

20. Moderate Income Housing. The original CUP approval for Briar Chapel split the 5% Moderate Income Housing obligation into two parts: (a) 2.5% payment in lieu over time and (b) 2.5% satisfied in the form of 60 lots to be contributed over the course of the development. With regard to the original payment in lieu cash obligation for the originally approved 2,389 units, Applicant and County agreed that Applicant would contribute \$1,100,000.00 to the County for the purpose of ameliorating the housing needs of Chatham County citizens. Said contribution has been and shall be payable to Chatham County on a prorated basis (\$460.44/unit) upon final subdivision plat approval of each phase of the development, or, in the case of multi-family dwellings, upon issuance of a building permit for each structure containing multi-family dwellings. Such contribution represents the approximate value of 2.5% of the 2,389 approved lots in said overall development or phase thereof as applicable. In 2012, tThe prior obligation to contribute 60 2.5% of the approved 2,389 lots was substituted by the County for a \$900,000 lump sum payment in lieu pursuant to an approved Payment-in-Lieu Contract between the County and Applicant, dated November 16, 2012, as amended. That portion of the obligation has been fully satisfied by Applicant. As part of this 2017 CUP Amendment, in order to address any developed residential units in excess of 2,389, Applicant has agreed to pay a fee in lieu of \$920.88 per each residential unit, whether single family or multi-family, developed in excess of 2,389. For single family units, this fee will be paid at the time of final plat recordation. For multi-family units, this fee will be paid at the time of building permit issuance and will be calculated based on the number of multi-family units contained in each permitted building.