12: FLEXIBLE DEVELOPMENTS

7.13.47.12.1 Purpose

- ~~(A) — The purpose of Flexible Development is to preserve agricultural and forestry lands, natural and cultural features, environmentally sensitive areas, and areas with potential for maintaining the rural community character of the rural community that might otherwise be lost through or marginalized with a conventional development approaches.~~

- (B) To accomplish this goal, greater flexibility and creativity in the design of such developments is encouraged and allowed. Specific objectives are as follows:
- (1) To preserve areas of the county with productive soils for continued agricultural and forestry use by preserving blocks of land large enough to allow for efficient operations.
 - (2) To encourage the preservation and improvement of habitat for various forms of wildlife and to create new woodlands through natural succession and reforestation where appropriate.
 - (3) To minimize site disturbance and erosion ~~through retention~~ by retaining of existing vegetation and avoiding development on steep slopes.
 - (4) To preserve open land, including those areas containing unique and sensitive features such as natural areas and wildlife habitats, steep slopes, streams, wetlands, and floodplains.
 - (5) To preserve scenic views and elements of the county's rural character, and to minimize perceived density by minimizing views of new development from existing roads.
 - (6) To preserve and maintain historic and archaeological sites and structures that serve as significant visible reminders of the county's social and architectural history.
 - (7) To provide for the active and low impact recreational needs of county residents, including implementation of the Master Recreation & Parks Plan.
 - (8) To provide greater efficiency in the siting of services and infrastructure by reducing road length, utility runs, and the amount of paving for development.
 - ~~(9)~~ To create compact neighborhoods accessible to ~~open space~~ Common Open Space amenities and with a strong identity.
 - ~~(9)~~ (10) To strategically organize and preserve Common Open Space areas within the context of their surroundings and greater community.

7.13.27.12.2 Applicability

- (A) All Flexible Development subdivision plats shall comply with the requirements and standards specified herein and in all respects with other applicable codes and ordinances to the extent that they are not in conflict with these provisions.
- (B) Flexible Developments located within the Stoney Creek Basin Overlay District shall comply with provisions of Section 4.8 of this Ordinance.
- (C) The Village Option for a Flexible Development shall not be located in the Rural Buffer (RB) zoning district.
- ~~(D)~~ Applicants/Subdividers ~~Subdividers~~ seeking approval of a Minor Subdivision Final Plat by the Planning Department are encouraged to work with the Planning Department staff in identifying and preserving Common Open Space ~~open space areas~~ as part of such developments.
- ~~(E)~~ Flexible Developments shall comply with applicable density limits as detailed within Section 4.2 of this Ordinance.²⁹

²⁹ Staff is adding language to ensure there is no confusion with respect to a project's compliance with established density limits.

7.12.3 Criteria in the Rural Buffer (RB) Zoning District³⁰

Flexible developments may be approved in the Rural Buffer zoning district upon the following criteria:

- (A) The tract is a minimum of 10 acres.
- (B) Allowed water supply and wastewater treatment systems are available for residential service, and each lot is served by separate water supply and sanitary sewage connections.
- (C) The total number of lots proposed for the tract, excluding parcels of reserved Common Open Space, is not greater than the number determined by dividing the gross land area (excluding public and private road rights-of-way) by the minimum lot size required for the Rural Buffer zoning district and Watershed Protection Overlay District requirements for University Lake Watershed, if applicable.
- (D) The Common Open Space reserved within the tract conforms to Section 7.11.
- (E) Common Open Space shall not include areas devoted to public or private vehicular streets.
- (D) Flexible developments in the UNIV-PW and UNIV-CA Watershed Protection Overlay Districts shall comply with the development standards as set forth in Section 4.2 of this Ordinance.³¹

7.13.37.12.4 Common Open Space Standards

(A) Minimum Required Lots Size and Common Open Space

- (1) Where a ~~developer~~ subdivider elects to seek approval of a Major Subdivision utilizing the Flexible Development Option as specified herein, at least 33% of the total land area in the Flexible Development must be set aside as protected Common Open Space~~open space~~.
- (2) Where a subdivider elects to seek approval of a Minor Subdivision utilizing the Flexible Development Option as specified herein, the development shall provide at least:
 - (a) 33-39% of the total land area in Common Open Space areas for subdivisions with a minimum residential lot size of 43,560 square feet;
 - (b) 40-44% of the total land area in Common Open Space areas for subdivisions with a minimum residential lot size of 30,000 square feet;
 - (c) 45-49% of the total land area in Common Open Space areas for subdivisions with a minimum residential lot size of 20,000 square feet;
OR
 - (d) 50-59% of the total land area in Common Open Space areas for subdivisions ~~maintaining~~ with a minimum residential lot size of 15,000 square feet.
 - (e) 60% or more of the total land area in Common Open Space areas for subdivisions with a minimum residential lot size of 10,000 square feet.

³⁰ Original language from Section 7.12.2 Cluster Developments of the UDO updated to use the term “Flexible” rather than “Cluster”. For more information please refer to Footnote number 23.

³¹ Language is unnecessary given wording in Section 7.12.2 (E) of the proposed amendment.

(3) Such ~~Common~~ ~~Open~~ ~~Space~~ shall meet the standards contained in this Section unless the ~~subdivider~~ ~~developer~~ chooses to seek approval of a conventional subdivision as specified herein.

(B) Planning for Common Open Space

- (1) ~~Common~~ Open ~~space~~ ~~Space~~ design in subdivision projects shall be planned as part of a comprehensive project design.
- (2) The long-term success of open space is improved when a layout is chosen with a perspective of future usefulness, efficiency, connectivity and compatibility with both existing development and other types of open spaces.
- (3) ~~Common~~ Open ~~space~~ ~~Space~~ is an important amenity for subdivision residents and an essential part of the County's character and environmental quality.
- (4) ~~Common~~ Open ~~space~~ ~~Space~~ planning must indicate a thoughtful understanding of that importance, and shall be evaluated based on its merits.
- (5) A Flexible Development subdivision plan shall always provide open space ~~which~~ ~~that~~ prominently meets at least one of the three following goals in open space design:
 - (a) The ~~Maintenance~~ ~~maintenance~~ of ~~Wildlife~~ ~~wildlife~~ ~~Corridors~~ ~~corridors~~ and/or ~~Habitat~~ ~~habitat~~;
 - (b) The ~~Preservation~~ ~~preservation~~ of ~~Rural~~ ~~rural~~ ~~Character~~ ~~character~~; or
 - (c) The ~~Creation~~ ~~creation~~ or ~~Protection~~ ~~protection~~ of ~~Space~~ ~~space~~ for ~~Outdoor~~ ~~outdoor~~ ~~Recreation~~ ~~recreation~~.
- (6) When relevant, a Flexible Development subdivision plan shall address the following additional goals in open space design:
 - (a) The ~~Protection~~ ~~protection~~ of ~~Other~~ ~~other~~ ~~Natural~~ ~~natural~~ ~~Resources~~ ~~resources~~;
 - (b) The ~~Improvement~~ ~~improvement~~ or ~~Maintenance~~ ~~maintenance~~ of ~~Visual~~ ~~visual~~ ~~Amenities~~ ~~amenities~~;
 - (c) The ~~Creation~~ ~~creation~~ or ~~Protection~~ ~~protection~~ of ~~Managed~~ ~~managed~~ ~~Resource~~ ~~resource~~ ~~Production~~ ~~production~~;
 - (d) The ~~Improvement~~ ~~improvement~~ or ~~Maintenance~~ ~~maintenance~~ of ~~Public~~ ~~public~~ ~~Health~~ ~~health~~ and ~~Safety~~ ~~safety~~; and
 - ~~(e)~~ ~~(e)~~ The ~~Creation~~ ~~creation~~ or ~~Protection~~ ~~protection~~ of ~~Public~~ ~~public~~ ~~Purpose~~ ~~purpose~~ and/or ~~Utility~~ ~~utility~~ ~~Infrastructure~~ ~~infrastructure~~;
- (7) The primary means by which goals in open space design are addressed are composition, accessibility, size, and shape.
- (8) The primary way to achieve these open space design goals is by the application of standards to these fundamental land characteristics:
 - (a) Composition
The natural and constructed features of land indicate what types of open-space goals it can support. For each of the listed open space goals, certain characteristics are required or preferred. Compositional requirements and preferences are stated throughout this section.
 - (b) Accessibility

All Flexible Development plans shall, unless the open space is to preserve conservation values that require minimal disturbance, provide open space access to the public at large and/or subdivision residents, in accordance with Section ~~7.13.3(D)~~7.12.4

(c) Size and Shape

The usefulness of open space can be lessened when it is fragmented or shaped in long narrow segments. The most functional open space is large enough to maximize the benefits to ecological, environmental, cultural, recreational and/or visual uses. -Size and shape requirements are listed in Section ~~7.13.6~~7.12.4.

- (9) An open space plan may use other land characteristics as well, if a direct link to the goals of (5) and (6) above is shown.

(C) Types of **Common Open Space**

The types of Common Open Space ~~open space conserved dedicated~~ through Flexible Development shall be consistent with the following standards and shall be comprised of two types of land: "Primary Conservation-Open Space Areas" and "Secondary Conservation-Open Space Areas".

(1) Primary Conservation-Open Space Areas

- (a) ~~These areas are reserved for passive uses (e.g., forests, pastures, meadows) and low impact active uses (e.g., trails, natural observation).~~
- (a) These areas have sensitive environmental features and/or significant cultural resource areas, which may make them legally or practically unbuildable.
- (b) These areas are the first open spaces to be chosen towards meeting the minimum 33% requirement.
- (c) For Major and Minor Subdivisions utilizing the Flexible Design Option, Secondary Open Space Conservation Areas may not be counted towards the 33% requirement unless all potential Primary Open Space Conservation Areas, other than those listed in (e) below, have been set aside.
- (d) Primary Conservation-Open Space Areas include:
- (i) Wetlands
Including, but not limited to, streams, creeks, ponds, reservoirs, stormwater management facilities for watershed protection purposes, and adjoining land areas identified as part of:
- The National Wetlands Inventory Maps for the county, prepared by the U.S. Fish and Wildlife Service;
 - The "Orange County, N.C. Soil Survey," prepared by the U.S.D.A. Soil Conservation Service;
 - The "Inventory of Natural Areas and Wildlife Habitats," as prepared by the Triangle Land Conservancy;
 - LANDSAT satellite data collected and analyzed under the Albemarle-Pamlico Estuarine Study;
 - A required environmental assessment or environmental impact statement; and/or
 - A site analysis conducted by a registered engineer, land surveyor, landscape architect, architect or land planner using data from the U.S. Army Corps of Engineers.
- (ii) Floodplains (100-year) and Alluvial Soils

Identified as part of:

- a. The "Flood Insurance Study: Orange County, N.C.," prepared by the Federal Emergency Management Agency (FEMA); and
- b. The "Orange County, N.C. Soil Survey," prepared by the U.S.D.A. Soil Conservation Service.

(iii) Steep Slopes

Defined as those greater than 25%, identified as part of:

- a. The "Orange County, N.C. Soil Survey," prepared by the U.S.D.A. Soil Conservation Service; and/or
- b. A site analysis conducted by a registered engineer, land surveyor, landscape architect, architect or land planner and calculated using topographic maps from an actual survey or from the U.S. Geological Survey.

(iv) Natural Areas and/or Wildlife Habitats

As identified as part of:

- a. The "Inventory of Natural Areas and Wildlife Habitats," as prepared by the Triangle Land Conservancy;
- b. A required environmental assessment or environmental impact statement; and/or
- c. An independent site study conducted by a trained botanist and/or biologist.

(v) Historic and Archaeological Sites

Listed on the National Register of Historic Places or included on the state's national register study list, designated as a local historic landmark, designated as a local historic district, and/or identified as having a high potential for archaeological remains as part of:

- a. The "Chapel Hill Township Architectural Survey: Final Report";
- b. The "Orange County Multiple Property Documentation Form: Historic Resources of Orange County";
- c. "An Archaeological Survey of Portions of Orange County, N.C.";
- d. A required environmental assessment or environmental impact statement; and/or
- e. An independent site study conducted by a trained architectural historian or archaeologist.

Where a historic or archaeological site is to be set aside as a separate lot, and preserved and/or restored as part of a flexible development, the entire area within the lot may be credited toward meeting the minimum open space requirement.

(vi) Wildlife Corridors

As identified in the Orange County Comprehensive Plan.

- (e) A single, connected area of open space that meets one or more of the definitions of Primary ~~Open Space Conservation~~ Area in (d) above may be expanded by up to 20% of its area to provide an additional buffer.

Although the expanded area might not meet any other definitions of Primary ~~Conservation-Open Space~~ Area, it may be considered as such, except that:

- (i) Expansion areas may not be, in turn, expanded under this provision,
- (ii) Expansion areas may not be selected as Primary Conservation Open Space Area unless all site areas meeting any other Primary Conservation Open Space Area definition have already been selected as open space, and
- (iii) Expansion areas must be in the same natural state as the Primary Conservation Open Space Area that is being expanded.

(2) Secondary Conservation Open Space Areas

- (a) If there is not enough Primary Conservation Open Space Area acreage on-site to meet the mandatory 33% open space requirement, and if there are no off-site Primary Conservation Open Space Areas areas proposed, then Secondary Conservation Open Space Areas shall be used to complete the 33% requirement.
- (b) Secondary Conservation Open Space Areas have fewer restrictions, with regard to location, and allow more flexibility to improve overall open space design, and have more active uses, purpose. These areas, unless specified otherwise, receive full credit toward meeting the minimum open space requirement of Flexible Developments.
- (c) Secondary Conservation Open Space Areas may be proposed for the following attributes:

(i) Access

- a. An area may be chosen as a Secondary Conservation Open Space Area because of its benefit in providing open space access to residential lots in accordance with regulations listed in 7.12.47.13.3(D).
- b. Access areas shall also include desired compositional, size and shape attributes, as listed in this subsection (2).

(ii) Composition

Sites chosen for Secondary Conservation Open Space Areas must have one or more of the following characteristics or uses:

a. Woodlands

Including forestland for the planting and production of trees and timber, where management practices such as selective timber harvesting and wildlife enhancement are employed. Such woodlands may consist of hardwood, pine, and/or mixed pine-hardwood forests identified as part of:

- i. LANDSAT satellite data collected and analyzed under the Albemarle-Pamlico Estuarine Study;
- ii. A site analysis conducted by a registered engineer, land surveyor, landscape architect, architect or land planner using aerial photographs and/or satellite imagery;
- iii. A required environmental assessment or environmental impact statement; and/or
- iv. An independent site study conducted by a trained botanist and/or forester.

b. Farmland

- i. Prime agricultural land as identified by the U.S.D.A. Soil Conservation Service in "Important Farmlands: Orange County, N.C." and which is in active use for the production of crops and/or the raising of livestock is particularly encouraged.
- ii. Farmland also includes space on individual lots used for gardens, ponds, horse paddocks and barns, and similar uses.
- c. Slopes of 15% to 25%
Slopes that require special site planning due to their erosion potential, limitations for septic tank nitrification fields, and terrain or elevation changes. Such areas may be suitable for building, but higher site preparation and construction costs are to be expected.
- d. Other Historic and/or Archaeological Sites
As identified from the same sources as for **primary Primary Open Space Area conservation area**-sites (see 7.132.3(C)(1)(d)(v) above).
- e. Public and/or Private Recreation Areas and Facilities Including:
 - i. "Active recreation areas" such as public recreation areas, including district and community parks as identified in the master recreation and parks plan; and private recreation facilities, including golf courses, playing fields, playgrounds, swimming pools and courts for tennis, basketball, volleyball and similar sports. Because they represent uses in which natural lands are cleared, graded and managed for intensive activities, only half (50%) of the land in this category may be credited toward meeting the minimum open space requirement.
 - ii. "Low-impact recreation areas" such as pedestrian, bicycle and equestrian trails, picnic areas, community commons or greens, and similar kinds of areas, whether public or private. Land in this category receives full credit toward meeting the minimum open space requirement.
- f. Scenic Views
Natural and cultural features visible from designated scenic road corridors, including views from the road as well as views outward from potential home sites are particularly encouraged. Landscape buffers that screen the view of development and preserve the character of rural public roads are also included in this category.
- g. Pedestrian Open Space Area (POSA)

A POSA is a traversable corridor at least 50 feet wide, undeveloped except for pedestrian recreation amenities, and in common ownership.

- i. POSAs are not required to have constructed walking paths, but they must be reasonably passable on foot.
- ii. The final composition of a POSA shall be evaluated on the intent of the overall access plan in the subdivision.
- iii. If the POSAs connect active or low impact recreation areas, or if the POSAs are identified as a recreation amenity, then a constructed path can be required as a part of the approval process.
- iv. Landscaping to ensure compatibility with the natural and scenic goals of open space shall also be evaluated.
- v. POSAs shall not be used to connect significant habitat and wildlife open-space sections. Wildlife corridors are for this purpose.
- vi. All POSAs shall be connected to other types of open space.
- vii. In a Flexible Development subdivision, all existing access ways shall, if practicable, be connected into a single system.
- viii. Flexible Subdivisions shall also have at least one POSA and, when practicable, connect to at least one outside edge of the subdivided property, in order to preserve the ability to connect the POSA with future, adjacent projects.
- ix. POSAs may be used to satisfy up to 5% of the 33% open space requirement for flexible development (for example, in a subdivision containing 100 acres of total land area, up to 1.65 acres of the total POSA in the subdivision would count towards meeting the 33% (33-acre) open space requirement).

h. Roadside Buffers

Areas buffering public roads, when they are at least 75 feet in width, measured in one direction from the nearest edge of the right-of-way may be considered Secondary ~~Conservation~~ Open Space Areas.

- i. Roadside buffers must be composed of undisturbed natural vegetation or of enhanced vegetation if enhanced vegetation is installed as a condition of the approval.

i. Greenbelt Linkages

Areas that can be used as part of a connected greenbelt path, within an approved County Greenbelt program.

(d) Size and Shape

Secondary ~~Conservation-Common Open Space~~ Areas, to the extent possible, shall be part of substantially sized and/or contiguously linked open space sections and meet guidelines as stated in Section 7. ~~13.12.8~~.

(D) **Access to Common Open Space**

- (1) General public accessibility to and within open space shall be encouraged as follows: evaluated on a case-by-case analysis of the goals and the intended use(s) of the open space in that particular development.
 - (a) Primary ~~Conservation-Open Space~~ Areas, due to their considerable recreation, scenic and cultural public values, shall be made available for the use of the public at large through access by public road. However, it will not be feasible for public use to be provided in all cases (e.g., fragile cultural sites, protected and/or private habitat areas, hazardous slopes and wetlands, ~~etc.~~).
 - (b) Secondary ~~Conservation-Open Space~~ Areas shall be available to, at least, subdivision residents, particularly when it includes active and low impact recreation areas. ~~In some cases, this level of public entry may not be appropriate (e.g. working timber or agricultural resource areas).~~
- (2) If less than half of designated open space is Primary ~~Conservation-Open Space~~ Area, the subdivision plan shall provide direct access to Primary or Secondary ~~Conservation-Open Space~~ Area to at least 75% of project lots. The remaining lots shall be within approximately 300 feet of an accessible point of Primary or Secondary ~~Conservation-Open Space~~ Area.
- (3) If the majority of open space is Primary ~~Conservation-Open Space~~ Area, the subdivision plan shall provide direct access to Primary or Secondary ~~Conservation-Open Space~~ Area to at least 50% of project lots. The remaining lots shall be within approximately 600 feet of an accessible point of Primary or Secondary ~~Conservation-Open Space~~ Area.

(E) **Ownership of Common Open Space**

Common Open space-Space within a flexible development may be owned and/or administered by any of the following methods, either individually or in combination. All open space shall be permanently restricted from further subdivision.

- (1) Fee simple dedication to the County, another unit of local government, the state or a private nonprofit land conservancy. The County may reject any proposed dedication at its discretion prior to or during the application process.
- (2) Dedication of conservation easements to the County, another unit of local government, the state or a private nonprofit land conservancy. Such easements may apply to a single property owned by a homeowner's association and/or to all or portions of individual lots owned by one or more property owners. The County may reject any proposed dedication at its discretion prior to or during the application process.
 - (a) Where conservation easements have been dedicated and accepted prior to application for approval of a flexible development proposal, the land subject to the easement may be counted toward satisfying the 33% open space requirement, provided that it is a portion of and in the same ownership as the land to be subdivided.
- (3) Ownership by a homeowner's association where specific development restrictions and maintenance requirements are included as part of its bylaws and as irrevocable articles of restrictive covenants.

- (4) Ownership by individual property owners, of estate lots only, where specific development restrictions and maintenance requirements are included as part of restrictive covenants and/or permanent conservation easements applicable to such lots.

(F) Maintenance of Common Open Space

- (1) Natural features shall be maintained in their natural condition, but may be modified to improve their appearance, function or overall condition, as recommended by experts in the particular area being modified. Permitted modifications may include the following:
 - (a) Reforestation;
 - (b) Woodland management;
 - (c) Pasture or cropland management;
 - (d) Buffer area landscaping;
 - (e) Stream bank protection; and/or
 - (f) Wetlands management
- (2) Unless accepted for dedication or otherwise agreed to by the County, another unit of local government, the state or a private nonprofit land conservancy, the cost and responsibility of maintaining open space and any facilities located thereon shall be borne by the property owner and/or homeowner's association.

7.13.47.12.5 Development Standards

Plats for Major Subdivisions utilizing the Flexible Development ~~subdivision-plats~~Option shall be prepared in accordance with one or more of the following development options: Estate Lot Option; Conservation-Cluster Option; Village Option.

(A) Estate Lot Option

For lots created as part of an estate lot development, the following standards apply:

- (1) Each estate lot shall have a lot size of at least four acres.
- (2) For each estate lot, a building envelope (buildable area) shall be defined of sufficient size to accommodate a single-family detached dwelling and customary accessory uses, including, but not limited to, storage buildings and garages, patios and decks, lawns, and driveways, septic systems including repair areas and well sites.
- (3) The building envelope of an estate lot may not exceed 50% of the total lot area and shall not include designated Primary and/or Secondary Conservation-Open Space Areas.
- (4) Only the area outside of the building envelope of an estate lot may be counted toward meeting the minimum open space requirement. To the highest degree possible, the open space area shall be contiguous to open space designated on the adjacent lot(s) and shall not include required front yard and side yard setbacks unless the front or side yard contains significant ~~primary or secondary conservation areas~~ Primary or Secondary Open Space Areas.
- (5) A septic system repair area and/or well can be located within the ~~secondary conservation~~ Secondary Open Space Area area provided the land designated for the septic system and/or well is not more than one quarter of the ~~secondary conservation~~ Secondary Open Space Area area of the lot. No septic system, repair area and/or well can be located in the ~~primary conservation area~~ Primary Open Space Area of a lot.
- (6) Each building envelope on an estate lot shall adhere to the following spacing standards:

TABLE 7.13.4.A.6: BUILDING ENVELOPE SPACING STANDARDS FOR ESTATE LOTS	
Minimum spacing between building envelopes on adjacent lots	100 feet
Minimum spacing between building envelope and subdivision boundary or off-site public street right-of-way	150 feet
Minimum spacing between building envelope and on-site public or private street right-of-way	50 feet
Minimum spacing between building envelope and any other lot line	30 feet
Minimum spacing between building envelope and wetland or water bodies (lakes, ponds, streams, etc.)	100 feet

- (7) Provided the arrangement, design, and shape of estate lots is such that lots provide satisfactory and desirable sites for building; contribute to the preservation of designated Primary and/or Secondary Conservation-Open Space Areas; provide convenient access for emergency service vehicles; and satisfy all building envelope spacing standards, the minimum required lot frontage may be reduced to not less than 20 feet for flag lots, and lots fronting on culs-de-sac and "T" turnarounds.
- (8) Estate lots shall be restricted against further subdivision through deed restrictions and/or permanent conservation easements. Primary and Secondary Conservation-Open Space Areas located outside building envelopes shall be restricted against further development through conservation easements and/or deed restrictions.
- (9) Estate lot subdivision road(s) shall be designed to provide internal access to all lots in the subdivision. Private driveways shall access existing state maintained roads only via subdivision roads providing internal access to lots in the subdivision.
- (10) A 100-foot Type F buffer meeting the requirements of Section 6.8.6 shall be provided along the frontage of all existing state maintained roads adjacent to the subdivision boundaries.
 - (a) In areas of dense mature forest, existing vegetation may be used to fulfill the buffer requirements.
 - (b) If additional planting is required, new plant materials that satisfy the buffer requirements of Section 6.8.5 shall be installed and maintained in accordance with provisions of Section 6.8.

(B) Conservation-Cluster Option

A conservation-cluster subdivision is one in which building lots are grouped together through a transfer of allowable density within the subdivided tract provided the transfer of density within the subdivision does not increase the average density in any overlay zoning district.

In a conservation-cluster subdivision designed with density transfer, lots smaller than the minimum lot size permitted in the zoning district are allowed provided such lots and subdivisions are developed in accordance with the following standards:

- (1) Land saved through lot size reductions shall consist of designated Primary and/or Secondary Conservation-Open Space Areas.
- (2) The total amount of land set aside as Primary and Secondary Conservation-Open Space Areas shall equal the sum of all reductions in minimum lot area and shall comprise at least 33% of the total land area in the subdivision. For Minor subdivisions utilizing this option, the minimum amount of open space may increase beyond amount per UDO 7.12.4(A) (2).

- (3) Both Primary and Secondary ~~Conservation-Open Space~~ Areas shall be placed in undivided preserves which adjoin housing areas that have been designed more compactly to create larger conservation units that may be enjoyed by all residents of the subdivision and, if possible, enjoyed visually by the general public. Such undivided open space shall be accessible to the largest number of lots within the development. To achieve this, the majority of houselots should abut undivided open space to provide residents with direct views and access. Safe and convenient pedestrian access to the open space from all adjoining houselots shall be provided, except in the case of farmland or other resource areas vulnerable to human disturbance. The design must meet the criteria outlined in Section 7.1312.84 which sets forth conservation area design characteristics.
- (4) Where undivided open space is designated as separate non-contiguous parcels, no parcel shall consist of less than three acres in area, nor have a length-to-width ratio in excess of 4:1, except such areas that are specifically designed for neighborhood commons or greens; playfields; buffers adjacent to wetlands, watercourses, and rural roads; wildlife corridors; or trail links.
- (5) Each lot must contain a buildable area of sufficient size to accommodate a single-family detached dwelling and customary accessory uses, including, but not limited to, storage buildings and garages, patios and decks, lawns, driveways, septic systems including repair areas and well sites. A septic system and/or well site may be located in a ~~secondary conservation open space area~~ Secondary Open Space Area provided it does not occupy more than one quarter of the ~~secondary conservation area~~ Secondary Open Space Area. No septic system, repair area and/or well can be located in the ~~primary conservation area~~ Primary Open Space Area.
- (6) Provided the arrangement, design, and shape of cluster lots is such that lots provide satisfactory and desirable sites for building, and contribute to the preservation of designated Primary and/or Secondary ~~Conservation-Open Space~~ Areas, minimum lot area, lot width, and setback requirements as specified in Article 3 of this Ordinance may be reduced as set forth below.
- (a) ~~For Major Subdivisions, the m~~Minimum lot area requirements may be reduced by 65% of the minimum lot size permitted by the zoning district including any overlay district requirements; however, minimum lot area may not be smaller than 40,000 square feet within a watershed protection overlay district where lots are served by individual septic systems.
 - ~~(a)~~(b) ~~For Minor Subdivisions utilizing this option, the minimum amount of open space may increase beyond amount per UDO 7.12.4 (A) (2).~~
 - ~~(b)~~(c) Minimum lot width requirements may be reduced to 100 feet in the AR and R1 Districts. Minimum lot width requirements may be reduced by 30% in all other zoning districts.
 - ~~(c)~~ Minimum front, rear, and side setback requirements may be reduced by 25% but shall be no less than ten feet.
 - (d) Minimum lot frontage requirements may be reduced to 20 feet for lots fronting on culs-de-sac and "T" turnarounds.
 - (e) Minimum spacing between building envelopes and the subdivision boundary or off-site public street right-of-way shall be 100 feet and may be counted as open space.
- (7) ~~Conservation-cluster~~ Conservation Cluster subdivision road(s) shall be designed to provide internal access to all lots in the subdivision. Private driveways shall access existing state maintained roads only via subdivision roads providing internal access to lots in the subdivision.

- (8) Cluster lots shall be restricted against further subdivision through deed restrictions and/or permanent conservation easements. Primary and Secondary ~~Conservation-Open Space~~ Areas shall be dedicated to Orange County, another unit of local government, the State of North Carolina, a private non-profit land conservancy or a homeowners association.

(C) **Village Option**³²

Villages represent a modified form of cluster development intended to serve as physical, social, and economic focal points in rural portions of the county. Consequently, villages are appropriate locations for civic uses, such as schools and churches, as well as a variety of economic functions, including stores and workshops, and residential building types designed to accommodate a range of socio-economic groups.

- (1) The location, size, and composition of each village will be a function of the development potential of the land associated with the settlement, including, but not limited to:
- (a) The zoning of the site, including the maximum allowable number of dwelling units;
 - (b) The method of water supply and sewage disposal, including the number of approved disposal sites;
 - (c) The presence of Primary and Secondary ~~Conservation-Open Space~~ Areas, including contiguous areas located on adjoining properties;
 - (d) The presence of existing and/or proposed transit routes and corridors, and areas of future urban growth; e.g., Transition Areas; and
 - (e) The presence of protected watersheds, including defined critical areas.

(2) Villages shall meet the following general standards:

(a) Village Proper

The village proper is the village, comprised of residential units with associated commercial, office, and service functions.

- (i) The village proper may not exceed 100 acres in size and shall be built in a compact manner so as to permit pedestrian accessibility to its center within a five minute walk.
- (ii) The village proper is to be distinguished from the village conservancy by a well-defined "edge" of closely spaced buildings in contrast with the open space of the conservancy.
- (iii) A village proper may not be located closer than one-half mile from the edge of another village proper, and every effort shall be made to keep the separate settlements visually distinct.
- (iv) The village proper is to be built in a generally rectilinear pattern of interconnecting streets, defined by buildings, street furniture, and landscaping, as places to be shared equally by pedestrians and automobiles.
- (v) A hierarchy of parks and squares is to be provided and distributed strategically throughout the village and culminate in a central civic space called the "Village Green."
- (vi) Village lots shall be restricted from further subdivision through deed restrictions and/or permanent conservation easements.

³² Staff had recommended this provision become a new Conditional Zoning district. This will be addressed as part of a future UDO amendment package. For now staff is recommending minor text changes to ensure consistency throughout the document.

- (vii) The village proper may be composed of four uses: Storefront Uses, Townhouse Uses, single-family detached Residential Uses, and Workshop Uses. These uses and the standards applicable to each are described in (3) below.

(b) Village Conservancy

The village conservancy is a continuous open space area surrounding the village proper, representing the land from which dwellings have been transferred to the village proper.

- (i) In lieu of a continuous open space area, a village conservancy may consist of open space and estate lots, provided all estate lots meet the standards of (A) above.
- (ii) Open space within the village conservancy shall consist of designated Primary and/or Secondary **Conservation-Open Space** Areas.
- (iii) The amount of land set aside as open space in the village conservancy shall comprise at least 33% of the total land area in the subdivision and shall be no less than 100 feet in width at any place, except for short connecting links.
- (iv) Primary and Secondary **Conservation-Open Space** Areas within the village conservancy shall be restricted from further development through dedication to Orange County, another unit of local government, the State of North Carolina, a private non-profit land conservancy or a homeowners association, including the recording of conservation easements.

(3) Village Development Standards

The specific standards applicable to the village proper and its component parts are described in the following tables.

TABLE 7.1312.4.C.3: VILLAGE DEVELOPMENT STANDARDS	
GENERAL PROVISIONS	
Land Use	<ul style="list-style-type: none"> ▪ Land within a village shall be available for uses as provided in this subsection (C). ▪ Mixed uses of buildings is encouraged in central areas of the Village Proper, and single-story, single-use buildings are discouraged.
Land Allocation	<ul style="list-style-type: none"> ▪ Similar land use categories shall generally front across streets, and dissimilar categories may abut at rear property lines. ▪ Corner lots which front on streets of dissimilar use categories shall be designated the category with the greater intensity of use.
Lots & Buildings	<ul style="list-style-type: none"> ▪ Lot design and building placement within each area of the village proper should be varied to create a distinct character, and permit a range of activities and intensities of use. ▪ All buildings, except outbuildings, shall have their main entrance opening to a street or square. ▪ Stoops, open colonnades, and open porches may encroach into the front yard setbacks. ▪ Buildings placed less than five feet from a side property line shall be windowless on those sides (does not apply to front and back); provided, however, small ventilation windows and clerestory windows are permitted.

TABLE 7.12.4.C.3: VILLAGE DEVELOPMENT STANDARDS

Streets & Alleys	<ul style="list-style-type: none"> ▪ All lots and tracts within the village proper shall have access to pedestrian and vehicular routes. ▪ Every village proper shall have two access points to paved roadways designated as collector and/or arterial streets. ▪ There shall be a continuous network of alleys to the rear of the lots in the Village Proper. Alleys shall be 16 feet in paved width if two-way; 12 feet in paved width if one-way. ▪ Every village proper shall provide a pedestrian network which includes parks, squares, sidewalks along streets, and alleyways through blocks. The network shall link all parts of the village proper, making walking easier than driving. Wherever practicable, streets shall be aligned in such a way that they provide terminal vistas of parks, greens, commons, squares, and large buildings of a public, semi-public or civic nature. ▪ No block face shall have a length greater than 500 feet without an alley providing through access. ▪ Streetlamps, between eight and 15 feet in height, and equipped with incandescent or metal halide lights, shall be installed on both sides of streets at all street intersections and at mid-block where block lengths exceed 400 feet.
Parking	<ul style="list-style-type: none"> ▪ On-street parking directly fronting a lot shall count toward fulfilling the parking requirement. ▪ The number of required off-street parking spaces may be reduced by demonstrating the availability of shared parking. ▪ Parking lots shall be located at the rear or at the side of buildings. Such lots shall be screened from the sidewalk by a masonry wall or wood fence, no less than 75% opaque, built along the property line, and at least three feet in height. ▪ Street trees shall be installed within four feet of the property line abutting a street at no more than 40 foot intervals. They shall be deciduous and of varieties that obtain a mature height of at least 50 feet. ▪ Adjacent parking lots shall have internal vehicular connections.
PUBLIC & CIVIC USE PROVISIONS	
Land Use	<p>Land designated as part of Public and Civic Uses may include the following:</p> <ul style="list-style-type: none"> ▪ Parks and squares; and ▪ Community buildings and facilities, including meeting halls, libraries, post offices, schools, day care centers, churches, civic clubs, police and/or fire substations, recycling centers, maintenance facilities, and similar uses. ▪ Large scale recreational uses shall be located outside the village proper within the village conservancy.
Land Allocation	<ul style="list-style-type: none"> ▪ At least 10% of the land area in the village proper shall be set aside for Public and Civic Areas. ▪ Each village proper shall contain a central civic space or "village green" of at least one acre in size. The village green shall be surrounded on at least three sides by Storefront and/or Townhouse Areas which may include closely spaced, detached row houses, and storefront buildings or "shops". ▪ Each village proper shall contain a "meeting hall" located adjacent to the village green, designed and sized to accommodate a village meeting, constructed in the early stages of village development, and owned and operated by the residents of the village; e.g., the homeowners association. ▪ The requirement of providing a "meeting hall" may be satisfied through assurances that a community center, school or church may be used for and is of sufficient size to accommodate a village meeting. ▪ At least 5% of the land area in the village proper shall be arranged in a series of parks and squares designed to serve as focal points for residential neighborhoods, and linked together by a system of pedestrian sidewalks and avenues. Wherever possible, they shall be positioned to form "terminal vistas" at the ends of streets or along bends in the street alignment. ▪ At least 2% of the land area in the village proper shall be designated for other permitted public and civic uses such as schools, day care centers, churches, and similar uses. ▪ Land included in the village green, parks, and squares, may be counted toward satisfying the 33% open space requirement.
Lots & Buildings	<ul style="list-style-type: none"> ▪ Buildings located in Public and Civic Areas shall be subject to the same setback and height standards of uses on adjacent lots. For example, a meeting hall located adjacent to a Townhouse Area shall meet the same setback and building height standards as required for buildings in a Townhouse Area.
Streets & Alleys	<ul style="list-style-type: none"> ▪ Streets fronting on Public and Civic Area lots shall conform to the same standards as land uses across from or adjoining the lots. For example, the streets fronting a meeting hall located adjacent to a Townhouse Area shall meet the same standards as required in a Townhouse Area. ▪ Street trees shall be installed within four feet of the property line abutting a street at no more than 40 foot intervals. They shall be deciduous and of varieties that obtain a mature height of at least 50 feet.

TABLE 7.12.4.C.3: VILLAGE DEVELOPMENT STANDARDS

Parking	<ul style="list-style-type: none"> ▪ The number of parking and loading spaces shall be provided in accordance with Section 6.9 of this Ordinance. ▪ No fewer than 75% of the parking spaces shall be located to the rear of the building being served. The remaining spaces shall be accommodated in curbside parallel spaces and/or in side parking lots screened from the street.
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STOREFRONT USE PROVISIONS

Land Use	<p>Land designated for Storefront Uses may be used for the following purposes:</p> <ul style="list-style-type: none"> ▪ Personal service shops, including, but not limited to, barber and beauty shops, tailors, shoe repair, dry cleaners, and similar uses. ▪ Specialized retail stores, including, but not limited to, the sale of gifts, novelties, flowers, books, antiques, jewelry, apparel, toys and crafts, stationery, and similar uses. Corner groceries, general stores, hardware stores, and drug stores are also permitted. ▪ Restaurants, excluding fast food and/or drive-in establishments. ▪ Business and professional offices, including, but not limited to, real estate and insurance offices, travel agencies, medical and dental offices, opticians, banks and financial institutions (excluding drive-in windows), lawyers, engineers, and similar uses. ▪ Studios for art, dance, music, and photography. ▪ Accessory residential apartments built over stores and offices. Where provided, at least 25% of the floor area shall be designated for residential use.
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Land Allocation	<ul style="list-style-type: none"> ▪ Not more than 5% of the land area in the Village Proper shall be designated for Storefront Area use. ▪ Storefront Area lots shall have a minimum lot frontage of 16 feet. ▪ A maximum of five lots may be combined for the purpose of constructing a single building. ▪ Setback requirements on combined lots shall be the same as for single lots.
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Lots & Buildings	<ul style="list-style-type: none"> ▪ Buildings lots shall have their front facade; e.g., building wall facing the street, built to within five feet of the front property line along at least 70% of the lot frontage. ▪ The unbuilt portion of the lot frontage shall have a masonry wall or wood fence, no less than 75% opaque, built within five feet of the property line, and at least three feet in height. ▪ Buildings shall have no setback from at least one side property line except on corner lots where the side yard setback adjacent to the street shall be five feet. ▪ Building coverage may not exceed 70% of the lot area. ▪ Buildings may not exceed three stories in height.
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Streets & Alleys	<ul style="list-style-type: none"> ▪ Lots shall front on a street with a maximum right-of-way width of 70 feet, consisting of at least two 12-foot travel lanes, 8-foot parallel parking on both sides, and 12-foot sidewalks on both sides. ▪ Lots shall have their rear lot lines coinciding with the right-of-way of a 24-foot alley, containing a vehicular pavement width of at least 12 feet if one-way or 16 feet if two-way. ▪ Street trees shall be planted on both sides of the street at no more than 40-foot intervals. They shall be deciduous and of varieties that obtain a mature height of at least 50 feet. ▪ Provision shall be made for service delivery, utility poles (if any), and trash collection at the rear lot line.
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Parking	<ul style="list-style-type: none"> ▪ The number of parking and loading spaces shall be provided in accordance with Section 6.9 of this Ordinance. ▪ Not less than 75% of the parking spaces shall be located to the rear of the building. The remaining spaces shall be accommodated in curbside parallel spaces and in side parking lots screened from the street.
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TOWNHOUSE USE PROVISIONS

Land Use	<p>Land designated for Townhouse Uses may be used for the following purposes:</p> <ul style="list-style-type: none"> ▪ Attached dwellings including townhouses and apartments. ▪ Day care centers. ▪ Bed and breakfast establishments. ▪ Retirement centers. ▪ Home occupations of a professional and/or office nature when located on the second floor of a permitted outbuilding. ▪ An accessory residential apartment when located on the second floor of a permitted outbuilding.
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TABLE 7.12.4.C.3: VILLAGE DEVELOPMENT STANDARDS

Land Allocation	<ul style="list-style-type: none"> ▪ Not more than 5% of the land area in the Village Proper shall be designated for Townhouse Area use. ▪ Townhouse Area lots shall have a lot frontage of 50 feet. ▪ A maximum of 12 lots may be combined for the purpose of constructing a single building containing apartments. ▪ Setback requirements on combined lots shall be the same as for single lots.
Lots & Buildings	<ul style="list-style-type: none"> ▪ When attached, townhouses shall generally not comprise more than 15% of the street frontage in a residential district. ▪ Buildings shall be set back either five feet or 15 feet from the front property line. ▪ The lot frontage shall have a masonry wall, wood fence or hedge, no less than 50% opaque, built within five feet of the property line, and at least three feet in height. ▪ Buildings shall have no required setback from side property lines except on corner lots where the side yard setback adjacent to the street shall be five feet. ▪ Building coverage may not exceed 70% of the lot area. ▪ Buildings may not exceed three stories in height. ▪ One outbuilding is permitted on each lot, provided its ground floor area does not exceed 450 square feet, it does not exceed two stories in height, and it is located within 30 feet of the rear property line and at least four feet from one side property line.
Streets & Alleys	<ul style="list-style-type: none"> ▪ Lots shall front on a street with a maximum right-of-way width of 60 feet, consisting of at least two 12-foot travel lanes, 8-foot parallel parking on both sides, and 6-foot sidewalks on both sides. ▪ Lots shall have their rear lot lines coinciding with the right-of-way of a 24-foot alley, containing a pavement width of at least 12 feet if one-way or 16 feet if two-way. ▪ Provision shall be made for service delivery, utility poles (if any), and trash collection at the rear lot line. ▪ Street trees shall be planted on both sides of the street at no more than 40-foot intervals. They shall be deciduous and of varieties that obtain a mature height of at least 50 feet.
Parking	<ul style="list-style-type: none"> ▪ The number of parking and loading spaces shall be provided in accordance with Section 6.9 of this Ordinance. ▪ All off-street parking spaces shall be located to the rear of the building, with access through an alley only. On-street parking shall be provided in parallel spaces.

RESIDENTIAL USE PROVISIONS

Land Use	<p>Land designated for Residential Uses may be used for the following purposes:</p> <ul style="list-style-type: none"> ▪ Detached single-family dwellings. ▪ Home occupations of a professional and/or office nature when located on the second floor of a permitted outbuilding. ▪ An accessory residential apartment when located in a permitted outbuilding.
Land Allocation	<ul style="list-style-type: none"> ▪ At least 40% of the land area in the Village Proper shall be designated for House Area use. ▪ Densities within Residential Use areas should decrease as distance from the Village Center increases. ▪ House Area lots shall have an average lot frontage of 75 feet. ▪ A maximum of two lots may be combined for the purpose of constructing a single building. ▪ Setback requirements on combined lots shall be the same as for single lots.
Lots & Buildings	<ul style="list-style-type: none"> ▪ Buildings shall be set back between 15 feet and 25 feet from the front property line. ▪ On at least 30% of all Residential Use area lots, the lot frontage shall have a masonry wall, wood fence or hedge, no less than 50% opaque, built within five feet of the property line, and at least three feet in height. ▪ Buildings shall be set back from the side property lines equivalent (in total) to no less than 20% percent of the lot width. The entire setback may be allocated to one side. ▪ Buildings shall be set back no less than 30 feet from the rear property line. ▪ Building coverage may not exceed 50% of the lot area. ▪ Buildings may not exceed two stories in height. ▪ One outbuilding is permitted on each lot, provided its ground floor area does not exceed 450 square feet, it does not exceed two stories in height, and it is located at least four feet from one side property line. There is no setback requirement for outbuildings from the rear property line.

TABLE 7.13.12.4.C.3: VILLAGE DEVELOPMENT STANDARDS	
Streets & Alleys	<ul style="list-style-type: none"> ▪ Lots shall front on a street with a maximum right-of-way width of 60 feet, consisting of at least two 12-foot travel lanes, 8-foot parallel parking on one side, and a 5-foot sidewalk on one side. ▪ Lots shall have their rear lot lines coinciding with the right-of-way of a 24-foot alley, containing a vehicular pavement width of at least 12 feet if one-way; 16 feet if two-way. ▪ Provision shall be made for service delivery, utility poles (if any) and trash collection at the rear lot line. ▪ Street trees shall be planted on both sides of the street at no more than 40-foot intervals. They shall be deciduous and of varieties that obtain a mature height of at least 50 feet.
Parking	<ul style="list-style-type: none"> ▪ The number of parking and loading spaces shall be provided in accordance with Section 6.9 of this Ordinance. ▪ All off-street parking spaces shall be located to the side or rear of the building. When access is through the lot frontage, garages and carports shall be located a minimum of 10 feet behind the front building wall line. Front-facing garage doors shall be painted to match the color of the main house.
WORKSHOP USE PROVISIONS	
Land Use	<p>Land designated for Workshop Uses may be used for the following purposes:</p> <ul style="list-style-type: none"> ▪ Farm service support establishments. ▪ Building and landscaping contractors. ▪ Establishments involved in the repair, assembly, and/or manufacture of products which require only hand or table mounted electrical tools. ▪ Automotive service uses, including the servicing and repair of automobiles, and sale of automobile parts, but excluding body repair shop and automobile storage. ▪ Warehousing and distribution establishments, provided all storage is conducted entirely within a building.
Land Allocation	<ul style="list-style-type: none"> ▪ Not more than 2% of the land area in the Village Proper shall be designated for Workshop Area use. ▪ Workshop Area lots shall be grouped together, located at the edge of the Village Proper, and be no closer than 500 feet to the Village Green. ▪ Workshop Area lots shall have a maximum lot frontage of 150 feet. ▪ A maximum of two lots may be combined for the purpose of constructing a single building. ▪ Setback requirements on combined lots shall be the same as for single lots.
Lots & Buildings	<ul style="list-style-type: none"> ▪ Buildings shall not be required to provide setbacks from front or side property lines. ▪ Workshop Area lots shall be separated from other types of use categories at the side or rear property lines (except an entry onto an alley) by a continuous masonry or wood wall of not less than 10 feet in height or by a landscaped buffer of 100 feet in width. ▪ Building coverage may not exceed 70% of the lot area. ▪ Buildings may not exceed two stories in height.
Streets & Alleys	<ul style="list-style-type: none"> ▪ Lots shall front on a street with a maximum right-of-way width of 60 feet, consisting of at least two 12-foot travel lanes, 8-foot parallel parking on one side, and 5-foot sidewalks on both sides. ▪ Lots shall have their rear lot lines coinciding with the right-of-way of a 24-foot alley, containing a vehicular pavement width of at least 12 feet if one-way; 16 feet if two-way. ▪ Provision shall be made for service delivery, utility poles (if any) and trash collection at the rear lot line. ▪ Street trees shall be planted on both sides of the street at no more than 40-foot intervals. They shall be deciduous and of varieties that obtain a mature height of at least 50 feet.
Parking	<ul style="list-style-type: none"> ▪ The number of parking and loading spaces shall be provided in accordance with Section 6.9 of this Ordinance. ▪ All off-street parking spaces shall be located to the side or rear of the building. ▪ On-street parking spaces shall be curbside, and parallel to the curb.

7.13.57.12.6 Street Standards

All streets in Flexible Developments shall conform to the standards contained in Section 7.8.3 or 7.8.4 and 6.17 of this Ordinance, provided, however, private roads will be permitted as follows:

- (A) The number of lots served by a private road shall be limited as specified by the Orange County Private Road Standards in Section 7.8.4 of this Ordinance.

- (B) Where a Flexible Development has 12 lots or less, the street system may consist of different classes of private roads provided a logical hierarchy of private roads is planned, with those of lower classification connecting to those of higher classification.
- (C) Where a Flexible Development has more than 12 lots, the street system may consist of public streets and private roads provided:
 - (1) The street system in the development forms a logical hierarchy of thoroughfares with streets of lower classification connecting to streets of higher classification;
 - (2) The development contains no more than 50 lots;
 - (3) All entrance roads serving the development are public streets;
 - (4) All streets which stub-out at property lines to provide for the extension of or connection to future street systems are public streets; and
 - (5) Private roads are not proposed as part of a Village (Section ~~7.13.4 (G))~~7.12.5 (C)) except in the Village Conservancy portion of the development.
- (D) Private, dead-end roads may be terminated in a cul-de-sac or "T" turnaround. Where a "T" turnaround is used as the terminus for a private road, the dimensions (e.g., turning radius) of the "T" shall be sufficient to allow emergency service and trash collection vehicles adequate room to turn around.
- (E) Existing street rights-of-way may not count toward the minimum 33% open space requirement. However, new street rights-of-way may be counted but only to the extent that they are required to pass through or by open space uses as defined herein to link one buildable portion of a site with another; and they are located and/or constructed so as to have no adverse impacts on Primary and Secondary ~~Conservation~~ Open Space Areas.

7.13.67.12.7 Water Supply and Sewage Disposal Facilities

Water supply and sewage disposal facilities to serve Flexible Developments may be provided through the use of:

- (A) Individual wells and septic tanks provided either on each lot or in off-lot locations protected through recorded easements; or
- (B) A community water and/or sewage disposal system designed, constructed, and maintained in conformity with all applicable state, federal, and local rules, regulations, and policies; or
- (C) Connection to a water and/or sewage disposal system operated by a municipality, association, or water or sewer authority. System extensions are permitted only in accordance with applicable water and sewer, and land use policies and shall be sized only to serve the Flexible Development for which the system is extended; or
- (D) A combination of the above alternatives.

7.13.77.12.8 Design Guidelines

- (A) **Determining Density or Lot Yield**
 - (1) Overall density shall be based upon the minimum lot size requirements of the zoning district in which the Flexible Development is to be located and on the basis of a Conventional Subdivision or "Yield" Plan conforming to the regulations governing lot dimensions, land suitable for development, and street design. Although such plans shall be conceptual in nature and are not intended to involve significant engineering or surveying costs, they must be realistic.
 - (2) Potential building lots and streets must not be shown in areas that would not ordinarily be permitted in a Conventional Plan i.e., Special Flood Hazard Areas, wetlands, steep slopes, etc.).

- ~~(3) If the residential lots are proposed to be served by septic systems, the "Yield" plan shall show soil suitability for individual septic tanks by a preliminary soil suitability analysis performed in the field on at least 50% of the proposed lots with all of the proposed lots located on a map showing the location of soil types suited for septic systems based on the Orange County, N.C. Soil Survey. The soil suitability analysis and map shall be prepared by a Soil Scientist in consultation with the Soil Scientist of the Environmental Health Division of the Orange County Health Department.~~
- ~~(4) The number of lots achieved through the preparation of a Conventional Subdivision or "Yield" Plan is the number of lots which must be used in preparing the Flexible Development Plan. The number of lots may not be increased through the proposed use of an alternative or community sewage disposal system. Increases are permitted, however, at the Preliminary Plan stage where a more detailed soils analysis clearly demonstrates that a greater number of lots is achievable than shown on an approved Concept Plan.~~

(B) Design Process

Flexible Development subdivisions shall be designed around both the Primary and Secondary ~~Conservation-Open Space~~ Areas, which together constitute the total required open space. The design process should therefore commence with the delineation of all potential open space, after which potential house sites are located. Following that, access road alignments are identified, with lot lines being drawn in as the final step.

This "four-step" design process is further described as follows:

(1) Open Space Designation

- (a) All potential ~~Conservation-Open Space~~ Areas, both Primary and Secondary, shall be identified using a ~~Site-site Analysis-analysis Map map~~ as described in Section 7.14.2(A)(3).
- (b) Primary ~~Conservation-Open Space~~ Areas shall consist of those features described in Section ~~7.13.3(C)(1)-7.12.4~~.
- (c) Secondary ~~Conservation-Open Space~~ Areas shall comprise at least half of the remaining land and shall include the most sensitive and noteworthy natural, scenic, and cultural resources as described in Section ~~7.13.3(C)(2)-7.12.4~~.
- (d) Guidance as to which parts of the remaining land to classify Secondary ~~Conservation-Open Space~~ Areas shall be based upon on-site visits and the criteria contained in Section ~~7.13.8-7.12.4~~.

(2) House Site Location

- (a) Potential house sites shall be tentatively located.
- (b) The proposed location of houses within each lot represents a significant decision with potential impacts on the ability of the development to meet the criteria contained in Section ~~7.13-87.12.4~~.
- (c) Generally, house sites should be located no closer than 100 feet from Primary ~~Conservation-Open Space~~ Areas.
- (d) House sites may be situated 50 feet from Secondary ~~Conservation-Open Space~~ Areas to permit the enjoyment of scenic views without negatively impacting Primary ~~Conservation-Open Space~~ Areas.

(3) Street and Lot Layout

- (a) Proposed streets shall be aligned to provide vehicular access to each house in the most reasonable and economical manner.

- (b) When lots and access streets are laid out, they shall be located in such a way that avoids or at least minimizes impacts on both Primary and Secondary ~~Conservation-Open Space~~ Areas.
- (c) To the greatest extent practical, wetland crossings and streets traversing slopes over 15% shall be strongly discouraged unless such streets link one buildable portion of a site with another and no other means of access is available.

(4) Drawing in the Lot Lines

- (a) Lot lines shall be drawn around potential house sites.
- (b) Each lot must contain a buildable area of sufficient size to accommodate a single-family detached dwelling and customary accessory uses, including, but not limited to, storage buildings and garages, patios and decks, lawns, and driveways.
- (c) Individual wells and septic systems, where these are to be provided, may be located within the undivided conservation lands if sufficient space is not available on the lots.

7.13.87.12.9 Evaluation Criteria

(A) Generally

- (1) All open space planning shall show consideration of the specific physical characteristics of the land parcel being developed, meet open space design goals, and adhere to the three fundamental land characteristics of open space as set forth in Section ~~7.13.3(B)(5)-7.12.4.~~
- (2) At any given site, the types of resources may vary widely in character (e.g., a natural area compared to a historic site) and each type of resource may have areas of greater or lesser significance (e.g., a notable example of local vernacular building traditions compared to a much altered older home). Priorities for conserving such resources should therefore be based upon a thorough site analysis and an understanding of what is more special, unique, noteworthy, environmentally sensitive, and/or historic as compared with other similar features or different types of resources.
- (3) In evaluating the layout of lots and open space, the criteria in (B) through (G) below will be considered as indicating design appropriate to the site's features and meeting the intent of the Flexible Development standards.
- (4) Whereas diversity and originality in lot layout are encouraged, it is recognized that not all objectives may be achieved on a given site. Each applicant must therefore to achieve the best possible relationship between development and preservation objectives.

(B) Criteria Applicable to all Flexible Development Projects

The following criteria apply to all Flexible Development projects:

- (1) The shape and placement of open space shall meet the following:
 - (a) Be reasonably contiguous;
 - (b) Be coherently configured;
 - (c) Shall abut existing or potential open space on adjacent properties;
 - (d) Be supportive of stated open space goals;
 - (e) Should not be overly fragmented as to minimize edges; and

Where the goal of the Flexible Development project is to conserve scenic views, the following criteria apply:

- (1) Leave scenic views and vistas unblocked or uninterrupted, particularly as seen from public roadways. Consider "no-build, no-plant" buffers along public roadways where views or vistas are prominent or locally significant.
- (2) In wooded areas where a sense of enclosure is a feature to be maintained, consider a "no-build, no-cut" buffer created through the preservation of existing vegetation.
- (3) Where development is located in unwooded areas clearly visible from existing public roads, it should be buffered from direct view by a vegetative buffer or an earth berm constructed to reflect the topography of the surrounding area.
- (4) Protect rural roadside character and scenic views by providing larger lots (e.g., two acres or more) adjacent to existing public roads.
- (5) Protect rural roadside character and vehicular carrying capacity by avoiding development fronting on existing public roads and limiting access to all lots from interior rather than exterior roads.
- (6) Unless buildings can be effectively screened or buffered with trees, avoid siting new construction on or close to prominent hilltops or ridges where rooflines are seen above the horizon.

(F) Historic and Archaeological Features

Where the goal of the Flexible Development project is to conserve historic and archaeological sites and structures, the following criteria apply:

- (1) Design around and preserve sites of historic, archaeological or cultural value so as to safeguard the character of the feature(s), including fences and walls, farm outbuildings, burial grounds, abandoned roads, and earthworks.
- (2) New streets, driveways, fences, and utilities must be sited so as not to intrude unnecessarily on rural, historic landscapes. Wherever possible, streets and driveways are to follow existing hedgerows, fence lines, and historic farm drives.
- (3) New developments must include plantings which incorporate native species and historic landscape materials so as to harmonize with the character of the area.
- (4) Building designs and styles used in new construction should be compatible with the architectural style of historic buildings located on or adjacent to the site, especially in terms of scale, height, roof shape, and exterior materials.

(G) Recreation Provision

Where the goal of the Flexible Development project is to provide recreation and parks facilities for neighborhood residents and/or the general public, the guidelines contained in Section 7.11 shall apply.

7.13.97.12.10 Density Bonuses for Major Subdivisions

For Major Subdivisions, the maximum number of building lots or dwelling units in a Flexible Development shall not exceed the number that could otherwise be developed by the application of the minimum lot size requirement and/or density standard of the zoning district or districts in which the parcel is located. However, increases in the number of building lots or dwelling units are permitted through at least one of the following two options.

(A) To Encourage Affordable Housing

A density increase is permitted pursuant to Section 6.18 of this Ordinance where the Flexible Development provides on-site or off-site housing opportunities for low or moderate-income families.

(B) To Encourage Additional Open Space

- (1) A density increase is permitted where more than 33% of the total land area in the Flexible Development is set aside as protected open space. The amount of the density increase shall be based on the following standard:
 - (a) For each additional acre of protected open space provided in the Flexible Development, one additional building lot or dwelling unit is permitted.
- (2) In lieu of providing additional open space in the Flexible Development, the applicant may purchase in fee simple or less than fee (e.g., development rights) land separate from the Flexible Development which is comprised of Primary and/or Secondary ~~Conservation-Open Space~~ Areas as defined in Section 7.13.31. The amount of the density increase shall be based on the following standards:
 - (a) For each five acres of Primary ~~Conservation-Open Space~~ Area preserved off-site, one additional building lot or dwelling unit is permitted.
 - (b) For each two acres of Secondary ~~Conservation-Open Space~~ Area preserved off-site in areas which require a two-acre minimum lot size, one additional building lot or dwelling unit is permitted.
 - (c) For each one acre of Secondary ~~Conservation-Open Space~~ Area preserved off-site in areas which require a 40,000 square foot minimum lot size, one additional building lot or dwelling unit is permitted.
- (3) Land purchased in fee may be dedicated to Orange County. For land purchased in less than fee, a conservation easement dedicated to Orange County shall be recorded which restricts the development potential of the land.
- (4) Location of Open Space Bonus Units
Density increases to encourage additional open space are limited to Flexible Developments proposed in the following locations:
 - (a) Within Transition Areas as designated in the Land Use Element of the Comprehensive Plan. Within such areas, the maximum permitted density is 2.5 dwelling units per acre unless the applicant obtains approval of a zoning district classification which permits a higher density.
 - (b) Outside of Transition Areas but within an area designated for service by a utility provider as part of an adopted long-range water and/or sewer extension plan. Within such areas, the maximum permitted density is 1.3 dwelling units per acre.
 - (c) Outside of Transition Areas but within 3/4 of a mile of an interstate corridor or a major thoroughfare designated as a high occupancy vehicle (HOV)/busway route as part of an adopted regional transit plan. Within such areas, the maximum permitted density is 2.5 dwelling units per acre.
 - (d) Outside of Transition Areas but within 1/2 mile of a transit station designated as part of an adopted regional transit plan. Within such areas, the maximum permitted density is five dwelling units per acre.

Within these locations, public water and sewer service may be extended, provided the applicant can demonstrate that such service is necessary to serve the density increases achieved through the use of the bonus option(s) described above.

7.12.11 Additional Submittal Requirements

In addition to the requirements outlined in Article 2 regarding Major Subdivision Preliminary Plats or Minor Subdivision Final Plats, applications must:

- (A) Identify the development as a Flexible Development Subdivision.
- (B) Include a written site analysis accompanied by an illustrative site map, which identifies the following:
 - (1) Slopes 7½ - 15%.
 - (2) Slopes 15% and greater.
 - (3) Existing vegetation.
 - (4) Significant stands of trees.
 - (5) Significant examples of a particular species of tree occurring in a native stand and specimen trees.
 - (6) Drainage and waterways.
 - (7) Special flood hazard areas.
 - (8) Significant rock outcroppings.
 - (9) Significant scenic vistas.
 - (10) Soils with limitations for on-site wastewater systems and building development.
 - (11) The manner in which the plan makes adequate provision for water and wastewater treatment, and
 - (12) The relationship of the plan to the physical environment, the neighborhood in which it is proposed to be established, and the intent of the provisions providing for the establishment of a cluster subdivision.

Section 7.14: SECTION 7.13: SPECIFICATIONS FOR PLAT DRAWINGS

The requirements of this Section shall apply to the format of drawings.

7.14.7.13.1 Minor Subdivisions

(A) Concept Plan

The required Concept Plan for Minor Subdivisions consists of:

- (1)** A scaled copy of a current Orange County GIS Map for the property denoting its current orientation and layout. This map may be obtained from the Planning Department for a fee in accordance with the adopted fee schedule and shall contain at a minimum the following information:
 - (a) Contour lines,
 - (b) Soils,
 - (c) Water features, and
 - (d) Any known easements.
- (2)** A scaled drawing in black ink or pencil detailing the proposed division of property including, but not limited to, the following:

- (a) The scale of the drawing,
- (b) A north arrow,
- (c) The date of preparation,
- (d) The Parcel Identification Number (PIN) number(s) of the lot(s) subject to the application,
- (e) The proposed property lines for each lot,
- (f) ~~Common Open Space lots, including type and acreage, for each lot, including acreage and layout,~~
- (e)(g) ~~Site features A Site Analysis Map as outlined in UDO 7.13.2 (A)(3) below,~~
- (f)(h) The delineation of any known and required stream buffers on the proposed lot(s);
- (g)(i) The proposed method for ingress and egress including a description of how each lot will be afforded access,
- (h)(j) A narrative detailing the development of all proposed roadways;
- (i)(k) A private road justification, if required under Section 7.8,
- (j)(l) Proposed acreages for residential and common open space areas within lots, and
- (k)(m) Any other reasonable relevant information.

(B) Final Plat

Final plats shall adhere to the specifications contained in Section 7.14.3.

7.14.27.13.2 Major Subdivisions

(A) Concept Plan

(1) In General

- (a) The required Concept Plan for Major Subdivisions consists of three parts:
 - (i) A Site Analysis Map;
 - (ii) A Conventional Subdivision Option; and
 - (iii) A Flexible Development Option.
- (b) The Concept Plan shall be prepared according to the “four-step” process for designing Flexible Development subdivisions, as described herein.
- (c) The Concept Plan shall be drawn in black ink or pencil to a scale of not less than 200 feet to the inch. The scale chosen shall be large enough to show all required detail clearly and legibly.

(2) Required General Information

Each Site Analysis Map and Development Option shall contain the following general information:

- (a) A sketch vicinity map showing the location of the subdivision in relation to the existing street or highway system;
- (b) The plotted boundaries of the tract from deeds or maps of record and the portion of the tract to be subdivided;

- (c) The total acreage to be subdivided, including tax map, block and lot number reference;
- (d) The name, address and telephone number of the subdivider or owner and the person responsible for the subdivision design;
- (e) Scale, approximate north arrow and date of plat preparation; and
- (f) Name of subdivision.

(3) Site Analysis Map

As determined from readily identifiable on-site inventories, aerial photographs, maps of record, State/Federal resource maps, and local planning documents and inventories, the Site Analysis Map shall contain the following information:

(a) Primary ~~Conservation~~ Open Space Areas

Identification of physical resources associated with the site which restrict its development potential or contain significant natural and/or cultural resources, including:

- (i) Topographic contours at ten-foot intervals, showing rock outcrops and slopes of 7 ½% to 15%, and more than 15%.
- (ii) Soil type locations and characteristics relating to seasonal high water table and depth to bedrock.
- (iii) Hydrologic characteristics of the site, including drainage tributaries, surface water bodies, floodplains, and wetlands.
- (iv) Natural areas, and wildlife habitats and corridors.
- (v) Historic and archaeological sites listed on the National Register of Historic Places or included on the State's National Register study list, designated as a local historic landmark, located in a local historic district, and/or identified as having a high potential for archaeological remains.

(b) Secondary ~~Conservation~~ Open Space Areas

Identification of significant site elements on buildable portions of the site, including:

- (i) Vegetation of the site, defining approximate location and boundaries of woodland areas, and, wherever possible, vegetative association in terms of species and size. Information from aerial photographs shall be acceptable at the Concept Plan stage.
- (ii) Current land use and land cover (cultivated areas, pastures, etc.), existing buildings and structures, and burial grounds.
- (iii) Scenic views onto the site from surrounding roads as well as views of scenic features from within the site as determined by field survey.
- (iv) Other historic and archaeological sites and structures.

(c) Transportation and Utility Systems

Identification of facilities associated with the movement of people and goods, or the provision of public services, including:

- (i) Railroad and street rights-of-way.
- (ii) Easements for vehicular access, electric and gas transmission lines, and similar uses.

- (iii) Proposed streets, pavement or travelway widths shall be denoted as well as typical roadway cross sections. The approximate centerline radius shall be shown on all proposed streets.
- (iv) Proposed street names shall be indicated on the plat. Such names shall not duplicate or approximate the name of any other street in Orange County except where a proposed street is the continuation or extension of an existing street.

(6) Utility and Drainage Data

- (a) Proposed utility systems shall be shown on the plat, including but not limited to:
 - (i) Public or private community water supply systems,
 - (ii) Public or private community sewage disposal systems, and
 - (iii) Storm drainage facilities, including existing and proposed drainageways and channels.
- (b) Any easements associated with such utility systems shall also be denoted and the purpose for the easements designated on the plat.

(7) Landscaping and Buffer Data

The following information shall be denoted on the Preliminary Plat to demonstrate compliance with the provisions of Section 6.8 of this Ordinance:

- (a) Existing trees and/or vegetation to be preserved and proposed trees and/or landscape materials to be installed.
- (b) Required buffers.

(8) Special Flood Hazard Area (SFHA) Standards

- (a) The boundary of the Special Flood Hazard Area zoning overlay district shall be designated and labeled on the plat as required by this Ordinance.
- (b) For subdivisions located within a Watershed Protection Overlay District, as identified on the Orange County Zoning Atlas, the following information shall be designated and labeled on the plat:
 - (i) Impervious surface data as required by Section 4.2 of this Ordinance;
 - (ii) Stream buffers as required by Section 6.13 of this Ordinance; and
 - (iii) Stormwater detention and/or retention sites and undisturbed areas for infiltration purposes as required by the Section 6.14 of this Ordinance.

7.14.37.13.3 Final Plat Specifications

(A) Plat Preparation

- (1) The Final Plat shall be drawn in accordance with the requirements of G.S. 47-30 as amended and to the specifications of this Section. The plat shall be prepared by a Professional Land Surveyor at a scale of not less than 100 feet to the inch nor more than 20 feet to the inch.
- (2) All Final Plats shall be prepared in accordance with the Manual of Practice for Land Surveying in North Carolina as prepared by the North Carolina State Board of Registration for Professional Engineers and Land Surveyors.

(B) Title Block

A title block shall be placed on the plat, which shall contain the following information:

- (1) The name of the subdivision, preceded by the words "Final Plat of _____", which shall not duplicate nor closely approximate, phonetically or in spelling, the name of any other subdivision in Orange County, and, where the plat at hand is only part of a larger subdivision bearing the same name, the unit or section number of other necessary identification;
- (2) The graphic scale in feet per inch in words or figures and bar graph; a north arrow accurately positioned and designated as magnetic north, true north, North Carolina State Plane Coordinate Grid System North or north referenced to a recorded instrument with the recording reference shown; the date or dates the survey was conducted; and any other pertinent legend data;
- (3) State, county and township location; tax map, Parent PIN, block and lot number references; and deed book and page number citations for the property being subdivided; and
- (4) The name and address of the owner(s) of the land being subdivided; the name and address of the subdivider if other than the owner; and the name and address, registration number and seal of the land surveyor responsible for preparation of the plat.

(C) Vicinity Map

- (1) A vicinity map showing the general location of the subdivision in relation to the surrounding area shall be placed on the plat.
- (2) The vicinity map shall be drawn at a sufficient size to show the relationship of the tract to the existing street or highway system and readily recognized Orange County landmarks.
- (3) The vicinity map shall show the street names in addition to the State Road (S.R.) designations.

(D) Existing Site Data

Information on existing conditions shall be shown as noted below.

(1) Boundary Lines

- (a) The location, distance and bearings for the boundary line of the tract to be subdivided.
- (b) Areas not designated as lots that will be under common ownership such as a conservancy, public agency or similar entity or a homeowners' association's ownership shall be appropriately labeled as tracts.
- (c) Locations of corporate limits or Extraterritorial Zoning Jurisdiction (ETJ) lines, township boundaries, and county lines.
- (d) The names of owners and Parcel Identification Numbers (PIN) of adjacent land.
- (e) For adjacent land that is platted, the subdivision plat name, plat book and page number abutting the tract to be subdivided shall also be shown.

(2) Other Conditions

- (a) If any portion of the final plat includes land referenced in the "Inventory of the Natural Areas and Wildlife Habitats of Orange County, North Carolina" it shall be shown on the plat.

- (ii) Stream buffers as required by Section 6.13 of this Ordinance shall be delineated with widths noted on the Final Plat.
- (iii) Development restrictions within the stream buffer shall be specified in a separate document to be recorded concurrently with the Final Plat. The Deed Book and Page reference shall be noted on the Final Plat.
- (iv) Storm water detention and/or retention sites and undisturbed areas for infiltration purposes as required by Section 4.2 and 6.13 of this Ordinance shall be delineated and labeled on the Final Plat.
- (v) Any restrictions or requirements associated with the detention/retention sites shall be specified in a separate document to be recorded concurrently with the Final Plat. The Deed Book and Page reference shall be noted on the Final Plat.

(6) Open Space and Protection of Natural and Cultural Resource Areas

- (a) Any areas identified in the "Inventory of the Natural Areas and Wildlife Habitats of Orange County, North Carolina" shall be shown on the Final Plat.
- (b) A description of the resource, and the conditions of subdivision approval, which assure its protection shall be included in a document of describing development restriction to be recorded concurrently with the plat.
- ~~(b)(c) Common Open Space areas indicating the type (e.g., Primary/Secondary) and; the use (e.g., passive trails), of the land area shall be included on the final plat., the fee simple owner of the land, and/or the holder of the easement.~~

(F) Certificates and Endorsements

(1) General

The Final Plat shall be made by or prepared under the supervision of a Professional Land Surveyor licensed to practice in the State of North Carolina and shall contain a certificate as required by Section 47-30 of the General Statutes and prepared in substantially the following form and acknowledged by a notary public:

"I, _____, certify that this plat was drawn under my supervision from (an actual survey made under my supervision) (deed description recorded in Book _____, Page _____, etc.) (other); that the ratio of precision is 1: _____; that the boundaries not surveyed are shown as broken lines plotted from information found in Book _____, Page _____; that this map was prepared in accordance with G.S. 47-30 as amended. Witness my hand and seal this _____ day of _____, A.D., 20____.

Seal or Stamp

Surveyor Registration Number

(The surveyor shall also certify on the plat as required by G.S. 47-30 (f) (11) as amended.)

(2) Certificates of Dedication and Maintenance

- (a) The following certificate shall be printed on the Final Plat and shall be followed by the signature of the owner(s) of the property being subdivided acknowledged by a notary public.

Child Care Facility

Includes child care centers, and any other child care arrangement not excluded by General Statute 110-86(2), that provides child care, regardless of the time of day, wherever operated, and whether or not operated for profit.

- a) A child care center is an arrangement where, at any one time, there are three or more pre-school children or nine or more school-aged children receiving child care.
- b) A family child care home is a child care arrangement located in a residence where, at any one time, more than two children, but fewer than nine children, receive child care.

Church

A structure in which persons regularly assemble for religious worship, which is maintained and controlled by a religious body organized to sustain public worship.

Club or Lodge, Private

An establishment operated by a corporation or association of persons for social, recreational, fraternal or charitable purposes, but which is not operated for profit or to render a service which is customarily conducted as a business.

Cluster Development

A subdivision in which building lots are grouped together through a transfer of allowable density within the subdivided tract. Cluster development permits more efficient development by creating lots with gross land areas smaller than those required for conventional lot-by-lot development, yet maintains application of normal lot density standards to the subdivided tract as a whole by requiring that land area saved by lot size reductions be reserved as permanent open space and/or recreation space.

Cold Storage Facility

A facility used to warehouse perishable foods and products prior to transport.

Commercial-Industrial Transition Activity Node Land

Land near major transportation routes that could be provided with public water and wastewater services and is appropriate for retail and other commercial uses; manufacturing and other industrial uses; office and limited (not to exceed 25% of any Node) higher density residential uses.

Commercial Transition Activity Node Land

Land focused on designated road intersections within either a 10- or 20-year transition area that is appropriate for retail and other commercial uses.

Common Area

~~A portion of a development not attributed to an individual lot or owner that is designed for the common usage of the subdivision or development. These areas include Common Open Spaces, entry features, subdivision facilities, mail kiosks, sidewalks, parking lots, and walkways. Construction and maintenance of such areas is the responsibility of the homeowner/property owners' association.~~

Common Open Space, Common

~~Privately held land area set aside, dedicated, owned, and maintained for common use, access, and enjoyment benefit of multiple ownerslots. This type of open space is held within within a defined lot or a defined easement area for common usage. It may be either restricted to the owners via Homeowner/Property Owners' Association (HOA/POA), or open to others as specified by the Association.~~

Primary Open Space, Primary

~~These areas have sensitive environmental features and/or significant cultural resource areas, which may make them legally or practically unbuildable. These areas are reserved for passive uses (e.g., forests, pastures, meadows) and low impact active uses (e.g., trails, natural observation).~~

~~Secondary Open Space Secondary~~

~~All open spaces areas other than Primary Open Space as defined above.~~

~~Open Space, Utility~~

~~A subset or category of open space that defines the type and/or intensity of its use. Utility areas are typically open but contain public and/or private utilities and services. Examples include utility lines or easements (e.g., water, sewer, gas, power), septic drain fields, and repair areas. Additional recreation use of these areas is typically limited based on the type of utility requirements that are in place.~~

Community Center

A new or existing facility that is owned or operated by a non-profit group from the community for non-commercial activity.

Community Farmers' Market

An enclosed or open-air facility for the retail sale of locally produced vegetables, flowers, meats, commodities, plants, crafts, etc. For the purpose of this definition, "local" means Orange County and counties that share a border with Orange County.

Composting Operation

A facility designed and used for transforming food, yard waste and other organic material into soil or fertilizer through biological decomposition. This does not include backyard composting bins serving individual families.

Comprehensive Plan

An internally consistent and compatible statement of policies for the long term, physical development of that portion of Orange County under County jurisdiction, consisting of a statement of development policies and maps and text setting forth objectives, principles, standards and plan proposals for physical development.

The Comprehensive Plan also consists of adopted area plans which focus on a portion of the County such as a township, a watershed or an interstate highway interchange. Technical information and/or task force reports prepared as part of a plan element or an area plan and incorporated as part of the appendix of or as a supplement are also considered part of the Comprehensive Plan.

Concentrating Solar Thermal (CST) Devices

Systems that use lenses or mirrors, and often tracking systems, to focus or reflect a large area of sunlight into a small area. The concentrated energy is absorbed by a transfer fluid or gas and used as a heat source for either a conventional power plant, such as a steam power plant, or a power conversion unit, such as a sterling engine. Also known as Concentrated Solar Thermal (CST).

Conditional Districts

A zoning technique authorized by N.C.G.S. 153A-342 which allows for the imposition of mutually agreed upon individualized development conditions as part of the legislative rezoning process. The Conditional Use District and Conditional Zoning Districts are subsets of the term Conditional Districts. Land may be placed in a conditional district only upon petition of all of the owners of the land to be included; said petition must be approved following the procedures set forth in Section 2.9 of this Ordinance.

Conditional Use District (CUD)

A floating zoning district that has no permitted uses. Applications for a CUD must link the CUD to a general use zoning district and conform with all applicable development regulations for the corresponding general use zoning district. CUDs require approval of both a rezoning application and Class A Special Use Permit; see Sections 2.9.1 and 3.8.

Conditional Zoning District (CZD)

A specific floating zoning district with specific permitted uses, as detailed within this Ordinance..

Farm Equipment Rental, Sales and Service

An establishment engaged in the rental, sales, service, and/or repair of construction or farm equipment, including excavators, loaders, graders, bulldozers, farm tractors 50 horsepower or more in size and other large, heavy duty types of equipment used in the construction or farming industries but not including horse trailers, trucks, or other vehicles designed for use on public roads.

Farm Supply Store

An establishment engaged primarily in the sale or rental of farm tools, small farming equipment, and farm supplies. Retail sales of animal feed, grain, hardware, lumber, tack, riding attire, animal care products, and the like may be an ancillary activity.

Federal Emergency Management Agency (FEMA)

The agency of the federal government chiefly responsible for studying and mapping flood plains and developing guidelines limiting development therein.

Feed Mill

A building with machinery and apparatus for grinding and/or bagging grain.

Fertilizer

Any substance containing nitrogen or phosphorous which is used primarily for its plant food content.

Financially Responsible Person

In regards to soil erosion and sedimentation control provisions, and party or entity who has financial or operation control over a land-disturbing activity and/or the landowner or party/entity in possession or control of the land who had directly or indirectly allowed a land-disturbing activity or had benefited from such activity.

Fixture

The assembly that houses the lamp or lamps and can include all or some of the following parts: a housing, a mounting bracket or pole socket, a lamp holder, a ballast, a reflector or mirror, and/or a refractor or lens.

Flexible Development

A subdivision in which greater flexibility and design creativity is encouraged and allowed to preserve agricultural and forestry lands, natural and cultural features, and rural community character that might otherwise be lost through conventional development approaches. At least one-third (33%) of the land within a Flexible Development subdivision must be set aside as open space which may be preserved through:

- a) An "estate lot" approach-option where all land is subdivided into lots four acres or greater in size, building lot area including setbacks are established on 50% of each lot, and the land area outside such area is preserved as open space provided that front and side yard setback areas shall not be counted toward meeting the minimum open space requirement except as specified by provisions of Section 8.13.4; or
- b) A "conservation-cluster" approach-option where lot sizes are reduced and the land saved through such reductions is preserved as open space on separate lots owned and maintained through a homeowners association, a non-profit land conservancy or unit of state or local government; or
- c) A "village" or modified cluster approach-option where dwelling units are clustered around a village green and supporting shops, and the village is surrounded by open space; or
- d) Some combination of the above.

Floating Zoning District; Floating Zone

A zoning district that is defined in the text of the Ordinance but which is applied or mapped only upon the approval of a rezoning application/petition.

Flood and Flooding

Open Burning Of Trees, Limbs, Stumps And Construction Debris Associated With The Permitted Activity

The disposal of limbs, stumps and construction debris associated with the permitted activity by means of outdoor fires.

Open Space -- (flexible development)

"Primary Conservation Areas" and "Secondary Conservation Areas", as defined in Section 7.13, which are preserved through conservation easements or other restrictions in a flexible development subdivision.

Common Open Space, Common

Privately held land area set aside, dedicated, owned, and maintained for common use, access, and benefit of multiple lots. This type of open space is within a defined lot or a defined easement area for common useage. It may be either restricted to the owners via Homeowner'/Property Owners' Association (HOA/POA), or open to others as specified by the Association.

Primary Open Space, Primary

These areas have sensitive environmental features and/or significant cultural resource areas, which limits their development potential.

Secondary Open Space Secondary

All open spaces areas other than Primary Open Space as defined above.

Open Space, Utility

A subset or category of open space that defines the type and/or intensity of its use. Utility areas are typically open but contain public and/or private utilities and services. Examples include utility lines or easements (e.g., water, sewer, gas, power), septic drain fields, and repair areas. Additional recreation use of these areas is typically limited based on the type of utility requirements that are in place.

Open Space - (land use intensity)

- A. Open space is the total horizontal area of uncovered open space plus half the total horizontal area of covered open space subject to limitations set forth below.
- B. Uncovered open space is total gross land area not covered by buildings, plus open exterior balconies and roof areas improved as recreation space.
- C. Covered open space is usable open space closed to the sky, but having two clear unobstructed open or partially open sides. Partially open sides is to be construed as 50% or more. Examples of covered space are covered balconies, covered portions of improved roof areas, or space under buildings supported on columns or posts or cantilevered. The square footage countable as covered open space shall not exceed the square footage of the open space sides.

Open Space Ratio

The minimum square footage of open space required for each square foot of gross land area. This area includes parking and vehicular access areas and it can also include balconies, and roofs improved for recreation.

Outdoor Advertising Industry

The organizations that provide outdoor displays or display space on a lease or rental basis.

Outdoor Lighting

Installation of lighting equipment, whether attached to poles, building structures, the earth, or any other location to allow for the illumination of a building and exterior area(s) within the confines of a defined property line. Included are open air spaces on a property, which are under a roof or other cover and not fully enclosed such as a canopy, pavilion, drive-through bay, or parking deck.

Outdoor Lighting, Cutoff Fixture

Study Area, Traffic Impact

The area in which a traffic impact analysis will be made and extending approximately one half mile along roadways adjacent to a development project and in both directions from all access points or to a major intersection along these roadways.

Subdivider

Any person or persons, firm or corporation subdividing land within the jurisdiction of this Ordinance.

Subdivision

All divisions of a tract or parcel of land into two or more lots, building sites or other divisions for the purpose of sale or building development (whether immediate or future) and includes all division of land involving the dedication of a new street or a change in existing streets.

Subdivision, Exempt

- a) The combination or recombination of portions of previously subdivided and recorded lots if the total number of lots is not increased and the resultant lots are equal to or exceed the standards of the County, including private road justification standards, as detailed within this Ordinance.
- b) The division of land into parcels greater than 10 acres if no street right-of-way dedication is involved.
- c) The public acquisition by purchase of strips of land for widening or opening streets.
- d) The division of a tract in single ownership of the entire area of which is no greater than two acres into not more than three lots, if no street right-of-way dedication is involved and if the resultant lots are equal to or exceed the standards of the County as shown by its subdivision regulations.

Subdivision, Major

Any division of land that is not classified as an Exempt or Minor subdivision.

Subdivision, Minor

A division of a tract of land that does not:

- a) Create more than five lots for conventional design options, or more than 12 lots for flexible development, including the residual acreage, from any one tract of land in any 24 month period;
- b) Dedicate or improve any new public street other than widening an existing public street;
- c) Extend public water and/or sanitary sewerage systems other than laterals to serve individual lots;
- d) Necessitate the installation of drainage improvements which would require easements through one or more lots to serve other lots; and
- e) At the option of the applicant, involve vesting of the subdivision for a period greater than one year.

Substantial damage

Damage of any origin sustained by a structure during any one year period whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50% of the market value of the structure before the damage occurred. See definition of "substantial improvement." Substantial damage also means flood-related damage sustained by a structure on two separate occasions during a ten-year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds 25% of the market value of the structure before the damage occurred.

Substantial improvement

Any combination of repairs, reconstruction, rehabilitation, addition, or other improvement of a structure, taking place during any one year period whereby the cost of which equals or exceeds 50% of the market value of the structure before the start of construction of the improvement. This term includes structures, which have incurred substantial damage, regardless of the actual repair work performed. The term does not, however, include either any correction of existing violations of State or Orange County health, sanitary, or safety code specifications which have been identified by the Orange County code enforcement official and which are the minimum necessary to assure safe living conditions, or any alteration of a historic structure provided that the alteration will not preclude the structure's continued designation as a historic structure.

Attachment 4

APPROVED 3/22/2016

MINUTES
ORANGE COUNTY BOARD OF COMMISSIONERS
QUARTERLY PUBLIC HEARING
February 18, 2016
7:00 P.M.

The Orange County Board of Commissioners met with the Orange County Planning Board for a Quarterly Public Hearing on February 18, 2016 at 7:00 p.m. at the Whitted Building, in Hillsborough, N.C.

COUNTY COMMISSIONERS PRESENT: Chair Earl McKee and Commissioners Barry Jacobs, Mia Burroughs, Mark Dorosin, Bernadette Pelissier, Renee Price and Penny Rich

COUNTY COMMISSIONERS ABSENT:

COUNTY ATTORNEY PRESENT: James Bryan (Staff Attorney)

COUNTY STAFF PRESENT: County Manager Bonnie Hammersley and Deputy Clerk to the Board David Hunt (All other staff members will be identified appropriately below)

Chair McKee called the meeting to order at 7:04 p.m.

A. OPENING REMARKS FROM THE CHAIR

None.

B. PUBLIC CHARGE

Chair McKee dispensed with the reading of the Public Charge.

C. PUBLIC HEARING ITEMS

- 1. Unified Development Ordinance (UDO) Text Amendment** - To review government-initiated amendments to the text of the UDO regarding mailed notification requirements.

Perdita Holtz, Orange County Planning Department, presented the following PowerPoint slides:

Mailed Notifications
Quarterly Public Hearing
February 18, 2016
Item C.1

Purpose of Amendment

- Correct omissions to the public hearing process amendments that were adopted in November 2015.
- Update mailed notice requirements in two sections that were not contemplated for amendments last year.

Correct Omissions

- Three sections related to required Neighborhood Information Meeting for Special Use Permits, Conditional Use Districts, and Conditional Zoning Districts.

D. ADJOURNMENT OF PUBLIC HEARING

The public hearing was adjourned at 7:26 p.m.

E. WORK SESSION

1. **Review of Minimum Lot Size and Density Allowances for Subdivisions** – To review and discuss the County's subdivision development and review processes focusing primarily on minimum lot size and density limitations as they relate to the clustering of proposed subdivision lots.

David Stancil, Department of the Environment, Agriculture, Parks and Recreation (DEAPR) Director provided background regarding the Rural Character Study. He said in 1987, the BOCC created a Joint Planning Area with the Towns of Chapel Hill and Carrboro. He said part of this Joint Planning Area was the designation of the Rural Buffer. He said the mechanism to implement this rural buffer was the implementation of the two-acre minimum lot size. He said a study committee was created to consider how best to protect the rural integrity of the land. He said the first area focused on the rural buffer, and the second area focused on the remaining rural areas of the County. He said, simply put, the conclusion was to create a sliding scale between open space and the ability to achieve a smaller lot size. He said a great deal of thought went into the decisions and the process was a high point in his time in Orange County.

Craig Benedict said Orange County's population has increased by about 50,000 people since the rural character study was completed. He said the majority of these people went into the cities but about 45% went into the unincorporated area. He said the original goals of the study started out as an open space preservation plan, balancing agricultural protection. He said the interesting part of this report is that, in large part, cooperation with the plan was voluntary. He said developers would submit two plans: a conventional one (10 acres, divided into five 2-acre lots), and a flexible plan (10 acres, with five 1-acre lots, and five acres of open space). He said the plans were reviewed, and the decision of which plan to use was placed on the developer. He said initially the majority of developers chose the conventional plans but slowly moved towards flexible plans. He said the process moved from voluntary to being a bit more direct, in order to achieve the outlined goals.

Craig Benedict said the conversation now shifts to the next 50,000 people moving into Orange County and considering where they will live. He said projections are for lots of single-family development to occur in the rural buffer due to demand. He said one of the goals from the rural character study that remains in place today is the growth management goal: to have urban growth boundaries; to have efficient forms of development; balance the natural resource goals with pattern development and growth management.

Commissioner Rich said there was previous discussion about the gross overstatement of projected population growth. She asked if there was an update on these numbers.

Craig Benedict said the original numbers were done for the entire triangle region. He said he will give a presentation on March 2 to Planning Board about how these numbers were developed for the 2040 plan. He said the 2045 plan is currently being worked on and it is hoped that the control totals, which are provided to the County, can be reviewed and more appropriate estimates garnered. He said the formula for the projections (one house per every two acres), cannot be altered, but the numbers can be reviewed for realistic estimates.

Michael Harvey, Orange County Current Planning, reviewed the following background and PowerPoint slides:

PURPOSE: To review and discuss the County's subdivision development and review processes focusing primarily on minimum lot size and density limitations as they relate to the clustering of subdivision lots. This item was developed to address a petition submitted by

Commissioner Pelissier to identify opportunities and constraints within current regulations associated with the clustering subdivision lots. This represents one component of a larger discussion related to reducing development costs in an effort to promote affordable housing development.

February 18, 2016

AGENDA ITEM: E-1

WORK SESSION:

Review of Minimum Lot Size and Density Allowances for Subdivisions

What is a Subdivision:

- **All divisions** of a parcel of land into two or more lots for immediate or future sale/development,
- Includes division of land involving dedication/change in existing streets.
- Terms 'subdivision' (i.e. process of creating lots) and 'development' have become synonymous. They do not necessarily mean the same thing (i.e. just because you are subdividing does not mean you are engaged in development).

Subdivision Classification(s)

- Exempt (i.e. State law indicates not a regulated activity) includes:
 - Recombination of previously subdivided property (number of lots are not increased),
 - Creation of parcels in excess of 10 acres in area,
 - STAFF NOTE: there have been issues with property owners coming back to subdivide these 10 acre parcels as they have to bring lots/roadways into compliance with UDO.
 - Public acquisition by purchase of strips of land for widening or opening streets,
 - Division of a tract of land in single ownership where the property is no greater than 2 acres in area into not more than 3 lots if no street right-of-way dedication is involved and resultant lots are equal to or exceed County regulations (i.e. minimum lot area and width, etc.).

Commissioner Dorosin asked if subdivision regulations apply, even when it is less than three lots in the subdivision.

Michael Harvey said no, the property can be no greater than two acres for the last exemption.

Michael Harvey resumed the presentation:

- Minor:
 - Division proposing 1 to 5 individual parcels,
 - Reviewed and acted upon by staff. No board review (i.e. BOCC or Planning Board) required.
- Major:
 - Division proposing 6 or more individual parcels,
 - Typically Planning Board approves a concept plan/makes recommendation on preliminary plat application. BOCC makes final decision,
 - Required review process related to number of proposed lots.

Major Subdivision can be processed as Class A Special Use Permit or Conditional Use Rezoning based on number of proposed lots and location in County (i.e. rural versus urban areas).

Subdivision Types:

- Standard Subdivision: Lots comply with established dimensional requirements for the general use zoning district in which the property is located as well as the standards detailed within Article 7 of the UDO.
- Cluster Subdivision: Required lot sizes, area, and setbacks can be reduced if at least 20% of the gross land area designated as common open space; and
- Flexible Development: Required lot sizes, area, and setbacks can be varied to accommodate on-site features. Three types:
 - Estate Lot (min. 4 acre lot size - only 2 acres developable)
 - Flexible Development (33% open space required)
 - Village (mixed use project – multiple housing types and land uses allowable)

Example: Henderson Woods

- Located in Rural Buffer Land Use Category (Comprehensive Plan) and Rural area per Growth Management System Map,
- Density limited to 1 unit for every 2 acres per Joint Planning Land Use Plan/Agreement,
- Property was 48 acres in size resulting in 24 lots potentially available for development based on density (48 acres / 2 = 24 lots),
- Minimum required lot size is 1 acre based on Joint Planning Land Use Plan/Agreement.
 - **STAFF COMMENT:** Per existing subdivision regulations lot size, in certain circumstances, can be reduced to as much as 65% of required area outside of protected watersheds.

EXAMPLES (graphic)**EXAMPLES (graphic)****DIFFERENCES – CONVENTIONAL VERSUS FLEXIBLE (CONSERVATION CLUSTER)**

Conventional subdivision:

- Open space part of individual lots. Can be disturbed,
- Subdivision encompasses entire parcel,
- More impervious surface area /land clearing/grading required (i.e. longer roads and driveways),
- Greater impact to existing foliage and more acres ‘developed’ under conventional subdivision design.

Flexible (Conservation-cluster):

- Smaller lots and separate open space (less likely to be disturbed),
- Open space is now ‘shared common area’,
- Subdivision is condensed requiring less land clearing and grading,
- Less impervious surface area required,
- Greater protection for existing foliage and less overall ‘development’ on property.

Commissioner Dorosin referred to the conventional model and asked if the open space requirement only has to be met during construction.

Michael Harvey said there is no open space requirement in the conventional model. He said the track is developed to the fullest extent.

Commissioner Dorosin referred to the flexible model and asked if the separate open space must be maintained and undisturbed.

Michael Harvey said yes.

Commissioner Rich asked if Henderson Woods is conventional or flexible.

Michael Harvey said flexible, but construction has not yet begun.

Commissioner Dorosin asked if either model could have been approved.

Michael Harvey said developers have the right to bring forth a conventional subdivision design but it may not successfully obtain a staff or Planning Board recommendation.

Commissioner Jacobs said the County can state its design preference and the flexible model was promoted and encouraged in the rural character study.

Michael Harvey said in his tenure at Orange County, he has mostly seen either flexible development subdivisions with open space or the conservation subdivision. He said until 2013, the Joint Planning Agreement did not allow clustering in the northern portion of the rural buffer.

Chair McKee said historically, the buyer's preference was for a large lot configuration with clearly identified corners. He asked if there has been a transition in what buyers are wanting.

Michael Harvey said possibly but he believes the biggest issue is cost. He said the conventional model requires greater expense by the developer and greater adherence to separate development regulatory standards.

Commissioner Rich asked if the open space needs to be maintained.

Michael Harvey said yes. He said if a storm comes through and knocks down trees there is an obligation to reestablish the required buffers and open space.

Commissioner Dorosin asked if there is a density bonus.

Michael Harvey said the only recognized density options are for affordable housing or if a greater area of open space is preserved. He said density bumps are not allowed in protected watershed areas as density is already set. He said density bumps are also not allowed in the northern part of the rural buffer as density is set by the joint planning land use plan and agreement.

Commissioner Dorosin asked if density bumps are not allowed anywhere in the rural buffer.

Michael Harvey said correct.

Commissioner Dorosin said it is cheaper for developers to do this but the end result is very expensive housing.

Commissioner Jacobs said there are different kinds of open space. He said the rural character study recommended 1.94 acre zoning throughout the County, which is the average lot size in Orange County.

Commissioner Jacobs said water and sewer management can be tricky but there are some ideas about this in the rural character study.

Commissioner Dorosin asked if there are consequences when a homeowners' association fails to maintain the open space, a stormwater system, etc.

Commissioner Jacobs said to call Michael Harvey. He added that he wanted the County to review homeowners' agreements to insure that such problems are avoided.

Commissioner Rich said she lives in a neighborhood with dedicated open space which the entire community commits to maintain with twice annual workdays. She asked if farms can be counted as open space.

Michael Harvey said farms can be counted as part of secondary open space in flexible development projects.

Commissioner Jacobs said it may be something as simple as hay fields but it can lead to potential revenue.

Commissioner Price referred to the discussion between conventional and flexible models. She said there are developers that are happy with the flexible model and others that were not, as it reduced the number of homes they could build in the development due to septic issues.

Commissioner Jacobs said some subdivisions use the open space as secondary septic areas which allows for no loss in density.

Commissioner Pelissier asked if any changes were made to septic rules, would there be any benefit to changing the rule for minor subdivision with five lots or less.

Michael Harvey said globally there will be staff recommendations that will change everything.

Chair McKee instructed the Manager to have John Roberts send a memo to the Board of County Commissioners (BOCC) regarding the court case in which the affect of septic on community systems was litigated.

Commissioner Jacobs asked if there is a percentage break down for the type of subdivisions being built.

Michael Harvey said there is 30% major subdivision, 40% minor, and the rest are exempt. He said of the 40% minor, most are three lots or less, whether due to density, cost or code requirements.

Potential Constraints

- Within Watershed Protection Overlay Districts, parcels being subdivided cannot be reduced below 40,000 sq.ft. of land area if served by individual septic systems.
 - **There is currently no allowance for off-site septic systems to be considered with respect to allowing for further reduction in required lot sizes.**
 - **Please note off-site well and septic systems are specifically prohibited within the University Lake Protected and Critical Watershed Protection Overlay Districts.**
- Current private road justification standards only allows for a minimal reduction of required lot size with open space reservation. Smallest allowable lot, after process is completed, is 60,000 sq.ft. (minimum 50% of parcel being subdivided has to be designated as open space)

Commissioner Jacobs asked if there are incentives to do it that way.

Michael Harvey said a subdivision is a subdivision and there are no incentives currently. He said if any expedited permit reviews were to be offered, he would personally suggest it being done for flexible development options.

Commissioner Dorosin asked if the point about roads could be clarified.

Michael Harvey said if there are between four and twelve lots, design elements must be adhered to. He said the rationale is to preserve the existing rural aesthetic as much as possible. He said there are options that allow for the dedication of open space through the private road justification process, and reduced lot size. He said if a subdivision has 13 or more lots, a public road must be made that meets the Department of Transportation standards.

Commissioner Rich asked if there is a difference between a private road and a long driveway.

Michael Harvey said the number of lots that the road serves.

Commissioner Rich asked if a long driveway serves two lots, would it be considered a private road.

Michael Harvey said no, joint driveways are permissible. He said if there are three lots or more, then it becomes a roadway.

Chair McKee asked if Michael Harvey could speak to Class B roads, in that context.

Michael Harvey said a Class B road is a 50-foot right of way, with 12 feet wide of improved travel way, which could be gravel, pavement, concrete, etc. He said this road serves 1 to 5 lots. He said 6 to 12 lots would be served by a Class A road, which is 18 feet of improved travel way with any 50-foot right of way.

Chair McKee asked if Michael Harvey could speak to a 10-acre lots and the requirement of a driveway.

Michael Harvey said if one has a 200 acre tract of land and creates 20 10-acre lots, one is exempt from the provisions of the subdivision regulation. He said the County cannot compel the installation of any type of roadway.

Commissioner Jacobs asked if there are specific dimensions for a public road.

Michael Harvey said 22 feet wide of pavement and a 50-foot right of way. He said curb gutter and stormwater systems may change this slightly.

Commissioner Jacobs said it is cheaper to do a private road and such roads also provide for the least rural impact. He said as the County moves forward, it is good to consider how to balance adequate public safety with minimizing environmental impact. He said the idea of density bonuses and expedited reviews should be reviewed in the future. He referred to page 22, noting the suggestion of possible open space tax breaks.

Craig Benedict said there has been previous discussion about how open spaces are taxed. He said the tax assessor does not tax the open space but transfers some of that value onto the individual lots.

Commissioner Jacobs said it might be interesting to monitor this process during the revaluation.

Michael Harvey resumed the power point presentation:

- Within the Cluster Subdivision type lots can only be reduced to 40,000 sq.ft. in size with the reservation of a minimum of 20% Open Space.
 - **This Subdivision Type has applicability within the Rural Buffer (RB) general use zoning category but nowhere else.**
 - **Staff has been successful in encouraging the Flexible Development – Conservation Cluster model where lots can be reduced to 40,000 sq.ft. with the reservation of 33% open space (i.e. Henderson Woods, Annandale at Creek Wood, etc.).**

OPTIONS

- Eliminate the Cluster Development subdivision type and promote the Conservation-cluster Flexible Development subdivision option.
- Allow for greater reduction of lot sizes through the Flexible Development design process thereby increasing potential for additional open space.
- Allow/recognize the use of off-site septic for wastewater processing, which could allow for further reduction of lot sizes – including within watershed protection overlay districts.
- Re-assess private road development standards.
- Review potential for creation/adoption of a Rural Master Plan Conditional Zoning district.

Commissioner Jacobs asked if there are advantages and disadvantages to the County regarding private roads.

Craig Benedict said under the new storm water controls, it will behoove the developer to have the road drain to a certain location and have a master stormwater system. He said new regulations are being reviewed, and considering whether each lot should have its own stormwater controls, or if a master system can control both the roadway disturbance, and that on the individual lots. He said there is new technology and new regulations which are favoring the master system level.

Michael Harvey said staff will be developing and reviewing a rural master plan conditional zoning district with the BOCC.

Remember

- Staff is not recommending changing established density standards. There will need to be additional discussion of this topic before action is taken.
- Proposed modifications cannot impact property in the Rural Buffer. In order to change density or minimum lot sizes for this area the Joint Planning Land Use Plan and

Agreement will have to be amended, requiring approval of all participating entities (i.e. Orange County, Chapel Hill, and Carrboro) after a joint public hearing.

- While this may promote development of 'affordable housing' these issues represent only 1 small component of housing costs. This issue transcends Planning and will not be resolved solely through altering existing land use regulations.

Recommendation

The Manager recommends that the Board receive the information and provide comments/direction on potential subdivision amendment(s).

Chair McKee said he appreciated the presentation, but he is not sure that the changes being discussed will affect the affordability of the lots. He said he understands that affordable housing will not be developed in the northern part of the County as it is away from water and sewer.

Michael Harvey said this is just one aspect of a global issue that warrants discussion. He said if there is significant reduction in lots sizes with the implementation of innovative, off-site septic with increased density allowances and with incentives for developers, there may be an improvement with respect to the cost of the lot. He said the value of land in a protected area versus an unprotected area versus the rural buffer will all be different.

Commissioner Pelissier said this has been a great presentation and it was done in response to her petition. She said the original intent of her petition was not so much affordable housing but rather preservation of rural character. She said the hope of an affordable housing byproduct was secondary.

Commissioner Pelissier asked if there are any successful examples of the options outlined this evening from other locations.

Craig Benedict said several examples have been received that included a variety of the options.

Commissioner Pelissier asked if there is anything that could be developed to differentiate the size of a development.

Michael Harvey said there is some viability with this idea. He said further discussion is needed regarding incentivizing developers.

Commissioner Pelissier said in her tenure on the BOCC, every major subdivision has been high-end housing. She asked if mixed housing could be incentivized to allow for greater diversity of price points. She asked if this idea is even realistic.

Michael Harvey said there is probably no incentive that can be offered unless the County is purchasing the property. He said the value of land is the value of land.

Commissioner Jacobs asked if permanent protected open space is valued by Orange County, could the BOCC direct the appraiser to appraise at a reduced value for permanently protected open space in a subdivision.

Commissioner Price said conservation easements could perhaps reduce costs. She said the Community Home Trust has several homes that are mixed into the high-end subdivisions. She said she does not promote the idea but noted it points to an example.

Commissioner Dorosin referred to Commissioner Jacobs' point about incentivizing. He said it is important to determine what the County wants to incentivize. He said he would like to address the question of affordable housing. He said if the main concern is environmental preservation then it is not practically possible to have affordable housing in these areas. He said it may be worth exploring how development in the environmentally sensitive areas can subsidize the building of affordable housing elsewhere. He said it may be an impact fee or a cost in exchange for the incentives. He said he is very excited about the concept of off-site septic.

Craig Benedict said there is currently a multi-department effort on affordable housing.

He said the ingredients of housing costs are: land, public or private infrastructure, entitlements in permit fees, cost of housing, cost of labor, profit margins, and market aspects. He said the areas, which can be affected and changed, are being considered.

Commissioner Dorosin said he would love to hear on going updates from the multi-department effort.

Commissioner Rich said when the BOCC approved the development of Whitfield the developer made voluntary contributions to affordable housing. She said the idea of affordable housing in the rural part of the County should be considered as well as who is being served by the affordable housing.

Craig Benedict said staff has reviewed the inventory of affordable housing in the rural parts of the County. He said a comprehensive picture will be presented to the BOCC.

Chair McKee suggested breaking affordable housing into two sections: low income affordable housing (Community Home Trust, Habitat, etc.); and work force affordable housing (\$125,000 to \$150,000 homes).

Michael Harvey said looking at the comprehensive plan and the land use map, high intensity housing, in the 10 to 20 year transitions, is the highway 70 corridor, certain areas near Hillsborough and Durham, and some areas of Chapel Hill and Carrboro. He said it is clustered in these areas as the services are located there as well.

Chair McKee asked if alternative water and sewer systems are being considered, can work force affordable housing be offered outside these high dollar areas just mentioned by Michael Harvey.

Michael Harvey said one of the rationales for recommending a rural residential master plan development process is to allow that type of dialogue to occur. He said it is important to remember that there are some intrinsic limits to such a dialogue, based on a density discussion that must occur at another work session. He said the village concept is a possibility if the infrastructure obstacles can be overcome.

Chair McKee said some smaller local builders may be attracted to these options.

Commissioner Jacobs said this discussion occurred at the BOCC retreat three years ago and the idea of clustered development with on-site community systems was considered. He said it is time to move past discussion and to try something.

Commissioner Price said she would like to try the cluster developments with a small number of homes. She said those of modest income, who wish to live in a rural setting, should be able to do so.

Commissioner Rich referred to the map on page 77 and asked if Michael Harvey could clarify the dark grey areas.

Michael Harvey said these are transition areas that are managed, from a zoning standpoint, by either Chapel Hill or Carrboro. He said the County has granted authority for those areas to be developed in accordance with the joint planning land use planning agreement.

Commissioner Rich referred to the triangle on the bottom of the map, which is identified as rural buffer. She asked if there is a reason this portion of land is considered as such.

Michael Harvey said that goes back to the joint planning land use planning agreement. He said the area was rural in nature, with lots of farms.

Chair McKee recalled the discussion about the extension of the water line for fire protection in that area.

Commissioner Rich said this triangular area seems out of character given that Chatham County is developing right up to the edge of it.

Craig Benedict said it is known as the "lost triangle".

Michael Harvey said based on this work session, the BOCC desires a presentation regarding how the options discussed this evening will look and a future work session on density.

Commissioner Jacobs said he hoped this discussion would include tax implications of the various possibilities.

Commissioner Price said she would like to hear more about the cluster development of affordable homes.

Craig Benedict said tonight's meeting was productive.

A motion was made by Commissioner Dorosin, seconded by Commissioner Burroughs to adjourn the work session at 9:00 p.m.

VOTE: UNANIMOUS

Earl McKee, Chair

David Hunt,
Deputy Clerk to the Board



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ORANGE COUNTY PLANNING DEPARTMENT TO HOLD WORKSHOP ON PROPOSED SUBDIVISION ORDINANCE CHANGES

ORANGE COUNTY, NC (July 6, 2016) - Orange County Planning staff invites the public to attend an upcoming workshop to discuss and collaborate on potential revisions to its subdivision regulations.

The meeting may interest residents, property owners, surveyors, and developers who may become involved in the subdivision process. The workshop is also intended to review best practices and techniques toward providing various types of open space and natural areas.

The workshop will be held on Wednesday, July 20, 2016 starting at 5:30 p.m. until 7:00 p.m. at the West Campus Office Building, 131 W Margaret Lane (Room 004-Basement Level) in Hillsborough.

The Orange County Board of Commissioners (BOCC) directed Planning staff to review the possible modification of existing subdivision development requirements and review processes in an effort to provide additional opportunities for the clustering of subdivision lots and preservation of open space.

Current regulations categorize subdivision projects into 3 distinct types:

1. Standard Subdivision: Proposed lots comply with established minimum lot requirements with no common open space or grouping of lots.
2. Cluster Subdivision: Required lot sizes, area, and setbacks can be reduced if at least 20% of the gross land area of the subject property is designated as common open space; and
3. Flexible Development: Required lot sizes, area, and setbacks can be varied to accommodate on-site features, project design elements, and open space. Required lot sizes vary based on the amount of common open space.

The goal of this project is to review and revise existing development standards in an effort to encourage purposeful growth and development within the County in a cost efficient manner, while promoting the perpetual maintenance/preservation of open space areas and allow for additional flexibility with respect to addressing required minimum lot sizes and wastewater collection/disposal.

Planning staff intends to present the revisions to the BOCC for approval in late November 2016. For more information, please contact Mr. Pat Mallett, Planner II, at (919) 245-2577 or pmallett@orangecountync.gov.

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Attachment 6

SUMMARY NOTES
ORANGE COUNTY PLANNING BOARD
SEPTEMBER 7, 2016
ORDINANCE REVIEW COMMITTEE

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NOTE: A quorum is not required for Ordinance Review Committee meetings.

MEMBERS PRESENT: Lydia Wegman (Chair), At-Large, Chapel Hill Township; Tony Blake (Vice-chair), Bingham Township Representative;

STAFF PRESENT: Craig Benedict, Planning Director; Michael Harvey, Current Planning Supervisor; Perdita Holtz; Planning Systems Coordinator; Ashley Moncado, Special Projects Planner; Patrick Mallett, Planner II, Rachel McCook, Planner I; Molly Boyle, Planning Technician; Meredith Pucci, Administrative Assistant II.

AGENDA ITEM 1: CALL TO ORDER AND ROLL CALL

Lydia Wegman called meeting to order.

AGENDA ITEM 2: UNIFIED DEVELOPMENT ORDINANCE (UDO) TEXT AMENDMENTS – SUBDIVISION REGULATIONS

To review and comment upon proposed amendments to the UDO pertaining to subdivisions, particularly minor subdivisions.

Presenter: Patrick Mallett, Planner II; Rachel McCook, Planner I; Molly Boyle, Planning Technician

Patrick Mallett reviewed the abstract.

Allen Clapp presented

Lydia Wegman asked about what can be on top of these systems. Allen Clapp answered people can walk on them, just no vehicles. Patrick Mallett elaborate that there are fences or possibly hedgerows around them to prevent vehicles. Tony Blake asked how long the supply lines last. Allen Clapp informed him they last indefinitely unless they're exposed to UV. Tony Blake inquired about putting some of these alternative systems into the commercial areas where there's a growing issue with septic systems failing. Allen Clapp explained that they would be able to do that now with the new rules but Patrick Mallett explained there are some zoning and other issues making it difficult to get done.

Molly Boyle presented

Lydia Wegman asked if the cluster and flexible developments are going to be merged. Molly Boyle confirmed they are.

Patrick Mallett continued presentation after break for Planning Board meeting.

Tony Blake asked how it would affect the buffers. Patrick Mallett advised that it wouldn't to begin with because minor subdivisions don't have that but the trade off is the open space requirement. Tony Blake mentioned subdivisions that aren't finished yet and asked if they would be able to convert the remaining space to something like this. Patrick Mallett answered that what's likely to drive that is the soil and whether the subdivisions were built on private or public roads. Patrick also informed him that the road is cumulative and that's why 12 is the cap and if you go above 12 you have to have a public road. Michael Harvey added that it would be on a case-by-case basis for a multitude of reasons.

54 Craig Benedict added that the examples being presented are just graphics and it's likely these clusters will not be so close to
55 the road. The idea is to create more open space and give it rural character.

56
57 *Patrick Mallett concluded presentation*

58
59 *Rachel McCook presented*

60
61 Lydia Wegman asked if they've gotten feedback from developers. It was confirmed that they have and Patrick Mallett added
62 that they've been working with a couple pretty consistently.

63
64 There was discussion about farmers selling part of their land and subdividing it, as long as they still had enough to live off of.

65
66 Lydia Wegman confirmed that there was not going to be a change to the rural buffer with this.

MINUTES
ORANGE COUNTY PLANNING BOARD
OCTOBER 17, 2016
SPECIAL MEETING

MEMBERS PRESENT: Tony Blake (Vice-Chair), Bingham Township Representative; Lisa Stuckey, Chapel Hill Township Representative; Patricia Roberts, Cheeks Township Representative; Laura Nicholson, Eno Township Representative; Kim Piracci, At-Large; Buddy Hartley, Little River Township Representative;

MEMBERS ABSENT: Lydia Wegman (Chair), At-Large Chapel Hill Township Representative; Paul Guthrie, At-Large Chapel Hill Township; Andrea Rohrbacher, At-Large Chapel Hill Township; Maxecine Mitchell, At-Large Bingham Township;

STAFF PRESENT: Craig Benedict, Planning Director; Perdita Holtz; Planning Systems Coordinator; Ashley Moncado, Special Projects Planner; Patrick Mallett, Planner II; Molly Boyle, Planning Technician;

OTHERS PRESENT: Emily Bane, Member of the Public; Curtis Bane, Member of the Public;

Agenda Item 8: **Unified Development Ordinance (UDO) Text Amendment** - To make a recommendation to the BOCC on government-initiated amendments to the text of the UDO pertaining to subdivisions, particularly minor subdivisions, flexible development options, and open space. This item is scheduled for the November 21, 2016 quarterly public hearing.
Presenter: Patrick Mallett, Planner II

Patrick Mallett reviewed the abstract.

Craig Benedict: Also, with environmental health the state is also improving additional innovative systems that go beyond these conventional, off site or not... But there is major trend that the state's hoping looking to look at. Engineer systems that might be more expensive but they're a lot more innovative. We're encouraged by some of the new things that are being suggested.

Tony Blake: Like the pods?

Craig Benedict: Yeah. Pods, and systems that actually provide the liquid that could be used for irrigation on site. And that's something that really hasn't been used but the technology is there. There are some systems that the state still hasn't improved yet that we're trying to become a test area for them because they work in other parts of the United States and other countries. So, let's try that too. It's not a major risk. In any.. you do with these innovative pilot programs they're trying to get the approval that the state let us do it at a local level. We'll have ways of backing up the system with land so it doesn't become a problem.

Kim Piracci: So that would be done on individual house level?

Craig Benedict: Yeah, it would probably be a pilot program. We're trying to think of some lands up near Lake Orange that have had failing conventional septic systems and put something in. And it would be something that if you had to pump into it off site, a repair area, you could.

Lisa Stuckey: An off site septic is new to me. What is that? How off site can it go?

Patrick Mallett: Well we follow the state guidelines. And basically think of it in terms of, "I buy lot one of a subdivision. I would have a corresponding, there would be an easement that would go through the open space and then there would be a corresponding deed to 1A, which would be my septic field. It would simply be out in the open space and combine with other septic systems. It's not a package plan, it's not a community system, but there's a deeded area out there that's made this fenced in and I basically own the deed but the HOA has the open space.

Lisa Stuckey: The tank?

Patrick Mallett: No. You would buy your house. I would buy lot 1 and I would build my home and the builder would be responsible for installing the tank and then gets hooked up to the tank system and then it either goes gravity flow or it gets pumped through a trench that has lines. To meet a state standard they have to be labeled a certain way, the trench has to be constructed a certain way and then it goes out to the drain field. But specifically, physically, legally lot1/lot 1A it goes out to that drain field.

Kim Piracci: So 1A is a piece of the drain field? Everybody has a piece of it?

Patrick Mallett: Yeah. So if I bought lot 2 then I would have lot 2 and then 2A would be my area so there's direct accountability. The probably with a community package systems is that it's kind of an all or nothing proposition. If the system fails everybody goes down. With this, it's the same as if it was on the lot and one of the benefits is... So I've got a 5 acre lot and I know where my drain field is, pretty much but I've got 5 kids that like to play football... I would rather that area be in an open space where it's there's no ambiguity to be fenced in and maintained.

Patrick Mallett showed schematics.

Kim Piracci: But no trees. Is that sort of the idea as well?

Patrick Mallett: Yeah. You don't want to have infiltration. There are systems that you can work around trees but ideally you wouldn't want a tree.

Patrick Mallett continued presentation.

Lisa Stuckey: Can you explain that first one?

Patrick Mallett: So there's no incentive for you to do a flexible design on a minor subdivision. Technically, you can dedicate open space today but there's no reason for.. You're not going to get any benefit out of it from a regulatory standpoint. With this provision you can go above 5 lots but you're going to have to provide open space and other measures to best take care of... It wouldn't be against the increase because, quite honestly, I would say your average minor subdivision probably leaves 50% of the theoretical allowed density on the table because they don't want to make that leap into a major subdivision.

Craig Benedict: If I can summarize, the incentive is you have a staff approval for more lots down there so people would be very encouraged to have that staff approval and do a minor subdivision. They're not gaining any more lots as we say. In the past you could only do 5 by staff approval, now you can go up to 12.

Patrick Mallett: Yeah. The reason we picked 12 is because once you go above 12 you have to have a public street. And so another example is, in the current UDO, if you do a private street and you go above 4 lots you have to go through what I call a Chinese menu of requirements that allow you to do a private street and there are things like double the minimum lot size, double the setbacks, increase your stream buffers by 125% and things that you can't really do that and have a flexible development that encourages open space.

Kim Piracci: So developers won't have to come to you and get special permission, up to 12 lots?

Patrick Mallett: They would go through the minor subdivision process. You have to get a Concept Plan approved by the Development Advisory Committee, the Preliminary Plan reviewed and approved by the Development Advisory Committee, and then prepare a plat.

Craig Benedict: But you won't have to go in front of the commissioners.

Kim Piracci: And do you still have to go in front of the commissions if you use a convention design option?

Patrick Mallett: Yeah. So if you wanted to do a conventional subdivision with 8 lots and you have no open space, you didn't meet the flexible design criteria then that would be a major subdivision. You'd have to go to the BOCC.

Kim Piracci: Ok. And so these flexible development types of subdivisions aren't. This is only when they're using their own septic, it's not city water?

Patrick Mallett: Well, environmental health regulates the wells and you can do that in an individual well, a shared well, a community well, different specials that they allow for. They basically stay to the state guidelines.

Kim Piracci: No, but I mean like if this development was going to use city water.

Patrick Mallett: Yeah, they could do that and that would be the easier way to deal with the water part of it.

Lisa Stuckey: How many subdivisions come to the County that have any form of city water?

Patrick Mallett: They're rare but I would say 90% of the time it's going to be a well system that may or may not be provided that two owners are sharing together. That's almost always a "families" type scenario or you've got a well provider that's meeting the states standard.

Tony Blake: The important thing is that this doesn't allow you to bypass any of the health regulations, building codes, or any of the other things that are associated with the subdivision. This is a yearly dividing of the lots in a more logical versus physical way.

Kim Piracci: That does seem like it increases density so if you had 50 acres you could do 5 lots, right?

Patrick Mallett: You could do 5 10-acre lots.

Tony Blake: Or you could do more.

Kim Piracci: You could do 12 lots.

Patrick Mallett: Or you can do 5 and 5. You can do 2 minor subdivisions and 5 lots each.

Kim Piracci: So the same sets of neighbors you have now more houses on 50 acres.

Tony Blake: The minimum acreage for a house for Orange County 3 acres, isn't it?

Patrick Mallett: .It's dependent on the watershed. A lot of the watersheds allow 1 unit per acre, some 2.

Kim Piracci: The result will probably be more density.

Patrick Mallett: I'm going to give you a biased answer.

Kim Piracci: I mean, it's going to feel less dense because you're going to have all this open space but in fact there'll be more houses.

Patrick Mallett: That's right. I see it as kicking the can to some extent. I've come to Orange County from a private sector world and having dealt with developments of all shapes and sizes for 15 years. All over. In high-density areas like Cary and rural areas of the County. If there's a market for 10 houses then 10 houses are going to get built in that area because they're honing in on a school or an address or something that's driving the price point in that market. And it's a matter of do you put all of those together or do you spread them out and kick the can physically further down the road. That probably has a tinge of bias to it... Larger over lots lead to moving development further and further towards the County.

Kim Piracci: If there's a big development it requires more homeowners associations.

Patrick Mallett: Well it's pretty rare unless you're doing the other variation of subdivisions that we get being that are typically the 2 lot subdivisions and it's The Leda's Egg Ranch and Grandma Leda is subdividing to give the grandson a 2 acre lot. The vast majority of them are going to be the 5 lot subdivisions or the 4 lot subdivisions and because they have to maintain a private road they'll reform a HOA to enforce the road maintenance agreement.

Kim Piracci: But that slide that you had that you showed that everybody has their own lot and the lots go to the creek and all of this is open land. Who owns that open land?

Patrick Mallett: It can come in different shapes but basically the property owners association would own it or at least control it and they would maintain it and if it's a natural area it's a wooded area there is no real maintenance. If there's a pastoral area they...

Craig Benedict: They would have a 1/12th interest in that land.

Tony Blake: Or shares in a corporation or...

Patrick Mallett: Interesting nuance is that they could theoretically be smart about it and possibly explore a conservation easement or they could take a rolling pasture land and work out an agreement with a farmer and then they can raise grass or hay and then they get some income from that and the farmer benefits from that.

Kim Piracci: So that County or the State has oversight over what HOA's can and can't do?

Patrick Mallett: Well part of it is the regulatory aspects of the subdivision section about ordinance. Part of it has to do with zoning and that part of the development and when they come in to be able to get a building permit there are different rules that apply. We do record in conjunction with subdivisions things that are called declarations of restrictions. They cannot neglect restrictive covenants but they don't speak to things like you can't have a purple door or polka dots on the mailbox. Declarations have to deal with what their setbacks are specifically.

Tony Blake: But this does bring to mind one question that I had. A lot of times subdivisions are owned by the developer until a sufficient amount of the houses are sold. I guess they would just be transferred?

Patrick Mallett: Yes. Your typically subdivision has some magic number. It's quite often 20-30% of the homes get built.

Tony Blake: So that leads to the second half of my question which is when we worked with the second fire station we had had a water garden and we had to deed and access to the County so that if we went bankrupt or something like that you guys had access and could come in and clean it and charge us for it or charge whatever. Is that same sort of regulation?

Patrick Mallett: Sort of. This is kind of a better scenario because that easement that would go to those deeded septic systems. It has a requirement for all weather assistance and all weather access. So someone could get out there, through the field to get to the actual site and you could point to, if a system fails, it is definitively locked under the owner lot 1. The fines are directly attributed to that owner versus having the HOA responsible.

Craig Benedict: Even more importantly, when we rewrote the UDO 4 years ago now we require a meeting from the developer to the home owners. Some homeowners moving to a rural area don't know what's their responsibility or what's a common responsibility and so this will be more important because they'll be having off site septic's, access areas, fencing. So these developing restrictions are going to say you can't necessarily commercialize your open space but you can have certain agreements.

Tony Blake: So the septic counts in the open space but it's not owned by the HOA?

Craig Benedict: There may be an HOA requirement for a common maintenance so that they all hire the same person.

Tony Blake: Could be governed by the HOA...

Craig Benedict: ...Or if you had a community well. That could be governed by the HOA. But yet it doesn't count as open space, but it kind of looks like open space.

Patrick Mallett: Yeah, it's a bonus in terms of what we get in terms of the open space. And it's just like a road, the other nice thing is you're doing off site septic systems that would be a requirement and if you're doing a subdivision you have to build the road before you can record the lots and it has to be certified. They would have to build the septic systems, the fence around it and then you come in and the homebuilder builds the house and the tank and then you hook the system up.

Tony Blake: One more question. Is there any size... we're starting to see some of these 5,000 square foot houses out where we are and if they ever caught on fire we wouldn't be able to put them out.

Patrick Mallett: It's driven as it is today with any developments, it's driven by the watershed. If you're in University Lake you have some pretty stringent impervious limitations.

Craig Benedict: There is not a requirement on the house size. It's a matter of imperviousness and... They tried that in Florida to dictate house sizes by zoning district and that could not be done.

Curtis Bane: Will the open space be taxed the same as the rest of the development?

Patrick Mallett: Theoretically open space would be held by an association or if they worked collectively to get a conservation easement it would valued at a lesser rate than it would be if you owned 2 acres. If I have a 1-acre lot and the other acre is in the open space.

Curtis Bane: If your open space is trees could you harvest those trees?

Patrick Mallett: Theoretically yes, as you could anywhere in Orange County by state law.

Tony Blake: The HOA could restrict that?

Patrick Mallett: That's right. They could restrict that.

Craig Benedict: If it was a farm field and they want to forest that, they could do that, but if it's a native forest and it has some value, near a stream, we'd probably say, "You have to do selective clearing in there."

Kim Piracci: So you're here talking to us tonight to get permission to do this? Or to not?

Patrick Mallett: To get a recommendation.

Kim Piracci: Is there an example of this around here?

Craig Benedict: Maybe on a smaller scale, we can show you where we've had 33-40% open space and you can see where we've preserved stream buffers and trees and things like that and the reason we're bringing this forward is this is suggesting to cluster down even more. We've been limited by 1-acre minimum in rural areas. The density and the lot size are 2 different things.

Tony Blake: But your utilities can be shrunken down and concentrated.

Patrick Mallett: Yeah. Examples would be Henderson Woods...

Kim Piracci: Is there a sweet spot between too close and... Because I've lived in a subdivision and I loved it until I didn't. My son couldn't practice drums, I couldn't leave my house without getting barked at by a vicious dog, it was a great idea until it became difficult to live there and so I can see the idea but I suspect there's a sweet spot. Like half an acre is a good size.

Craig Benedict: It depends on the residence. Sometimes we've had occasions where people bought rural areas and complained about rooster noises. Or somebody would say, "Don't you have required street lights?" and in rural areas we don't require street lights so it becomes a choice and sometimes it's a transition. So there are some pretty close environments so it's just consumer choices. What we should do is just not directly related to this but just to give you an example, we'll bring some maps and show you the conventional and then we'll take you in the field, just yesterday it was such a beautiful day, I was driving around to some subdivisions that we approved back in early 2000. I'll show you but I won't mention it but they're not pretty. They backed on roads onto roads and they're supposed to have some landscaping and trees back there and it just never happened. They died. So this, we should be able during the process to tuck these away off the road so when you go down a rural area you're going to still see the roadside trees and most likely we'll be able to tuck them off the road. Not too far to make the road cost but enough to take a rural character.

Patrick Mallett: And I think if there's some people that want the 2 acres and more and then there's another group of people that kind of want to be in a rural setting but they don't necessarily want to maintain it all. I think maintaining 5 acres is a lot of work.

Craig Benedict: And they might want a neighbor within a certain distance, versus so isolated.

Patrick Mallett: This gives it more choices. I think that the realization that it doesn't need to be such a short drop off from Southern Village to the rural area.

Tony Blake: Just as a comment; I like the fact that small family farms can set up an area like this, still keep the farm, and use this as an annuity, sell 1 lot one year, sell another lot the next year and so on.

Kim Piracci: Are they going to be able to do that though?

Patrick Mallett: So part of what this would allow, and that's another sort of short coming to the minor subdivision, is that you have to build it all at once and that includes the road. It sort of forces you to do all of it 100% up front. With this, just like with the major, you could include with your request a phasing plan. Many farms are faced with the proposition of... The average age of the farmer is pretty high. They're facing 300-acre family farm that's been in the family for generations and generations...

Curtis Bane: And have to get put in there as a tenant farmer and never get anything in your name. And a lot of people can't even put their children in a place on their farm.

Patrick Mallett: So this would allow them to maybe do some.. Let's just say that they get a subdivision approved for 8 units on 30 acres of the 300-acre farm and it's off to the farm. It doesn't gut the farm, it doesn't require 80 acres under the exempt subdivisions to get done, and it doesn't require them to sell all of those 8 lots at a time... And that's one of the other realizations to this. Just the land cost, I'm speaking very general terms, if you go way out past Hurdle Mills you're going to get a land cost that's cheaper but closer in you're going to get anywhere from

\$15,000-\$30,000 an acre in land basis. If you got in the rural buffer a minimum density requirement and lot size of 2 acres or 5 acres, that's a lot of money in the land that a working or even a middle class person may not be able to afford. This isn't going to be 100% cheaper but it, theoretically, would allow them to get into a rural setting without having to pay such an exorbitant land cost.

Craig Benedict: So we're looking for a recommendation from you.

MOTION by Laura Nicholson to approve the proposed modifications to the regulations regarding the subdivisions and find that the amendment is consistent with the comprehensive plan. Seconded by Patricia Roberts.

VOTE: UNANIMOUS

PLANNING & INSPECTIONS DEPARTMENT
Craig N. Benedict, AICP, Director

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MEMORANDUM

TO: Orange County Board of Commissioners
CC: Bonnie Hammersley, County Manager
 Travis Myren, Deputy Manager
FROM: Craig N. Benedict, Planning & Inspections Director
DATE: November 11, 2016
SUBJECT: INFORMATION ITEM - Report on Strategic Growth/ Rural Conservation Planning Technique (AKA Transfer of Development Rights)

SPECIAL NOTE: NC Legislation since the research (mid-2000's) on this topic has changed so this update is not intended to respond to the impacts of recent law and case law. During the development of the county's multi-element Comprehensive Plan in the early to mid-2000's, the necessary integration of various planning principles and public service models became more evident. They had, over time become 'siloed' among departments.

The process of evaluation the future 'master plan' of the county with all of the associated supporting elements brought forward both compatible initiatives and in some circumstances competing concepts. The basis of the plan began with a data element which examined trends of demographic and socio-economic data and projected a future that could be shaped by goal and objectives in the comprehensive plan.

The various elements (land use, economic development, housing, natural and cultural systems, infrastructure, public services and transportation) would need to be balanced and choreographed to maintain or bolster the quality of life appreciated by residents, farms and businesses.

Inevitable growth would add pressures to our existing systems of farmland and environmental preservation and our desire to accommodate new residents and businesses in the appropriate place with supporting and efficient services. This sustainable model was the model for the Comprehensive Plan.

Acknowledging the challenges ahead, various planning techniques were analyzed. One 'pressure release' concept that could address the push to preserve and the pull to grow

smart related strongly to what is nationally known as Transfer of Development Rights (TDR). After much community and elected official input and staff/consultant research about the topic, various options were explored for implementation, albeit with some caution related to our legal authority.

The 2006 Phase II Report can be viewed at:

http://www.orangecountync.gov/departments/planning_and_inspections/2006FinalTDRReportPhaseII.pdf

The 2009 Phase III report is available for viewing at:

http://www.orangecountync.gov/departments/planning_and_inspections/2009FinalTDRReport.pdf.

The attachments to this information item explain the development of a program that was retitled Strategic Growth/Rural Conservation to respect the uniqueness sought in Orange County and within the limits of our legislative ability. Other states, in most cases, have more legislative flexibility in this area of transferable development rights.

The goals of Strategic Growth/Rural Conservation taskforce were as follows:

1. Sustainably balance rural and urban areas;
2. Direct growth and development away from important natural and cultural resources and towards areas more able to support municipal services and urban densities;
3. Provide working farms with an alternative income potential; and
4. Link zoning densities to comprehensive plan goals and policies.

Taskforce members were chosen from the following general sectors, including, but not limited to: local governments, advisory boards, banking and finance, private sector community/neighborhood groups, utilities, developers, lawyers, agriculture, planning, natural areas advocacy, real estate, and environmental protection.

The goals listed were pursued during a multi-year period. The outcomes of the taskforce and consultant recommendations are noted in the attached power point.

Although the principles of Strategic Growth/Rural Conservation still remain as a logical balance of interest, legislative authority began to diminish (varying opinions) in the early 2010's. The implementation was therefore muted with complementary yet separate aspects: a very successful Purchase of Development Rights (PDR) by the public sector with the extinguishment of development potential in agricultural/rural areas and the promotion of increases in intensity (non-residential square footage) and density (units) in appropriate urbanizing areas through pre-zoning.

What was not accomplished is the Strategic Growth/Rural Conservation self-sustaining engine of the private sector paying and transferring development potential from farmland and environmental areas to lands in urban areas to accomplish up-zoning with associated conditions supporting other goals of the county. Admittedly, planning is a balance of goals.

For more information about Transfer of Development Rights and the Orange County TDR Feasibility Study, please refer to the following resources:

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Internet Resources:

Melissa Bledsoe, Joe Covert, Matt Freeman, William Jones, Autumn Rierson, *Introduction to Transferable Development Rights*, 1998.
(<http://www.rivercenter.uga.edu/education/etowah/documents/pdf/tdr.pdf>)



Ricky Pruetz, *Transfer of Development Rights Update*, 1999 American Planning Association Conference
(<http://www.asu.edu/caed/proceedings99/PRUETZ/PRUETZ.HTM>).



Books:

By far the most comprehensive research done on TDR programs is Ricky Pruetz's *Saved By Development: Preserving Environmental Areas, Farmland and Historic Landmarks With Transfer Of Development Rights (1997)*. Although starting to become a bit dated, the 1999 update Mr. Pruetz provided at the APA Conference (see Internet Resources, above) helps to freshen the 112 case studies that he presented in this book. The book is available from the APA bookstore on-line at: (<http://www.planning.org/bookservice/>).

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TRANSFER OF DEVELOPMENT RIGHTS FEASIBILITY STUDY

**Transfer of
Development
Rights:
Feasibility Study**

Orange County, North Carolina

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Transfer of Development Rights Feasibility Study: Overview

2005 Project Schedule

April	May	June	July	August	September	October	November
Develop Public Engagement Process, Research Case Law, Develop Case Studies		Assess Potential Sending Areas	Assess Potential Receiving Areas	Identify Menu of TDR Process Options	Assess TDR Impacts to Other Programs, Identify Mechanisms for Creating TDR Program	Prepare Summary Report	
Public Meeting		Task Force Meeting	Public Meeting	Task Force Meeting	Public Meeting	Task Force Meeting	Public Meeting

LEGEND FOR MEETINGS

-  = Task Force Meeting
-  = Public Meeting

Orange County is conducting a feasibility study of creating a Transfer of Development Rights (TDR) program for its residents. A TDR allows landowners to sell the future rights of developing their property while permitting others to build new development in areas that can best support growth. Those people wishing to sell the future rights to develop their property can continue to live, farm, or do any of the things that they would otherwise do with their land. New development is directed away from farmland, water resource areas, important natural habitats, and other places that the County and its citizens would like to see conserved. Landowners in the areas receiving additional development can profit by the allowance of higher densities and hence more profit. Important tax base revenues from the development accrue to everyone in the County and allow the construction of more roads, parks, schools, water/sewer facilities, and other public infrastructure without raising taxes – and in places where the new facilities are far less likely to cause the need for more infrastructure in the future.

The County will appoint a citizens' Task Force to work with its consultants to explore various TDR options and prepare a report on the feasibility of creating a TDR program in Orange County. The public will have two opportunities to learn about TDR and provide input into the feasibility study. The study should take 9-10 months to complete. Once the study is

finished, County Commissioners will decide whether to proceed with developing a more detailed plan for creating a TDR program for Orange County.

Transfer of Development Rights (TDR) programs work by creating a market for credits that are bought and sold by property owners and developers. The three main concepts that must be understood are sending areas, receiving areas, and TDR credits:

Sending Areas are those areas that the County would like to see protected and conserved in the future. This could be prime farmland, open space, forests, water supply watersheds, wetlands, historic places, or any other area that has important natural or man-made

features. TDR programs were initially started in New York to protect historic landmarks, but are now being used by over 100 municipalities and counties across the country. Landowners in sending areas are allowed to continue using their land for the same uses as long as development density is not increased; foregoing the ability to increase density for development is compensated through the purchase of *TDR credits*.

Receiving Areas are places that have the capacity to accommodate new development. In order to build at higher densities than the current regulations allow, a developer must purchase TDR credits obtained from a sending area landowner. This arrangement can allow transit and other non-automobile modes of travel to work better in these areas as well as foster revitalization.



Landowners in Sending Areas receive financial compensation as they sell TDR credits to developers, who in turn use the TDR credits to build at higher densities in Receiving Areas that can best accommodate new growth.

For more information about *Transfer of Development Rights* and the *Orange County TDR Feasibility Study*, please refer to the following resources:

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What's On Our Website Now...

- ✦ Technical Report #1 that includes examples of other TDR programs, information about legal issues, economic issues, and related matters
 - ✦ Maps
 - ✦ Overview of TDR: How it Works
 - ✦ Task Force meeting summaries
- www.co.orange.nc.us/planning



Other Internet Resources:

Melissa Bledsoe, Joe Covert, Matt Freeman, William Jones, Autumn Rierson, *Introduction to Transferable Development Rights*, 1998.
(<http://www.rivercenter.uga.edu/education/etowah/documents/pdf/tdr.pdf>)

Ricky Pruetz, *Transfer of Development Rights Update*, 1999 American Planning Association Conference
(<http://www.asu.edu/caed/proceedings99/PRUETZ/PRUETZ.HTM>).



Newsletter #2 (May, 2006)

Glenn Bowles, AICP, Planner II
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TRANSFER OF DEVELOPMENT RIGHTS FEASIBILITY STUDY

**Transfer of
Development
Rights:
Feasibility Study**

Orange County, North Carolina

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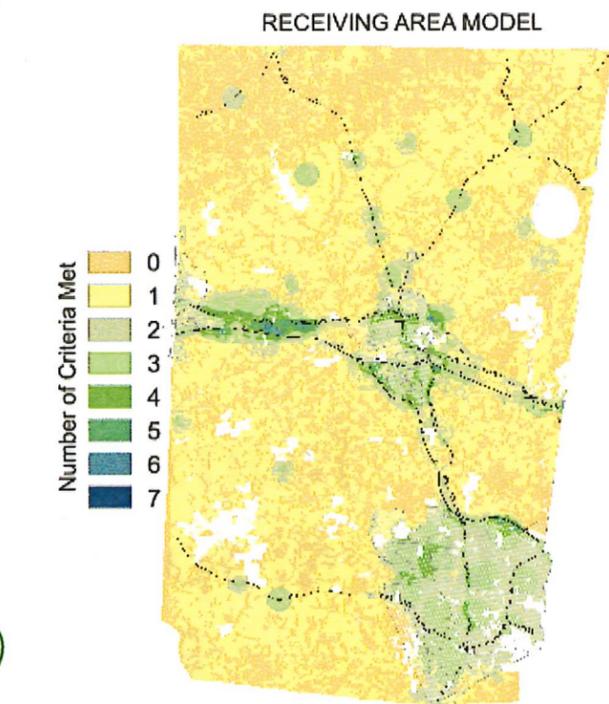
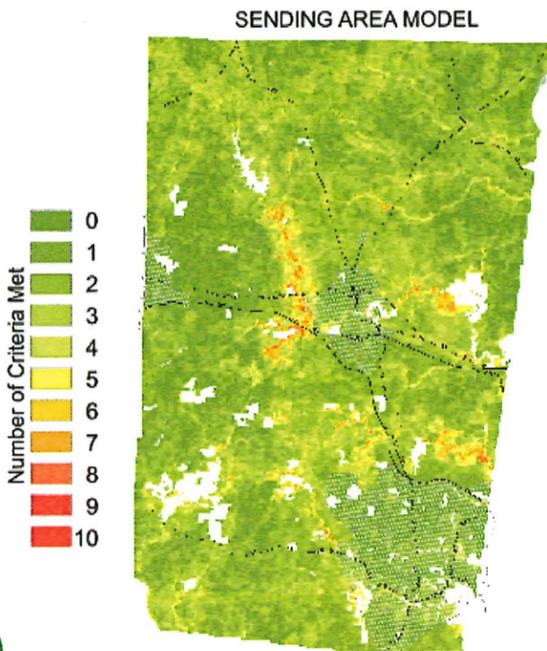
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Transfer of Development Rights Feasibility Study: Update



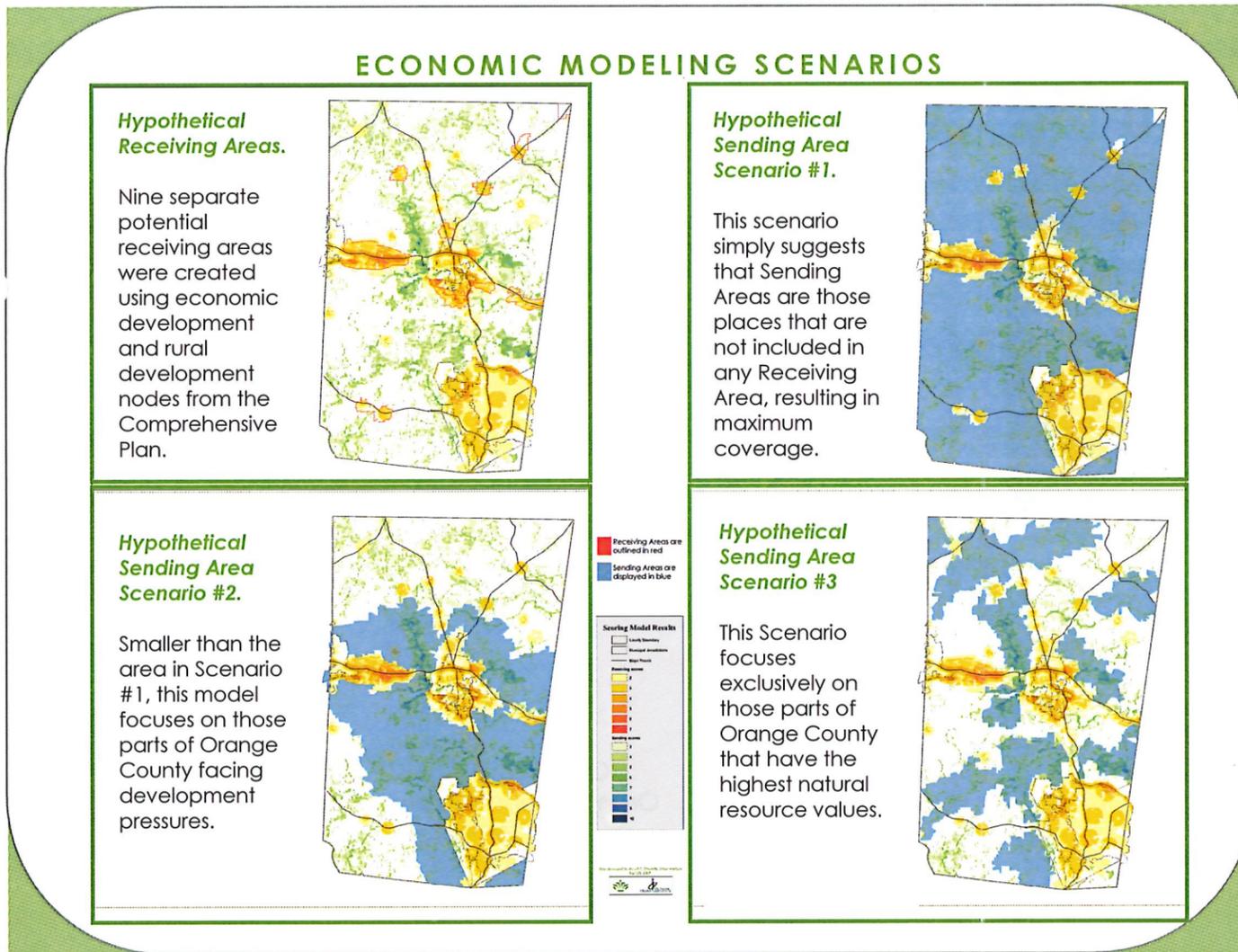
The two maps above indicate the relative merits of various lands within Orange County as suitable receiving (bottom) and sending areas (top). The stronger the color, the more criteria that the land area met during the assessment. Sending and receiving area criteria were collaboratively designed by the Citizen's Task Force and consultant and focused on protecting natural resources (Sending Areas) and making development more cost-efficient (Receiving Areas).

Orange County is conducting a feasibility study of creating a Transfer of Development Rights (TDR) program for its residents. A TDR allows landowners to sell the future rights of developing their property while permitting others to build new development in areas that can best support growth. Those people wishing to sell the future rights to develop their property can continue to live, farm, or do any of the things that they would otherwise do with their land. New development is directed

away from farmland, water resource areas, important natural habitats, and other places that the County and its citizens would like to see conserved. Landowners in the areas receiving additional development can profit by the allowance of higher densities and hence more profit. Important tax base revenues from the development accrue to everyone in the County and allow the construction of more roads, parks, schools, water/sewer facilities, and other public infrastructure without raising taxes – and in places where the new facilities are far less likely to cause the need for more infrastructure in the future.

The County has appointed a Citizens' Task Force to work with its consultants to explore various TDR options and prepare a report on the feasibility of creating a TDR program in Orange County. The Task Force has met five times, and has developed the following products:

- Reviewed a technical memorandum from the consulting team that has conducted preliminary peer program research from other states already using some form of TDR.
- Discussed the characteristics of a good sending area, like the presence of important natural resources, prime farmlands, and public water supplies.
- Discussed the characteristics of good receiving areas, such as having excess roadway capacity, available water/sewer service, and other urban amenities.
- The Task Force also discussed other elements of a hypothetical TDR program, like legal issues, administration, and coordination with municipalities.



Taking the basic sending/receiving area models at left, the Task Force considered the development of various sending (3) and receiving (1) scenarios to conduct an economic feasibility of a TDR program in Orange County.

Strategic Growth and Rural Conservation Feasibility Study (aka TDR)

Orange County Planning Staff

Transfer of Development Rights (TDR) Phased Study

- I. *Case Studies and Research*
- II. *Feasibility Study and Concept System*
- III. *Program Design and Implementation
Plan (not a zoning ordinance
amendment... yet.)*

Transfer of Development Rights (TDR) Goals

- *Preserve the:*
 - *Farm Economy*
 - *Environmental Resources*
 - *Cultural Resources*
 - *Water Resources*
 - *Rural Character*
- *Focused Public Services and Infrastructure*
 - *Efficient*
 - *Well-planned*
 - *Location*

Transfer of Development Rights (TDR) Objective

*Shift/Transfer Development Potential
from Preservation Areas (sending)
to Strategic Growth Areas (receiving)*

What aspects of Development Potential?

- Dwelling Units
- Additional height or square footage
- Affordable housing
- Green Buildings
- Impervious Surface Allotments
- Nutrient Load Allowances

Zoning Authority

- Road Dedications – NCDOT
- Density Averaging – DWQ
- Development Agreements
- Impervious Area Sharing
- New Legislation
- Nutrient Sharing

Zoning Authority (cont.)

- Unified Development Ordinance – UDO
- Paired conservation easement with upzoning
- Conditional Zoning Districts/Unique Conditions
- Special Use or Overlay Districts

Zoning Authority (cont.)

- PDR (Purchase of Development Rights)
 - Reduction in development
 - No commensurate increase (tax base)
 - Limited fiscal resources
- TDR (Transfer of Development Rights)
 - Do not have Explicit Authority
 - Nor Express Prohibition

How could we do TDR?

Create a Sending Area

- Reduces Development Potential
- Paper Zoning vs. Land Zoning
- Aspects
 - Residential Units
 - Impervious Area Allotments
 - Nutrient Trading Potential
- SGRC Recorded Certificate (Purchase)
 - Purchase by Developer
 - Purchase by Local Government?

How could we do TDR?

Acceptance of Rights at a Receiving Area

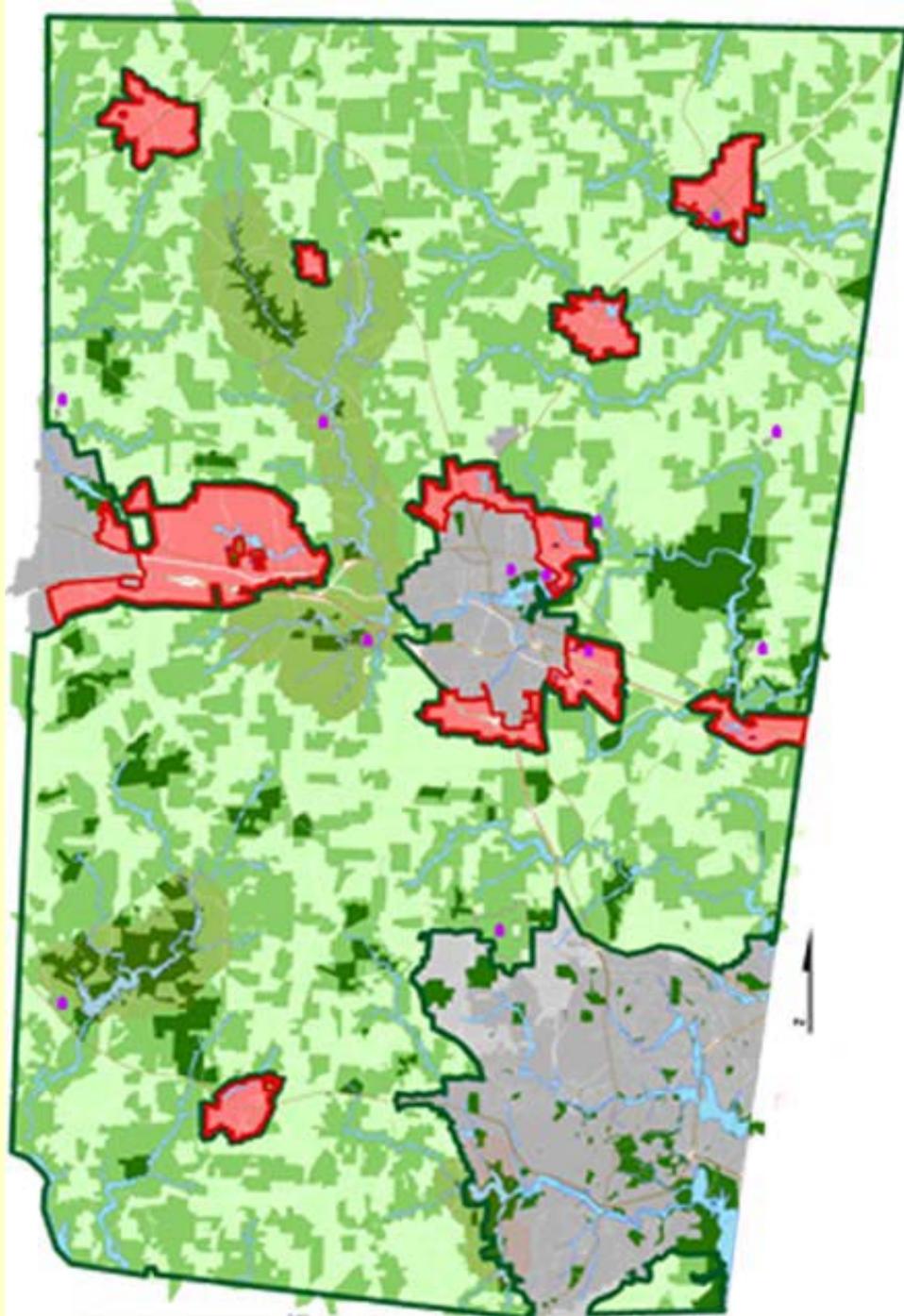
- Allows a Higher Development Intensity
 - Beyond Base Zoning
- Residential or Economic Development Uses
- Directed to the ‘Right Place’ by Local Government **Action**

TABLE 1:
ESSENTIAL AND IMPORTANT FACTORS PRESENT IN SUCCESSFUL TDR PROGRAMS

(From Pruetz's and Stanridge's 2009 JAPA Article, *What Makes Transfer of Development Rights Work?: Success Factors From Research and Practice*)

	Density demand	Custom receiving areas	Strict sending regs.	Few alt's to TDR	Incentives	Certain use	Strong public support	Simple process	Promotion and facilitation	TDR Bank
Montgomery County, MD	X	X	X		X		X	X	X	
New Jersey Pinelands, NJ	X	X	X	X	X	X	X		X	X
King County, WA	X	X	X		X	X	X	X	X	X
Calvert County, MD	X	X	X	X	X	X	X	X	X	
Collier County, FL	X	X	X	X	X	X	X		X	
Boulder County, CO	X	X	X	X	X	X	X	X	X	

Rather than adopt traditional TDR programs, several communities have adopted different regulatory programs—ones that aim to accomplish similar goals as TDR programs, but that operate much differently. Appendix 2 contains two examples from the state of Colorado; communities in other states, including Florida, Massachusetts, and Washington, have also adopted these types of alternative programs.



SGRC Program Map

Red – Strategic Growth

Green – Rural
Conservation Areas

King County, WA (TDR)

- Public Benefit Rating System
- Since 2000
 - 141,400 acres of Rural and Resource lands have been protected
 - 2,284 potential dwellings can be shifted to urban areas
 - 50 developers
 - 500 TDR's bought and sold
 - \$6.75 million



For Further Information contact Craig Benedict at
919 245 2585 or by email – cbenedict@co.orange.nc.us

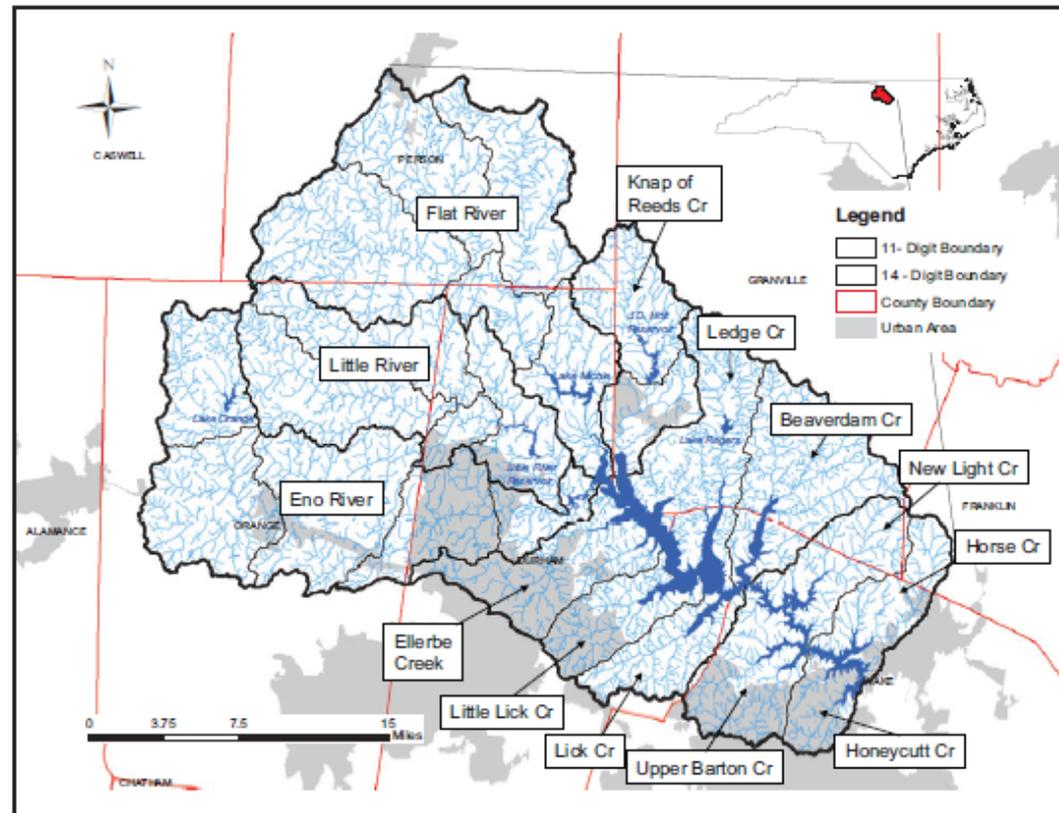
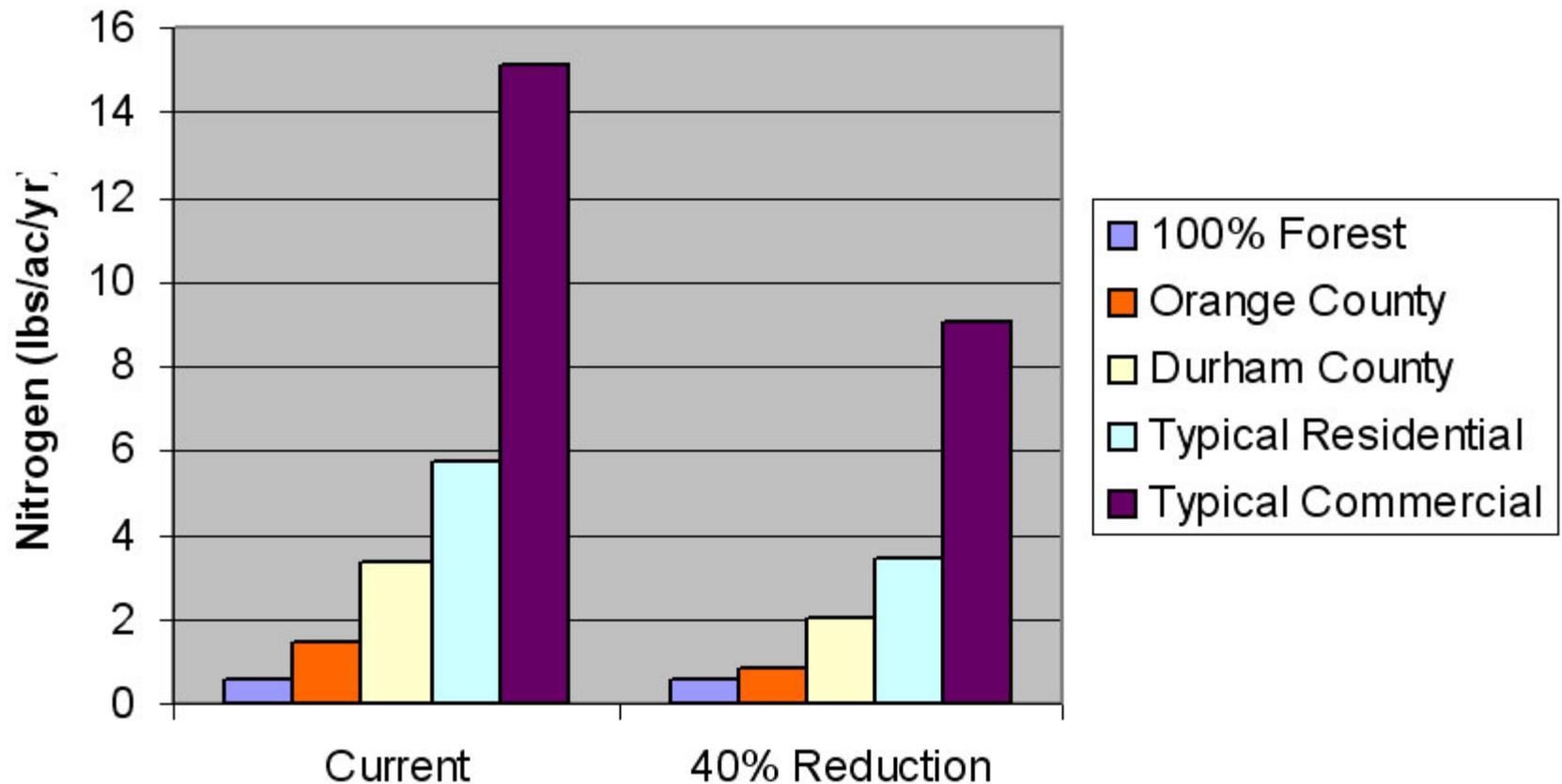


Figure 1. Location of the Falls Lake Watershed

Falls Lake Watershed – Source: Falls Lake Watershed Analysis Risk Management Framework (WARMF) Development report, NCDWQ.

Estimated Nitrogen Loading in Stormwater



This graph shows estimated nitrogen loading calculated using current methodologies pursuant to the Neuse River Basin stormwater rule. The graph shows current estimated loading rates and the loading rate based on the proposed 40% reduction from the Falls Lake rules. Each category is defined below.

Nitrogen Loading	Nitrogen loading	
	(lbs/ac/yr)	(lbs)
Orange County – Current	1.46	178,905
Proposed Falls Lake Rules 2006 Baseline	2.89	354,135
Difference or credit?	1.43	175,229

Nitrogen Loading	Nitrogen loading	
	(lbs/ac/yr)	(lbs)
Existing 5-acre commercial site	15.0	75
40% reduction	9.0	45
Difference	6.0	30

Hypothetical Application of SGRC Concept

200-acre ***Sending Area*** parcel determined to have a 100-dwelling unit development potential. The owner, through the TDR process, desires to sell 90 of the possible 100 residential units for transfer into a ***Receiving Area***.

Hypothetical Application of SGRC⁵³ Concept

20-acre *Receiving Area* site, zoned R-1, with a 16-unit residential development potential. The owner/developer purchases the conservation easement from the Sending Area owner to increase the development density from 1 du/acre to 8 du/acre.

Bonus Incentives

25% TDR/Development Baseline Incentive	*	$90 \times 0.25 = 22$ units
15% Affordable Housing Bonus**		$90 \times 0.15 = 13$ units
<u>10% Smart Growth Principles Bonus**</u>		<u>$90 \times 0.10 = 9$ units</u>
Total Possible Incentive Bonuses		44 units
Existing development potential		16 units
<u>Transferred development</u>		<u>90 units</u>
Total development density		150 units
On 20 acres	=	7.5 units/acre

* *Determination Based on Land Holding Capacity*

** *Draft Bonus Incentive Percentages*

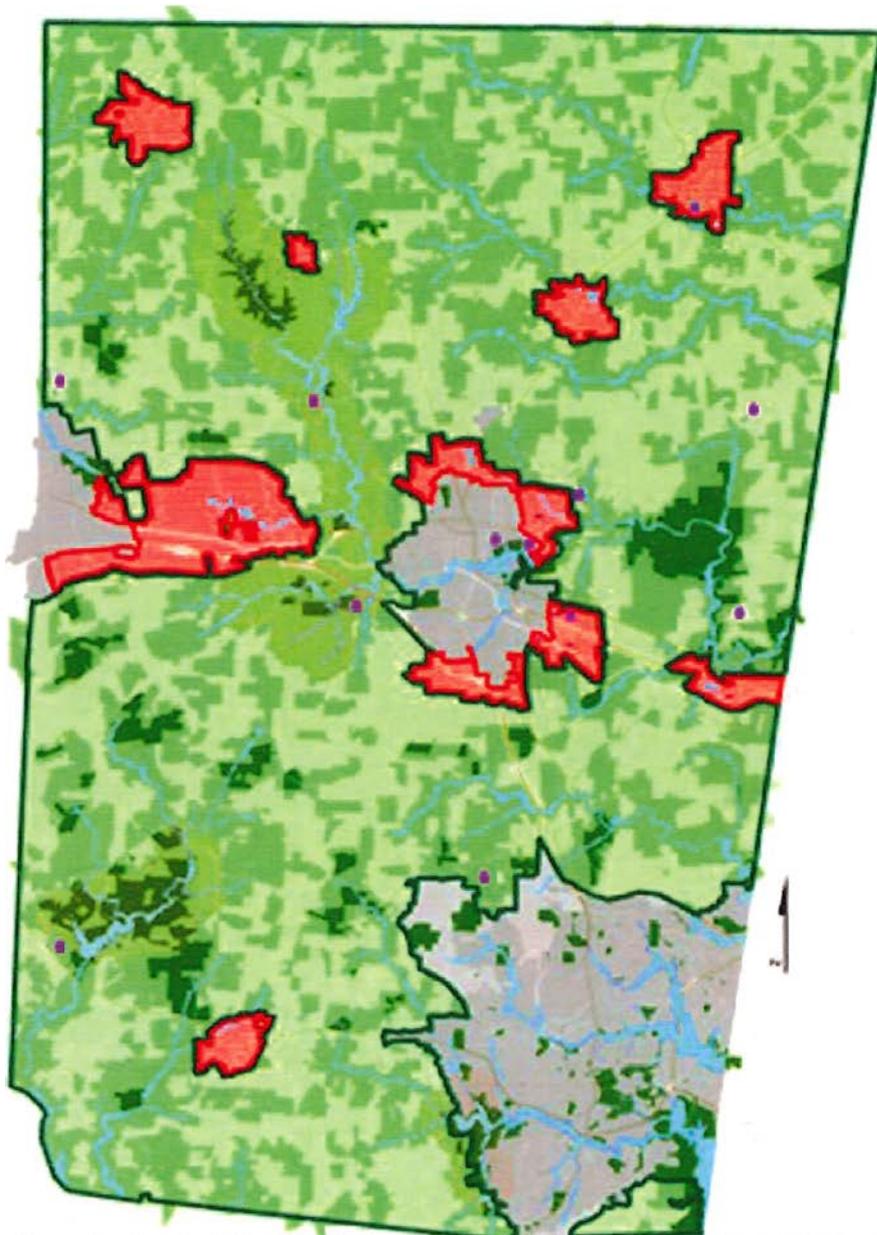


The Potential for TDR and TDR-Inspired Programs in Orange County

**Craig Benedict
Planning Director
April 27, 2011**

Orange County's Past and Current Research Efforts

- I. *Case studies and research*
- II. *Feasibility study and concept system*
- III. *Program design and implementation plan (not a zoning ordinance amendment... yet.)*



Possible Sending & Receiving Areas

Red: Strategic

Growth Green:

Conservation

TOR-Inspired Programs

Rather than adopt traditional TOR programs several communities have adopted different regulatory programs ones that aim to accomplish similar goals as TOR programs but that operate much differently

-Pr uetz and Stanridge 2009

Potential for TOR-Inspired Programs that Improve Water Quality

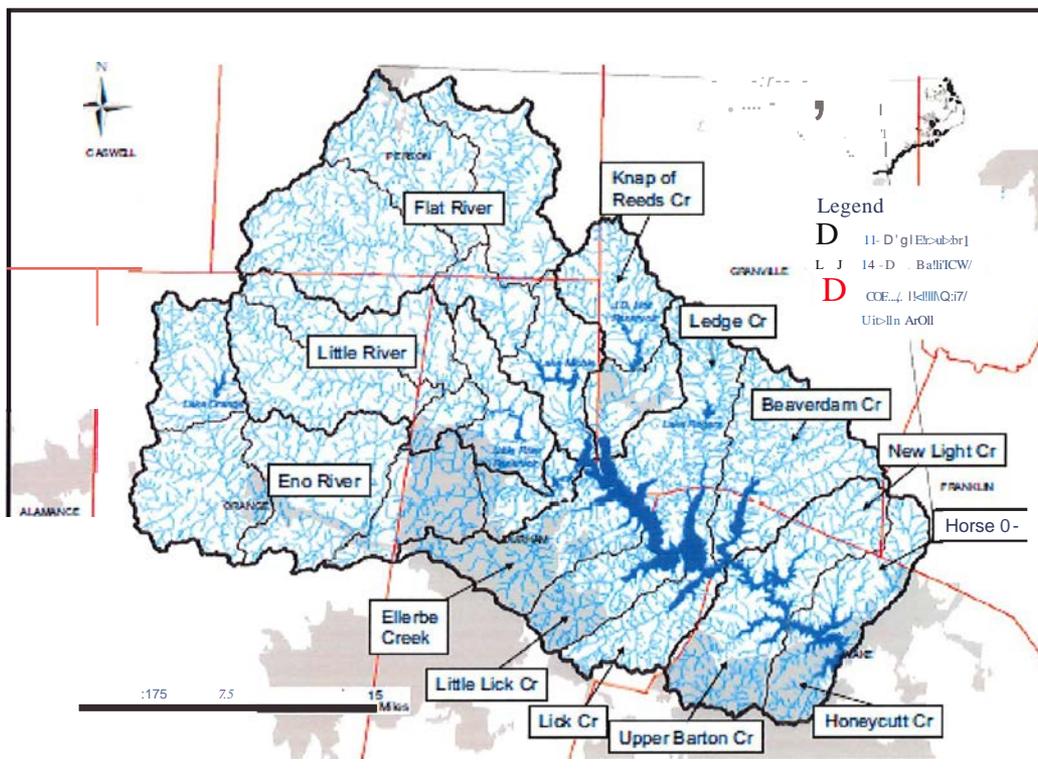


Figure 1. Location of Falls Lake Watershed

Source: Falls Lake Watershed Analysis Risk Management Framework Development report, NCDWQ.

How Might Sending Areas Work in Orange County?

- Credits that could be transferred
 - Residential Units
 - Impervious Area Allotments
 - Nutrient Trading Potential
- Recorded certificate of credit transfer
 - Purchase by Developer
 - Purchase by Local Government?

How Might Receiving Areas Work?

- Acceptance of credits in receiving areas
 - Residential or commercial uses
 - Directed to the "right place" by local government **action**

Hypothetical Transaction

- 200-acre sending area parcel
- 100-dwelling unit development potential
- Owner desires to sell 90 of the 100 residential units for transfer into a receiving area

Hypothetical Transaction Cont.

- 20-acre receiving area site
- Zoned R-1, with a 16-unit residential development potential
- Developer purchases the transfer credits to increase the development density from 1 du/acre to 8 du/acre

Hypothetical Transaction Cont.

Bonus Incentives

25% TOR/Development Baseline Incentive 15%	*	$90 \times 0.25 = 22$ units
Affordable Housing Bonus**		$90 \times 0.15 = 13$ units
10% Smart Growth Principles Bonus**		$90 \times 0.10 = 9$ units
<hr/>		
Total Possible Incentive Bonuses		44 units
Existing development potential		16 units
Transferred development		90 units
<hr/>		
Total development density On 20 acres		150 units
		7.5 units/acre
* <i>Determination Based on Land Holding Capacity</i>		
** <i>Draft Bonus Incentive Percentages</i>		

A scenic landscape photograph of a rural area. In the foreground, there is a dark wooden fence. Behind it is a green field. In the middle ground, there is a large, leafy tree on the left and a body of water on the right. The background shows more trees and a clear sky.

Triangle Land Conservancy Regional
Conservation Summit

October 23, 2008

Orange County Strategic Growth and Resource
Conservation (SGRC) Program

Presenter: Glenn Bowles

SGRC Goals and Objectives

- Preserve the farm economy.
- Protect drinking water resources.
- Preserve environmental and cultural resources.
- Preserve the character of rural Orange County.
- Avoid excess public costs to provide water, sewer, and education services.
- **Objective** – *Direct growth and development activities away from important natural and cultural resources by shifting those activities to areas more able to accommodate them.*

TDR Program Development Timeline

- June 2004 – BOCC authorizes an RFQ to develop a TDR program.
- September 2004 – Consultant interviews.
- November 2004 – The Louis Berger Group & UNC Charlotte Urban Institute selected.
- June 2005 -- BOCC appoints TDR Task Force.
- June 2006 – BOCC receives Feasibility Study report and affirms Task Force recommendation that the program continue.
- December 2006 – Formal notice to proceed with Phase III

SGRC Study Three Phases

1. Background Research and Data Gathering
2. Feasibility Study and Concept Plan
3. Program Design and Implementation Plan

First Two (2) Phases complete – June 2006

Third Phase term extended until
Comprehensive Plan is adopted.

Sending Areas – Strategic Rural Areas

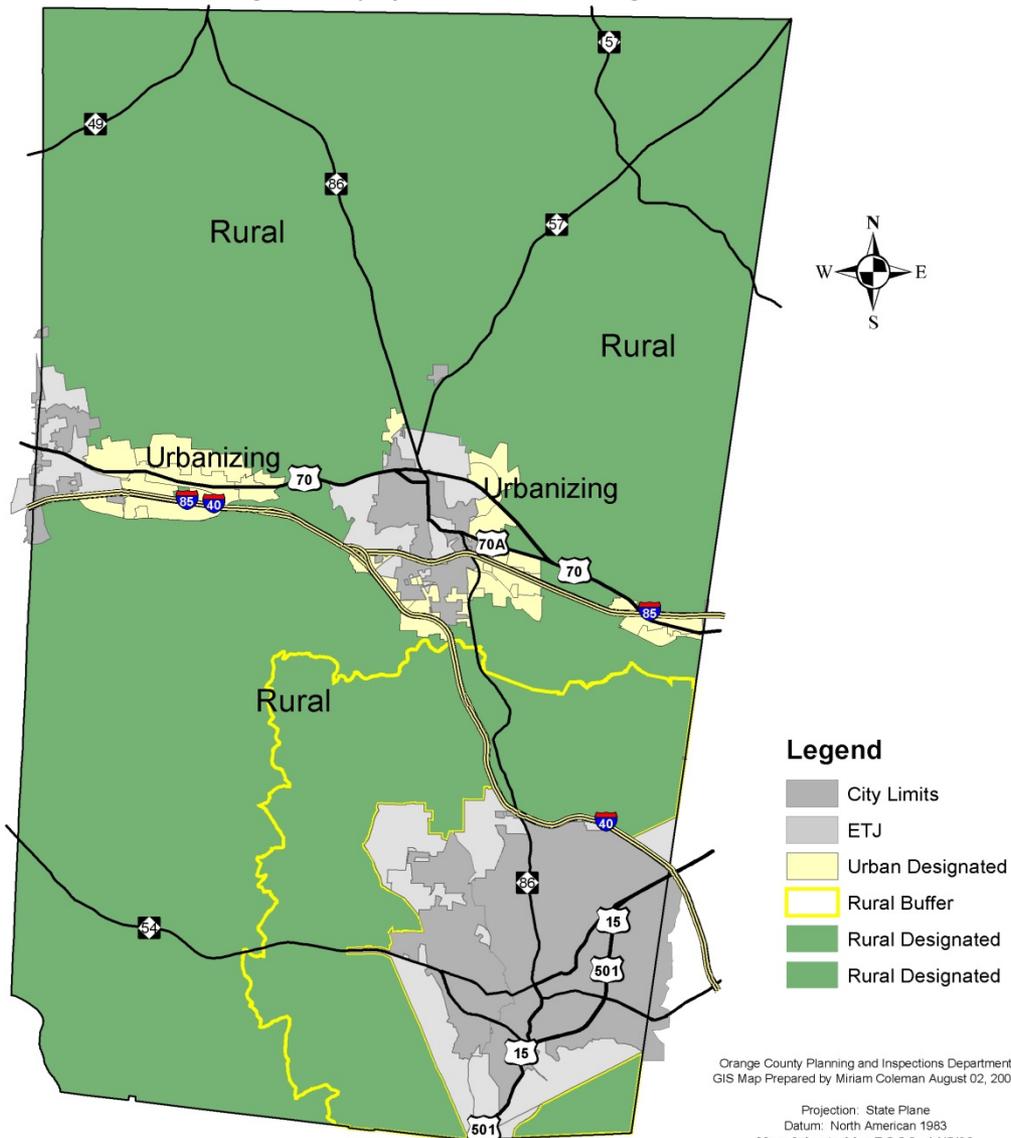
- Properties with the following characteristics:
 - Not already protected by easement,
 - Not already developed to its max. density,
 - More than fifty (50) acres in size,
 - National Historic Register site,
 - In a Critical Area Water Supply watershed,
 - Within 150' of a lake, river or perennial stream,
 - Adjacent to an already protected property, or
 - Not in Strategic Growth Areas.

Growth Management System

Urban and Rural Designated Areas

Urban Designated - Property located within Transition Areas (10yr, 20yr, and EDD)
in Water/Sewer Boundary Agreement Service Areas

Rural Designated - Property not located in Urban Designated areas



Orange County Planning and Inspections Department
GIS Map Prepared by Miriam Coleman August 02, 2004

Projection: State Plane
Datum: North American 1983
Map Adopted by BOCC 11/5/03

Receiving Areas (Strategic Growth Areas)

- Economic Development Districts,
- Urban Transition Areas, and
- Rural Community Nodes, that are not:
 - National Historic Register sites,
 - Already protected as open space, or
 - In a Critical Area Water Supply.

Important Design Program Issues

- Strictly Voluntary
- For now, only County-to-County Transfers,
- County will not Maintain a “Bank,”
- Call it Something Else (Strategic Growth and Resource Conservation – a.k.a. TDR),
- Use Existing Enabled Ordinances,
 - Zoning, Conditional Zoning, Development Agreements

Relationship to Other Programs

- Minor changes to Zoning Text,
- Small Area Plan within the Comprehensive Plan
- Conditional Use Zoning
- Lands Legacy Program
 - Differs in that the present program severs and extinguishes development rights at the time of easement recording and
 - Provides a non-government revenue stream for rural preservation.



For more information contact Glenn Bowles at
(919) 245 2577 or gbowles@co.orange.nc.us or
visit our website at co.orange.nc.us/planning/TDR