

## EXHIBIT B

### JUSTIFICATION FOR PROPOSED AMENDMENT TO THE COMPACT COMMUNITIES ORDINANCE

Applicant seeks approval of a text amendment to the Compact Communities Ordinance (the “CCO”) to make additional property eligible for development under the CCO (the “Text Amendment”).

Section 6.1 of the CCO states that compact communities shall only be allowed in areas located within the portion of Northeast Chatham County described in 6.1.D. and more particularly described on the map attached to the CCO (the “CCO Map”). The Text Amendment simplifies the description of the CCO boundary in Section 6.1.D and expands the CCO Map to include approximately 184 acres of property (the “Property”). Portion of two of the parcels to be added are already included in the CCO Map. The aim of the Text Amendment is to further the CCO’s goal of promoting new communities that support mixed-use development that respects open spaces and the rural character of the County.

Over the last twenty years, the 15-501 corridor has developed to include village type mixed use residential communities-- most notably Briar Chapel and Fearington Village. The Property is directly adjacent to Briar Chapel and west of Fearington Village and Galloway Ridge directly across 15-501. Although, the Future LandUse and Conservation Plan designates a portion of the Property for rural/agricultural, the easternmost portion of the Property is designated as Village & Village Center.

The Text Amendment would, in accordance with Land Use Policy 3 facilitate walkable mixed-use communities that respect the traditional development patterns of Chatham County , protect open space, encourage biking and walking, and may include a mix of housing types, parks and open space, and other uses including but not limited to restaurants, retail establishments which could include a farmers’ market and more space for arts and culture.

Additionally, the Text Amendment would facilitate and allow development under the CCO which allows greater flexibility to design a walkable, mixed use development with a mix of housing types, open space, and commercial development. This would include the dedication of land in the CCO for the construction of affordable housing. The applicant has already met with County and TJCOG staff on this important public policy issue as well as representation from the county’s affordable housing task force. The applicant is committed to a pathway for said housing to be constructed.

The Text Amendment is consistent with the following goals and policies of the Comprehensive Plan:

#### **Land Use**

**Recommendation 1: Concentrate future growth in compact, walkable, development located in municipalities as well as existing and planned growth areas. Chapter 4 Pg. 62**

*Development under the CCO would allow compact development in a relatively small area which would be balanced with conservation of large swaths of open space and parks and the preservation of Pokeberry Creek which would preserve the rural character of Chatham County.*

**Policy 2: Direct development of any intensity requiring public utilities and other urban services to planned growth areas. Chapter 4 Pg. 62**

*The Property is directly adjacent to the Briar Chapel Community and located on Morris Road across 15-501 from Fearington Village. The Comprehensive Plan Acknowledges that this area is one of the more urban*

*areas within the County. Locating new development in close proximity to these existing growth areas already designated as a Village Center under the Future Land Use Map will reduce impacts to natural resources and lessen infrastructure burdens. This will allow the existing utilities to be enhanced and expanded as encouraged by Land Use Policy 2 and will support new and existing commercial areas.*

**Policy 3: Facilitate well-designed, walkable, mixed use communities that fit the character and scale of Chatham County within areas indicated as suitable on the Future Land Use Map including within and near Community and Neighborhood Centers, Village Centers, in Crossroad Communities and within Compact Residential Areas. Chapter 4 Pg. 63**

*The objective of the Text Amendment to provide for additional density in exchange for preservation of open space to allow for a mixed-use community.*

**Recommendation 3: Bring open space in its many forms to the forefront, making it a key/integral component of the development pattern. Chapter 4 Pg. 68**

*The Applicant plans the preservation and dedication of different types of open space including possible preservation and restoration of streams, wetlands and wildlife habitat, possibly through easements and the development of walking/biking trails and parks and active recreational facilities such as play fields.*

**Policy 9: Limit development in Conservation Areas. Chapter 4 Pg. 68**

*No development would be permitted in Conservation Areas.*

**Policy 10: Encourage integrated open space in new development. Chapter 4 Pg. 69**

*As stated above, it is anticipated that active recreation areas such as walking/biking trails and play fields would be integrated into the development, encouraging active enjoyment of open spaces by residents and the public.*

**Policy 13: Coordinate with schools, parks and recreation, towns, and developers to anticipate future land needs. Chapter 4 Pg. 69**

*If the Text Amendment is approved, the Applicant would plan to coordinate with school and County officials to address future school, park and greenway sites.*

## **Housing**

**Policy 1: Encourage the incorporation of affordable and workforce housing in new developments. Chapter 4 Pg. 72**

**Policy 2: Accommodate and incentivize affordable and workforce housing. Chapter 4 Pg. 73**

*It is anticipated that the future development facilitated by the Text Amendment will include affordable and/or workforce and/or senior housing which could be developed by the Applicant or its successors, an affordable/work force/senior housing developer or the County. As set forth above, the Applicant has already met with County and affordable housing task force officials and is committed to meaningful affordable housing development within the expanded CCO boundary.*

## **Health**

**Policy 12: Establish framework for guiding public and private investments so the end results are environments that are conducive to healthier living. Chapter 4 Pg. 86**

**Recommendation 7: Improve park, recreation, and open space system for better health. Chapter 4 Pg. 87**

**Policy 14: Encourage conservation for environmental health. Chapter 4 Pg. 88**

*The ultimate development of the property being added to the CCO boundaries will emphasize open space, clean air and water and recreation to promote active lifestyles and healthier communities.*

#### **Natural Resources**

**Policy 1: Ensure long-term quality of water resources. Chapter 4 Pg. 104**

*Restoration and conservation of Pokeberry Creek will be a priority in any development of this land area.*

#### **Parks and Recreation**

**Policy 2: Address recreational and open space priorities through planning efforts. Chapter 4 Pg. 121**

**Policy 3: Increase the number and mileage of trails and greenways. Chapter 4 Pg. 122**

**Policy 4: Partner with municipalities and private developers to improve access to recreation facilities. Chapter 4 Pg. 123**

*Applicant intends to devote significant time and resources to work with the County and land use professionals to develop active and passive open space including parks, recreational facilities and greenways.*

#### **Transportation**

**Recommendation 2: Promote active transportation Chapter 4 Pg. 128**

**Policy 4: Work with public and private partners to build a connected network of greenways and trails as shown on the Parks, Recreation and Open Space Concept Map. Chapter 4 Pg. 128**

*The Applicant anticipates working with the County and other nearby communities to connect its greenway trails as shown on County maps and otherwise if possible.*

#### **Utilities and Public Services**

**Recommendation 1: Support the desired development pattern with utility policies and public services. Chapter 4 Pg. 138**

**Policy 1: Ensure adequate utilities and public services to support the desired development pattern. Chapter 4 Pg. 138**

**Recommendation 2: Support environmental, economic and other objectives with utility policies and public services. Chapter 4 Pg. 139**

*The provision of utility service is the greatest challenge to development of the property in this general area, including property sought to be added to the CCO.*

*The proposed area and the land owned by the Applicant are within the contiguous extended service area "ESA" for at least one privately regulated wastewater utility and within close proximity to another. The Applicant has met with local community members as well to discuss the wastewater issue in the region as well as the short term and long term solutions for all stakeholders.*

*The Comprehensive Plan states that “it is likely that distributed private and public systems will be needed to meet environmental and economic goals.” The Text Amendment and subsequent development of the Property under the CCO could and should allow coordination with existing development along 15-501 to create a regional sanitary sewer solution.*

*The Applicant believes its attainment of utility services will lead to enhanced facilities for this part of Chatham County, improved service and increased cooperation among private developers, neighborhoods, the County and NC Utilities Commission.*