



Town of Siler City

Memorandum

TO:

Mayor Price
 Mayor Pro Tem Haiges
 Board of Commissioners
 Hank Raper, Town Manager

FROM:

Jack Meadows
 Community Development Director
 jmeadows@silercity.org
 919-726-8627

REFERENCE:

Watershed Protection Ordinance

DATE:

February 24, 2023

CE Group presented this opportunity (proposed 10-70 Watershed Transfer from Chatham County to Siler City) to the Town.

Town of Siler City Special Intensity Allocation (SIA):

1. Current allocation = 180.62 acres
2. Proposed allocation = 286.263 acres

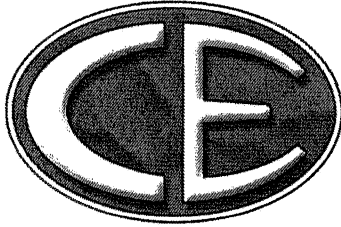
Town of Siler City SIA Remaining Balance:

1. Current balance = 0.24 acres
2. Proposed balance = 105.643 acres

Attached Documents:

1. Letter from CE Group dated February 13, 2023
2. Siler City ETJ Boundary Line recorded in 2002
3. Current Siler City Watershed Protection Map
4. Current Siler City SIA balance
5. WS III Assignment exhibit provided by CE Group date January 17, 2023 (3 sheets)
6. Resolution to Transfer 10/70 Development Rights

Requested Action: Consider requesting Chatham County to execute a joint Resolution to Transfer 10/70 Development Rights



CE GROUP

301 GLENWOOD AVENUE, SUITE 220

RALEIGH, NC 27603

Phone: (919) 367-8790

E-Mail: mark@cegroupinc.com

February 13, 2023

Jack Meadows
Community Planning Director, Town of Siler City
PO Box 769
Siler City, North Carolina 27344

**RE: Joint Resolution 10-70 Watershed Jurisdictional Transfer,
WS-III-BW-Rocky River (from Chatham County to Siler City)**

Jack: In followup to our discussion last week.

Both Chatham County and Siler City manage development within the Rocky River WS-III-BW watershed.

In 2002 Siler City extended its ETJ. The watershed jurisdictional maps have never been adjusted to address the additional ETJ area gained by Siler City at that time. When the ETJ was extended in 2002; the watershed jurisdictional area should have been transferred to match the ETJ extension given that Siler City has planning control within this expanded area.

This joint resolution allows Siler City to manage the area within its current ETJ. NCDEQ has reviewed the joint resolution and provided comments which have been included. Chatham County has indicated they are willing to transfer this area to you (area already within your ETJ). This action simply completes what should have been done in 2002.

Upon approval by both Boards, it is expected that NCDEQ will review and approve the transfer. They have already performed a courtesy review. Once Siler City has control of the watershed area within its ETJ; the Town can elect to assign SIA to various project should you desire to. In any event the watershed regulated area should always match your ETJ.

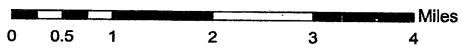
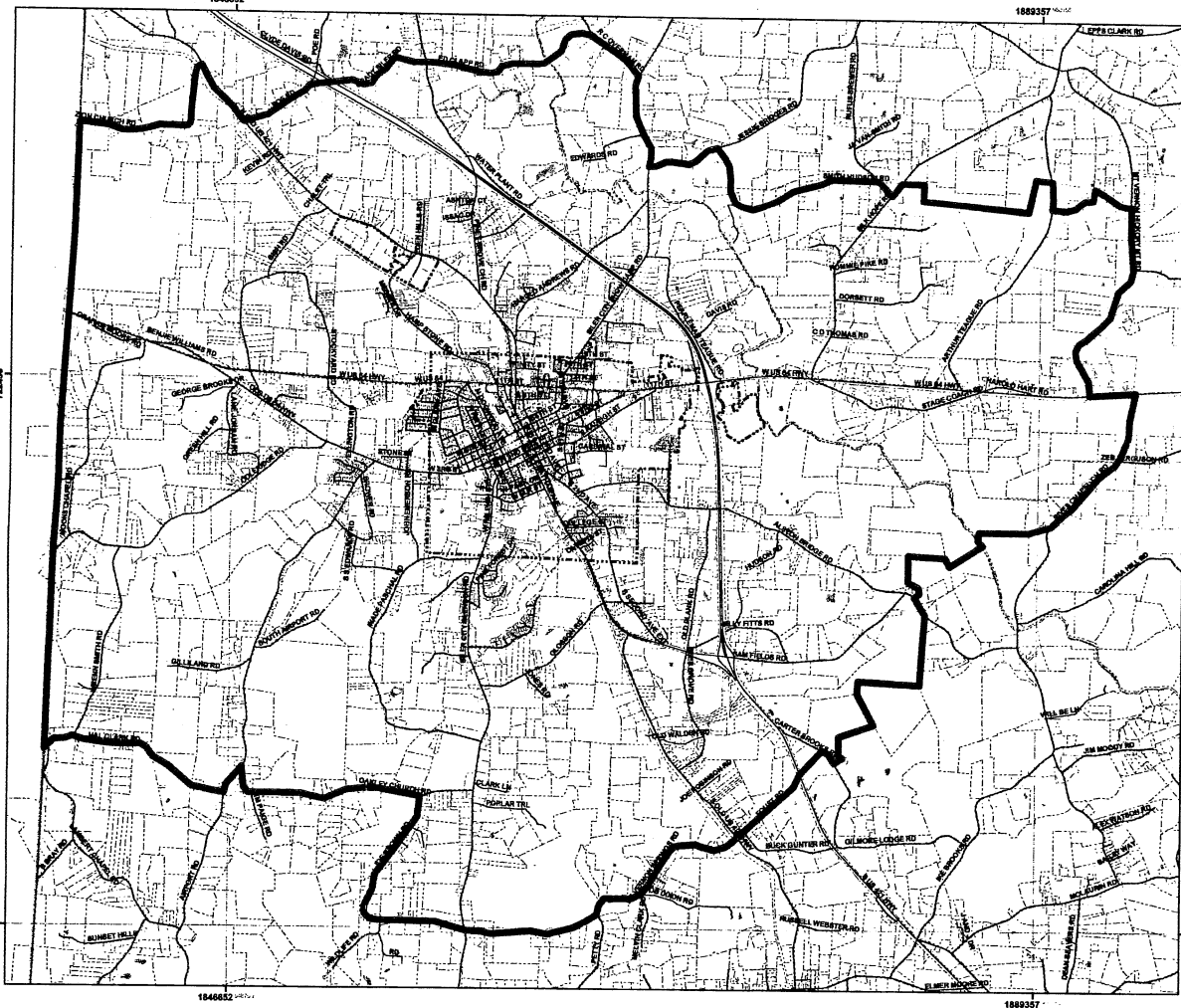
When you expand your ETJ in the future; the watershed transfer should also be included to avoid the current situation happening again.

Sincerely,

Mark P. Ashness, PE
CE Group, Inc.

cc: Jennifer Baptiste, Siler City Planning Director
attachment: Jan 17, 2023 Exhibit & Siler City ETJ Expansion Map from 2002

Siler City Extra-Territorial Jurisdiction Boundary Line



1 inch equals 4,200 feet



Siler City Planning Certificate of Plat

I hereby certify that the plat shown hereon is a map delineating the extraterritorial jurisdiction boundary for the Town of Siler City as approved by the Town Board of Commissioners on September 16, 2002. The map has been approved for recording in the Office of the Chatham County Register of Deeds.

Julie Johnson 11/5/02
 Planning Director Date

State of North Carolina
 County of Chatham

I, *Kim Horton* REVIEW OFFICER OF CHATHAM COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

Kim Horton 11/5/02
 REVIEW OFFICER DATE
Mary Ringle Hopper

CERTIFICATE OF PLATS

North Carolina: Chatham County

This plat was presented for registration at 2:45 o'clock P.M. on November 12, 2002 A.D., and recorded on Plat 2002-494 in the Chatham County Registry.

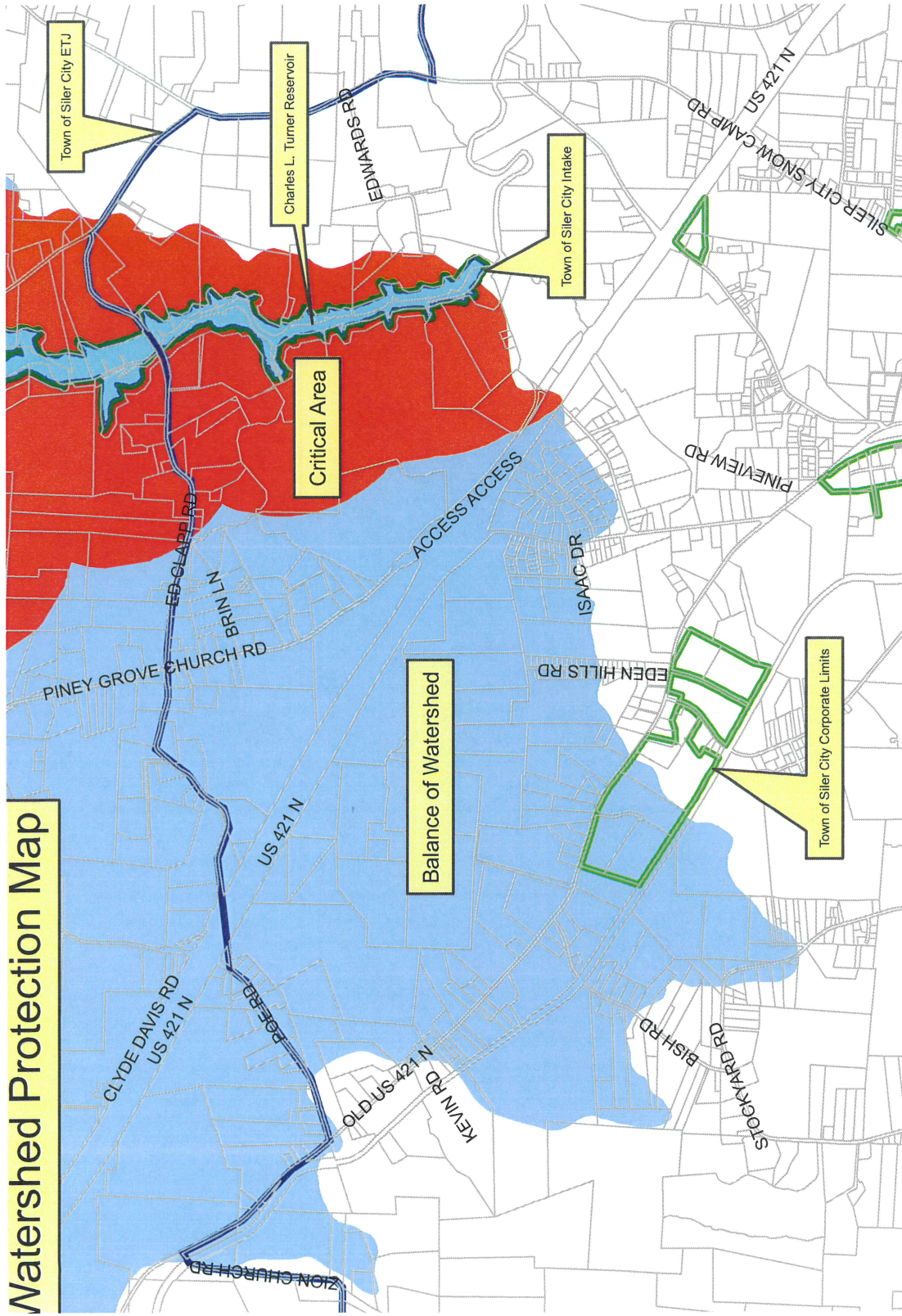
Reba Thomas
 Register of Deeds By: *Vicky E. Scott* Assistant

Legend

- ETJ Boundary
- Town Limits
- Roads
- County Boundary
- Parcel Boundaries
- Dam
- Stream/River
- Lake/Pond

2002-494

Watershed Protection Map



Jack Meadows

From: Jack Meadows
Sent: Monday, October 17, 2022 2:12 PM
To: Mark Ashness; Jason Sullivan; Rachael Thorn; Brian Hall Samet
Subject: Watershed Protection Ordinance - SIA

Remaining Watershed Special Intensity Allowance (SIA) is 0.24 acres (see below).

1. Balance of Watershed is 1,808.62 acres
2. Ten percent is 180.86 (SIA total)
3. Approved SIA
 - a. CAM Site = 124.16 acres
 - b. 101 Vivian Betty Place = 21.49 acres
 - c. Vivian Betty Place (P# 78654) = 17.17 acres
 - d. Vivian Betty Place (P# 78655) = 17.8 acres
 - e. Total = 180.62 a cares
4. Remaining SIA = 0.24 acres

Appendix H Watershed Protection Ordinance - Development Regulations - H-3(2)(b) of the Town's UDO reads as follows:

"WS-III Watershed Areas - Balance of Watershed (WS-III-BW). In order to maintain a low to moderate land use intensity pattern, single family detached uses shall develop at a maximum of two (2) dwelling units per acre. All other residential and non-residential development shall be allowed a maximum of twenty-four percent (24%) built-upon area.

In addition, new development and expansions to existing development may occupy ten percent (10%) of the watershed with a seventy percent (70%) built-upon area when approved as a special intensity allocation (SIA). The Watershed Administrator is authorized to approve SIAs 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. Non-discharging landfills and sludge application sites are allowed. NOTE: Ten percent is based on Town's jurisdiction of Watershed as of July 1, 1993. The ten percent does not increase due to annexations or expansion of the extraterritorial jurisdiction.

New development and expansions to existing development shall not exceed twenty-four percent (24%) built-upon area on a project by project basis except that up to ten percent (10%) of the balance of the watershed may be developed for uses to seventy percent (70%) built-upon area on a project by project basis. 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."

Notice: City Hall is currently under renovation. The Planning and Community Development Department is now located on the 1st floor and can be accessed through the front door to City Hall (door facing N. 2nd Ave.). Public parking is available in the Town parking lot located along the 100 block of E. 3rd St. (parking lot is located between N. 2nd Ave. and N. Chatham Ave.).

Sincerely,
Jack Meadows
Town of Siler City Planning and Community Development Director

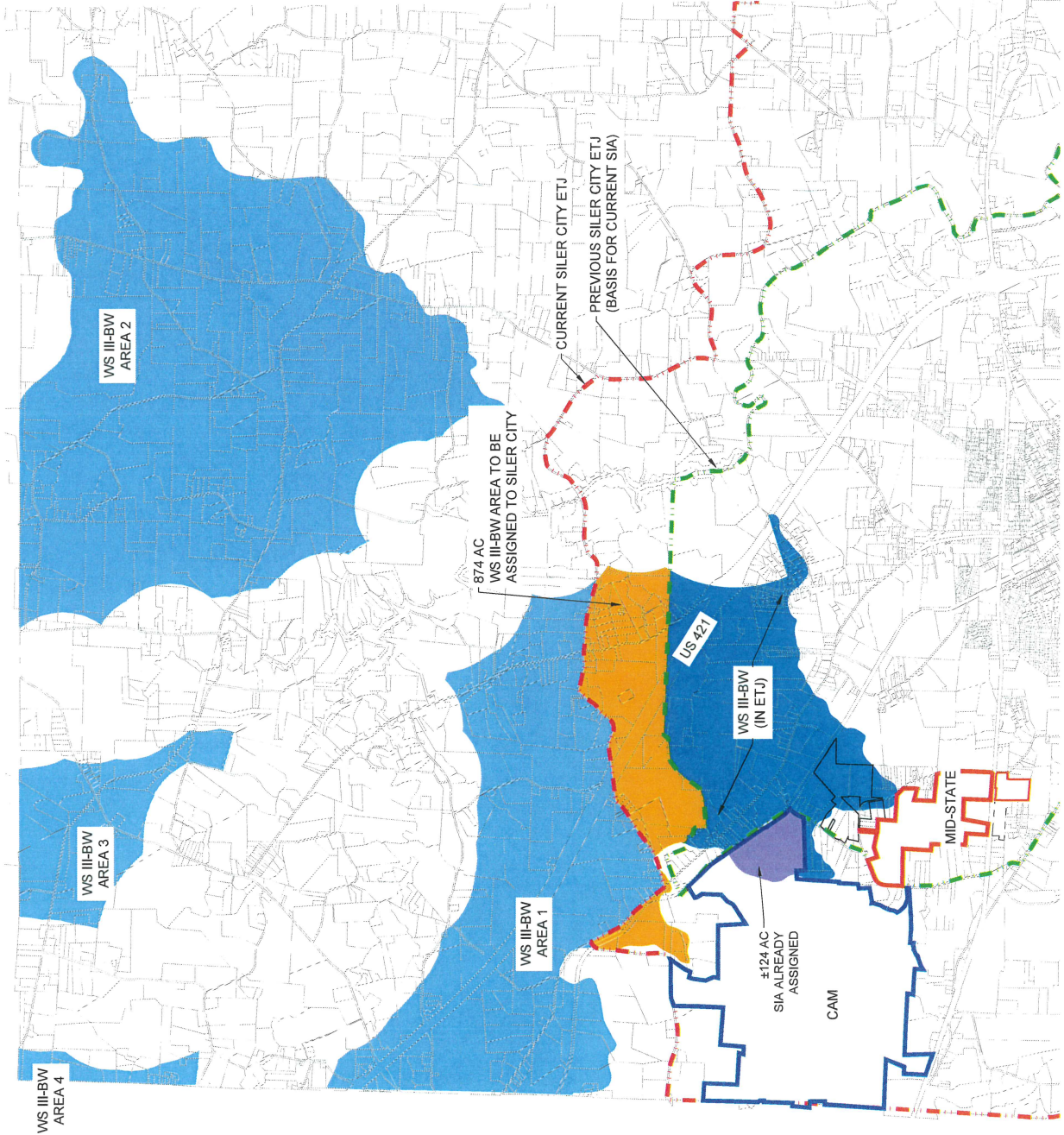
SILER CITY ETJ WS III-BW ASSIGNMENT EXHIBIT

CHATHAM COUNTY, NORTH CAROLINA
JANUARY 17, 2023

CHATHAM COUNTY JURISDICTION
TOTAL ACREAGE: ±9,893 AC*
 AREA 1: ±2,992 AC
 AREA 2: ±5,984 AC
 AREA 3: ±782 AC
 AREA 4: ±135 AC

*EXCLUDES AREA TO BE ASSIGNED TO SILER CITY

**WS III-BW AREA TO BE ASSIGNED
TO SILER CITY**
TOTAL ACREAGE: 874 AC



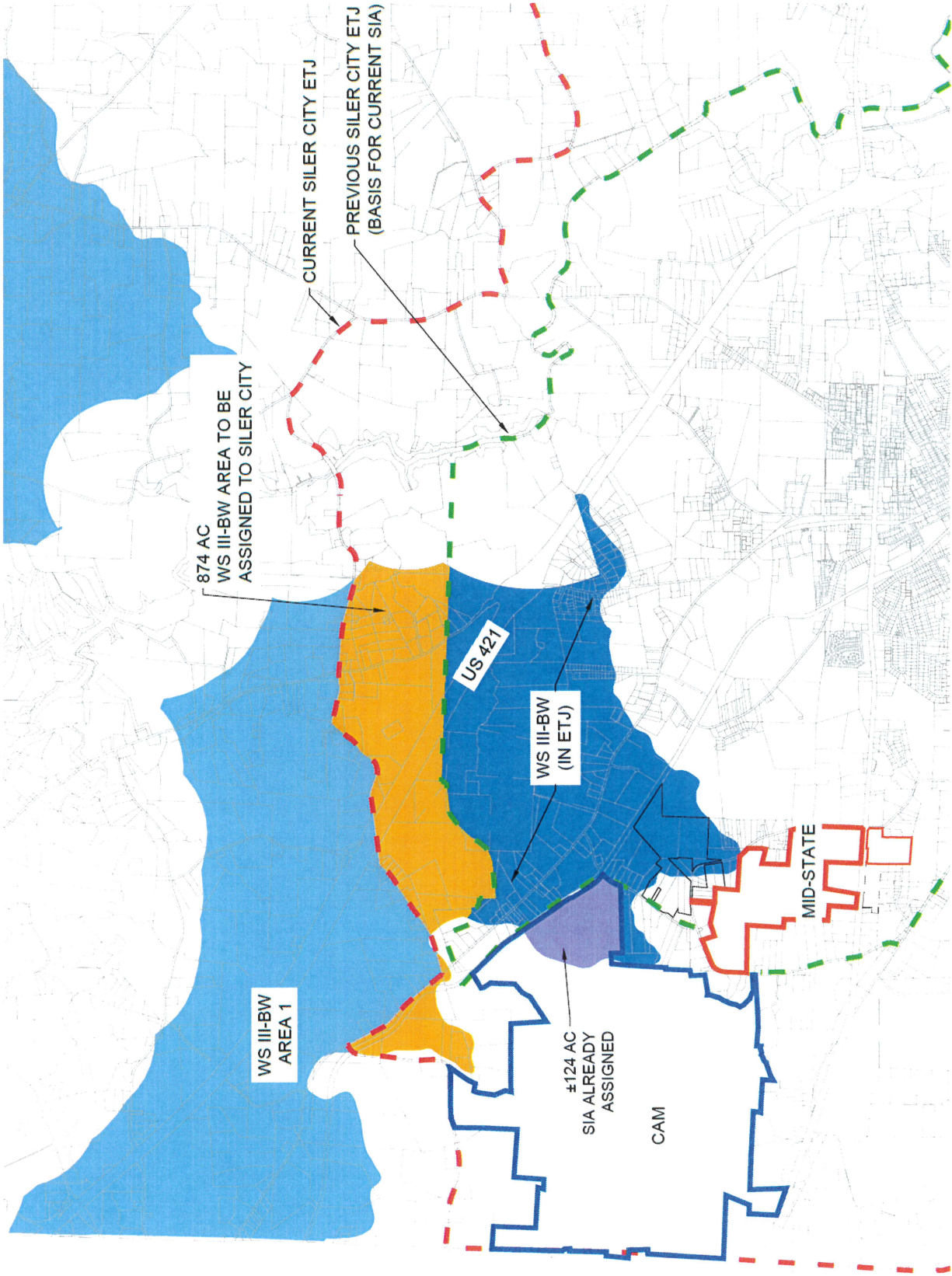
NORTH



SCALE 1" = 2000'



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 www.cegroupinc.com
 License # CA1129



**SILER CITY ETJ
WS III-BW ASSIGNMENT
EXHIBIT**

**CHATHAM COUNTY, NORTH CAROLINA
JANUARY 17, 2023**

CHATHAM COUNTY JURISDICTION

TOTAL ACREAGE: ±9,893 AC*

AREA 1: ±2,992 AC

AREA 2: ± 5,984 AC

AREA 3: ± 782 AC

AREA 4: ± 135 AC

*EXCLUDES AREA TO BE ASSIGNED TO SILER CITY

**WS III-BW AREA TO BE ASSIGNED
TO SILER CITY**

TOTAL ACREAGE: 874 AC

RESOLUTION TO TRANSFER 10/70 DEVELOPMENT RIGHTS

RESOLUTION TO TRANSFER RIGHTS FOR 10/70 LAND AREA IN THE BALANCE OF WATERSHED (ROCKY RIVER - WS-III-BW WITHIN SILER CITY ETJ) TO THE TOWN OF SILER CITY FROM CHATHAM COUNTY

WHEREAS, the County of Chatham and the Town of Siler City have jurisdiction in the Rocky River – Public Water Supply Watershed, which is classified as WS-III-BW by the North Carolina Environmental Management Commission; and

WHEREAS, the Town of Siler City has adopted a water supply watershed protection ordinance implementing the low-density option and 10/70 provision for WS III BW water supply watershed for its jurisdiction in the Rocky River watershed; and/

WHEREAS, the County of Chatham has adopted a water supply watershed protection ordinance implementing the low-density option and 10/70 provision for WS-III-BW water supply watersheds for its jurisdiction; and

WHEREAS, the WS-III-BW was created as of September 28, 1993, with the Town of Siler City having 1,808.63 acres of land within the water supply watershed and within its jurisdiction and the County of Chatham having +/- 10,767 acres of land within the water supply watershed within its jurisdiction; and,

WHEREAS, the 10/70 provision allows local governments to take a maximum of 10 percent of their jurisdiction in the watershed, as of July 1, 1995, and allow new development at up to 70 percent built-upon area, outside of the critical watershed area; and

WHEREAS, the Town of Siler City has utilized 180.62 acres of its original 10/70 allocation within the WS-III-BW, leaving a balance of 0.24 acres and the County of Chatham has utilized zero acres of its original 10/70 allocation within the WS-III-BW, leaving a balance of +/- 10,767 1076.7 acres; and,

WHEREAS, the Town of Siler City expanded their ETJ in 2002 which added 874 AC of land within the WS-III-BW Watershed.

WHEREAS, pursuant to the Water Supply Watershed Protection Rules (15A NCAC 2B .0200, 15A NCAC 02B .0623) developed by the North Carolina Environmental Management Commission, the County of Chatham may transfer, in whole or in part, its rights to the 10/70 acreage to the Town of Siler City within the WS-III-BW; and

WHEREAS, the Town of Siler City desires the ability for facilities and services which typically require larger amounts of built-upon area to locate in its portion of jurisdiction in the WS-III-BW; and

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the County of Chatham, North Carolina and the Board of Commissioners of the Town of Siler City to transfer to the Town of Siler City, North Carolina, 10/70 development rights for 874 acres located in the WS-III-BW (as identified on January 17th 2023 Exhibit).

FURTHERMORE, following the transfer of the 10/70 development rights, by the adoption of this Resolution, the Town of Siler City will have a total of 2,682.63 acres with 268.263 available for 10/70 development within its jurisdiction, and the County of Chatham will have a total of +/- 9,893 acres with 989.3 acres available for 10/70 development in the WS-III-BW.

Adopted, this the ____ day of _____.

Karen Howard, Chair
Chatham County Board of Commissioners

ATTEST:

Lindsay K. Ray, NCCCC, Clerk to the Board
Chatham County Board of Commissioners

Adopted, this the ____ day of _____.

Thomas K. Price III, Mayor
Siler City Board of Commissioners

ATTEST:

Kimberly D. Pickard, Town Clerk
Siler City Board of Commissioners