

Amendments to the Watershed Protection Ordinance are highlighted in pink. The amendments are intended to provide for increased densities proposed for conservation subdivisions through the Subdivision Regulations.

Section 109. General Definitions.

Conservation Subdivision. An alternative approach to the subdivision of land where large, contiguous blocks of open space are preserved. Developments designed under this approach are granted a density bonus for the developed areas; however under no circumstance is the development allowed to exceed the minimum state mandated watershed district requirements.

Section 302. Watershed Areas Described.

(A) WS-II Watershed Areas - Balance of Watershed (WS-II-BW)

(1) Allowed Uses:

(a) Agriculture, subject to the provisions of the Food Security Act of 1985 and the Food, Agricultural, Conservation and Trade Act of 1990. Agricultural activities conducted after January 1, 1993 shall maintain a minimum ten (10) foot vegetative buffer, or equivalent control as determined by the Soil and Water Conservation Commission, along all perennial waters indicated on the most recent versions of U.S.G.S. 1:24,000 (7.5 minute) scale topographic maps or as determined by local government studies. Animal operations greater than 100 animal units shall employ Best Management Practices by July 1, 1994 recommended by the Soil and Water Conservation Commission.

(b) Silviculture, subject to the provisions of the Forest Practices Guidelines Related to Water Quality (15 NCAC 1I.6101-.0209).

(c) Residential development.

(d) Non-residential development - limited to those permitted uses in attachment A.

(2) Density and Built-upon Limits:

(a) Single Family Residential--development shall

not exceed one dwelling unit per 40,000 square feet on a project by project basis. No residential lot shall be less than 40,000 square feet, except within an approved cluster development.

(b) All Other Residential and Non-Residential--development shall not exceed twelve percent (12%) built-upon area on a project by project basis. No residential lot or non-residential lot shall be less than 40,000 square feet, except within an approved cluster development.

(3) Prohibited Uses:

- (a) New sludge application site
- (b) New landfills
- (c) Petroleum contaminated soil remediation
- (d) Toxic or hazardous materials unless specifically in relation to a permitted use and unless a spill containment plan is approved and implemented.

(B) WS-III Watershed Areas - Critical Area (WS-III-CA).

(1) Allowed Uses:

(a) Agriculture, subject to the provisions of the Food Security Act of 1985 and the Food, Agriculture, Conservation and Trade Act of 1990. Agricultural activities conducted after January 1, 1993 shall maintain a minimum ten (10) foot vegetative buffer, or equivalent control as determined by the Soil and Water Conservation Commission, along all perennial waters indicated on the most recent versions of U.S.G.S. 1:24,000 (7.5 minute) scale topographic maps or as determined by local government studies. Animal operations greater than 100 animal units shall employ Best Management Practices by July 1, 1994 recommended by the Soil and Water Conservation Commission.

(b) Silviculture, subject to the provisions of the Forest Practices Guidelines Related to Water Quality (15 NCAC 1I.6101-.0209).

(c) Residential.

(d) Non-residential development - limited to those permitted uses listed in attachment A.

(2) Density and Built-upon Limits:

(a) Single Family Residential--development shall not exceed one dwelling unit per acre on a project by project basis. No residential lot shall be less than 40,000 square feet, except within an approved cluster development.

(b) All Other Residential and Non-Residential--development shall not exceed twelve percent (12%) built-upon area on a project by project basis. For the purpose of calculating built-upon area, the total project area shall include total acreage in the tract on which the project is to be developed. No residential lot or non-residential lot shall be less than 40,000 square feet, except within an approved cluster development.

(3) Prohibited Uses:

- (a) New sludge application sites
- (b) New landfills
- (c) Petroleum contaminated soil remediation
- (d) Toxic or hazardous materials unless

specifically in relation to a permitted use and unless a spill containment plan is approved and implemented.

(C) WS-III Watershed Areas - Balance of Watershed (WS-III-BW).

(1) Allowed Uses:

(a) Agriculture, subject to the provisions of the Food Security Act of 1985 and the Food, Agricultural, Conservation and Trade Act of 1990. Agricultural activities conducted after January 1, 1993 shall maintain a minimum ten (10) foot vegetative buffer, or equivalent control as determined by the Soil and Water Conservation Commission, along all perennial waters indicated on the most recent versions of U.S.G.S. 1:24,000 (7.5 minute) scale topographic maps or as determined by local government studies. Animal operations greater than 100 animal units shall employ Best Management Practices by July 1, 1994 recommended by the Soil and Water Conservation Commission.

(b) Silviculture, subject to the provisions of the

Forest Practices Guidelines Related to Water Quality (15 NCAC 1I.6101-.0209).

(c) Residential development.

(d) Non-residential development

(2) Density and Built-upon Limits:

(a) Single Family Residential--development shall not exceed one (1) dwelling unit per acre, as defined on a project by project basis, except within conservation subdivisions that shall not exceed two (2) dwelling units per acre, as defined on a project by project basis. No residential lot shall be less than 40,000 square feet, except within an approved cluster development (#6), ~~or~~ compact community, or conservation subdivision.

(b) All Other Residential and Non-Residential--development shall not exceed twenty-four percent (24%) built-upon area on a project by project basis except that up to five percent (5%) of the balance of the watershed may be developed for non-residential uses to seventy percent (70%) built-upon area on a project by project basis when approved as a special non-residential intensity allocation. The Watershed Administrator is authorized to approve SNIAs consistent with the provisions of this ordinance. Projects must minimize built-upon surface area, direct stormwater away from surface waters and incorporate Best Management Practices to minimize water quality impacts. For the purpose of calculating built-upon area, total project area shall include total acreage in the tract on which the project is to be developed. No residential or non-residential lot shall be less than 40,000 square feet, except within an approved cluster development (#6), ~~or~~ compact community, or conservation subdivision.

(3) Prohibited Uses:

(a) New sludge application sites.

(b) New landfills

(c) Petroleum contaminated soil remediation

(d) The storage of toxic and hazardous materials unless a spill containment plan is approved and implemented.

(D) WS-IV Watershed Areas - Critical Area (WS-IV-CA)

(1) Allowed Uses:

(a) Agriculture subject to the provisions of the Food Security Act of 1985 and the Food, Agriculture, Conservation and Trade Act of 1990. Agricultural activities conducted after January 1, 1993 shall maintain a minimum ten (10) foot vegetative buffer, or equivalent control as determined by Soil and Water Conservation Commission, along all perennial waters indicated on the most recent versions of U.S.G.S. 1:24,000 (7.5 minute) scale topographic maps or as determined by local government studies. Animal operations greater than 100 animal units shall employ Best Management Practices by July 1, 1994 recommended by the Soil and Water Conservation Commission.

(b) Silviculture, subject to the provisions of the Forest Practices Guidelines Related to Water Quality (15 NCAC 1I.6101-.0209).

(c) Residential.

(d) Non-residential development - limited to those permitted uses listed in attachment A except 1,000 feet from the intersection of U.S. 64 and S.R. 1008 where non-residential allowed, according to the business uses of attachment B.

(#3) (e) In the Jordan Lake Critical Area only, and subject to the limitations hereinafter set forth, there shall be allowed: computer sales and service; internet service providers; art and craft sales; clothing sales; fishing equipment sales; sale, rental and service of water sports equipment; and consultation services such as financial, marriage, personal and any other type of individual or group counseling. Uses allowed under this subparagraph (e) shall be subject to the following:

(I) Uses enumerated shall be allowed on at least one road classified as a collector road, or higher classification; and

(II) The use area shall be restricted to a location within 500 feet of a road

intersection, and

- (III) The land area involved at a quadrant of an intersection shall not be greater than two acres, and
- (IV) All uses involving the storage of toxic, hazardous, or highly flammable substances shall be prohibited.

(#5) (f) In the Jordan Lake Critical Area only, and subject to the limitations hereinafter set forth, there shall be allowed: high-tech precision computerized machine shop to Attachment A. Uses allowed under this subparagraph (f) shall be subject to the following:

- (I) The amendment shall be applicable to the Jordan Lake Critical Area only.
- (II) To keep the area of land used for this use at a minimum the property shall be no larger than 5 acres in size or the percentage of area devoted to said use shall be reduced such that it does not exceed that used for a 5 acre tract.
- (III) Liquids used in the operational processes of the industry shall be stored under cover with spill containment equal to at least one half the volume of the liquid stored."

(2) Density and Built-upon Limits:

(a) Single Family Residential--development shall not exceed one dwelling unit per acre on a project by project basis, except within conservation subdivisions that shall not exceed two (2) dwelling units per acre, as defined on a project by project basis. No residential lot shall be less than 40,000 square feet, except within an approved cluster development or conservation subdivision.

(b) All Other Residential and Non-Residential--development shall not exceed twenty-four percent (24%) built-upon area on a project by project basis. For the purpose of calculating the built-upon area, total project area shall include total acreage in the tract on

which the project is to be developed. No residential lot or non-residential lot shall be less than 40,000 square feet, except within an approved cluster development or conservation subdivision.

(3) Prohibited Uses:

- (a) New sludge application sites
- (b) New landfills
- (c) Petroleum contaminated soil remediation
- (d) Toxic or hazardous materials unless specifically in relation to a permitted use and unless a spill containment plan is approved and implemented.

(E) WS-IV Watershed Areas - Protected Area (WS-IV-PA).

(1) Uses Allowed:

(a) Agriculture, subject to the provisions of the Food Security Act of 1985 and the Food, Agricultural, Conservation and Trade Act of 1990. Agricultural activities conducted after January 1, 1993 shall maintain a minimum ten (10) foot vegetative buffer, or equivalent control as determined by the Soil and Water Conservation Commission, along all perennial waters indicated on the most recent versions of U.S.G.S. 1:24,000 (7.5 minute) scale topographic maps or as determined by local government studies. Animal operations greater than 100 animal units shall employ Best Management Practices by July 1, 1994 recommended by the Soil and Water Conservation Commission.

(b) Silviculture, subject to the provisions of the Forest Practices Guidelines Related to Water Quality (15 NCAC 1I.6101-.0209).

(c) Residential development.

(d) Non-residential development

(2) Density and Built-upon Limits:

(a) Single Family Residential--development shall not exceed one (1) dwelling unit per acre, as defined on a project by project basis, except within conservation subdivisions that shall not exceed two (2) dwelling units per acre, as defined on a project by project basis. No residential lot shall be less than 40,000 square feet except within an approved cluster development (#6), ~~or~~ compact community, or conservation subdivision.

(b) All Other Residential and Non-Residential--development shall not exceed twenty-four percent (24%) built-upon area on a project by project basis. For projects without a curb and gutter street system, development shall not exceed thirty-six percent (36%) built-upon area on a project by project basis. For the purpose of calculating built-upon area, total project area shall include acreage in the tract on which the project is to be developed. No residential or non-residential lot shall be less than 40,000 square feet, except within an approved cluster development (#6), ~~or~~ compact community, or conservation subdivision.

(3) Prohibited Uses:

(a) The storage of toxic and hazardous materials unless a spill containment plan is approved and implemented.

(F) River Corridor (RC)

(1) Allowed Uses:

(a) Agriculture, subject to the provisions of the Food Security Act of 1985 and the Food, Agricultural, Conservation and Trade Act of 1990. Agricultural activities conducted after January 1, 1993 shall maintain a minimum ten (10) foot vegetative buffer, or equivalent control as determined by the Soil and Water Conservation Commission, along all perennial waters indicated on the most recent versions of U.S.G.S. 1:24,000 (7.5 minute) scale topographic maps or as determined by local government studies. Animal operations greater than 100 animal units shall employ Best Management Practices by July 1, 1994 recommended by the Soil and Water Conservation Commission.

(b) Silviculture, subject to the provisions of the Forest Practices Guidelines Related to Water Quality (15 NCAC 11.6101-.0209).

(c) Residential development.

(d) Non-residential development listed as permitted uses in attachment A.

(2) Density and Built-upon Limits:

(a) Single Family Residential--development shall average one dwelling unit per five (5) acres on a project by project basis, except within conservation subdivisions that shall not exceed one (1) dwelling unit per acre, as defined on a project by project basis. No residential lot shall be less than three (3) acres, except within an approved cluster development, ~~or~~ a family subdivision may have lots a minimum of two acres in size, or conservation subdivision. (#1)

(b) All Other Residential and Non-Residential--development shall not exceed twelve percent (12%) built-upon area on a project by project basis. The minimum lot size shall be five (5) acres. No residential lot or non-residential lot shall be less than (5) acres except within an approved cluster development or conservation subdivision.

(3) Prohibited Uses:

(a) New sludge application sites

(b) New landfills

(c) Petroleum contaminated soil remediation

(d) Buildings, equipment or material storage within the 100 year flood hazard area as designated on the most recent "Flood Hazard Boundary Map Chatham County Unincorporated Areas"

(e) Toxic or hazardous materials unless specifically in relation to a permitted use, and unless a spill containment plan is approved and implemented.

(G) River Corridor Special Area - (RCSA):

(1) Uses Allowed:

(a) Agriculture, subject to the provisions

of the Food Security Act of 1985 and the Food, Agricultural, Conservation and Trade Act of 1990. Agricultural activities conducted after January 1, 1993 shall maintain a minimum ten (10) foot vegetative buffer, or equivalent control as determined by the Soil and Water Conservation Commission, along all perennial waters indicated on the most recent versions of U.S.G.S. 1:24,000 (7.5 minute) scale topographic maps or as determined by local government studies. Animal operations greater than 100 animal units shall employ Best Management Practices by July 1, 1994 recommended by the Soil and Water Conservation Commission.

(b) Silviculture, subject to the provisions of the Forest Practices Guidelines Related to Water Quality (15 NCAC 11.6101-.0209).

(c) Residential development.

(d) Non-residential development.

(2) Density and Built-upon Limits:

(a) Single Family Residential--development shall not exceed one (1) dwelling unit per acre, as defined on a project by project basis, except within conservation subdivisions that shall not exceed two (2) dwelling units per acre, as defined on a project by project basis. No residential lot shall be less than 40,000 square feet except within an approved cluster development or conservation subdivision.

(b) All Other Residential development shall not exceed twenty-four percent (24%) built-upon area on a project by project basis. For projects without a curb and gutter street system, development shall not exceed thirty-six percent (36%) built-upon area on a project by project basis. In addition, non-residential uses may occupy fifty percent (50%) built-upon area when approved as a special non-residential intensity allocation (SNIA). The Watershed Administrator is authorized to approve SNIAs consistent with the provisions of this ordinance. Projects must minimize built-upon surface area, direct stormwater away from surface waters and incorporate Best Management Practices to minimize water quality impacts. For the purpose of calculating built-upon area, total project area shall include acreage in the tract on which the

project is to be developed. No residential or non-residential lot shall be less than 40,000 square feet, except within an approved cluster development or conservation subdivision.

(3) Prohibited Uses:

- (a) New sludge application sites
- (b) New landfills
- (c) Petroleum Contaminated soil remediation
- (d) Buildings, equipment or material storage within the 100 year flood hazard area as designated on the most recent "Flood Hazard Boundary Map Chatham County Unincorporated Areas"
- (e) Toxic or hazardous materials unless a spill containment plan is approved by the County Fire Inspector and implemented.

(H) Local Watershed Area - (LWA):

(1) Allowed Uses:

(a) Agriculture, subject to the provisions of the Food Security Act of 1985 and the Food, Agricultural, Conservation and Trade Act of 1990. Agricultural activities conducted after January 1, 1993 shall maintain a minimum ten(10)foot vegetative buffer, or equivalent control as determined by the Soil and Water Conservation Commission, along all perennial waters indicated on the most recent versions of U.S.G.S. 1:24,000 (7.5 minute) scale topographic maps or as determined by local government studies. Animal operations greater than 100 animal units shall employ Best Management Practices by July 1, 1994 recommended by the Soil and Water Conservation Commission.

(b) Silviculture, subject to the provisions of the Forest Practices Guidelines Related to Water Quality (15 NCAC 11.6101-.0209).

(c) Residential development.

(d) Non-residential development.

(2) Density and Built-upon Limits:

(a) Single Family Residential--development

shall not exceed one (1) dwelling unit per acre, as defined on a project by project basis, except within conservation subdivisions that shall not exceed two (2) dwelling units per acre, as defined on a project by project basis. No residential lot shall be less than 40,000 square feet except within an approved cluster development (#6), ~~or~~ compact community, or conservation subdivision.

(b) All Other Residential and Non-Residential development shall not exceed twenty-four percent (24%) built-upon area on a project by project basis. For projects without a curb and gutter street system, development shall not exceed thirty-six percent (36%) built-upon area on a project by project basis. In addition, non-residential uses may occupy ten percent (10%) of the watershed outside A-G above with a seventy percent (70%) built-upon area when approved as a special non-residential intensity allocation (SNIA). The Watershed Administrator is authorized to approve SNIAs consistent with the provisions of this ordinance. Projects must minimize built-upon surface area, direct stormwater away from surface waters and incorporate Best Management Practices to minimize water quality impacts. For the purpose of calculating built-upon area, total project area shall include acreage in the tract on which the project is to be developed. No residential or non-residential lot shall be less than 40,000 square feet, except within an approved cluster development (#6), ~~or~~ compact community, or conservation subdivision.

(3) Prohibited Uses:

(a) The storage of toxic and hazardous materials unless a spill containment plan is approved and implemented.