

Attachment 1A - Table 1

## Overview: Approval Authority - Aydan Court Property

Type of Application	Approval Body / Discretion				
	Staff Review/By Right	Planning Board Review/By Right	Council Review/By Right	Council Review/Special Use Permit	Council Review/Legislative
Single-Family Home	X				
Place of Worship or Daycare		X (If <i>under</i> 20,000 s.f. floor area/40,000 s.f. land disturbance threshold)		X (If <i>over</i> 20,000 s.f. floor area/40,000 s.f. land disturbance threshold)	
Minor Subdivision (4 Lots or Less)		X			
Major Subdivision (5 Lots or More / New Road)			X		
Multi-Family Development - 3 Units/Acre				X	
Multi-Family Development - 10 Units/Acre				X	X (With Rezoning Request)

Prepared by Town Staff - March 16, 2009

Aydan Court Applicant Design Scenarios: Table 2 - DEVELOPMENT REQUIREMENTS

Proposed Development and Alternative Comparisons	Approval Authority	Landscape Buffers: Min Required - Street / Jordan / UNC	Affordable Housing: Min Required	Recreation Area: Min Required
One SF-Dwelling Unit: Single-Family Zoning Compliance Permit	Staff Approval (Use By Right)	30 ft / 0 ft / 0 ft Min.	Not Required	Not Required
Conventional SF Subdivision - Design 1 - <i>Minor Subdivision (R-1 Zoning)</i>	Planning Board Approval of Subdivision (Use By Right)	30 ft / 0 ft / 0 ft Min.	Not Required	Not Required
Conventional SF Subdivision - Design 2 - <i>Major Subdivision (R-1 Zoning)</i>	Planning Board Approval of Subdivision (Use By Right)	30 ft / 0 ft / 0 ft Min.	May Request Affordable Housing - See Floor Area Column-Table 3	18,047 s.f. Min
Cluster SF Subdivision - Design 3 - <i>Major Subdivision (R-1 Zoning)</i>	Planning Board Approval of Subdivision with Discretion on Cluster Dev.	30 ft / 0 ft / 0 ft Min.	May Request Affordable Housing - See Floor Area Column-Table 3	Greater Than 18,047 s.f.
Planned Development- SF Housing - Design 4 - <i>Special Use Permit (R-1 Zoning)</i>	Council Approval of Special Use Permit	30 ft / 0 ft / 0 ft Min.	May Request Affordable Housing - See Floor Area Column-Table 3	18,047 s.f. Min
Applicant's Multifamily Proposal: Rezoning, <i>Special Use Permit &amp; LUMO Text Amend. (R-SS- C Zoning)</i>	Council Approval of SUP & Legislative Approval of Rezoning	Proposed 30 ft/10 ft/10 ft Proposed/(30 ft/0 ft/10 ft Min.)	4 Units Onsite/4.7 Units Payment-In- Lieu/(8.7 Units Onsite or Payment- In-Lieu)	21,652 s.f. Proposed (12,632 s.f. Min)

Aydan Court Design Scenarios: Table 2 - DEVELOPMENT INTENSITY

Proposed Development and Alternative Comparisons	Approval Authority	# Units: Design/Max	# Lots: Max	Density: Max	Floor Area (s.f.): Max	Height: Max-Secondary Ht.
One SF-Dwelling Unit: Single-Family Zoning Compliance Permit	Staff Approval (Use By Right)	1 Unit Design/17.4 Max	1 Lot Design/17.4 Max	0.17 Unit/Acre Design/3 Units Max	Unrestricted Per Unit	40 ft. Max <sup>2</sup>
Conventional SF Subdivision - Design 1 - Minor Subdivision (R-1 Zoning)	Planning Board Approval of Subdivision (Use By Right)	4 Unit Design/17.4 Max	4 Lot Design/17.4 Max	0.69 Unit/Acre Design/3 Units Max	Unrestricted Per Unit	40 ft. Max <sup>2</sup>
Conventional SF Subdivision - Design 2 - Major Subdivision (R-1 Zoning)	Council Approval of Subdivision (Use By Right)	10 Unit Design/17.4 Max	10 Lot Design/17.4 Max	1.72 Units/Acre Design/3 Units Max	Unrestricted Per Unit, However Must Provide 25% (3) Size-Ltd Units (Floor Area 1,350 s.f. or less) <sup>1</sup>	40 ft. Max <sup>2</sup>
Cluster SF Subdivision - Design 3 - Major Subdivision (R-1 Zoning)	Council Approval of Subdivision with Discretion on Cluster Dev.	11 Unit Design/17.4 Max	11 Lot Design/17.4 Max	1.89 Units/Acre Design/3 Units Max	Unrestricted Per Unit, However Must Provide 25% (3) Size-Ltd Units (Floor Area 1,350 s.f. or less) <sup>1</sup>	40 ft. Max <sup>2</sup>
Planned Development- SF Housing - Design 4 - Special Use Permit (R-1 Zoning)	Council Approval of Special Use Permit	16 Unit Design/17.4 Max	16 Lot Design/17.4 Max	2.74 Units/Acre Design/3 Units Max	Unrestricted Per Unit, However Must Provide 25% (4) Size-Ltd Units (Floor Area 1,350 s.f. or less) <sup>1</sup>	40 ft. Max, May Request Modification to Regulations
Applicant's Multifamily Proposal: Rezoning, Special Use Permit & LUMO Text Amend. (R-SS-C Zoning)	Council Approval of SUP & Legislative Approval of Rezoning	58 Units Proposed/No Max	No Max	10 Units/Acre Proposed/No Max	180,170 s.f. Proposed / (279,598 s.f. Max)	61 ft. Proposed, Modification to Regulations Requested/(60 ft. Max)

Prepared by Town Staff - March 16, 2009

1. Size-limited units can be enlarged 30 months after issuance of the first Certificate of Occupancy
2. May request variance from height limits from Board of Adjustment.

Aydan Court Design Scenarios: Table 3 - ENVIRONMENT

Proposed Development and Alternative Comparisons	Stormwater	Impervious Surface: 50% Maximum <sup>1</sup>	Land Disturbance: 198,608 s.f. Maximum including entry RCD Crossing	Steep Slopes Over 25% Grade: Max 25%	Energy Mgmt Plan
<b>One SF-Dwelling Unit: Single-Family Zoning Compliance Permit</b>	Individual Lot SW Controls for Water Quality, Rate and Volume <sup>3</sup>	23.8% Estimated Impervious Surface	40.5% GLA 102,890 s.f. (Estimated)	Estimated Disturbance 5,972 s.f. [32.3%] Variance Req From Board of Adjustment	Not Required
<b>Conventional SF Subdivision - Design 1 - Minor Subdivision (R-1 Zoning)</b>	Individual Lot SW Controls for Water Quality, Rate and Volume <sup>3</sup>	28.4% Estimated Impervious Surface	64.8% GLA 164,585 s.f. (Estimated)	Estimated Disturbance 11,702 s.f. [63.4%] Variance Required from Board of Adjustment	Not Required
<b>Conventional SF Subdivision - Design 2 - Major Subdivision (R-1 Zoning)</b>	Individual Lot SW Controls for Water Quality, Rate and Volume <sup>3</sup>	46% Estimated Impervious Surface	63.5% GLA 161,514 s.f. (Estimated)	Estimated Disturbance 12,143 s.f. [65.8%] Variance Required from Board of Adjustment	Not Required
<b>Cluster SF Subdivision - Design 3 - Major Subdivision (R-1 Zoning)</b>	Individual Lot SW Controls for Water Quality, Rate and Volume <sup>2</sup>	44.4% Estimated Impervious Surface	60.6% GLA 154,115 s.f. (Estimated)	Estimated Disturbance 11,588 s.f. [62.7%] Variance Required from Board of Adjustment	Not Required
<b>Planned Development-SF Housing - Design 4 - Special Use Permit (R-1 Zoning)</b>	Individual Lot SW Controls for Water Quality, Rate and Volume <sup>3</sup>	49.8% Estimated Impervious Surface	65.6% GLA 166,615 s.f. (Estimated)	Estimated Disturbance 11,846 s.f. [64.1%] Modification of Regulations by Council	Not Required
<b>Applicant's Multifamily Proposal: Rezoning, Special Use Permit &amp; LUMO Text Amend. (R-SS-C Zoning)</b>	Proposed Stormwater Reuse System <sup>2</sup> /(Site-wide SW Controls for Water Quality, Rate and Volume <sup>3</sup> )	46.2% Proposed Impervious Surface <sup>4</sup>	65.5% GLA 166,615 s.f. Proposed (Calculated)	Proposed Disturbance 11,515 s.f. [59.9%] Modification of Regulations by Council	Energy Mgt Measures Proposed Including 20% ASHRAE Energy Reduction/(Required With Rezoning Applications)

Prepared by Town Staff - March 16, 2009

1. Maximum Impervious Surface in Protected Watershed is 50% of site. Impervious coverage between 24% - 50% requires High Density Stormwater Management Controls and System. Impervious Coverage below 24% can utilize either High Density or Low Density Stormwater Management Controls.

2. Proposed Water Harvesting System For Toilet Flusing in Condominium Building and Sitewide Irrigation.

3. Water Quality - Shall Remove 85% of Total Suspended Solids (TSS); Water Volume - Post-Dev Volume Shall not Exceed Pre-Dev Volume for 2-yr Frequency, 24-hr Duration Storm Event, and; Water Rate - Post-Dev Rate Shall not Exceed Pre-Dev Rate for 1-yr, 2-yr, and 25-yr 24-hr Storm Events.

4. Proposed Multi-family Development *Net Impervious Surface* is 33.6% after deducting 32,150 s.f. used for rain-harvesting. *The above proposed and estimated data above were provided by the applicant.*

### RESPONSES TO STORMWATER MANAGEMENT QUESTIONS

4. Compare the intensity standards, including floor area and impervious surface, as well as stormwater requirements allowed under the multi-family proposal and the existing R-1 development.

Stormwater Requirements	Proposed Multi-Family	Existing R-1 Zoning
Water Quality	Stormwater treatment shall be designed to achieve average annual eighty-five (85) percent total suspended solids (TSS) removal and must apply to the volume of post-development runoff resulting from the first one-inch of precipitation. Alternative treatment methods to achieve eighty-five (85) percent average annual TSS removal may be acceptable. The eighty-five (85) percent requirement applies to eighty-five (85) percent of the additional suspended solids that is the result of the new development.	Same
Stormwater Volume	The stormwater runoff volume leaving the site post-development shall not exceed the stormwater runoff volume leaving the site pre-development (existing conditions) for the local 2-year frequency, 24-hour duration storm event for all development except single-family and two-family dwellings on lots existing as of January 27, 2003, or on lots pursuant to a preliminary plat that was approved by the Town Council prior to January 27, 2003. This may be achieved by hydrologic abstraction, recycling and/or reuse, or any other accepted scientific method.	Same
Stormwater Rate	The stormwater runoff rate leaving the site post-development shall not exceed the stormwater runoff rate leaving the site pre-development (existing conditions) for the local 1-year, 2-year, and 25-year 24-hour storm events.	Same

5. How would stormwater impacts compare between the proposed multi-family development and the existing R-1 zoning that would require single-family development?

With a multi-family development, a comprehensive stormwater plan would be submitted. All proposed impervious areas, including future phases, would be identified and included as part of the overall stormwater management plan.

With a single family development, the developer can choose to provide stormwater management for the infrastructure only, with individual stormwater management plans and structures being required as each building lot is developed. Staff would strongly recommend a more unified and comprehensive approach to stormwater but could not require it. Council could use its powers of persuasion to encourage it but could not require it unless the applicant was requesting approval under certain types of development applications.

In the development project presented to the Council on October 20, 2008, the applicant proposed meeting the stormwater management requirements for water quality, rate, and volume with bio-retention basins, an irrigation storage tank, a water quality unit, and an infiltration tank.

Stormwater staff reviewed this proposal subsequent to the Council meeting and made the following findings.

- The infiltration tank would actually function as detention storage given the very little infiltration capacity of the soils and the potential for perched groundwater.
- Additional operating measures were proposed such as rainwater harvesting for irrigation and the use of non-synthetic pesticides and fertilizers. The North Carolina Division of Water Quality requires the provision of a consistent, dedicated, and reliable end use of the rainwater year-round for rainwater harvesting credit. Because irrigation is a seasonal activity and the synthetic pesticide ban cannot be enforced, while these measures are helpful, they do not satisfy the Town's stormwater management requirements.
- The 97.5% TSS removal was derived by using the State's methodology for calculating the performance of Best Management Practices in series and not on actual performance. Given the particulate size, stormwater staff does not believe that 97.5% of the Total Suspended Solids would be removed.
- In summary, the applicant's proposed stormwater plan would meet the Town's minimum requirements for water quality, rate, and volume, with some additional benefit provided by the operating measures.

Subsequently, the applicant revised the stormwater plan to provide rainwater harvesting by capturing the rooftop runoff from the condominium building and reusing it for toilet flushing in that building. The applicant's proposal also includes bio-retention basins, an irrigation storage tank, a water quality unit, and the stormwater detention/infiltration tank. The addition of the rainwater harvesting system does exceed the town's requirements for stormwater. It removes that amount of runoff and associated pollutants from leaving the site and discharging into the adjacent waterfowl impoundment area.

#### **8. How is stormwater and erosion going to be managed during construction?**

The land disturbance for the proposed development would exceed 20,000 square feet and the applicant is required to get an erosion and sediment control permit. This requirement is contained in the Town's Soil Erosion and Sedimentation Control Ordinance.

The development would also be subject to the NPDES Construction Permit, which has been added to the Erosion and Sediment Control Permit issued by Orange County, on behalf of the Town.

The project site is in the Water Supply Watershed, which increases the fines under the State's Sedimentation Pollution Control Act of 1973, as amended through 2007, from \$5,000 to \$25,000 per violation per day.

Finally, an erosion control bond would be posted during construction and a stormwater maintenance surety would be required prior to issuance of a C/O.

**9. How do we know that the proposed stormwater management and erosion control devices will work effectively throughout the life of the proposed development?**

The developer is required to record both the stormwater easements and the Operations and Maintenance Plan, signed by the owner. A perpetual surety must be posted to provide for the stormwater maintenance. Annual maintenance inspection reports must be submitted to the Town.

**10. Provide information regarding how the current proposed Jordan Lake Rules, which go beyond the current Orange County erosion control rules, may pertain to Aydan Court for both the construction period and the post-construction development. Would the construction provisions of the proposed Jordan Lake rules apply based on the issuance dates of building permits or would they apply based on the issuance date of any Town permit?**

The proposed Jordan Lake Rules do not contain any additional requirements for erosion and sediment control (construction phase). The Town's Soil Erosion and Sedimentation Control Ordinance exceeds the state's threshold for disturbed area, triggering an Erosion and Sediment Control Permit issued by Orange County.

Stormwater staff has interpreted the second part of the comment to be about grandfathering. The proposed Jordan Lake rules contain the following definition for existing development.

"Existing development" means development, other than that associated with agricultural or forest management activities that meets one of the following criteria:

(a) It either is built or has established a vested right based on statutory or common law as interpreted by the courts, for projects that do not require a state permit, as of the effective date of either local new development stormwater programs implemented under Rule 15A NCAC 2B .0265 or, for projects requiring a state permit, as of the applicable compliance date established in Rule 15A NCAC 2B .0271(5) and (6); or

(b) It occurs after the compliance date set out in Sub-Item (4)(d) of Rule .0265 but does not result in a net increase in built-upon area.

Using the Town's Land Use Management Ordinance as a guide, Section 1.4 Applicability would suggest that if the applicant had a valid Special Use Permit prior to the effective date of the proposed Jordan Lake Rules, the applicant would not be subject to those rules.

**13. Address comment in staff report that indicates that the proposed stormwater management device is not acceptable.**

The applicant is proposing to use a VortSentry water quality unit, which is an acceptable structure. The applicant will need to provide sizing calculations to demonstrate that the required water quality volume is treated.



2007-2008 NORTH CAROLINA BIODIVERSITY REPORT

# NORTH CAROLINA NATURAL HERITAGE PROGRAM BIENNIAL PROTECTION PLAN

## List of Significant Natural Heritage Areas

2008

**Natural Resources Planning and Conservation  
Department of Environment  
and Natural Resources**

## **SIGNIFICANT NATURAL HERITAGE AREAS**

October 2008

### **Introduction**

The North Carolina Natural Heritage Program compiles the N.C. Department of Environment and Natural Resources' list of significant "Natural Heritage Areas" as required by the Nature Preserves Act (NCGS Chapter 113A-164 of Article 9A). The list is based on the program's inventory of the natural diversity in the state. Natural areas (sites) are evaluated on the basis of the occurrences of rare plant and animal species, rare or high quality natural communities and special animal habitats. The global and statewide rarity of these elements and the quality of their occurrence at a site relative to other occurrences determine a site's significance rating. The sites included on this list are the best representatives known of the natural diversity of the state and therefore deserve priority for protection. Inclusion on this list does not confer protection to a site, nor does it give sites regulatory status or indicate that they have regulatory status with any agency. The list includes both protected and unprotected areas. Inclusion on this list does not mean that public access exists or is appropriate. Permission of the land owner is needed for all lands not open to the public. This list of sites and their significance ratings is based on the best available information as derived from the Natural Heritage Program databases. This list updates the set of known significant areas and their significance ratings, reflecting changes since the last list was published in 2005. Not all sites have been visited in this time period, and some of the ratings are based on older data. It is possible that some sites have been damaged or destroyed since they were last visited. More information on these natural areas may be obtained from the Natural Heritage Program.

### **Natural Area Significance**

Natural areas are rated for their significance to protection of biodiversity. Because biodiversity depends on the conservation of a large number of different species and community types, with distinctive habitats, simple measures based on number of rare elements in a site are not sufficient. The most significant sites are those that make up a balanced set containing the best sites for all elements. Large sites with many rare species and communities are very significant, but some sites with only a single rare species may also be highly significant to biodiversity. Some species and community types do not occur in any large or rich sites, and can only be conserved in sites without other species or communities. North Carolina's natural areas are rated based on the value of the element occurrences – rare species and high quality natural communities – that they contain. Their significance is rated based on comparison with other sites for those same elements.

### Natural Area Significance (Signif.)

- A = Nationally significant natural areas contain examples of natural communities, rare plant or animal populations, or geologic features that are among the highest quality, most viable, or best of their kind in the nation, or clusters of such elements that are among the best in the nation.
- B = Statewide significant natural areas contain similar ecological resources that are among the best occurrences in North Carolina. There are a few better quality representatives or larger populations on nationally significant sites elsewhere in the nation or possibly within the state.
- C = Regionally significant natural areas contain natural elements that may be represented elsewhere in the state by better quality examples, but which are among the outstanding examples in their geographic region of the state. A few better examples may occur in nationally or state significant natural areas. Regions consist of an area the size of about five counties.

### **Site Scale and Nesting**

Frequently, related natural areas occur in clusters. The occurrence of a natural areas in association with other natural areas increases its long-term viability and ecological significance. Where multiple natural areas occur in a cluster that shares ecological function, the complex and the associated lands are designated as a macrosite. When one or more macrosites and other smaller natural areas occur in association, it may be designated a megasite. Macrosites and megasites contain significant natural areas, and may also contain lands which normally would not be included in a natural area, but which are important for consolidating and connecting the cluster.

In other cases, natural areas do not occur in clusters with other natural areas. These natural areas are referred to as "stand-alone" sites.

Sizes of natural areas differ greatly. A site may encompass thousands of acres that support many exceptional natural resources and special-interest species, and be logically considered a single large composite natural area. In a few cases, a site may be restricted to a few acres containing a remnant population of an endangered species or other unique feature that does not occur in any larger sites. Megasites and macrosites are always large, but some stand-alone sites are also very large contiguous natural areas.

The same significance categories are applied to sites of all sizes, and also to macrosites and megasites.

## Organization of the List

### Natural Areas

The following list of North Carolina's most significant natural areas is organized by county, and the natural areas within each county are ordered by ratings of national, statewide, or regional (greater than local) significance. This list includes all known areas of National, Statewide, and Regional significance. It does not include natural areas considered to be of only county or local importance, though such areas are inventoried and tracked by the Natural Heritage Program.

Natural areas which occur within megasites or macrosites are grouped in this list under the name and significance rating of the larger natural areas. The nesting of a natural area is indicated by vertical gray bars to the left of the names. Double bars indicate sites that are nested within both a macrosite and a megasite.

### USGS Quads

The name(s) of the USGS 7.5-minute quadrangle on which a natural area lies is given in the second column. (Quads are not given for megasites and macrosites.)

### Owner

The fourth column indicates ownership of the natural area. See the following Owner Abbreviations.

Owner Code	Owner
AFT	AMERICAN FARMLAND TRUST
ASU	APPALACHIAN STATE UNIVERSITY
AUD	NATIONAL AUDUBON SOCIETY
BGF	NC BOTANICAL GARDEN FOUNDATION
CATW	CATAWBA COLLEGE
CFED	NC COASTAL FEDERATION
CHC	CHOWAN COLLEGE
CHER	CHEROKEE INDIAN RESERVATION
CLC	CATAWBA LANDS CONSERVANCY
CLL	CAROLINA LAND AND LAKES RC&D
CLT	NC COASTAL LAND TRUST
CMLC	CAROLINA MOUNTAINS LAND CONSERVANCY
CTNC	CONSERVATION TRUST FOR NORTH CAROLINA
DUKE	DUKE UNIVERSITY
ECSU	ELIZABETH CITY STATE UNIVERSITY
ECU	EAST CAROLINA UNIVERSITY
ERA	ENO RIVER ASSOCIATION
FCNC	FOOTHILLS CONSERVANCY OF NORTH CAROLINA
FF	NC FORESTRY FOUNDATION
HBF	HIGHLANDS BIOLOGICAL FOUNDATION
HCLT	HIGHLANDS COMMUNITY LAND TRUST
HERP	NC HERPETOLOGICAL SOCIETY

New Hope Creek Corridor  
A.7. Little Creek Bottomlands

New Hope, Third Fork, Morgan and Northeast Creeks no large wastewater plants empty into Little Creek (it does, however, receive stormwater runoff from large tracts of impervious surfaces in Chapel Hill).

The winter flooding of the wood duck subimpoundments, along with backup of water from Jordan Lake, may mitigate any benefits due to water quality. Although the voracious "grinnel" may prosper in these flooded areas, smaller species such as the mudminnow (*Umbra pygmaea*), blue-spotted sunfish (*Enneacanthus gloriosus*) and swamp darter (*Etheostoma fusiforme*)—all recorded from the lower New Hope watershed—may be at increased risk due to predation as their shallow water or isolated pool habitat becomes more deeply inundated, and thus more accessible to bass, crappie, channel catfish, as well as the "grinnel" itself. On the other hand, at least some refuges can still be found in the non-impounded areas, as indicated by the presence of larval marbled salamanders (*Ambystoma opacum*) in at least a few pools: small larvae of this species cannot survive in the presence of fish even as seemingly insignificant as the mosquitofish.

#### DESCRIPTION OF THE FLORA:

Little Creek has no extensive botanical survey. Short excursions into the floodplain have not produced many special plants. The higher areas and floodplain edges have yielded the usual spring ephemerals, although not in great numbers. One unusual occurrence is the presence of swamp white oak (*Quercus bicolor*) downstream from the crossing at CR 1108. The site is potentially as good as Stagecoach Bottomlands, but heavy use of surrounding lands for tobacco cultivation in the past 100 years may have been detrimental to the vegetation. Above NC 54, the floodplain is adjacent to several areas of Iredell loam—the area should be checked for basophilic plants.

#### PROTECTION STATUS AND THREATS:

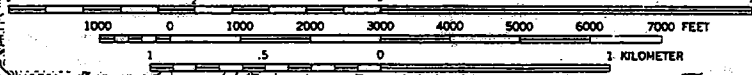
The Little Creek Bottomlands are part of the Corps lands extending north of Jordan Lake and are leased to the NC Wildlife Resources Commission as gamelands. Although protected from development, they are still subject to timbering and other management activities directed towards just a few species of game animals, primarily wood duck and white-tailed deer.

Privately owned lands adjoin the bottomland along both slopes, parts of which are becoming developed right down to the boundary of the Corps lands, particularly along Farrington Road. The large Meadowmont mixed-use development in eastern Chapel Hill will contain some 50 acres of Town parkland in the Durham County portion of the Little Creek floodplain, much of which is wetlands. In the Durham portion of this park, the only use permitted by the Town will be nature trails, short boardwalks, and a wildlife observation platform, with no wetland fill allowed.

### **CONSERVATION RECOMMENDATIONS:**

Conservation recommendations for this tract are the same as for other tracts of the New Hope Gamelands. Management of the subimpounded areas should give more weight to the needs of non-game species and perhaps less to that of the wood duck, which is thriving throughout the region. Some regulation of rabbit hunting or fur-bearer trapping should also be considered if the population of marsh rabbits is to survive within this area.

As is true for the other sites in the New Hope Creek Basin, preservation of upland buffers along the edges of the bottomlands should be given a high priority. These slopes provide denning areas for terrestrial species, as well as refuges during periods of high water. Conservation easements, Natural Heritage Program Registry and Forest Management Plans would all be appropriate means to conserve these strips of uplands.

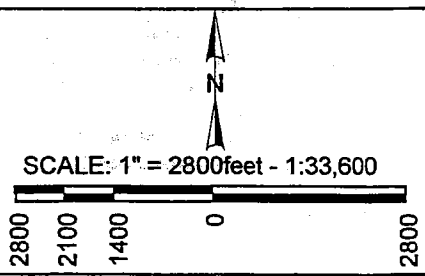


**DURHAM COUNTY MERGED INVENTORY**

**Little Creek Bottomlands**

- SITE BOUNDARY
- - - - -** ADJACENT TO OTHER SITE(S)

USGS QUAD: SOUTHWEST DURHAM, CHAPEL HILL, GREEN LEVEL, FARRINGTON



**TOWN OF CHAPEL HILL**  
**Affordable Housing as a Component of**  
**New Residential Development Proposals**

The Chapel Hill Town Council passed a resolution March 6, 2000 to increase the availability of affordable housing for low and moderate income households in Town. This policy was revised on January 26, 2009. The policy states the Council's expectation that *any rezoning requests with a residential component incorporate a 15% affordable housing feature* into their plans with mechanisms to assure ongoing affordability. The resolution text as passed by the Town Council is below.

**A RESOLUTION MODIFYING THE COUNCIL'S EXPECTATIONS FOR AFFORDABLE HOUSING AS A COMPONENT OF NEW DEVELOPMENT PROPOSALS WITH A RESIDENTIAL COMPONENT (2009-01-26/R-7)**

WHEREAS, Chapel Hill's Comprehensive Plan contains the following language: "The Town shall encourage developers of residential developments of 5 or more units to (a) provide 15 percent of their units at prices affordable to low and moderate income households, (b) contribute in-lieu-fees, or (c) propose alternative measures so that the equivalent of 15 percent of their units will be available and affordable to low and moderate income households;" and

WHEREAS, development proposals regularly come before the Town Council seeking approval, but without an affordable housing component;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that it is the expectation of the Council that applicants seeking approval of rezoning applications containing a residential component will incorporate a "15% affordable" feature into their plans, and that mechanisms will be proposed to assure ongoing affordability of these so-designated dwelling units. At its discretion, the Council may accept a payment-in-lieu of all or part of the affordable housing obligation. The payment amount shall be established by Resolution.

BE IT FURTHER RESOLVED that all projects with an affordable housing component must have an Affordable Housing Plan incorporated into an Affordable Housing Performance Agreement to be signed by the applicant, the Town Manager (or designee) and the entity responsible for administration of affordable housing units.

This the 26<sup>th</sup> day of January, 2009.