

2. Open Space Element

Section 1. Purpose

The general purposes of the Master Open Space Plan Additional Element are to: preserve Open Space, sensitive natural areas, and riparian corridors; protect and enhance wildlife habitat; and protect water quality, by pursuing the following objectives where appropriate:

1. To preserve Open Space, including areas containing unique and sensitive natural features such as steeper slopes, streams, flood plains and wetlands, by protecting them from the direct effects of development, specifically buildings and intensive active recreational uses within these areas;
2. To establish new Open Space areas as development occurs in close proximity to residences, offices, and retail sites;
3. To provide greater design flexibility and efficiency in the siting of services and infrastructure, in order to achieve a reduction in the amount of roads, utilities and impervious material required for residential development;
4. To create compact neighborhoods with direct visual access to open land, with amenities in the form of neighborhood Open Space, and with a strong neighborhood identity;
5. To reduce erosion and sedimentation by the retention or addition, to the extent reasonably practicable, of vegetation within Open Space; and
6. To create new woodlands through natural succession and reforestation where appropriate, and to encourage the preservation and improvement of habitat for various forms of wildlife.

Section 2. Open Space

Open Space Provided

Open Space land shall be provided at a ratio of 1/100th of an acre per dwelling unit and 1/20th of an acre per 1000 gross square feet (“GSF”) of non-residential floor area. Based on the foregoing ratios, 1,320 acres of open Space will be required in Chatham Park PDD if the maximum number of dwelling units and maximum GSF allowed by the Master Plan are constructed. However, the Master Plan requires at least 1,320 acres of Open Space in Chatham Park PDD, whether or not the maximum number of dwelling units and maximum GSF are constructed. Except when allowed by the Planning Director to be addressed on a subsequent development plan, each new subdivision plan, subdivision plat, or site plan submitted for approval by the Town shall either (i) identify any new Open Space to be established by that development plan, or (ii) identify Open Space previously established on a development plan approved by the Town that satisfies the Open Space requirements for the property on that development plan, or (iii) indicate that a payment-in-lieu, if allowed by Town ordinances, will be made for any Open Space that otherwise would be required for the property on that development plan. If any new Open Space is identified on the new subdivision plan, subdivision plat, or site plan, the total acreage of Open Space previously provided (either by land or payment-in-lieu) and the total acreage of new Open Space proposed shall be shown thereon. As specified in the Master Plan, Open Space required for property

included in a subdivision plan, subdivision plat, or site plan is not required to be located in the same Small Area in which the property in that development plan is located.

Qualifying Open Space

Among the land areas that may be designated on a development plan as Open Space in Chatham Park PDD are any or all of the following, or any combination thereof:

A. Riparian Buffer:

Except for any portions thereof that are designated and qualify as park land (for example, greenways located outside of a regulated buffer and in an additional buffer), riparian buffers in Chatham Park are Open Space. A substantial amount of the Open Space in Chatham Park will be located in riparian buffers. The following are the “riparian buffers” provided in Chatham Park: (i) a “regulated buffer”, which is a 50 foot wide strip of land adjacent to each side of a stream bank; (ii) an “additional buffer”, which is any additional land provided as a buffer adjacent to the outside of a regulated buffer; and (iii) “Haw River Buffers”, which consist of a 300’ wide strip of land from the top of the bank of Haw River in Section 1.1 on the Master Plan and a 500’ wide strip of land from the top of the bank of Haw River in Section 1.5 on the Master Plan, as those Sections existed at the time of approval of the Master Plan on August 10, 2015. The Master Plan requires riparian buffers in Chatham Park that consist of a regulated buffer for intermittent streams and a regulated buffer plus a 50 foot wide additional buffer for perennial streams (for a total of 100 feet on each side of a perennial stream bank). A copy of the Town of Pittsboro’s “Riparian Buffer Protection Ordinance” (“RBPO”) as it exists as of its adoption date of February 14, 2011 is attached as Appendix “A” and incorporated by reference. The definition of regulated buffer in this Element is consistent with the definition of a regulated buffer under the RBPO. Pursuant to Section 8.B. of the RBPO, uses of land in regulated buffers are classified as either “Exempt” or “Allowable” or “Allowable with Mitigation”. Pursuant to this Element, all uses in regulated buffers in Chatham Park shall be governed by the RBPO, and all uses that are classified as Exempt, Allowable, or Allowable with Mitigation by the RBPO are allowed in all Open Space in Chatham Park other than regulated buffers as if they were Exempt under the RBPO. In order to provide the appropriate connectivity within neighborhoods, stream crossings of streets through Open Space are allowed, but such stream crossings must be built to State of North Carolina standards in order to reduce stream impacts.

B. Core Conservation Areas

1. Park Connection- North Village

Park land of approximately 110 acres in size will be provided in Section 1.5 as shown on the Master Plan. It will serve as a connector between two large, state owned, tracts of land along the Haw River. This connection results in approximately 450 contiguous acres of conserved land. Further detail regarding this connector will be provided as part of the North Village Small Area Plan submittal and/or associated site and subdivision plans.

2. Robeson Creek Linear Park and Open Space- South Village

The Chatham Park Master Plan requires an additional 50 foot wide strip of Open Space adjacent to the 100 foot wide riparian buffer on each side of those portions of Robeson Creek that are located in Chatham Park. In addition to the foregoing, another 150 feet of Open Space and/or park land will be provided along the south side of Robeson Creek in Chatham Park resulting in a 300 foot wide protected area of land on the south side of Robeson Creek in Chatham Park. The foregoing area, together with adjacent land along Robeson Creek that will be protected by riparian buffers and land owned by the United States of America, will result in approximately 300 acres of contiguous protected lands. Further detail of the 300 foot wide land area will be provided as part of Small Area Plan submittals and/or associated site and subdivision plans.

3. Jordan Lake Nature Area –South Village

Located in the far south east corner of Chatham Park, approximately 250 acres of Open Space and/or park land will be reserved in Chatham Park. This land area is located between Gum Springs Church Road and Jordan Lake and exact boundaries will be finalized with associated site and subdivision plans.

C. Natural Areas, Wetlands, Water Bodies, 100 Year Flood Plains, and Areas of Steeper Slopes

All of the following types of Open Space that are designated as such on development plans approved by the Town of Pittsboro shall be considered qualifying Open Space and be used to meet overall Chatham Park Open Space requirements:

1. Natural Areas: Undeveloped and undisturbed areas as shown on development plans.
2. Wetlands: Wetlands are areas that interface between land and water and are characterized by having hydric soils, hydrophytic plants and wetland hydrology. All wetland areas that are determined to be jurisdictional by the U.S. Army Corps of Engineers will be protected in Chatham Park.
3. Water Bodies: All lakes, ponds and other bodies of water located in Chatham Park and considered jurisdictional by the NC Department of Environmental Quality and the U.S. Army Corps of Engineers will be protected in Chatham Park.
4. 100 year Flood Plains: 100 year flood plains are land areas with a 1% annual chance of flooding as determined by the Federal Emergency Management Agency. All 100 year flood plain areas in Chatham Park are protected from development as determined by the approved Master Plan.
5. Steeper Slopes: Areas of steeper slopes exceeding 20% have been identified in the Master Plan and many of these areas, particularly when located in areas adjacent to riparian buffers, will be protected from development.

D. Areas Not Built Upon and Designated on a Development Plan as Open Space

All of the following types of Open Space designated as such on development plans approved by the Town shall be considered qualifying Open Space and may be used to meet Chatham Park Open Space requirements:

1. Tree Coverage Areas (TCA) as defined in the Tree Protection Plan Additional Element.
2. Streetscape Buffers with a minimum width of 20 feet. Planting standards are provided in the Landscaping Element and more detail will be included in Small Area Plans and development plans.
3. Perimeter Buffers as defined in the Landscaping Element.
4. Stormwater Devices (also known as "SCM") as prescribed in the Stormwater Additional Element.

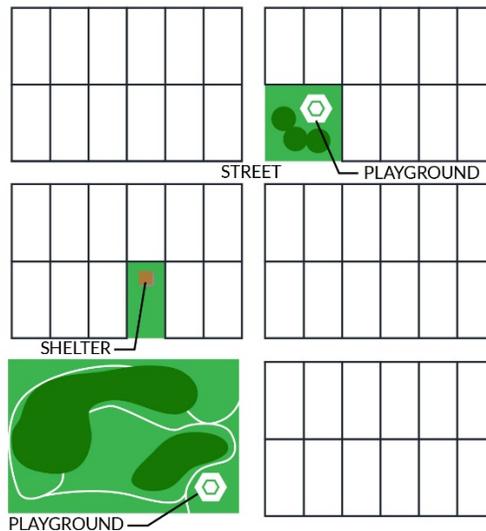
E. Small Scale Urban and Suburban Open Spaces and Parks.

One or more examples of the following items 1 through 7 are shown immediately following explanation of the item.

1. Playground (Private), which may be developed within a square or may stand alone.

All playgrounds:

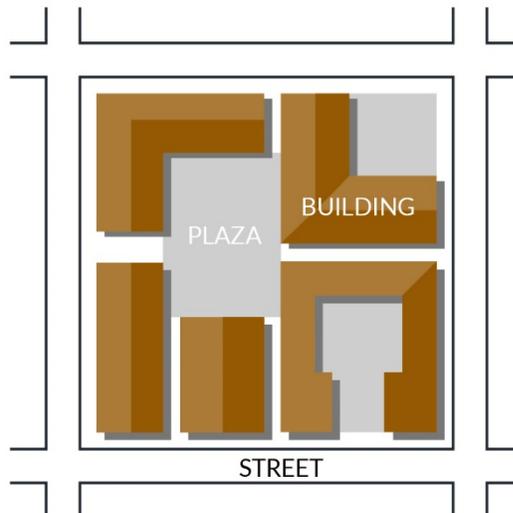
- a. shall be equipped with an open shelter or benches as appropriate for the proposed development;
- b. may be covered in turf, sand, mulch, gravel or other approved material as appropriate for the proposed development;
- c. shall be landscaped as appropriate for the proposed development; and
- d. generally will be between 2,500 square feet and 15,000 square feet in area.



2. Plaza

All plazas:

- a. shall be located adjacent to or as a part of an office, civic or retail building or common area facility developed as a project amenity;
- b. shall provide hardscape and landscape material as appropriate within the context of their setting;
- c. shall maintain surface areas at a slope of less than 5%. Surface areas may be stepped, in a manner approved as being appropriate and necessary to accommodate natural topography;
- d. may include a limited number of on-street parking spaces along the perimeter of the plaza abutting a public or private street;
- e. shall not exceed in horizontal length or width more than three times the average height of adjacent buildings; and
- f. generally will be between 2,000 square feet and 30,000 square feet in area.



3. Close

All closes:

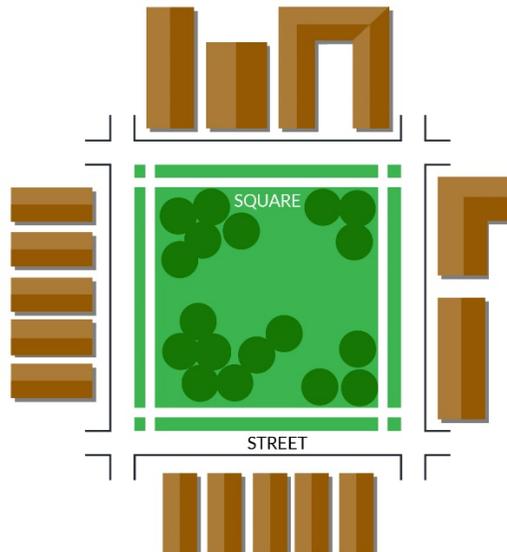
- a. Shall be landscaped as appropriate within the context of its setting; and
- b. Generally, will be between 2,500 square and 10,000 square feet in area.



4. Square

All squares:

- a. may be surfaced in any combination of turf, crushed gravel, brick pavers, or other suitable approved ground cover.
- b. shall be landscaped as appropriate within the context of its setting; and
- c. generally will be between 200 square feet and one (1) acre in area.



5. Parkway

All parkways:

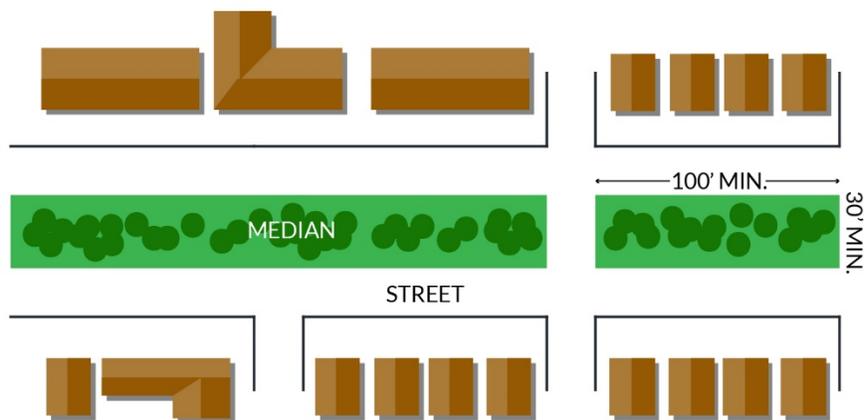
- a. shall retain, to the greatest extent possible, natural or pre-existing contours, topography, water courses and vegetation;
- b. shall be landscaped as appropriate within the context of their setting; and
- c. generally will be a minimum of one half (1/2) acre in area and have a minimum width of fifty (50) feet of Open Space from back of curb/edge of pavement to back of curb/edge of pavement.



6. Medians

All medians:

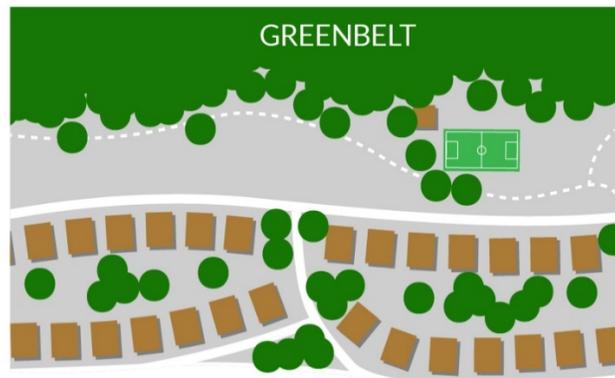
- a. shall retain, to the greatest extent possible, natural contours and vegetation;
- b. if sparsely vegetated, shall be enhanced with supplemental landscaping; and
- c. shall be no less than thirty (30) feet in width and one hundred (100) feet in length



7. Greenbelt

All greenbelts:

- a. shall be maintained to the greatest extent reasonably practicable, in their natural, vegetative state or enhanced with landscape materials to provide a landscape buffer in compliance with the regulation of the Landscape Element for a Type C buffer.
- b. may, in areas within a greenbelt located more than twenty (20) feet from a perimeter of the site, include a sidewalk, footpath, walkway, greenway or multi-use trail;
- c. may include areas of minor disturbance for maintenance, public or private utilities, public or private access, or amenity construction;
- d. shall be a minimum of twenty (20) feet in width.



8. Mini-Parks (Private):

- a. Mini-Park Facilities. The purpose of the mini-park is to provide active recreational facilities to serve the residents of the immediate surrounding neighborhood or subdivision but are private and not part of the Towns recreation system. The following are illustrative of the types of facilities which shall be deemed to serve active recreational needs of the residents of the immediate surrounding neighborhood or subdivision and also count toward satisfaction of Open Space requirements of the PDD: tennis courts; swimming pools; basketball courts; slides; tot lots; playground; and associated parking.
 - i. Mini-parks shall be landscaped and provided with sufficient natural or manmade screening for buffer to minimize negative impacts on adjacent residences.
 - ii. Each mini-park shall be centrally located, easily accessible, so as to be conveniently and safely reached and used by those persons the mini-park is designed to serve.
 - iii. Each mini-park shall be constructed on land that is relatively flat, either before or after grading.

9. Passive Recreation and Usable Open Space

For the purposes of this Element, usable Open Space shall mean an area that:

- a. is not encumbered with any substantial structure;
- b. is left in its natural or undisturbed state if wooded, except for the construction of greenways or trails and public utilities.
- c. is capable of being used for passive recreation, such as walking or jogging; and,
- d. is legally and practicably accessible for the intended users.

Dedication and Maintenance of Open Space

The 1,320 acres of Open Space required by the Master Plan is referred to in this paragraph as "Required Open Space". Open Space that is provided in accordance with this Element in addition to the Required Open Space is referred to in this paragraph as "Additional Open Space". All Required Open Space shall be shown or described on a plat or in a document recorded in the office of the Register of Deeds for Chatham County, North Carolina and shall be maintained permanently as Open Space in Chatham Park. Additional Open Space shall be shown or described by one of the following methods: on a plat or in a document recorded in the office of the Register of Deeds for Chatham County, North Carolina, or on a development plan approved by the Town. Acreage of Additional Open Space shown on a development plan approved by the Town is not required to be surveyed and may be approximate. Additional Open Space may be modified in accordance with subsequent development plans approved by the Town.

Payment-in-Lieu

Payments-in-lieu of Open Space may be made as allowed by applicable Town ordinances.