

**Chairman**  
W. Todd Lambert  
**Planning Manager**  
Jason S. Martin



Commissioner's Meeting Room  
124 W. Elm Street  
Graham, NC 27253  
March 13, 2014 7:00 PM

# ALAMANCE COUNTY PLANNING BOARD

## AGENDA

- I. CALL MEETING TO ORDER**
- II. APPROVAL OF PLANNING BOARD MINUTES**
  1. February 2014
- III. PUBLIC COMMENTS**
- IV. OLD BUSINESS**
  1. Planning Board Vacancy/Review of Applicants
  2. Staff Update-Quarterly Development Reports
- V. NEW BUSINESS**
  1. Proposed Watershed Protection Ordinance Amendment
  2. Adoption of 2014 Alamance County Community Profile
  3. Destination 2020 Review Presentation
  4. Presentation of Open Space/Rural Preservation Subdivisions
- VI. ANNOUNCEMENTS**
- VII. ADJOURNMENT**

### *Meeting Notes:*

- 1. Those wishing to make public comments should sign-in prior to the meeting.*
- 2. In order to be fair and ensure that all citizens wishing to speak may be heard, the Chair may place time limits on public comments.*
- 3. Any further discussion by the public on a given agenda item is subject to the discretion of the Chair of the Planning Board*

# Minutes of the Alamance County Planning Board

February 20, 2014

7:00 p.m., Board of County Commissioners Room

## **Board Members Present:**

Rodney Cheek  
Jimmy Ray Cobb, Jr. (Vice Chair)  
Rob Countiss  
Monte Holland  
Don Jennings  
Todd Lambert (Chair)  
Robert Osborne  
Edgar Pritchett  
Randall Smith

## **Board Members Absent:**

Bryan Foushee  
Albert Freeman  
David Smith

## **Staff Present:**

Jason Martin, Planning Manager  
Aspen Price, Planner

## **Public Present:**

Ravi Balan  
Don Nielsen

## **Call to Order**

Mr. Jason Martin, Planning Manager, called the meeting to order at approximately 7:00 pm.

## **Election of Officers**

**Election of Chair:** Mr. Martin opened the floor to nominations for Chair; Mr. Cobb nominated Mr. Lambert. Mr. Martin asked if there were any other nominations, there were none. Mr. Martin asked for a motion; a motion was made by Mr. Cobb to appoint Mr. Lambert as Chair, seconded by Mr. Holland, and approved unanimously.

**Election of Vice Chair:** Chair Lambert opened the floor to nominations for Vice Chair; Mr. Cobb nominated Mr. Osborne. Mr. Lambert asked if there were any other nominations, there were none. Mr. Lambert asked for a motion; a motion was made by Mr. Cobb to appoint Mr. Osborne as Vice-Chair, seconded by Mr. Jennings, and approved unanimously.

## **Approval of 2014 Meeting Schedule**

Mr. Martin presented a proposed meeting schedule for 2014. Mr. Countiss noted that the heading of the meeting dates read "2010 Meeting Schedule" and should read "2014 Meeting Schedule."

***Motion:*** Mr. Countiss made a motion to adopt the 2014 meeting schedule with suggested changes; it was seconded by Mr. Osborne.

***Vote:*** Unanimously approved.

## **Approval of Minutes**

Mr. Lambert asked if there were any changes to the minutes. None were suggested.

***Motion:*** Mr. Jennings made a motion to approve the June 13, 2013 minutes and the November 14, 2013 minutes; it was seconded by Mr. Holland.

***Vote:*** Unanimously approved.

## **Public Comments**

Mr. Lambert asked if there were any public comments. Hearing none, he moved to the next agenda item.

## **New Business**

### **Review of Planning Board Applications:**

Mr. Martin stated that there is one vacancy on the board, as Mr. Richardson has submitted a written resignation due to his relocation out of the state. Mr. Martin stated that tonight the board has two applications to consider, one from Mr. Balan from Melville Township, and one from Mr. Spruill from Burlington Township, both of which are eligible townships for appointment. Mr. Balan introduced himself and described his interest in serving on the Planning Board. Mr. Martin stated that the new member would be an Alternate member and would finish out Mr. Richardson's unexpired term. Mr. Lambert asked if the other applicant, who was not present, was aware of the meeting tonight. Mr. Martin confirmed that he spoke with Mr. Spruill this week, and that he had made both applicants aware of the change in meeting schedule due to the inclement weather. Mr. Countiss asked Mr. Balan why specifically the Planning Board was his choice of community involvement. Mr. Balan stated that he found out about the vacancy on the Planning Board through his involvement as an Ambassador with the Chamber of Commerce. He said that when he did more research on the Planning Board, it piqued his curiosity even more, as he is all about delving deep into where you live and having an appreciation for it.

Mr. Lambert stated that they need to make a recommendation for one of these applicants, and asked Mr. Martin for clarification that they have the option of not making a recommendation as well. Mr. Martin confirmed this was the case but asked the board, if they chose not to make a recommendation tonight, to give him a directive, as they do have an opening. Mr. Cobb asked if there had been any effort to advertise the opening. Ms. Price responded that it was posted on the Planning Department website, and that she had also created a blog post about it in the News & Updates section of the website. Mr. Martin stated that an advertisement had not been run in the newspaper; however the Department had received applications. Mr. Osborne asked about distribution of representation throughout the county. Mr. Martin stated that the townships that are not currently represented on the board are Albright, Coble, Faucette, and Haw River. Mr. Osborne said it was probably harder to gauge the second piece of his question, which is looking at the cross-section of urban versus rural on the board. Mr. Martin stated that it was almost an even split. Mr. Martin reminded the board that the way the ordinance was written, no more than two members can be from any given township, and no more than one can be a voting member.

Mr. Lambert stated that he personally would like to see more members from townships not currently represented, but that he was not sure how staff could get interest from particular areas. Mr. Lambert added that he would be in favor of waiting a month and putting a notice on the website on the home page for the county. Mr. Martin recommended in that case that the board table any action, because they do have applicants. Mr. Osborne thanked Mr. Balan for coming and addressing the board, and stated that he would like to see the opportunity to have the feeling that the vacancy has been understood by the community and that they have an opportunity to see multiple candidates. He added that he did not feel like they were under the gun to pick any one person immediately, and would like to look at multiple candidates. Ms. Price noted that these applications came in in November, and that notices had been posted on the Planning Department webpage since then and they have not seen any additional

applications. Mr. Osborne acknowledged that after hearing that this is out there, the degree to which an additional three weeks will develop any additional interest sounds unlikely.

*Motion:* Mr. Osborne made a motion to table the decision until the next meeting with direction to staff to post the vacancy notice on the front page of the County website with details on where the Board currently does not have representation; it was seconded by Mr. Cheek.

*Vote:* Unanimously approved.

#### Discussion of Planning Board Goals for 2014:

Mr. Martin noted that the previous year was a quiet year for the Planning Board and asked the board if there were any specific ordinances or issues they want staff to look at. Mr. Lambert stated that he felt it would be helpful for staff to give a summary on progress on the Destination 2020 Plan, as they were more than halfway through it. Along those lines, he suggested a quarterly or biannual county snapshot with building permits, growth in certain areas, school population and other information. Mr. Lambert added that he was interested in seeing conservation subdivisions brought up again. Mr. Martin offered to provide a presentation to the board on these issues. Mr. Osborne stated that he remembered that these were additional permissive revisions, not restrictions. Mr. Lambert confirmed that was the case. Mr. Martin added that they were seven years into the Land Development Plan, and it was related to Destination 2020, so it may be worthwhile to do a review of that as well.

Mr. Cheek asked if they had the technology to know if there are liquid storage facilities with drain pipes underneath them that are straight piped into the rivers or creeks or streams. He clarified that the coal ash issue in the news made him aware of this issue. Mr. Martin responded that unless there was something through Environmental Health, probably not. Mr. Lambert asked if it would be through NC DENR through their direct discharge permitting. Mr. Martin offered to look into it.

Mr. Jennings asked if there was anything they needed to be aware of in regards to the preliminary floodplain maps. Mr. Martin stated not at this time, that at the earliest they were looking at new maps and ordinances in December of this year.

#### Announcements

There were no announcements.

#### Adjournment

With no other business to be discussed the Planning Board was adjourned at approximately 7:55 p.m.

Respectfully Submitted,

Jason S. Martin  
Planning Manager



**Alamance County Planning Board  
ACTION AGENDA ITEM**

**MEETING DATE:** 3/13/2014

**TO:** Todd Lambert, Chair  
**FROM:** Jason Martin, Planning Manager

**PUBLIC HEARING:**  YES  NO

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**ISSUE/ACTION REQUESTED:**

Review of Planning Board Applications

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**BACKGROUND/PURPOSE OF REQUEST:**

The Alamance County Planning Board currently has one (1) vacancy created by the resignation of Eric Richardson who has relocated out of the state.

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**STAFF RECOMMENDATION:**  APPROVAL  DENIAL  NO RECOMMENDATION

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**ATTACHMENTS:**

- 1) Application- Ravi Balan (Melville Township)
- 2) Application- David Michael Spruill (Burlington Township)
- 3) Application- Roslyn McNeill (Haw River Township)

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**PLANNING BOARD ACTION**

APPROVED:  DENIED:  DEFFERED:  UNTIL \_\_\_\_\_  
CONDITIONS/NOTES:

## APPLICATION FORM FOR COMMITTEE MEMBERSHIP

|  |   |       |     |
|--|---|-------|-----|
| Date of Application  | 11/09/2013  |       |     |
| Applicant Name   | Ravi Balan  |       |     |
| Mailing Address  | 4535 White Level Rd. Mebane, NC 27302                     |       |     |
| Home Address   | 4535 White Level Rd. Mebane, NC 27302                     |       |     |
| Home Phone Number  | (919) - 304 - 0999  |       |     |
| Employer and Address   | Navigon Financial Group, 1009 Slater Rd. Durham, NC 27705 |       |     |
| Work Phone Number  | 919-941-6235 X 224  |       |     |
| E-Mail Address   | FAX Number  | Race  | Sex |
| rbalan@navfin.com  | 919 941 6263  | Asian | M   |
| Number of Years as Alamance County Resident  | 4 MONTHS  |       |     |
| Residence Located in Which Section of Alamance County (Township/City/Area of County) | Mebane / MELVILLE   |       |     |
| <p>Very interested to help make a positive impact on the community.</p>              |   |       |     |
| <p>Alamance County Planning Board<br/>Historic Properties Commission</p>             |   |       |     |

## Jason Martin

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**From:** David Michael Spruill <noreply@jotform.com>  
**Sent:** Thursday, November 14, 2013 10:15 PM  
**To:** Jason Martin  
**Subject:** New submission: Application for Committee Membership

### Application to Serve on Board

|  |   |       |             |
|--|---|-------|-------------|
| Date of Application:   | <b>11/14/2013</b>   |       |             |
| Name of Applicant:   | <b>David Michael Spruill</b>                              |       |             |
| 18 Years or Older?   | <b>Yes</b>  |       |             |
| Mailing Address:   | <b>1809 Hilton Rd</b>                                     |       |             |
| Home Address:  | <b>1809 Hilton Rd</b>                                     |       |             |
| City:  | <b>Burlington</b>   |       |             |
| ZIP Code:  | <b>27217</b>  |       |             |
| Home Phone:  | <b>336-2220-8016</b>                                      |       |             |
| Employer:  | <b>Rite Stop Market Store</b>                             |       |             |
| Employer Address:  | <b>507 N. Graham-Hopedale Rd</b>                          |       |             |
| Work Phone:  | <b>336-221-9311</b>                                       |       |             |
| E-mail:  | Fax:  | Race: | Gender:     |
| <a href="mailto:sprudav@yahoo.com">sprudav@yahoo.com</a>   | <b>336-222-8016</b>                                       |       | <b>Male</b> |
| Ever Been Convicted of a Felony:   | <b>No</b>   |       |             |
| Are you a registered voter?  | <b>Yes</b>  |       |             |
| Educational Background:  | <b>Graham High School,<br/>Alamance Community College</b> |       |             |
| Currently Serving on Other Boards?   | <b>Yes</b>  |       |             |
| <u>If Yes, Please List</u>   |   |       |             |
| <b>Social Service Board, Planning Committee for services to the Elderly, Nursing Home Community<br/>Advisory Committee, Adult Care Home Community Advisory Committee</b> |   |       |             |
| <u>Please List Qualifications</u>  |   |       |             |
| <u>Volunteer or Civic Activities</u>   |   |       |             |
| <u>Impact</u>  |   |       |             |
| Number of Years as an Alamance County resident:  | <b>45</b>   |       |             |
| Residence located in which area of county<br>(Township / City / Area):   | <b>Burlington</b>   |       |             |

Additional Comments:

Board(s) Applied For

**Alamance County Planning Board**

## APPLICATION FORM FOR COMMITTEE MEMBERSHIP

| Applicant Information  |   |                  |               |
|--|---|------------------|---------------|
| Date of Application  | March 5, 2014                           |                  |               |
| Applicant Name   | Roslyn McNeill                          |                  |               |
| Mailing Address  | 1101 Birkdale Drive, Mebane, NC 27302   |                  |               |
| Home Address   | Same                                    |                  |               |
| Home Phone Number  | 336-260-1512                            |                  |               |
| Employer and Address   | NC Dept of State Treasurer, Raleigh, NC |                  |               |
| Work Phone Number  | 919-508-5945                            |                  |               |
| E-Mail Address   | FAX Number                              | Race             | Sex           |
| rjmcneill08@yahoo.com  |   | African American | <b>Female</b> |
| Number of Years as Alamance County Resident  | 16 years                                |                  |               |
| Residence Located in Which Section of Alamance County (Township/City/Area of County) | Haw River Township                      |                  |               |
| Additional Comments  |   |                  |               |
| Previously served on the town of Mebane Planning Board                               |   |                  |               |
| Boards Applied For   |   |                  |               |
| Planning Board   |   |                  |               |



**Alamance County Planning Board  
ACTION AGENDA ITEM**

**MEETING DATE:** 3/13/2014

**TO:** Todd Lambert, Chair  
**FROM:** Jason Martin, Planning Manager

**PUBLIC HEARING:**  YES  NO

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**ISSUE/ACTION REQUESTED:**

Watershed Protection Ordinance Amendment

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**BACKGROUND/PURPOSE OF REQUEST:**

The Alamance County Planning Department has discovered a conflict between the Watershed Protection Ordinance and Subdivision Ordinance with regards to exempt subdivisions. Currently lots that are subdivided for the purpose of settling an estate are exempt from County subdivision regulations; however the Watershed Ordinance specifies a minimum lot size for watershed areas. Because of this, it is possible that a plat could be approved as an exempt subdivision and create a violation under the Watershed Ordinance. Staff is therefore proposing to amend the Watershed Ordinance so that it is in harmony with the Subdivision Ordinance by creating a new exemption under Section 102 of the Ordinance.

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**STAFF RECOMMENDATION:**  APPROVAL  DENIAL  NO RECOMMENDATION

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**ATTACHMENTS:**

- 1) Proposed Amendment
- 2) \_\_\_\_\_
- 3) \_\_\_\_\_

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**PLANNING BOARD ACTION**

APPROVED:  DENIED:  DEFFERED:  UNTIL \_\_\_\_\_  
CONDITIONS/NOTES:

## **WATERSHED PROTECTION ORDINANCE**

WHEREAS, it is the intention of the Alamance County Board of Commissioners, upon recommendation by the Alamance County Planning Board, to protect the watershed areas of Alamance County. Primarily these watershed areas include the water supply lakes for the cities of Burlington, Graham, Mebane and for the Orange Water and Sewer Authority. This Ordinance is promulgated in order to provide for a safe and potable water supply for present and future generations of Alamance County citizens; and

WHEREAS, the County of Alamance has the authority to regulate the uses of properties in water supply watersheds located in its territorial jurisdiction by virtue of N.C.G.S. 153A-340(ff) and Article 21 of Chapter 143 of the General Statutes of North Carolina.

NOW, THEREFORE, THE BOARD OF COUNTY COMMISSIONERS FOR THE COUNTY OF ALAMANCE DOTH ORDAIN:

### **ARTICLE 100: AUTHORITY**

#### **Section 101. Jurisdiction.**

The provisions of this Ordinance shall apply within the areas designated as a Public Water Supply Watershed by the N.C. Environmental Management Commission (EMC) and shall be defined and established on the maps entitled, "Watershed Protection Map of Alamance County, North Carolina" ("the Watershed Map"), which is adopted simultaneously herewith. The Watershed Maps and all explanatory matter contained thereon accompanies and is hereby made a part of this Ordinance. This Ordinance shall be permanently kept on file in the office of the Clerk to the Board of County Commissioners.

#### **Section 102. Exceptions to Applicability.**

- A. Nothing contained herein shall repeal, modify, or amend any Federal or State law or regulation, or any Ordinance or regulation pertaining thereto except any Ordinance which this Ordinance specifically replaces.
- B. It is not intended that this Ordinance interfere with any easement, covenants or other agreements between parties. However, if the provisions of this Ordinance impose greater restrictions or higher standards for the use of a building or land, then the provisions of this Ordinance shall control.
- C. Existing development, as defined in this Ordinance, is regulated under the provisions as stated in **Section 211**.
- D. A nonconforming lot of record shall not be subject to the development restrictions of

this Ordinance if it is developed for single-family residential purposes, except as specified in **Section 203**. Any lot or parcel created as part of any other type of subdivision that is exempt from a local subdivision ordinance shall be subject to the land use requirements (including impervious surface requirements) of these rules, except that such a lot or parcel must meet the minimum buffer requirements to the maximum extent practicable.

E. The division of property among heirs for the sole purpose of settling an active estate shall be exempt from the minimum lot size requirements of this ordinance.

### **Section 103. Reenactment of Existing Watershed Ordinance.**

This Ordinance in part carries forward by re-enactment, some of the **Alamance County Watershed Protection Ordinance** adopted by the Board of Commissioners on May 4, 1987, as amended 11-19-90, 9-20-93, 12-18-95 and 1-21-97, and it is not the intention to repeal but rather to re-enact and continue in force such existing provisions so that all rights and liabilities that have accrued thereunder are preserved and may be enforced. All provisions of the Watershed Protection Ordinance which are not re-enacted herein are hereby repealed. All suits at law or in equity and/or all prosecutions resulting from the violation of any Ordinance provisions heretofore in effect, which are now pending in any court of this state or of the United States, shall not be abated or abandoned by reason of the adoption of this Ordinance, but shall be prosecuted to their full finality the same as if this Ordinance had not been adopted; and any and all violations of the existing Watershed Protection Ordinance, prosecutions for which have not yet been instituted, may be hereafter filed and prosecuted; and nothing in this Ordinance shall be so construed as to abandon, abate or dismiss any litigation or prosecution now pending and/or which may heretofore have been instituted or prosecuted.

### **Section 104. Criminal Penalties.**

Any person violating any provisions of this Ordinance shall be guilty of a misdemeanor and, upon conviction, shall be punished in accordance with NCGS 14-4. The maximum fine for each offense shall not exceed \$500.00. Each day that the violation continues shall constitute a separate offense.

### **Section 105. Remedies.**

A. If any subdivision, development and/or land use is found to be in violation of this Ordinance, the County Manager may initiate an action in the name of Alamance County, in addition to all other remedies available either at law or in equity, institute an action or proceedings to restrain or correct the violation; an action to prevent occupancy of the building, structure, or land; or an action to prevent any illegal act, conduct, business, or use in or about the premises. No activity, situation, structure or land use shall be allowed within the watershed area which poses a threat to water quality and the public health, safety and welfare. Such conditions may arise from inadequate on-site sewage systems which utilize



**Alamance County Planning Board  
ACTION AGENDA ITEM**

**MEETING DATE:** 3/13/2014

**TO:** Todd Lambert, Chair  
**FROM:** Jason Martin, Planning Manager

**PUBLIC HEARING:**  YES  NO

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**ISSUE/ACTION REQUESTED:**

Adoption of the 2014 Alamance County Community Profile

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**BACKGROUND/PURPOSE OF REQUEST:**

The Alamance County Planning Department has developed a Community Profile Report for the Board's consideration. The profile was created through the compilation and analysis of demographic and socio-economic data for Alamance County. It is Staff's intent to revise and update this profile every 2-3 years; as new data becomes available. The profile focuses on county demographics, population, land-use and area/density, housing, employment, and education.

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**STAFF RECOMMENDATION:**  APPROVAL  DENIAL  NO RECOMMENDATION

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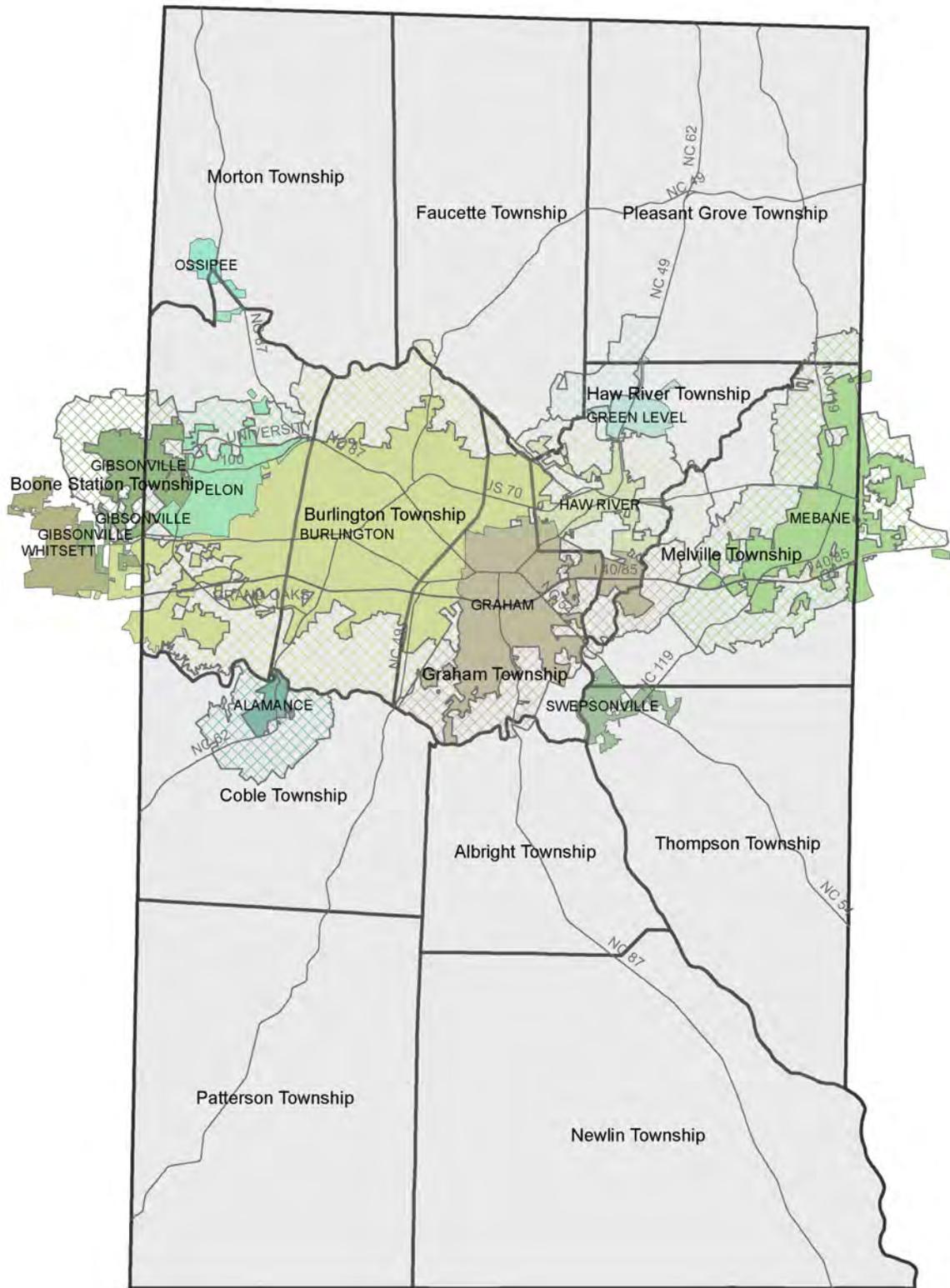
**ATTACHMENTS:**

- 1) Proposed 2014 Community Profile \_\_\_\_\_
- 2) \_\_\_\_\_
- 3) \_\_\_\_\_

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**PLANNING BOARD ACTION**

APPROVED:  DENIED:  DEFFERED:  UNTIL \_\_\_\_\_  
CONDITIONS/NOTES:



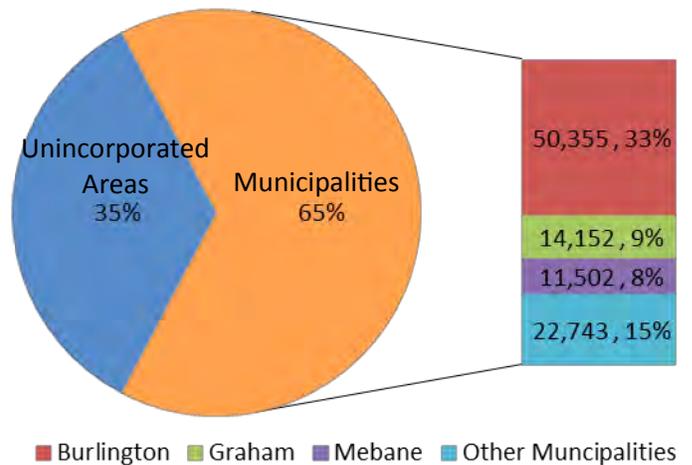
# Alamance County

# COMMUNITY PROFILE

# Population

In 2012, Alamance County's total estimated population was 151,170. The majority of the population, 98,752 is within the county's ten municipalities. Thirty-five percent, or 52,418 people, live in the county's unincorporated areas.

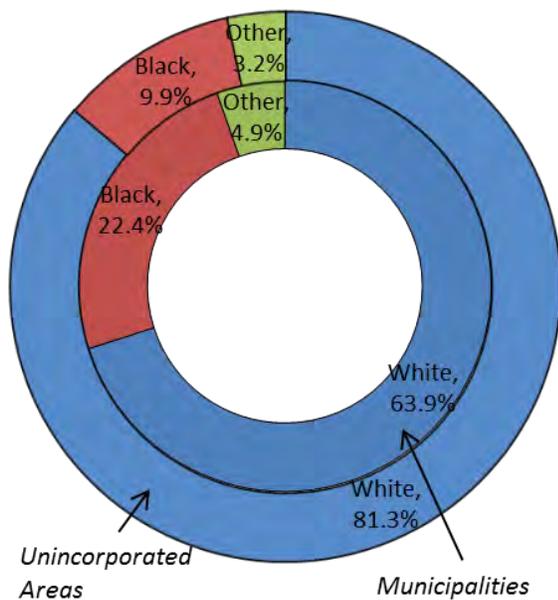
## Alamance County 2012 Population: 151,170



## Percent of Population by Race

### County Total

White: 69.9%    Black: 18.0%    Other: 4.3%



White and non Hispanic or Latino residents make up the largest percentage of the population, with the unincorporated areas being less diverse than municipalities.

## Population Age Trends

**Median Age: 38.5**

21 years and over: 71.4%

62 years and over: 17.8%

| Age               | % 2012 | Trend 2009-2012 |
|-------------------|--------|-----------------|
| 0-14 years        | 19.4%  |                 |
| 15-24 years       | 14.5%  |                 |
| 25-44 years       | 25.0%  |                 |
| 45-59 years       | 21.1%  |                 |
| 60-74 years       | 12.9%  |                 |
| 75 years and over | 7.1%   |                 |

Almost half (46.1%) of the population is between 25 and 59 years old. The young to middle-aged population has declined over the past four years, with the exception of the 15-24 year old age bracket, which likely represents the continued growth of Elon University. The Baby Boomer population (48-66) has seen a steady increase over the past four years.

## Percent of Population by Ethnicity

|                        | County Total | Municipalities | Unincorporated Areas |
|------------------------|--------------|----------------|----------------------|
| Hispanic or Latino     | 11.0%        | 12.3%          | 8.7%                 |
| Not Hispanic or Latino | 89.0%        | 87.7%          | 91.3%                |

All data from American Community Survey 5-year datasets. Date shown is from the end of the range, e.g. "2012" is from 2008-2012 dataset.

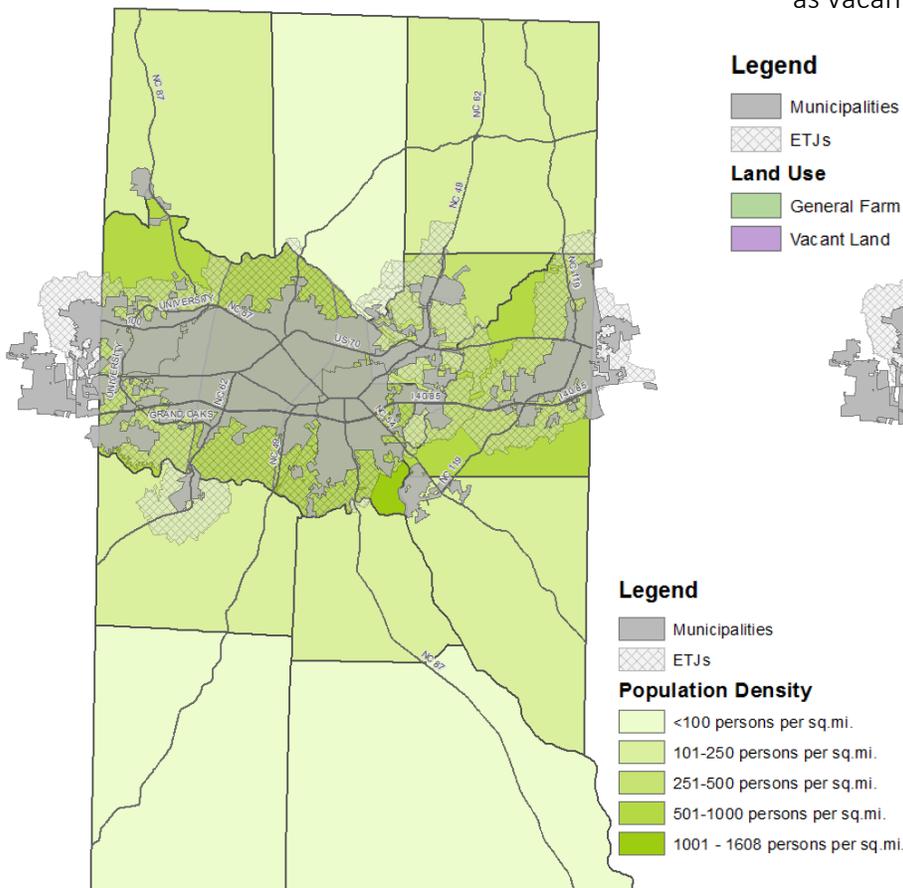
# Land Area & Density

Alamance County has a total land area of approximately 435 square miles, of which 10.8 square miles is water. Three lakes—Lake Cammack, Lake Mackintosh, and Graham-Mebane Lake—serve as water reservoirs for county residents. To protect these water resources, six watersheds encompassing approximately 108 square miles limit the scale and type of development in these areas. The Haw River is the largest river, but there are also numerous creeks, streams, and ponds throughout the county.

The municipalities cover an area of 52 square miles and their extraterritorial jurisdictions, where the municipalities' zoning authority extends to, cover another 48 square miles. Approximately 334 square miles are located within the county's planning jurisdiction.<sup>1</sup>

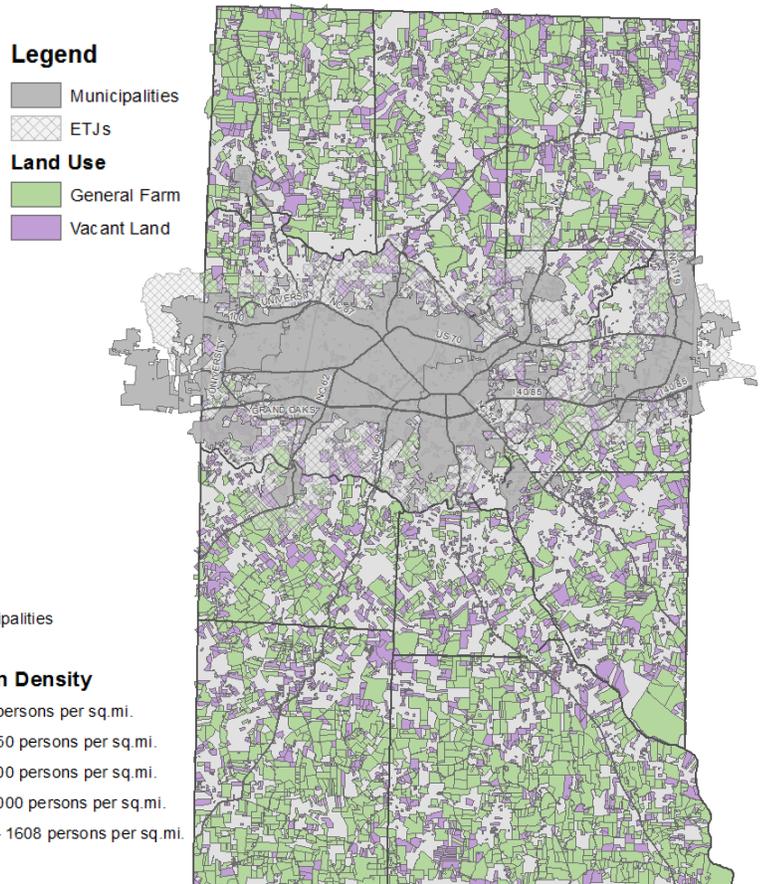
## Population Density

The population density in Alamance County as a whole is 355 persons per square mile. Faucette Township is the least dense at 87 persons per square mile, and Burlington Township is the most dense at 1,587 persons per square mile.



## Land Use

A large portion of land in unincorporated Alamance County is used for agricultural purposes. Over 2,100 parcels in the unincorporated areas of the county are classified as farms, equaling approximately 155 square miles. Another 61 square miles are classified as vacant.<sup>2</sup>



<sup>1</sup> Land area calculations from GIS and the 2012 U.S. Gazetteer. <sup>2</sup> Land use classifications from the Alamance County Tax Department

# Housing

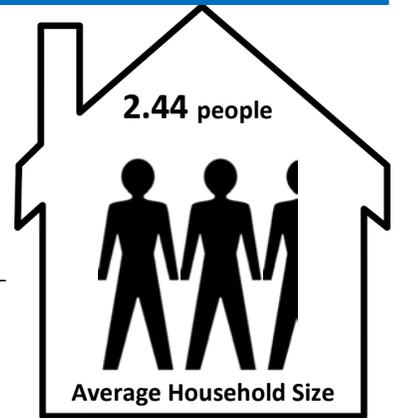
Alamance County has over 66,000 housing units, almost half of which (47.7%) are more than thirty years old.

The proportion of new homes built in the unincorporated areas has grown steadily over the past several decades, reflecting increased development in rural areas. Over a third of the housing stock in unincorporated areas is mobile homes, and conversely 28.5% of housing in the municipalities is duplexes, apartments, and other attached units. While the majority (60%) of residents moved in the last twelve years, one-fifth of Alamance County residents have not moved in over twenty years. Housing costs are particularly high for renters; over half of renters spend more than 30% of their income on housing costs, as compared to more than a quarter of homeowners.

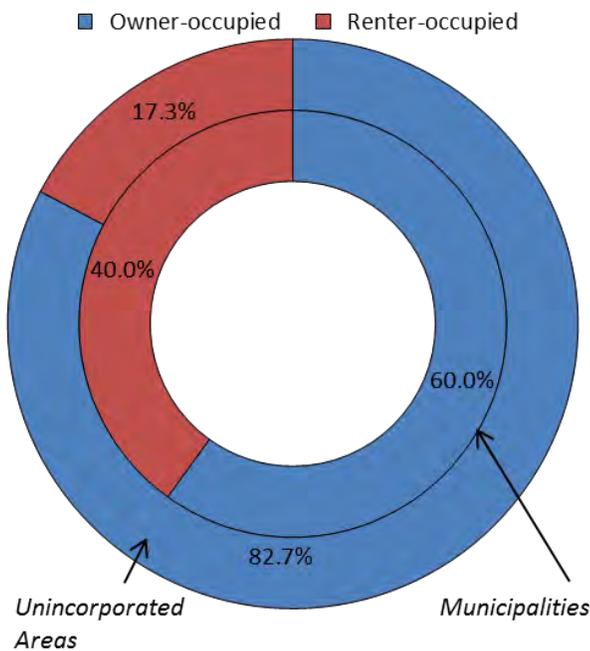
**2012 Total Housing Units: 66,694**

**44,917 units in Municipalities; 10.1% Vacant**

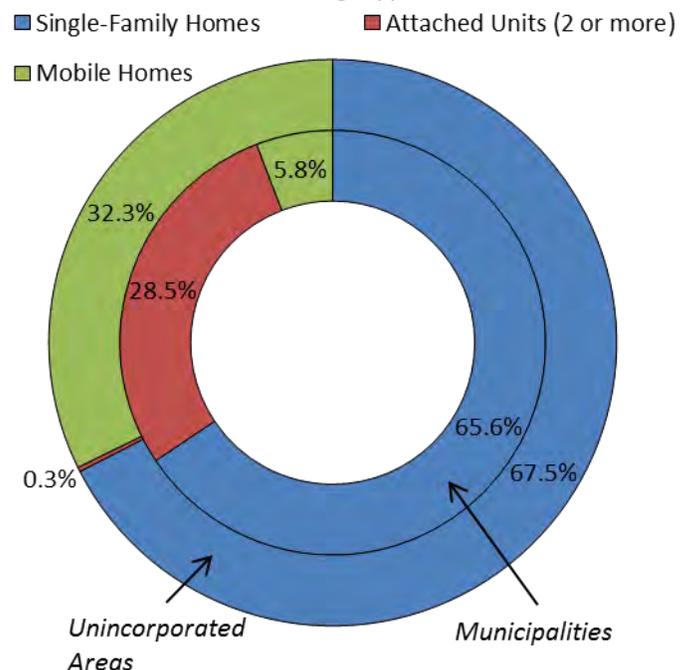
**21,777 units in Unincorporated Areas; 8.5% Vacant**



**Housing Tenure**



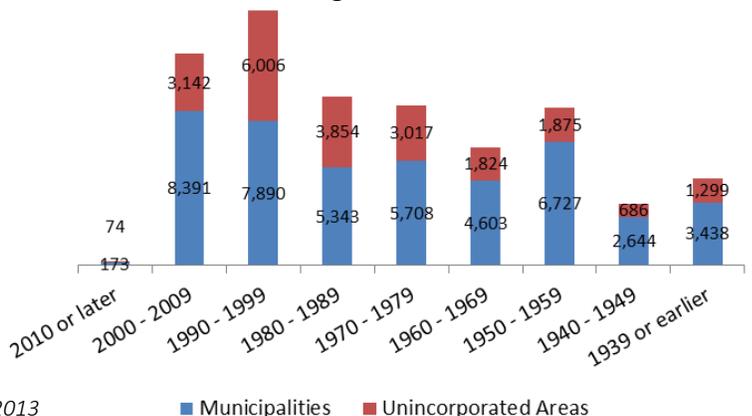
**Housing Type**



**Housing Costs<sup>1,2</sup>**

- \$51,700** Area Median Income
- \$136,000** Median House Value
- \$702** 2-bedroom Fair Market Rent
- \$13.50** Hourly wage necessary to afford 2-BR FMR
- 31%** of total households are renters
- \$10.58** Estimated mean renter hourly wage
- 51%** of renters pay > 30% of their income for housing
- 26%** of owners pay > 30% of their income for housing

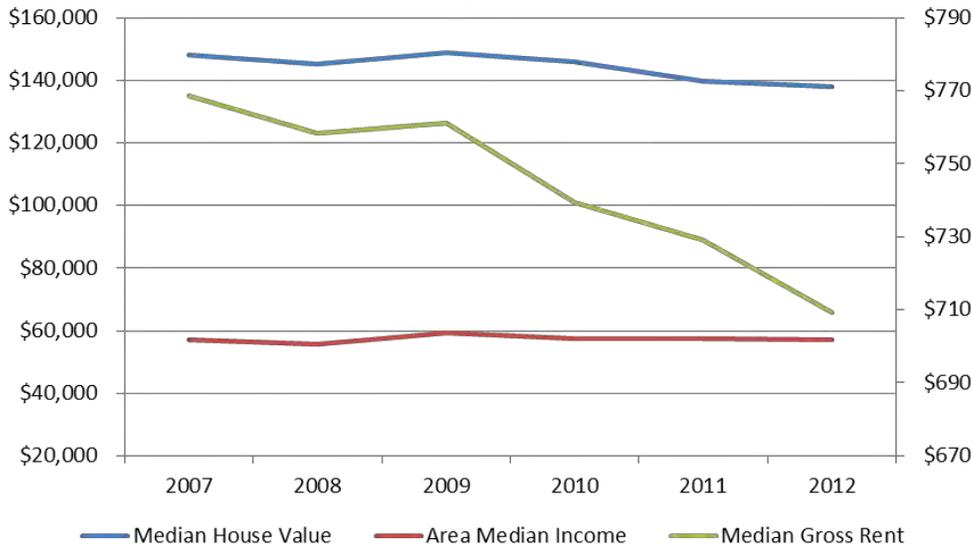
**Housing Units Year Built**



<sup>1</sup>ACS 2008-12. <sup>2</sup>National Low Income Housing Coalition *Out of Reach 2013*

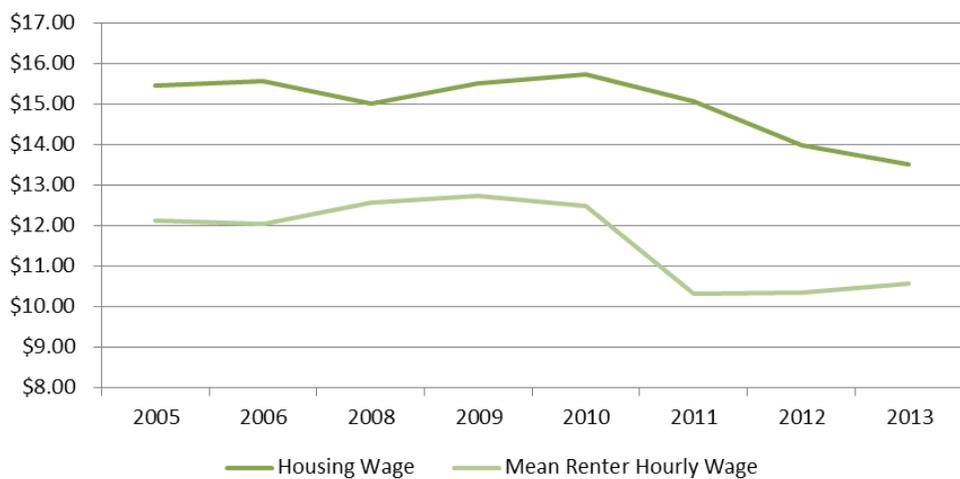
# Housing Trends

### Housing Costs & Income<sup>1,2</sup>



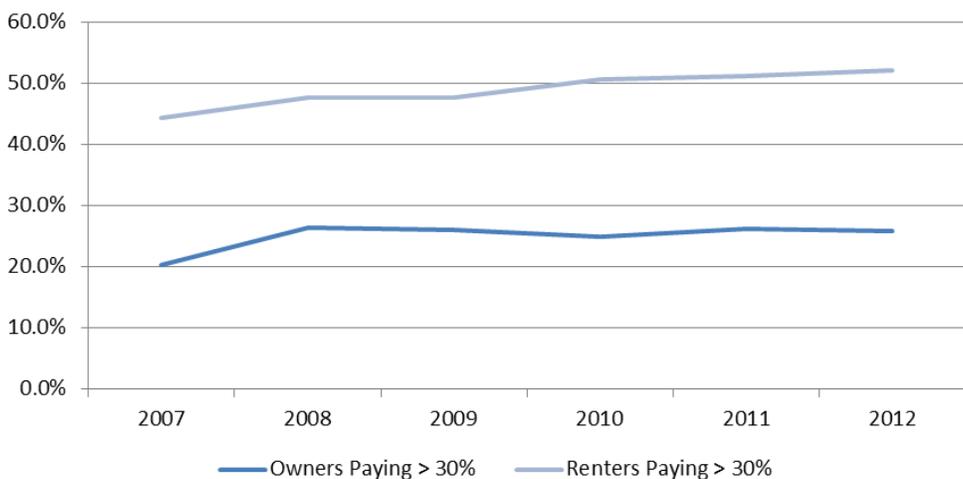
The Median House Value has dropped by 7% between 2007 and 2012, from roughly \$148,000 to \$138,000. With the exception of a spike to \$59,000 in 2009, the Area Median Income has remained relatively steady at around \$57,000. Median Gross Rent has fallen by 8% from \$769 to \$709 per month.

### Hourly Wage Comparison<sup>1</sup>



A housing wage is the full-time hourly wage necessary to afford the rent and utilities of a 2-bedroom apartment at Fair Market Rent, without spending more than 30% of income on housing. In Alamance County this wage is consistently \$3-4 dollars higher than the Mean Renter Hourly Wage. The Mean Renter Hourly Wage has fallen 13% since 2005, from \$12.12 to \$10.58 per hour.

### Affordability<sup>2</sup>

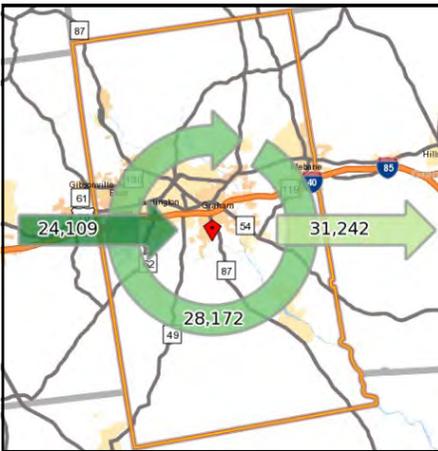


Housing is considered affordable when a household pays no more than 30% of their annual income towards housing costs.<sup>3</sup> The proportion of cost-burdened homeowners has risen from a fifth to a quarter of all homeowners. Renting is increasingly unaffordable; in 2012 one in two renters were cost-burdened, a 7% increase since 2007.

<sup>1</sup>National Low Income Housing Coalition *Out of Reach* <sup>2</sup>ACS 3-Year datasets <sup>3</sup>U.S. HUD \*All values adjusted for inflation to 2013 dollars

# Employment

2012 Total Population 16 years and over: 119,754



Alamance County's accessible location on the I-40 and I-85 corridor in between the Raleigh-Durham area to the east and the Greensboro/Winston-Salem area to the west results in a lot of employment across county lines. In 2011, of the residents who live in Alamance County, 52.6% work outside of the county, and 47.4% both live and work within the county. An additional 24,109 employees, 46.1% of the employees

9.4% unemployed  
77,700 (64.9%) in civilian labor force  
42,004 (35.1%) not in labor force

### Industry Breakdown of

#### Top 25 Employers:

- 7 Education & Health Services
- 6 Manufacturing
- 4 Trade, Transportation & Utilities
- 3 Professional & Business Services
- 2 Construction
- 2 Public Administration
- 1 Leisure & Hospitality

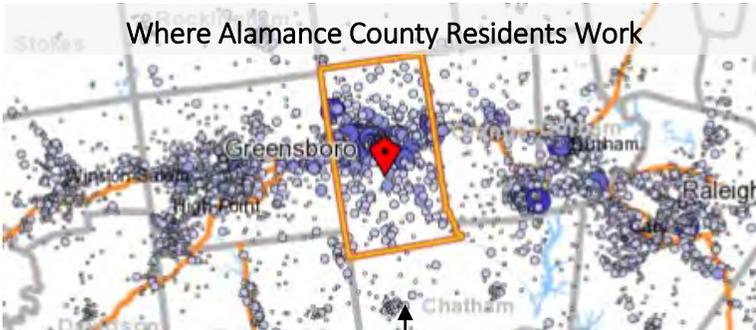
#### 2012 Average Annual Pay, All Industries<sup>4\*</sup>

\$35,137 Alamance County  
\$36,108 Comparable Counties  
\$36,832 Surrounding Counties

in Alamance County, commute from areas outside of the county.<sup>1</sup> The maps below show the spatial distribution of jobs and residences. The mean commute time is 23 minutes. Eighty-two percent of workers drive a car, truck, or van to work alone; another 12% of workers carpool.<sup>2</sup> Half of the top 25 employers are in Education & Health Services and Manufacturing industries, which employ approximately 18,936 people, or 37% of workers.<sup>4</sup> The average annual pay in Alamance County is lower than both its surrounding counties and counties of a similar population size. A location quotient (or industry concentration) analysis reveals that textile mills and apparel manufacturing industries are

5 and 7 times more concentrated in Alamance County than in the state. Conversely, crop and animal production industries are one-fifth as concentrated in the county as compared to the state as a whole.<sup>4</sup>

### Where Alamance County Residents Work



|                              | Count  | Share  | Count  | Share  |
|------------------------------|--------|--------|--------|--------|
| <b>Total Primary Jobs</b>    | 59,414 | 100.0% | 52,281 | 100.0% |
| <b>Less than 10 miles</b>    | 25,695 | 43.2%  | 25,941 | 49.6%  |
| <b>10 to 24 miles</b>        | 13,747 | 23.1%  | 10,648 | 20.4%  |
| <b>25 to 50 miles</b>        | 11,558 | 19.5%  | 7,151  | 13.7%  |
| <b>Greater than 50 miles</b> | 8,414  | 14.2%  | 8,541  | 16.3%  |

### Where Alamance County Employees Live



### Top 10 Employers, 2013 2nd Quarter<sup>3</sup>

| Rank | Company                           | Employees |
|------|-----------------------------------|-----------|
| 1    | Labcorp                           | 1000+     |
| 2    | Alamance-Burlington School System | 1000+     |
| 3    | Alamance Regional Medical Center  | 1000+     |
| 4    | Elon University                   | 1000+     |
| 5    | Alamance County Government        | 500-999   |
| 6    | City of Burlington                | 500-999   |
| 7    | Wal-Mart Associates Inc.          | 500-999   |
| 8    | Honda Power Equipment Mfg Inc.    | 500-999   |
| 9    | Gate City of Burlington Inc.      | 500-999   |
| 10   | Alamance Community College        | 500-999   |

<sup>1</sup>U.S. Census Bureau, LEHD OnTheMap <sup>2</sup>ACS 2008-12. <sup>3</sup>U.S. Bureau of Labor Statistics, QCEW 2012 <sup>4</sup>NC Commerce Department, 2013 2nd Quarter

\*Comparable: Catawba, Davidson, Iredell, Randolph; Surrounding: Caswell, Chatham, Guilford, Orange, Randolph, Rockingham

# Employment Trends

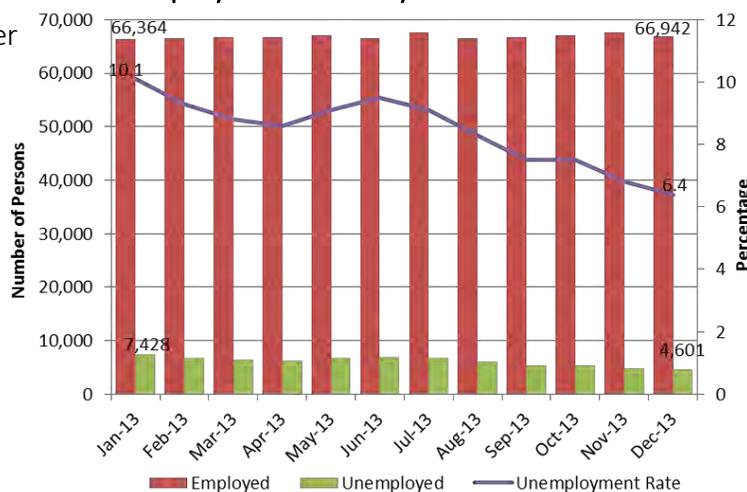
In 2002, Manufacturing made up 28.09% of employment in Alamance County; by 2012 that share dropped to 17.51%. Two sectors, Health Care and Accommodation, saw more than 4% growth over the 10-year period. A pay comparison over the same time period reveals that pay has remained steady for most industry supersectors, but has decreased for Education & Health Services and Professional & Business Services. While real pay in comparable and surrounding counties has remained steady, it has fallen by almost \$2,000 in Alamance County. A 10-year snapshot of employment trends show that the current unemployment rate is lower than in 2003. However, over the past year, the number of employed remains steady while the number of unemployed has significantly dropped; suggesting that many have stopped looking for work and have dropped out of the labor force.

## Top 10 High-Employment Industry Sectors, 2002-2012

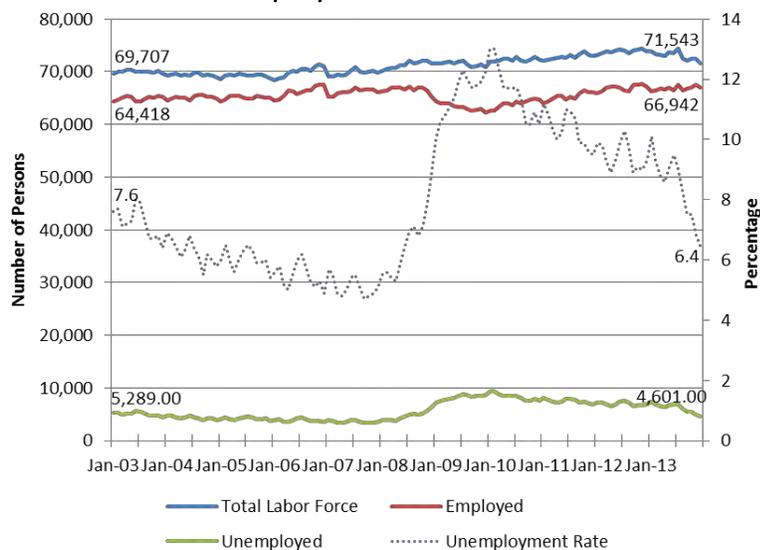
| 2002   | %     | Rank | %     | 2012                                    |
|--|-------|------|-------|---|
| Manufacturing                                | 28.09 | 1    | 17.51 | Manufacturing                           |
| Retail trade                                 | 13.37 | 2    | 16.68 | Health care and social assistance       |
| Health care and social assistance            | 11.33 | 3    | 16.40 | Retail trade                            |
| Accommodation and food services              | 8.35  | 4    | 12.47 | Accommodation and food services         |
| Administrative and waste services            | 7.23  | 5    | 7.28  | Administrative and waste services       |
| Construction                                 | 5.91  | 6    | 4.63  | Construction                            |
| Management of companies and enterprises      | 5.21  | 7    | 4.31  | Wholesale trade                         |
| Wholesale trade                              | 4.02  | 8    | 4.26  | Management of companies and enterprises |
| Finance and insurance                        | 3.46  | 9    | 3.25  | Educational services                    |
| Other services, except public administration | 2.94  | 10   | 2.65  | Finance and insurance                   |

| Top Industry SuperSectors              | Avg. Annual Pay, 2002* | Avg. Annual Pay, 2012* |
|--|------------------------|------------------------|
| Education & Health Services            | 42,477                 | 35,327                 |
| Manufacturing                          | 40,588                 | 40,774                 |
| Trade, Transportation & Utilities      | 32,659                 | 44,156                 |
| Professional & Business Services       | 42,936                 | 28,556                 |
| Construction                           | 37,144                 | 40,036                 |
| Public Administration (Local Gov't)    | 36,393                 | 37,489                 |
| Leisure & Hospitality                  | 14,874                 | 14,193                 |
| <i>All Industries, Alamance County</i> | 37,430                 | 35,652                 |
| <i>All, Comparable Counties</i>        | 36,421                 | 36,637                 |
| <i>All, Surrounding Counties</i>       | 37,586                 | 37,372                 |

## Unemployment January-December 2013<sup>1</sup>



## Unemployment 2003-2013<sup>1</sup>



<sup>1</sup>U.S. Bureau of Labor Statistics <sup>2</sup>by NAICS 2-digit code \*All values adjusted

# Education

Alamance County has seen a marked increase over time in higher education attainment.

However, while Alamance County's educational attainment is higher than counties of comparable population size, it lags behind that of surrounding counties, the state, and the nation as a whole. Almost half of the population aged 25 years and older did not finish high school or has only a high school degree. Lower educational attainment corresponds with higher unemployment rates and lower earnings.

- % College degree or higher
- % Some college
- % Only a high school degree
- % Less than high school

| Educational Attainment<br>Alamance County, 2012 <sup>4</sup> | Unemployment Rate | Median Earnings |
|--|-------------------|-----------------|
| Less than high school  | 10.3%             | \$17,931        |
| High school graduate only                                    | 7.8%              | \$26,386        |
| Some college or Associate's degree                           | 6.1%              | \$31,884        |
| Bachelor's degree or higher                                  | 3.4%              | \$44,819        |
| Graduate or professional degree                              | No Data           | \$57,346        |

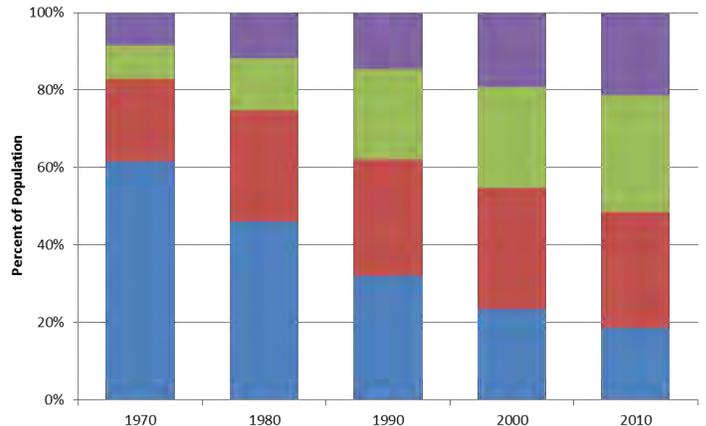
The Alamance-Burlington School System (ABSS) has 26 elementary schools, 7 secondary schools, and 1 combined school, with approximately 22,260 students in attendance. Almost 71% of students graduate high school, of which 45% intend to go on to a four year institution.

| ABSS Figures and Rankings <sup>1</sup>               | Figure  | Statewide Ranking |
|--|---------|-------------------|
| Students Enrolled                                    | 22,260  | 16                |
| Per Pupil Spending                                   | \$7,658 | 109               |
| Per Pupil County Appropriations & Supplemental Taxes | \$1,390 | 51                |

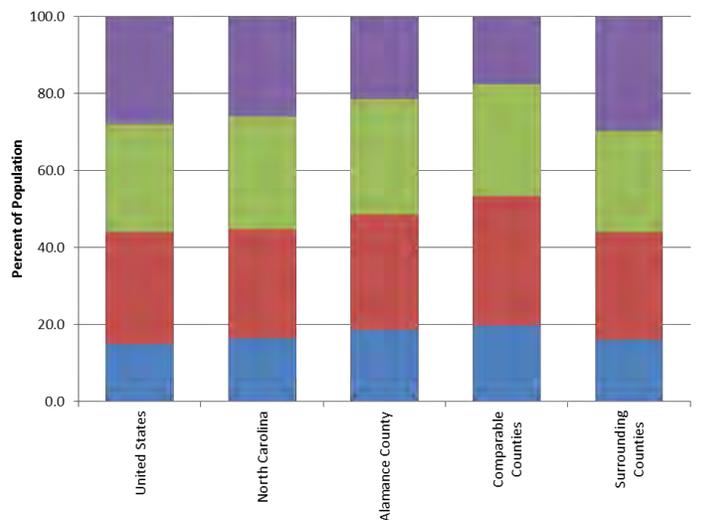
Three charter schools provide an alternative to the public school system and have a total enrollment of 1,039 students.<sup>1</sup>

There are two higher education institutions in the county as well. Alamance Community College, which offers a range of programs for degree-seeking students and continuing education, has 4,677 full-time equivalent students.<sup>2</sup> Elon University, a private four-year university, has 5,225 undergraduates and 691 graduate students enrolled.<sup>3</sup>

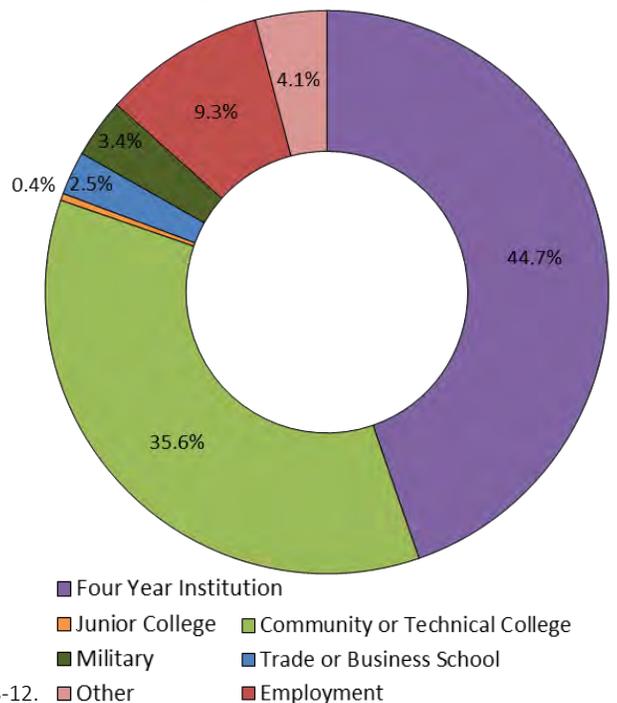
Alamance County's Educational Attainment Over Time



2010 Educational Attainment Comparison



ABSS High School Graduate Intentions



<sup>1</sup>2007-08, NC Public Schools <sup>2</sup>ACC Factbook 2011-12 <sup>3</sup>Elon.edu 2011-12 <sup>4</sup>ACS 2008-12.



**Alamance County Planning Board  
ACTION AGENDA ITEM**

**MEETING DATE:** 3/13/2014

**TO:** Todd Lambert, Chair  
**FROM:** Jason Martin, Planning Manager

**PUBLIC HEARING:**  YES  NO

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**ISSUE/ACTION REQUESTED:**

Presentation of Open Space/Rural Preservation Subdivisions

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**BACKGROUND/PURPOSE OF REQUEST:**

As directed by the Planning Board, Staff has prepared information regarding Open Space & Conservation Subdivisions. At my request, our Planner, Aspen Price, conducted research regarding from various sources and has prepared a memo summarizing this type of development I have included this memo for the Board's information as well. Also enclosed is a rendering of a hypothetical traditional subdivision versus a subdivision utilizing such guidelines; including hypothetical costs for infrastructure, etc. Finally, I have included a draft of potential amendments to the Subdivision Ordinance should the Board wish to pursue the idea further.

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**STAFF RECOMMENDATION:**  APPROVAL  DENIAL  NO RECOMMENDATION

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**ATTACHMENTS:**

- 1) Memorandum (Aspen Price to Jason Martin)
- 2) Drawings & Costs Analysis
- 3) Draft Amendments

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**PLANNING BOARD ACTION**

APPROVED:  DENIED:  DEFFERED:  UNTIL \_\_\_\_\_  
CONDITIONS/NOTES:

To: Jason Martin, Planning Manager

From: Aspen Price, Planner

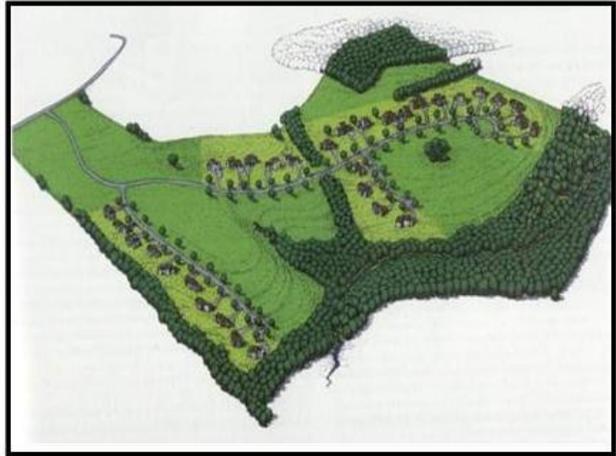
Date: March 3, 2014

Subject: Conservation Subdivisions



Standard Subdivision

Image: [Columbia Land Conservancy](#)



Conservation Subdivision

### *What is a Conservation Subdivision?*

A conservation subdivision is an alternative to a standard subdivision in that it allows developers to group lots into compact clusters and leaves a significant portion of the site, typically 50-70%, as preserved open space. Conservation subdivisions have the same density and number of homes as a standard subdivision, but the location and spacing of those homes is changed.

### *How can Conservation Subdivisions benefit Alamance County?*

- Conservation subdivisions are **efficient development**, as they require less infrastructure and have lower maintenance costs over time as compared to a standard subdivision. On average, a conservation subdivision lot costs \$7,400 less to build than a standard subdivision lot.<sup>1</sup> Because the number and value of homes is the same as in a standard subdivision, the overall tax revenue does not change, but long-term maintenance costs are lower.
- Conservation subdivisions have been shown **to reduce impervious surface by 31%** and have a **38% reduction in stormwater runoff** over standard subdivisions,<sup>2</sup> thus meeting the Jordan Lake rules and in some cases potentially acting as nutrient offsets for other developments. In addition, shared septic, drinking water, and stormwater systems further protect water quality.<sup>3</sup>
- Conservation subdivisions are compatible with Alamance County's **rural heritage**, as they can include space for agricultural uses and preserve the natural vistas and rural feel that are a strong part of Alamance County's heritage. These types of subdivisions protect natural resources without limiting growth. In addition, the option to develop homes on part of a parcel provides a low-impact alternative for landowners who cannot afford to maintain their land as it is, but want to continue to use their property to some degree.

- Conservation subdivisions **preserve property values**. Studies have shown that lots in conservation subdivisions sell in about half the time as lots in standard subdivisions, and home values tend to appreciate faster over time, because of the knowledge that surrounding land will not be developed and the aesthetic of the neighborhood will not change.<sup>4</sup>
- Conservation subdivisions provide **recreation opportunities** for residents, thus both improving their health and quality of life as well as reducing the demand for taxpayer-funded green space.<sup>5</sup> When several conservation subdivisions are developed within proximity of one another, the resulting contiguous greenspace presents an opportunity for linear recreation areas, such as greenways and hiking trails, and protects important habitat and wildlife corridors.

### *Who manages the open space?*

The open space is permanently preserved through deed restrictions, conservation easements, or restrictive covenants, and is typically managed either by a homeowner's association or a land conservancy. In some cases it remains in ownership of the original landowner, who operates a farm or other use on the property. In a few cases the open space is dedicated to a local government as a public park. Many jurisdictions allow this land to be used for low-intensity uses, including buffering, agriculture, selective timber harvesting, passive recreation, storm water detention, and community wells and drainfields.

### *How are wells and septic systems managed when the lots are close together?*

If lots are an acre or larger each, they typically have their own well and septic. If less than an acre, one option is for each house to have an individual septic system, but to locate the leaching fields in the open space. Some conservation subdivisions have a community septic system that serves all houses with leaching fields in the open space. Likewise, two or three houses can share a well, or a community well can serve the entire subdivision.

### *How are density bonuses offered?*

Some jurisdictions provide incentives for choosing a conservation design over a standard subdivision, such as density bonuses or expedited review processes. Density bonuses are generally minimal, at most allowing developers to "round up" when calculating the allowable number of homes, thus yielding one or two additional homes. The reduced cost of construction associated with conservation subdivisions is considered to be enough of an incentive, and conservation subdivisions are not intended to be higher-density uses. A few ordinances offer additional units if the greenspace is dedicated as a public park or if affordable housing is provided, but generally ordinances stress that conservation subdivisions should not significantly differ in the number of units as compared to a standard subdivision.

### *Limitations of Conservation Subdivisions*

- If the open space is being used for agriculture, the agricultural portion needs to be well managed with regards to noise, dust, chemicals, and odor to remain compatible with the residential area.<sup>6</sup>
- Conservation subdivisions are most effective when their open space connects with adjacent open space and can be used for greenways, wildlife corridors, and other contiguous benefits, but the likelihood of several developing adjacent to each other is slim.

- Because Alamance County does not have traditional zoning, it is difficult to target conservation subdivisions for specific parts of the county where certain economic, ecological, or historic features would benefit from a conservation subdivision design.
- Conservation subdivisions tend to sell for a premium of \$13,000 - \$18,000 per acre over standard subdivisions, which can exclude moderate-income buyers.<sup>7</sup>
- There are perceived barriers to conservation subdivisions which inhibit them from actually being constructed. In a study completed by the N.C. Cooperative Extension, 51 North Carolina counties allow conservation subdivisions, but only 26 counties have a completed conservation subdivision.<sup>8</sup> In some jurisdictions, the additional time and money necessary to obtain regulatory permissions, such as waivers and variances, acts as a barrier for some developers.<sup>9</sup> Permitting conservation subdivisions by right, creating clear calculation methods for open space and density, and providing minimal incentives can help encourage the creation of conservation subdivisions.

Conservation subdivisions are advantageous for developers because they cost less to build, lots sell more quickly, and they retain strong property values over time. They provide recreation opportunities for residents and preserve important habitat and wildlife areas. These alternative subdivisions are compatible with the county's rural heritage and address stream buffer and storm water runoff issues in low-cost and effective ways. Conservation subdivisions are an alternative type of development that can preserve the unique characteristics of Alamance County without limiting growth or curbing tax revenue. This wide range of benefits makes a strong case for amending the Alamance County Subdivision Ordinance to include the option of building conservation subdivisions.

#### *Helpful Resources for Additional Information*

NC Cooperative Extension Conservation Subdivision Handbook (Includes a model ordinance):

<http://www.ces.ncsu.edu/forestry/pdf/ag/ag742.pdf>

Atlanta Regional Commission's Conservation Subdivision Ordinances (Includes a model ordinance):

<http://www.scdhec.gov/environment/baq/docs/ModelOrdinances/OtherExamples/GeorgiaConservationSubdivisionToolkit.pdf>

Southwestern Illinois Resource Conservation & Development, Inc. Conservation Subdivision Design Handbook:

[http://conservationtools.org/libraries/1/library\\_items/349-Conservation-Subdivision-Design-Handbook](http://conservationtools.org/libraries/1/library_items/349-Conservation-Subdivision-Design-Handbook)

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<sup>1</sup> Mohamed, Rayman. (2006). The Economics of Conservation Subdivisions: Price Premiums, Improvement Costs, and Absorption Rates. *Urban Affairs Review* 41(3).

[http://www.landchoices.org/conservationsubs/consubs\\_pdfs/consubs\\_economics1.pdf](http://www.landchoices.org/conservationsubs/consubs_pdfs/consubs_economics1.pdf)

<sup>2</sup> N.C. Cooperative Extension. (2009). Conservation Subdivision Handbook: A guide for North Carolina communities in the use of conservation design for land use planning. <http://www.ces.ncsu.edu/forestry/pdf/ag/ag742.pdf>

<sup>3</sup> N.C. Cooperative Extension

<sup>4</sup> Mohamed

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<sup>5</sup> Atlanta Regional Commission. (2001). Conservation Subdivision Ordinances.  
<http://www.scdhec.gov/environment/baq/docs/ModelOrdinances/OtherExamples/GeorgiaConservationSubdivisionToolkit.pdf>

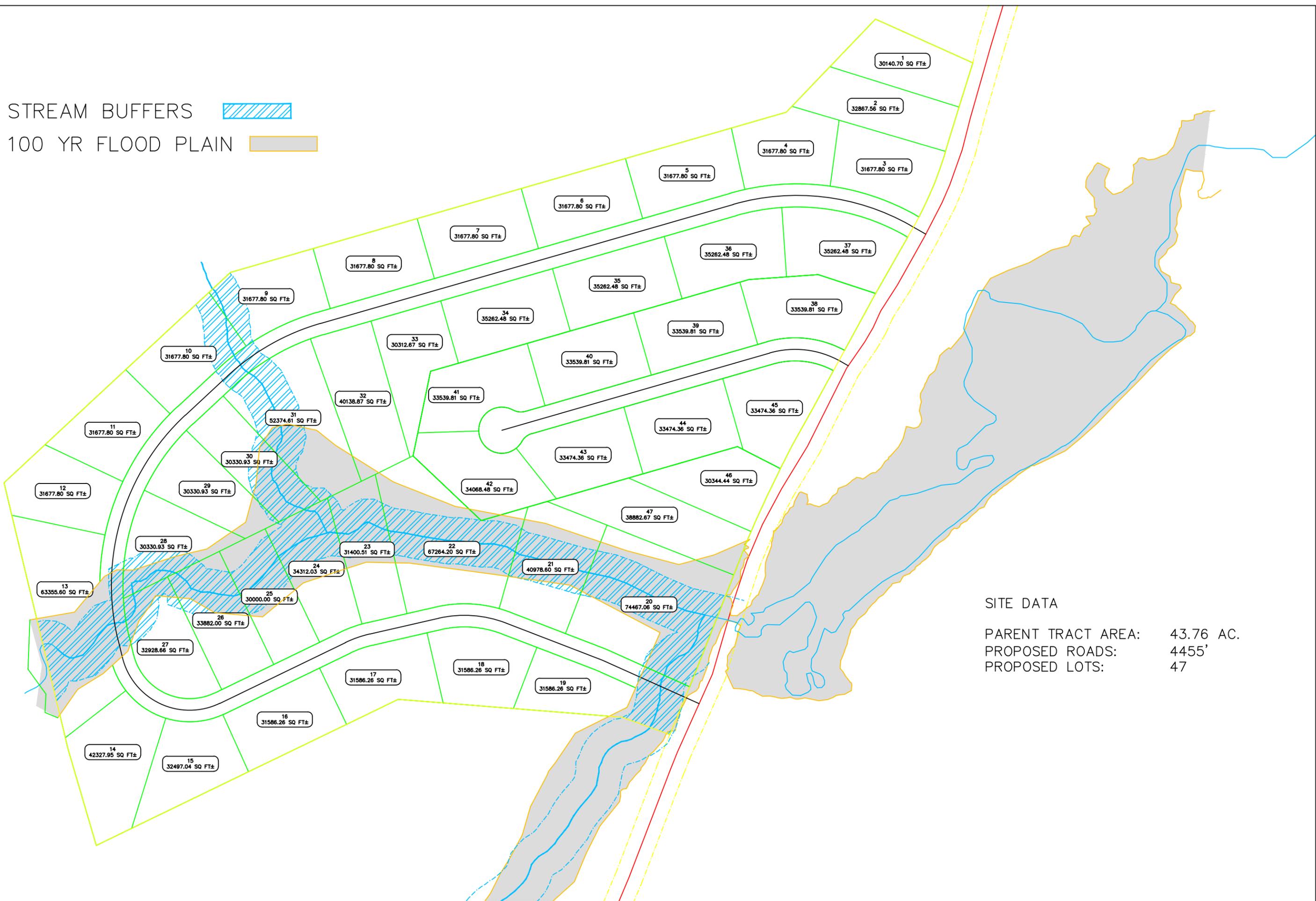
<sup>6</sup> Southwestern Illinois Resource Conservation & Development, Inc. (2006). Conservation Subdivision Design Handbook. [http://conservationtools.org/libraries/1/library\\_items/349-Conservation-Subdivision-Design-Handbook](http://conservationtools.org/libraries/1/library_items/349-Conservation-Subdivision-Design-Handbook)

<sup>7</sup> Mohamed

<sup>8</sup> N.C. Cooperative Extension

<sup>9</sup> Southwestern Illinois Resource Conservation & Development, Inc.

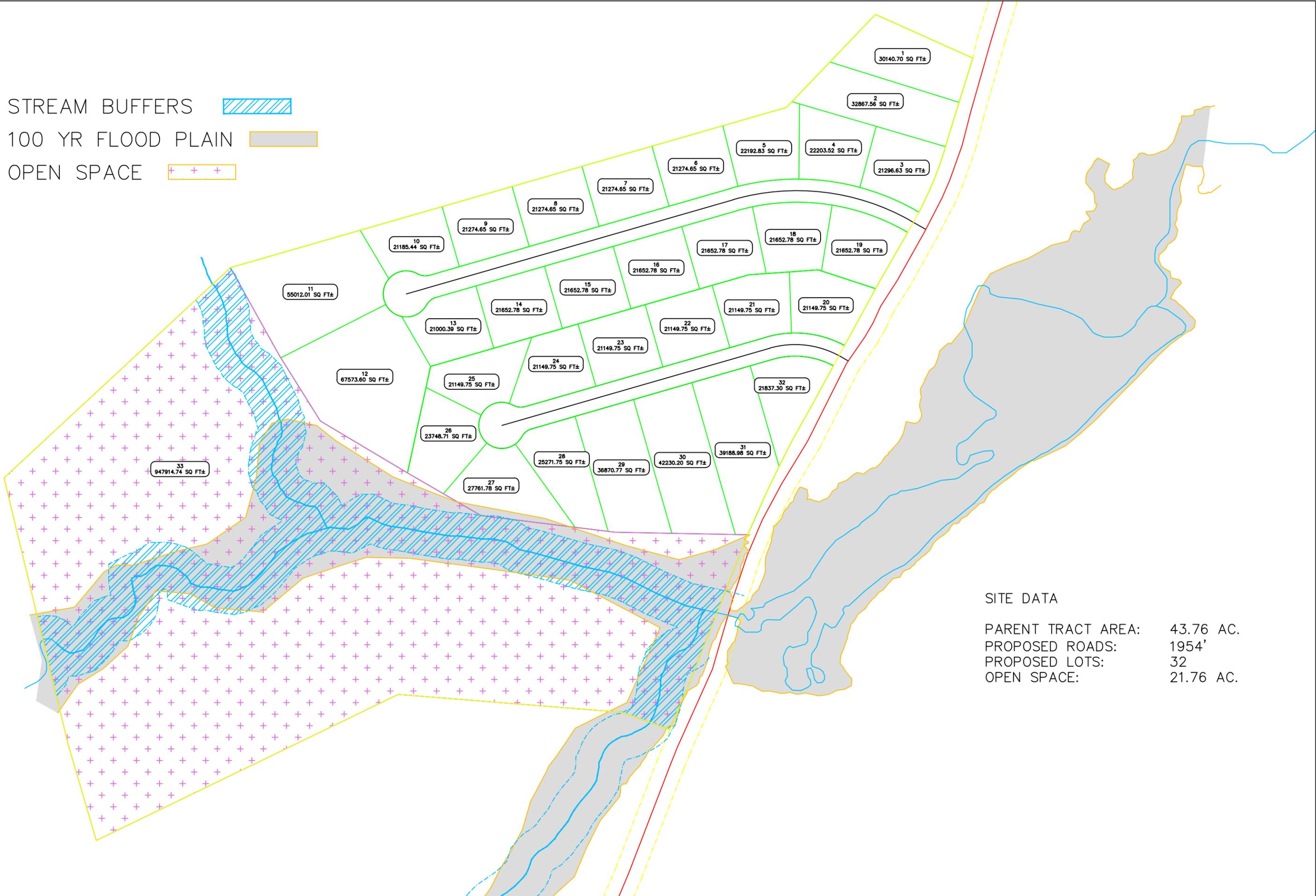
STREAM BUFFERS   
 100 YR FLOOD PLAIN 



SITE DATA  
 PARENT TRACT AREA: 43.76 AC.  
 PROPOSED ROADS: 4455'  
 PROPOSED LOTS: 47

- 1 30140.70 SQ FT±
- 2 32867.56 SQ FT±
- 3 31677.80 SQ FT±
- 4 31677.80 SQ FT±
- 5 31677.80 SQ FT±
- 6 31677.80 SQ FT±
- 7 31677.80 SQ FT±
- 8 31677.80 SQ FT±
- 9 31677.80 SQ FT±
- 10 31677.80 SQ FT±
- 11 31677.80 SQ FT±
- 12 31677.80 SQ FT±
- 13 63355.60 SQ FT±
- 14 42327.95 SQ FT±
- 15 32497.04 SQ FT±
- 16 31586.26 SQ FT±
- 17 31586.26 SQ FT±
- 18 31586.26 SQ FT±
- 19 31586.26 SQ FT±
- 20 74467.06 SQ FT±
- 21 40978.60 SQ FT±
- 22 67264.20 SQ FT±
- 23 31400.51 SQ FT±
- 24 34312.03 SQ FT±
- 25 30000.00 SQ FT±
- 26 33882.00 SQ FT±
- 27 32928.66 SQ FT±
- 28 30330.93 SQ FT±
- 29 30330.93 SQ FT±
- 30 30330.93 SQ FT±
- 31 52374.61 SQ FT±
- 32 40136.87 SQ FT±
- 33 30312.67 SQ FT±
- 34 35262.48 SQ FT±
- 35 35262.48 SQ FT±
- 36 35262.48 SQ FT±
- 37 35262.48 SQ FT±
- 38 33539.81 SQ FT±
- 39 33539.81 SQ FT±
- 40 33539.81 SQ FT±
- 41 33539.81 SQ FT±
- 42 34066.48 SQ FT±
- 43 33474.36 SQ FT±
- 44 33474.36 SQ FT±
- 45 33474.36 SQ FT±
- 46 30344.44 SQ FT±
- 47 38882.67 SQ FT±

STREAM BUFFERS   
 100 YR FLOOD PLAIN   
 OPEN SPACE 



**SITE DATA**  
 PARENT TRACT AREA: 43.76 AC.  
 PROPOSED ROADS: 1954'  
 PROPOSED LOTS: 32  
 OPEN SPACE: 21.76 AC.

## **Scenario #1 (Traditional Subdivision w/no Open Space)**

|   |           |               |             |
|---|-----------|---------------|-------------|
| <b><u>Total Tract Area (acres)</u></b>      | 43.76     |               |             |
| <b><u>Total Open Space (acres)</u></b>      | 0         |               |             |
| <b><u>% Open Space</u></b>                  | 0%        |               |             |
| <b><u>Proposed Roads (Linear ft.)</u></b>   | 4455      | # Lots        | 47          |
| <b><u>Cost (per linear ft.)</u></b>         | \$130     | Lot Price     | \$25,000    |
| <b><u>Total Cost for Infrastructure</u></b> | \$579,150 | Sales Revenue | \$1,175,000 |

**Total Adjusted Profit (Revenue-Cost) \$595,850**

## **Scenario #2 (Subdivision w/ Open Space)**

|   |           |               |           |
|---|-----------|---------------|-----------|
| <b><u>Total Tract Area</u></b>              | 43.76     |               |           |
| <b><u>Total Open Space</u></b>              | 21.76     |               |           |
| <b><u>% Open Space</u></b>                  | 50%       |               |           |
| <b><u>Proposed Roads (Linear ft.)</u></b>   | 1954      | # Lots        | 32        |
| <b><u>Cost (per linear ft.)</u></b>         | \$130     | Lot Price     | \$25,000  |
| <b><u>Total Cost for Infrastructure</u></b> | \$254,020 | Sales Revenue | \$800,000 |

**Total Adjusted Profit (Revenue-Cost) \$545,980**

## **Rural Preservation Subdivisions**

### **General**

The option to construct a Rural Preservation Subdivision shall only apply to subdivisions that meet the criteria for a major subdivision.

### ***Purposes***

The purpose of the voluntary Rural Preservation Subdivision option is to preserve agricultural rural community character that might be lost through conventional development approaches, without limiting growth or curbing tax revenue. To accomplish this goal, greater flexibility and creativity in the design of such developments is encouraged.

### **Open Space Standards**

#### ***Maximum Number of Lots***

The total number of lots allowed in a Rural Preservation Subdivision is equal to the number of lots allowed under traditional subdivision requirements. If the acreage calculation yields a fraction of an allowable lot greater than or equal to 0.5, the developer may include one additional lot in the Rural Preservation Subdivision.

#### ***Minimum Lot Size Requirements***

Subdivisions developed under these guidelines shall require a minimum of lot size of 20,000 square feet

#### ***Minimum Building Setback Requirements***

Minimum building setbacks for subdivisions developed under these guidelines shall be as follows:

- Front: 25' (from the right-of-way)
- Side: 10'
- Side Street: 15' (from the right-of-way)
- Rear: 20'

#### ***Open Space Requirements***

All Rural Preservation Subdivisions shall maintain, at a minimum, 50% of the project area as open space in the subdivision design; Rural Preservation Subdivision 50% of the total land area as open space, of which half must be buildable area. Open space shall include lands that meet the criteria for target conservation areas and shall be contiguous.

#### ***Target Conservation Area Criteria***

Target conservation areas may include, but are not limited to, the following features:

1. Floodplains and Hydric Soils. *Floodplains* (100-year and 500-year) and hydric soils identified as part of: (1) a *Flood Insurance Study* prepared by the Federal Emergency Management Agency (*FEMA*); or (2) the County Soil Survey prepared by the USDA Natural Resources Conservation Service.

2. Riparian Buffers
3. Viewsheds
4. Forest Cover

***Permitted Uses of Open Space***

Permitted uses of open space may include the following:

1. Conservation. Conservation of natural resources, archeological resources or historical resources.
2. Agriculture. Agriculture, horticulture, or silviculture, provided that all applicable best management practices are used to minimize environmental impacts.
3. Passive Recreation.
4. Stormwater Management. All Best Management Practices (BMP) for stormwater control.
5. Utility Easements. Easements for drainage, access, and underground utility lines.
6. Community Wells and Sewage Systems.

***Prohibited Uses of Open Space***

Construction of roads, parking lots and other impervious surfaces.

***Water supply and sewage disposal facilities***

Water supply and sewage disposal facilities to serve Rural Preservation Subdivisions may be provided through the use of various alternatives, including:

- Individual wells and septic tanks located either on each lot or in off-lot locations within undivided open space areas designated for such uses on the Final Plat, and protected through recorded easements; or
- A community water supply and/or sewage disposal system designed, constructed, and maintained in conformity with all applicable state, federal, and local rules and regulations; or
- Connection to a water supply 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 Open Space Development for which the system is extended; or
- A combination of the above alternatives.

***Ownership and Management of Open Space***

The applicant must identify the current and future owner(s) of the open space who is responsible for maintaining such the open space area and any associated facilities. If a homeowners' association is the owner, membership in the association shall be mandatory and automatic for all homeowners within the subdivision and their successors and the association shall have lien authority to ensure the collection of dues from all members. The responsibility for maintaining the open space and any facilities located thereon shall be borne by the owner.

***Legal Instrument for Permanent Protection***

Open space proposed for an Rural Preservation Subdivision shall be protected in perpetuity by a binding legal document that is recorded with the deed. The document shall be one of the following three (3) options:

1. Permanent Conservation Easement. A permanent conservation easement in favor of either:
  - a. A land trust or similar conservation-oriented non-profit organization with legal authority to accept such easements. The organization shall be bona fide and in perpetual existence and the conveyance instruments shall contain an appropriate provision for retransfer in the event the organization becomes unable to carry out its functions; or
2. Permanent Restrictive Covenant. A permanent restrictive covenant for conservation purposes. In cases where a permanent restrictive covenant is used, the restrictive covenant shall be recorded in conjunction with the plat(s) and shall be a separate document from other restrictive covenants prepared for the development.
3. An equivalent legal tool that provides permanent protection, if approved by the County Attorney.

## **Procedures for Application and Approval**

### ***Pre-Development Conference Required***

Those desiring to create a Rural Preservation Subdivision are required to schedule a pre-development conference with staff from the Planning Department and Environmental Health. This conference will be used to obtain a general understanding of the proposed subdivision through the review of a sketch plan and to allow staff to adequately address and convey to the developer the requirements of this Ordinance.

### ***Application and Approval Process***

After the pre-development conference requirement has been met, Rural Preservation Subdivision applicants must follow the procedures for application and approval as required for a traditional major subdivision listed in Article V.