

**A RESOLUTION ACCEPTING THE REPORT ON THE STATUS OF CONSERVATION  
EASEMENTS AT CAROLINA NORTH**

**Resolution No.69/2011-12**

WHEREAS, The Board of Aldermen recently reviewed the work of the Greenways Commission, including a report on conservation easements in Town; and

WHEREAS the University of North Carolina at Chapel Hill has been working to establish conservation easements as specified in the Development Agreement controlling activities at Carolina North; and

WHEREAS, the Board of Aldermen requested an update on the status of conservation easements at Carolina North.

NOW, THEREFORE, BE IT RESOLVED that the Board of Aldermen of the Town of Carrboro:

1. Accepts the report and requests that University of North Carolina officials continue to keep the Town up to date on the status of activities at Carolina North.

**DEVELOPMENT AGREEMENT**  
**BY AND BETWEEN**  
**THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL**  
**AND**  
**THE TOWN OF CHAPEL HILL, NORTH CAROLINA**  
**Effective Date: July 1, 2009**

Orange County Parcel Identifier Numbers: 9779-88-6375  
9789-15-0184  
9779-89-5194  
9880-00-0680

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## STATE OF NORTH CAROLINA

## DEVELOPMENT AGREEMENT

## COUNTY OF ORANGE

This Development Agreement (hereinafter the "Agreement") is made and entered into as of the 1st day of July 2009 by and between **The University of North Carolina at Chapel Hill** (hereinafter the "University"), a public entity authorized to conduct business in the State of North Carolina, and the **Town of Chapel Hill, North Carolina** (hereinafter the "Town"), a municipal corporation of the State of North Carolina.

**ARTICLE 1. STATUTORY FRAMEWORK**

- 1.1. North Carolina General Statutes (hereinafter "G.S.") 160A-400.20(a)(1) provides that "large-scale development projects often occur in multiple phases extending over a period of years, requiring a long-term commitment of both public and private resources."
- 1.2. G.S. 160A-400.20(a)(3) provides that "because of their scale and duration, such large-scale projects often require careful integration between public capital facilities planning, financing, and construction schedules and the phasing of the private development."
- 1.3. G.S. 160A-400.20(a)(4) provides that "because of their scale and duration, such large-scale projects involve substantial commitments of private capital by developers, which developers are usually unwilling to risk without sufficient assurances that development standards will remain stable through the extended period of development."
- 1.4. G.S. 160A-400.20(a)(5) provides that "because of their size and duration, such developments often permit communities and developers to experiment with different or nontraditional types of development concepts and standards, while still managing impacts on the surrounding areas."
- 1.5. G.S. 160A-400.20(a)(6) provides that "to better structure and manage development approvals for such large-scale developments and ensure their proper integration into local capital facilities programs, local governments need the flexibility in negotiating such developments."
- 1.6. In view of the foregoing, G.S. 160A-400.20(b) and 160A-400.22 expressly authorize local governments and agencies to enter into development agreements with developers pursuant to the procedures and requirements of G.S. 160A-400.20 through 160A-400.32, which procedures and requirements include approval of the development agreement by the governing body of the local government by ordinance after a duly noticed public hearing.
- 1.7. G.S. 160A-400.23 restricts the use of a development agreement to "property that contains 25 acres or more of developable property (exclusive of wetlands, mandatory buffers, unbuildable slopes, and other portions of the property which may be precluded from development at the time of the application)." G.S. 160A-400.23 further provides that "development agreements shall be of a term specified in the agreement, provided they may not be for a term exceeding 20 years."

**ARTICLE 2. DEFINITIONS**

In the construction of this Agreement and its incorporated Exhibits, the following definitions and rules of construction shall be observed, unless inconsistent with the manifest intent of the parties or the context clearly requires otherwise. Except as otherwise provided in this Agreement, terms used in the relevant portions of the North Carolina General Statutes or the Town of Chapel Hill Land Use Management Ordinance shall have the same meanings as employed in those statutes and ordinances.

## 5. Preservation of Open Space and Natural Areas

### 5.5.1. Conservation Area.

- a. Subject to obtaining any required State of North Carolina approval, the University shall convey one or more conservation easements for the areas described in this Section to the State, a local government, or a body that is both organized to receive and administer lands for conservation purposes and qualified to receive charitable contributions pursuant to G.S. 105-130.9. The conservation area required by this section comprises approximately 311 acres.
- b. It is the intent of the Town and University that the conservation easement(s) shall constitute a "conservation agreement" as defined by G.S. 121-35(1) in that the conservation easement(s) shall serve to retain the applicable land and water areas predominantly in their natural, scenic or open condition. In general, the conservation easement(s) shall forbid or limit any or all (i) construction or placing of buildings, roads, signs, billboards or other advertising, utilities or other structures on or above the ground, (ii) dumping or placing of soil or other substance or material as landfill, or dumping or placing of trash, waste or unsightly or offensive materials, (iii) removal or destruction of healthy native trees, shrubs or other vegetation, unless done as a component of an established forest management plan, (iv) excavation, dredging or removal of loam, peat, gravel, soil, rock or other mineral substance in such manner as to affect the surface, (v) surface use except for forest or outdoor recreational purposes or purposes permitting the land or water area to remain predominantly in its natural condition, (vi) activities detrimental to drainage, flood control, water conservation, erosion control or soil conservation, or (vii) other acts or uses detrimental to such retention of land or water areas. The conservation easement(s) shall allow the University to undertake appropriate research and educational activities within the area covered by the easement. The conservation easement(s) may allow for continued sustainable trail maintenance. Maintenance shall be deemed to include minor repair, restoration, or relocation of existing trails. A map of existing trails as of the Effective Date of this Agreement is set forth on Map 2 in Exhibit H. All trail work shall adhere to the guidelines for sustainable single track as set forth by the International Mountain Bike Association. The conservation easement(s) shall not allow construction of new trails (except for potential greenways and paths that are located and approved by the Town Council pursuant to Section 5.16 of this Agreement). The conservation easement(s) shall not automatically preclude trail and road crossings that are consistent with the provisions of the Resource Conservation District provisions of Section 3.6.3 of the LUMO and the terms of this Agreement. The conservation easement(s) shall identify and allocate maintenance and enforcement responsibilities for the area covered and specify how that activity will be funded.
- c. This conservation easement(s) shall cover the following critical natural areas located within the Carolina North Tract: those six areas labeled areas 1, 2, 3, 4, 5, and 6A within the Carolina North Tract set forth on Exhibit E (approximately 311 acres). These six areas include all of those lands identified as Most Suitable for Conservation (EW) in the Weighted Analysis Land Areas by Land Suitability Index Category, as set forth on page 11 of the Ecological Assessment Report: Carolina North (October 2007) along with additional surrounding lands. This weighted analysis in the Ecological Assessment Report: Carolina North particularly emphasizes Landscape Ecology metric classification values. It emphasizes wildlife corridor regional importance, width, and structural integrity, as well as forest patch and forest interior patch sizes. It encompasses critical ecological attributes that are not afforded regulatory protections comparable to floodplains and stream buffers, input received from stakeholders, and the best professional judgment of the consulting team that prepared the Ecological Assessment Report: Carolina North.
- d. The conservation easement(s) shall run in perpetuity.
- e. The draft conservation easement(s) shall be submitted to the Manager for review and approval prior to recordation. A copy of the recorded conservation easement(s) shall be submitted to the Manager upon recordation. Provided that the easement is recorded prior to the initiation of construction pursuant to a site development permit issued pursuant to this Agreement, the conservation easement(s) shall not be required to be conveyed to the receiving entity prior to the issuance of a required state or federal permit for wetland alteration on the Carolina North Tract in order that the easement(s) can be considered a mitigation measure for development of the Carolina North Project.

This report shall address future Town and University cooperation on the provision of passive recreation areas, public fora such as amphitheater and performance spaces, basketball courts, children's play areas, gymnasium or recreation centers, community gardens, farmers' markets, and natural parks.

- 5.15.5. All improvements of new recreation areas shall be designed in compliance with this Section. The Annual Report shall include a description of all such improvements made in the previous year and document compliance with the provisions of this Section. The University shall identify which applicable accessibility standards were used in the design of each project. All new recreation areas shall be designed to:
- 1) minimize disturbance and provide good material and maintenance choices of recreation fields and trails;
  - 2) identify and avoid regulatory floodways and stream buffers when locating recreation areas (except for the use of cleared and active utility easements to reduce the need for additional forest clearing);
  - 3) co-locate trails, pedestrian paths and other access needs in the more developed areas of campus; and,
  - 4) co-locate trails, utilities and roads in the less developed areas of the property.

#### **16. Greenways**

- 5.16.1. Greenway Planning and Partnership.
- a. The Town and University shall collaboratively examine the feasibility and form of a new partnership for planning and funding a program to address common interests in an effective system of bicycle, pedestrian, and greenway pathways. It is in the interest of the Town and University to establish such a system as an effective additional alternative to automobile and public transit.
  - b. This examination shall consider a model comparable to the partnership that has been established to address the Town and University interests in public transit. This examination shall, among other appropriate topics, review: (1) potential funding sources for implementation of the system, including state and federal funding; (2) institutional mechanisms for on-going or continued planning and implementation of the program; and (3) appropriate cost-sharing agreements among the partners. Appropriate Town advisory boards, University students, the Town of Carrboro, and the public shall be consulted in this examination. A report on this examination and recommendations for implementing action shall be submitted with the first Annual Report mandated by this Agreement.
  - c. The plans and improvements mandated by Section 5.16 of this Agreement shall be undertaken in conformance with the recommendations of this examination, provided that any adjustments to mandated improvements or the schedule for their completion must be mutually agreed upon by the Town Manager and University and promptly reported to the Town Council.
- 5.16.2. Consistent with Section 5.8.19 of this Agreement, the Town and University shall expeditiously explore the location and funding for a greenway and bike path connection between the Carolina North Project and main campus. This exploration shall seek a pathway that is not located within the Martin Luther King, Jr. Blvd. roadway, that avoids steep grades where feasible, and that is consistent with the planning process and other specific improvements mandated by Section 5.16 of this Agreement. The route could include existing or planned greenways for a portion of the route. A report on the potential location and funding alternatives for implementation of this connection shall be included in the first Annual Report mandated by this Agreement. This production of this report shall be coordinated to the extent feasible with the examination mandated by Section 5.16.1 of this Agreement.
- 5.16.3. The general location of greenways and paved paths for pedestrians and cyclists on the Carolina North Tract shall be consistent with the 50-year development plan for Carolina North. The University shall maintain continued public access to greenways and paved paths for pedestrians and cyclists in the Carolina North Tract. Greenways on the Carolina North Tract not within the

development area identified in Section 5.5.3 of this Agreement shall be under the management and direction of the Carolina North Office of Forestry Management or its successor.

- 5.16.4. A general plan for additional greenway locations shall be provided with the first individual site development permit application at Carolina North. The production of this plan shall be undertaken in a manner consistent with the recommendations of the examination mandated by Section 5.16.1 of this Agreement. This plan shall include a greenways maintenance plan that identifies maintenance routines and responsibilities and the location of site fixtures and amenities at designated trail heads (which may include but are not limited to informational kiosk, map/locator/wayfinding device, gated access to prohibit motorized access, trash cans, recreational parking, and/or bicycle racks). Each Annual Report prepared after the submission of this plan shall include information about the current status of the design and funding of greenway connections at Carolina North.
- 5.16.5. The Town plans to build a major paved greenway trail to the edges of the Carolina North Project from both the south and the north. The University and Town shall cooperate to assure that the trail systems are built in a logical manner such that non-motorized vehicle transportation and recreation are enhanced in the most efficient manner possible. The University and Town shall work to link the north-south trail corridor to other trails in the Town and University system and to eventually provide continuous access south to the Town's Bolin Creek Trail and north to the Town Operations Center.
- 5.16.6. All greenways shall be built to AASHTO or Town standards for multi-use pedestrian and bicycle trails.
- 5.16.7. The University shall maintain all greenways built by the University under the terms of this Agreement.
- 5.16.8. The public shall be permitted to use all greenways on the Carolina North Tract without charge.
- 5.16.9. Installation of greenways and paths for pedestrians and cyclists within the Chapel Hill portion of the Carolina North Tract shall be provided as follows:
  - 1) A temporary, non-paved central trail from Estes Drive Extension to Homestead Road shall be provided within one year of the closing and deactivation of the airport runway.
  - 2) Additional improvements shall include:
    - i. A paved trail from Estes Drive Extension to connect with the Town's extension of the Bolin Creek Trail from the south and running to or through the development area identified in Section 5.5.3 of this Agreement, with an appropriate connection to Martin Luther King, Jr. Blvd.;
    - ii. A paved trail from the development area identified in Section 5.5.3 of this Agreement running northward to Homestead Road to connect with the Town's Horace Williams Trail to the north;
    - iii. A paved trail in an east/west direction through the center of the development area identified in Section 5.5.3 of this Agreement to connect with the Carrboro/Chapel Hill extension of the Bolin Creek Trail; and
    - iv. A means of crossing Estes Drive extension.
  - 3) A map setting forth the potential general location of these greenways is attached as Exhibit F. The exact alignment of the greenways may be adjusted by mutual agreement of the Town and University as necessary to avoid environmentally sensitive areas, coordinate with connecting greenways, and coordinate with the transit, traffic, pedestrian, bicycle, and greenway plans required by Section 5.8 of this Agreement.
  - 4) One of the four improvements identified in Subsection 5.16.9(2) shall be constructed prior to the completion of the initial 800,000 square feet of total building space within the Carolina North Project constructed pursuant to this Agreement. A second of these improvements shall be constructed prior to the completion of 1.5 million square feet of total building space at the Carolina North Project constructed pursuant to this Agreement.



A third of these improvements shall be constructed prior to the completion of 2.25 million square feet of total building space of the Carolina North Project constructed pursuant to this Agreement. The fourth of these improvements shall be constructed prior to the completion of 3.0 million square feet of total building space at the Carolina North Project constructed pursuant to this Agreement. The Town shall provide the University with the priority order for these improvements. The Town shall provide the University with these priorities with sufficient lead time to allow timely completion of the projects consistent with the schedule set by this Section.

- 5.16.10. The University shall construct a greenway along Martin Luther King Jr Blvd. in conjunction with any frontage improvements related to the first building that fronts Martin Luther King Jr Blvd.
- 5.16.11. Additional greenways may be provided upon mutual agreement of the Town and University.
- 5.16.12. The University shall continue to show the greenway along the existing rail line on the Carolina North Tract for potential development in the future.
- 5.16.13. The University shall use the stormwater management "working landscapes" within the 50 year development area to locate access trails connecting to the major greenway corridors where appropriate and feasible.
- 5.16.14. All improvements for greenways shall be designed in compliance with this Section. The Annual Report shall include a description of all such improvements made in the previous year and document compliance with the provisions of this Section. The University shall identify which applicable accessibility standards were used in the design of each project. All greenway and paved paths for pedestrians and cyclists shall be designed to:
  - 1) Minimize disturbance and provide good material and maintenance choices of greenways;
  - 2) Be consistent with the terms of the conservation easement(s) required by Section 5.5.1 of this Agreement and any other applicable resource protection terms of this Agreement;
  - 3) Co-locate greenways, pedestrian paths and other access needs in the more developed areas of campus;
  - 4) Co-locate greenways, utilities and roads in the less developed areas of the property;
  - 5) Make use of cleared and active utility easements, even in floodways, floodplains and stream buffers, in order to avoid additional forest clearing;
  - 6) Integrate cyclists safely back into the flow of car traffic using appropriate traffic signaling or signage at locations where greenways and roadways cross or come together; and
  - 7) Avoid undisturbed regulatory floodplains and stream buffers to the maximum extent possible.
- 5.16.15. The parties shall periodically consider the need for, location, design, and feasibility of pedestrian connections between the Carolina North Project and adjacent residential neighborhoods. This consideration shall be conducted concurrently with the production of each Transportation Impact Analysis update mandated by Section 5.8.9 of this Agreement and a report of that consideration shall be included in the Annual Report that follows that consideration. The University and Town shall work with neighborhoods to determine if neighborhoods want paved connectors, non-paved connectors, or no direct trail connection to the University's trail system. Neighborhoods that should be approached include Glen Heights, Ironwoods, North Haven, Elkin Hills, and Homestead Village. If neighborhoods prefer paved connector trails these should be provided.

#### **17. Historic and Cultural Features**

- 5.17.1 The University shall comply with the applicable law regulating archeological resources, including, but not limited to, the state Archaeological Resources Protection Act, state statutes on historic cemeteries, and the National Historic Preservation Act/National Register of Historic Places.

- 5.24.4. Complaints regarding compliance with the noise ordinance within the Carolina North Project area shall be made to and handled by University Public Safety.

## **25. Lighting**

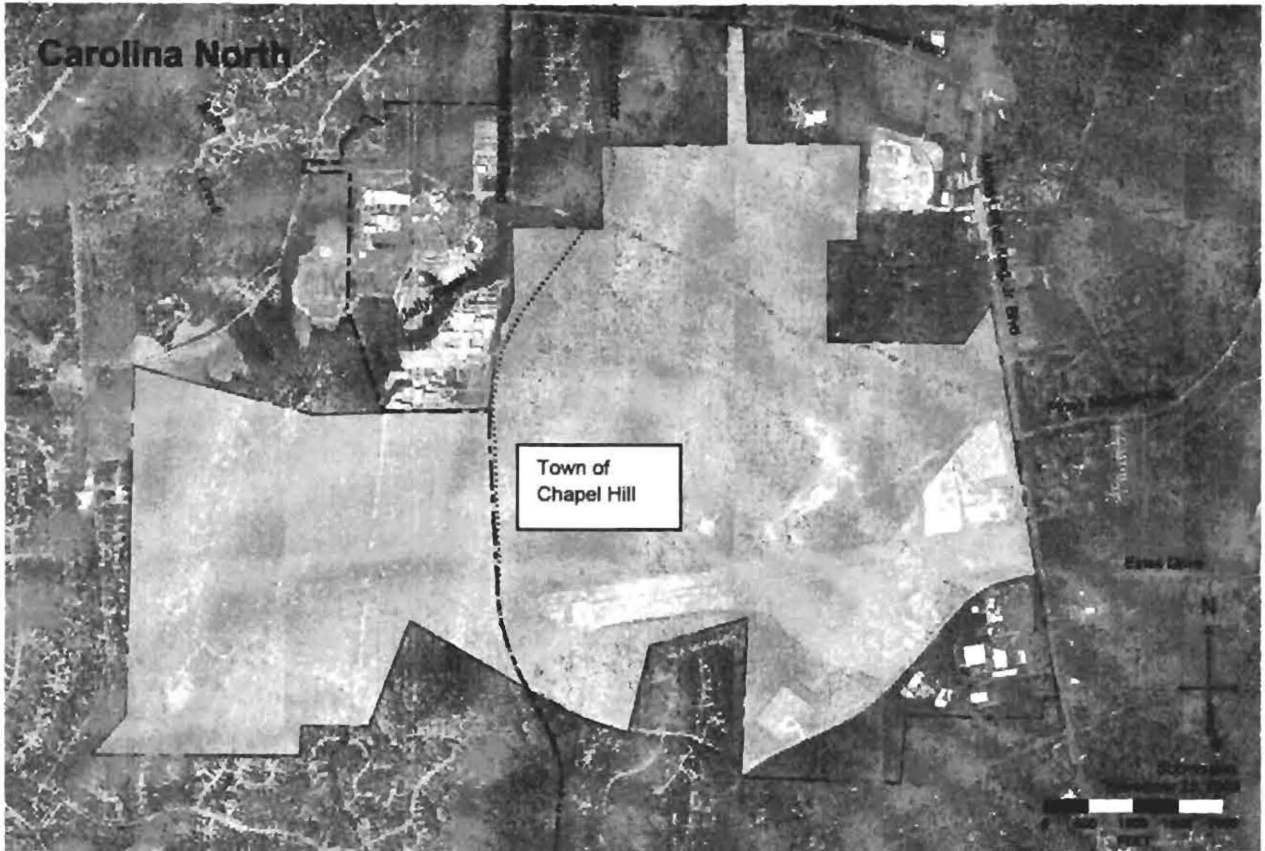
- 5.25.1. Lighting at the Carolina North Project shall not have a negative effect on adjacent users, neighborhoods, the community, or other University uses of the Carolina North Tract. Lighting shall be energy efficient and appropriate for the program requirements and times of use.
- 5.25.2. The Town lighting standards in effect as of the Effective Date of this Agreement shall be applicable to the Carolina North Project. Each individual site development permit application shall demonstrate no increase in lighting foot-candle levels at the adjacent property line.
- 5.25.3. The University shall describe in each individual site development application how lighting for that portion of the Carolina North Project is designed with a basic strategy of:
- 1) A 'dark skies' approach for the Carolina North Project as a whole;
  - 2) Streets lit to Town or DOT standards; and
  - 3) Building code requirements regarding lighting met for new buildings.
- 5.25.4. New lighting within the Carolina North Project shall comply with the following:
- 1) All lighting, including that used in and around buildings, recreation areas, parking areas, walkways, roadways, and signs, shall be designed to minimize spillover light onto property outside of the Carolina North Project.
  - 2) All lighting shall be designed to prevent glare that could impair vision and/or otherwise deteriorate normally accepted qualities and uses of property outside of the Carolina North Project.
  - 3) Outdoor lighting, except sports and athletic field lighting, shall be mounted at heights no greater than fifteen (15) feet for non-cutoff lights; and no greater than thirty-five (35) feet for most cutoff lights.
  - 4) Lighting for sports and athletic fields must include glare control features and must be designed so that the primary illumination is directed onto the play area and immediate surroundings, and such that offsite illumination/glare is restricted.
  - 5) Increases in illumination on property outside of the Carolina North Project shall not result in lighting levels in excess of 0.3 foot-candles, measured at ground level.
  - 6) For property outside of the Carolina North Project where existing ambient lighting levels are in excess of 0.3 foot-candles, there shall be no increase in measurable lighting levels.

These lighting restrictions shall not apply to adjacent property outside of the Carolina North Project that is in the same ownership as property within the Carolina North Project.

## **26. Existing Conditions**

- 5.26.1. Existing conditions on the Carolina North Tract as of the Effective Date of this Agreement are depicted in Exhibit H. Map 1 in Exhibit H depicts existing conditions on the Chapel Hill portion of the Carolina North Tract. Map 2 in Exhibit H depicts the existing trails on the Carolina North Tract. All existing uses of land that do not involve the use of a building can be continued as they exist as of the Effective Date of this Agreement and can be changed to any use permitted by this Agreement. Any existing building within the U-1 district can be used for the use in effect as of the effective date the property is zoned U-1 and can be changed to any use permitted pursuant to a development agreement as authorized by Section 3.5.5(f)(1) of the LUMO. Any existing building being used for a use permitted in this Agreement may be expanded to the extent that expansion is exempt from the Transportation Impact Analysis requirements of Section 5.8(g) of the LUMO. Any new construction, development, or site improvements associated with continuation of existing conditions shall be consistent with the terms of this Agreement.

**EXHIBIT A. Boundary Map of the Carolina North Tract**

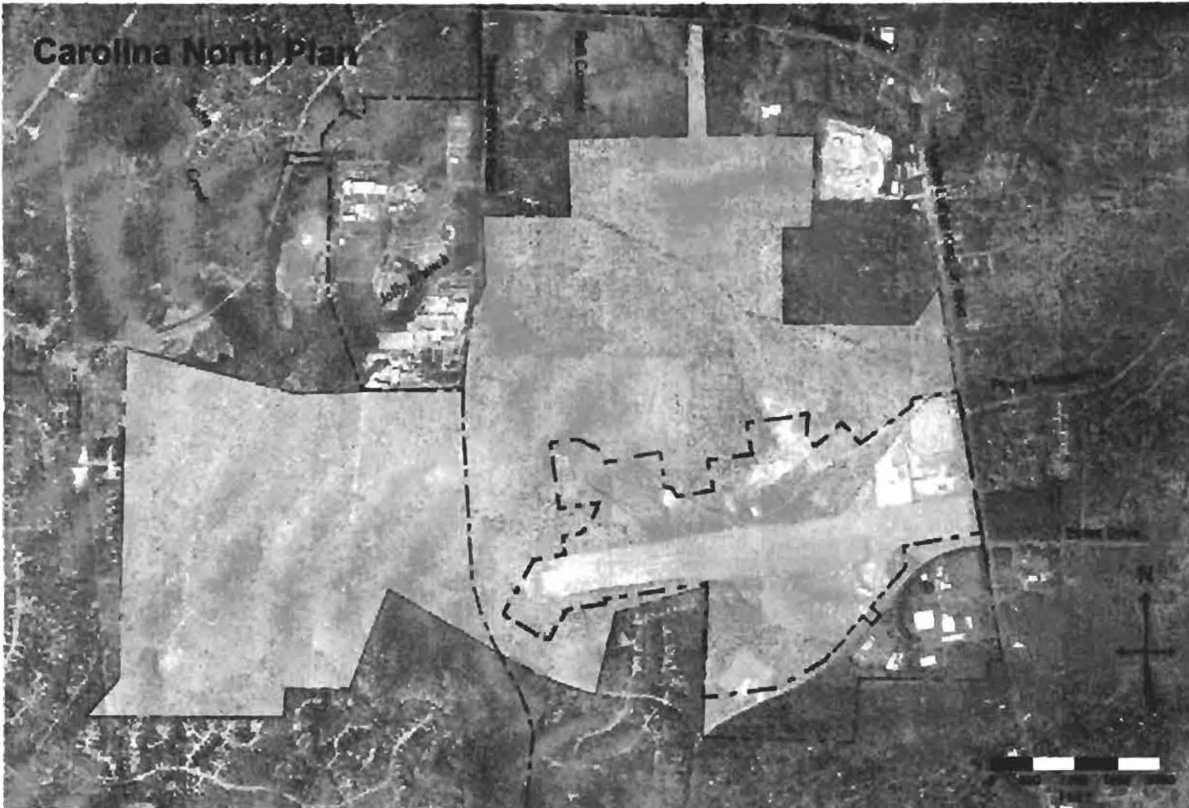


**Carolina North Tract (approximately 947 acres)**

Approximately 304 acres in Carrboro jurisdiction (area west of dashed line)

Approximately 643 acres in Chapel Hill jurisdiction (area east of dashed line)

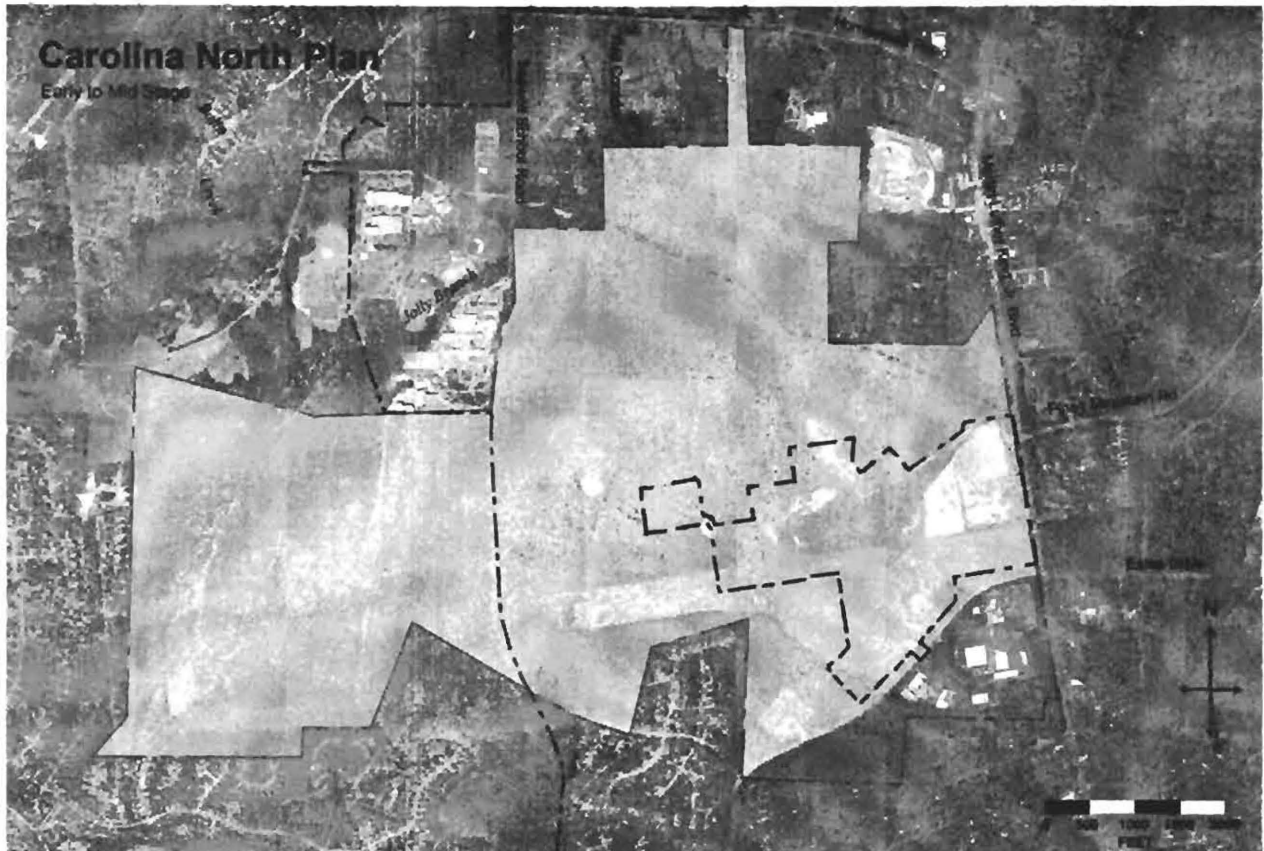
**EXHIBIT B. Boundary Map of the Portion of the Carolina North Tract within the Long-Range Plan of Development for Carolina North**



**Boundary of Area within the Carolina North Tract Showing Location of Building Development Anticipated within Fifty Years**

Approximately 228 Acres

**EXHIBIT C. Boundary Map of the Portion of the Carolina North Project with Buildings Permitted by this Agreement**



**Boundary of Area Proposed for Building Development Pursuant to this Agreement**  
Approximately 133 acres

**EXHIBIT D. Site Plan for the Portion of the Carolina North Project Proposed for Building Development Pursuant to this Agreement**



**Site Plan for Initial Phase of Carolina North Project**

Up to three million square feet of building development on approximately 133 acres

EXHIBIT E. Map: Conservation Areas



Note: Composite Map – Weighted Analysis from Ecological Assessment, with smoothed boundaries and upland hardwood borders

Approximate acreage:

Area	1	2	3	4	5	6A	(6B)
Acres	12	42	19	24	9	205	(53)



**EXHIBIT F. Map: General Location of Greenways and Paved Paths**

Note: The dashed lines indicate the general location of potential greenways. The circled area indicates the general location of a crossing. All will require future field study.



**EXHIBIT G. Map: Perimeter Transition Areas**

**NOTE:** Perimeter Transition Area: 100' from property line toward building face, projects must demonstrate compliance with Carolina North Design Guidelines, screen mechanical and service areas, and comply with applicable standards from the Development Agreement.

EXHIBIT H. Map 1. Existing Conditions on the Chapel Hill Portion of the Carolina North Tract

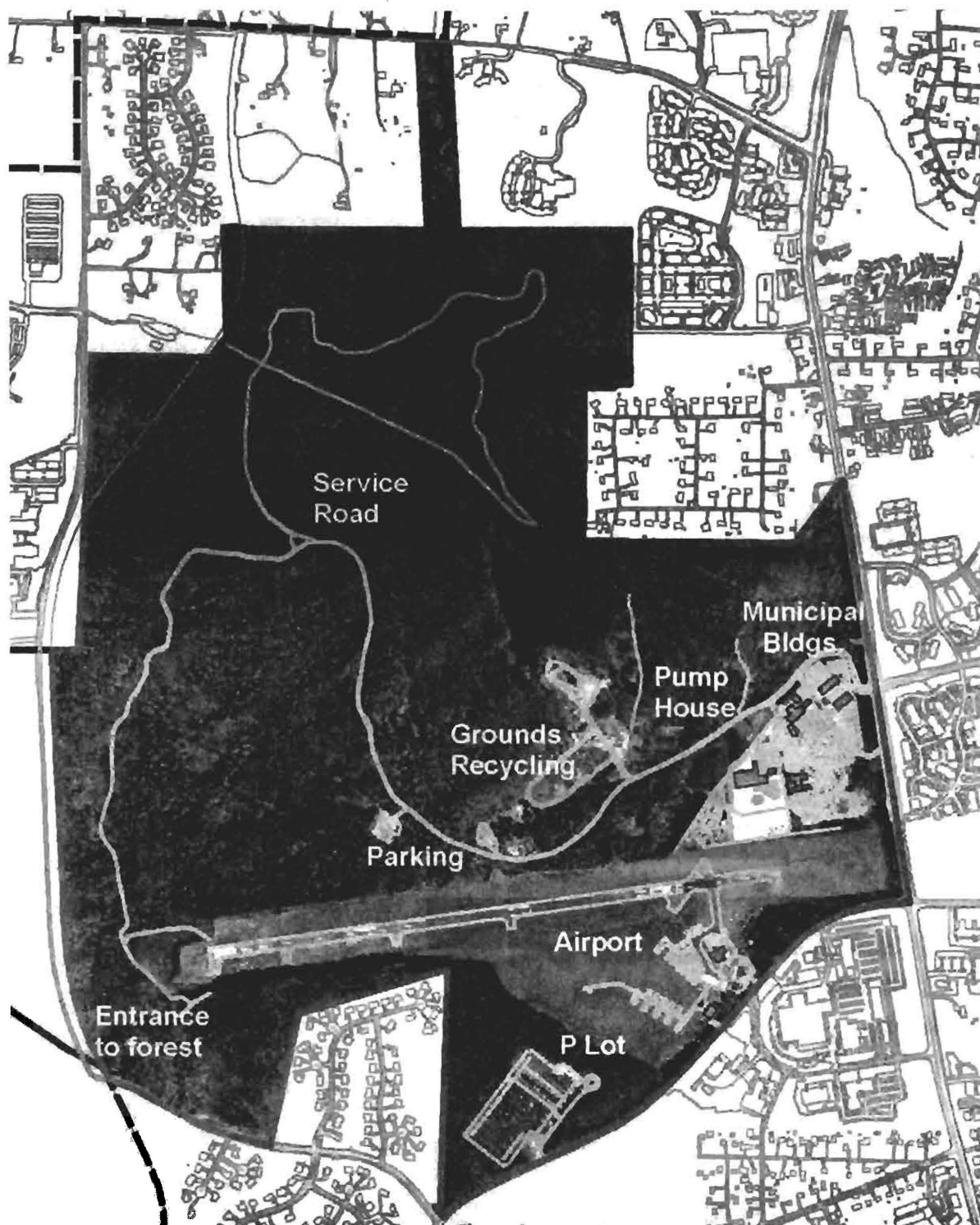
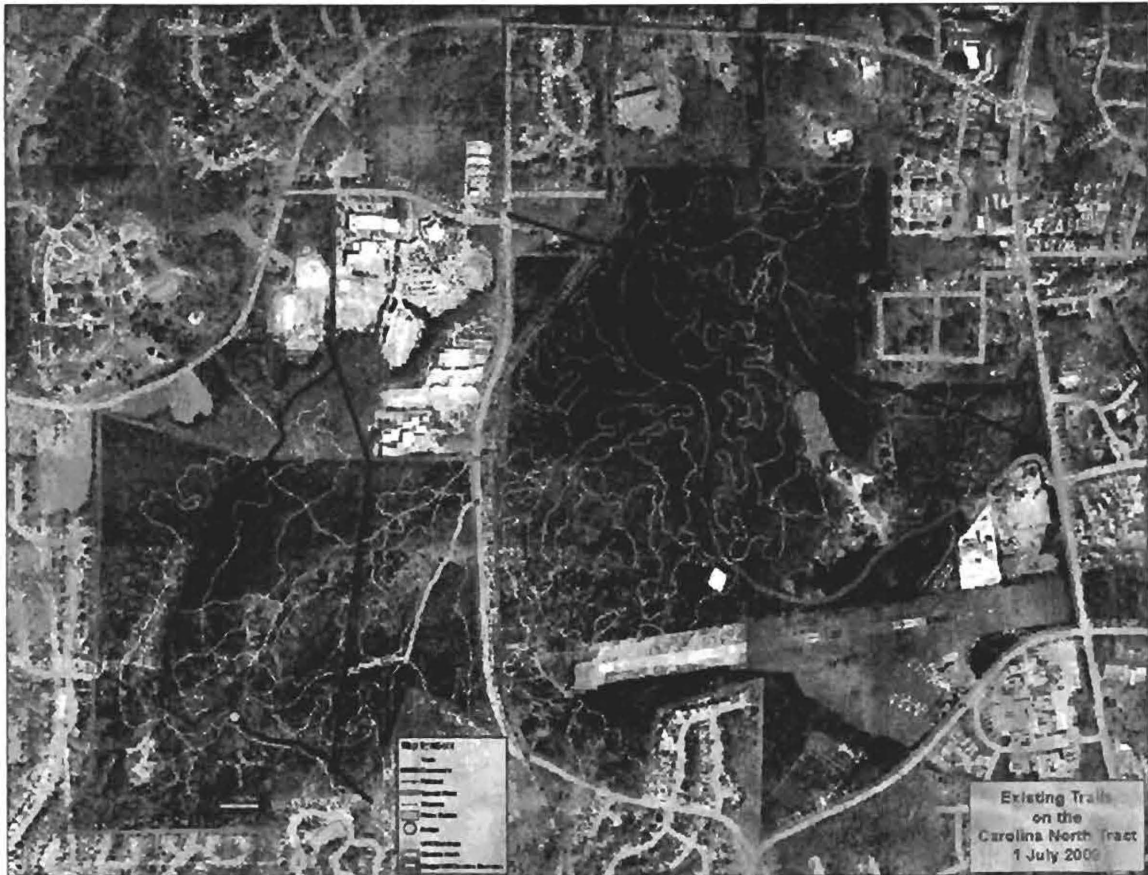
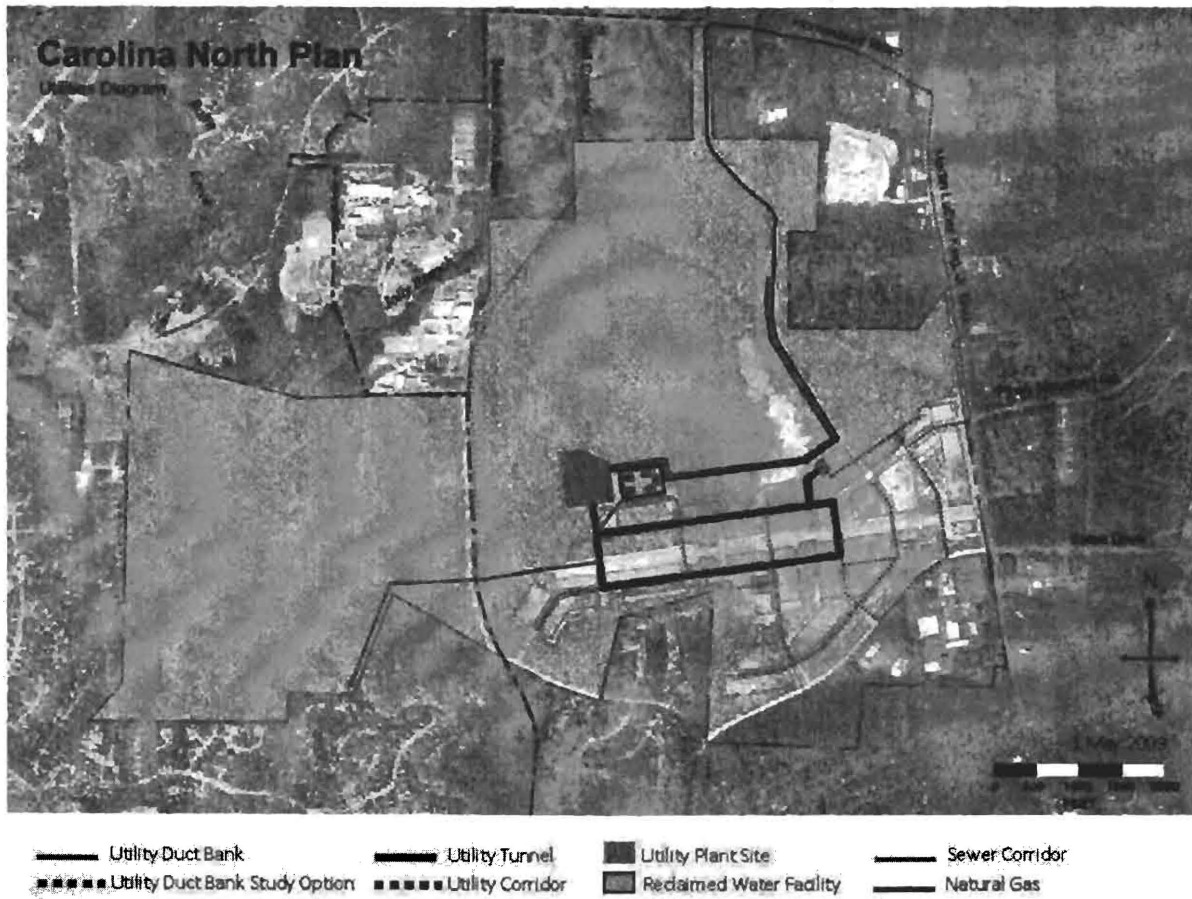


EXHIBIT H. Map 2. Existing Trails on the Carolina North Tract



## EXHIBIT I. Map: Utility Plant and Line Siting



**EXHIBIT J. U-1 Site Development Permit Application**

Contact:

Address:

Phone Number:

E-mail:

Project Name:

Application Number:

Submittal Date:

Project Number:

Project Location:

Project Sub-Basin:

Tax/Map/Block/Lot

(TMBL)#:

Parcel Identification

Number (PIN):

Land Use:

Is the Project in a Perimeter Transition Area? : Yes\_\_\_ No \_\_\_

If yes, include PTA meeting minutes and copy of notice map and mailing list with application**Information Requirements for Site Development Permit Applications**

Each application for a Permit shall include the following information, in a format specified by the Town Manager (X copies or sets of all information unless noted below):

1. Receipt (one copy) of Permit Application Fee (\$XX).
2. Area map - Identify location of project on approved Phase Plan.
3. An Existing Site Plan.
4. A Site Plan showing building footprints, access drives, pedestrian circulation (with connections to existing pedestrian networks), parking areas, and clearing limits.
5. A Grading Plan.
6. A soil erosion control plan for projects over 20,000 square feet of disturbance
7. A copy of the erosion and sediment control permit from the NC Division of Land Resources for projects disturbing one acre or more.
8. A courtesy copy of erosion/sedimentation control plans
9. A Utility Plan showing how all utilities will be provided to buildings and letters of approval from each applicable utility (one copy of each letter).
10. A Construction Management Plan, consistent with the University's "Construction Management Guidelines" contained in the August 7, 2001 Addendum, to be approved by the Town Manager prior to commencement of construction, indicating measures to be taken during construction in the following areas:
  - a. Traffic Management/Control Plan:
    - i. A traffic management/control plan shall be submitted which will provide for the safe and orderly movement of motorized and non-motorized vehicles on any public streets (maintained and operated by the Town or the NCDOT) on which normal traffic flow will be disrupted (lane closures, street closures, sidewalk closures, etc.) during construction, including a detour plan as may be necessary.
    - ii. The submittal of a Site Development Plan shall include a construction traffic routing map that identifies the local street network that will be impacted by construction traffic associated with this proposed addition. The routing plan shall minimize, and where practical, prohibit construction traffic on local streets. The plan shall also provide for the safe and continued use of bicycle, pedestrian, and greenway corridors during construction.

- iii. The Traffic management plan shall be prepared in accordance with the latest version of Manual on Uniform Traffic Control Devices (MUTCD) and applicable NCDOT Standards.
  - iv. All signs shall be made of high retro-reflectivity material and, if night time closures are necessary, signs shall include beacons.
  - v. The traffic management plan shall be sealed by a Professional Engineer licensed in the State of North Carolina.
  - vi. A permit must be obtained from the Town Manager for land closures, sidewalk closures, and street closures.
  - vii. The Traffic Management Plan shall state that closures and night time work on public streets must be approved by the Town Manager. This form must be completed and submitted to the Town for approval along with the relevant traffic control plan. The Contractor must notify the Town Engineering, Public Works, Police, Fire, and Transportation Departments, E911, and affected residents at least 3 business days prior to the commencement of approved night work and/or approved street closure.
  - viii. The University is responsible for repairing damaged pavement, markings, signs and signal equipment as necessary.
  - ix. The University's contractor shall coordinate with the Town Public Works Department (969-5100) for traffic signal system underground cable conflicts.
- b. Pedestrian Management Plan:
- i. A pedestrian detour plan shall be submitted which will provide for the safe and orderly movement of pedestrians if any public sidewalks and/or designated pedestrian routes on public rights-of-way and/or easements are disrupted or closed to normal pedestrian use.
  - ii. The pedestrian detour plan shall be prepared in accordance with the latest version of the MUTCD and sealed by a professional engineer licensed in the State of North Carolina.
  - iii. All signs shall be made of high retro-reflectivity material and if a night time detour is required, signs shall include beacons.
- c. Pedestrian Safety:
- i. Detailed information on how the Pedestrian Management Plan will provide for the safe and continued use of bicycle, pedestrian, and greenway corridors during construction.
- d. Pedestrian Security:
- i. Detailed information on pedestrian security measures including the placement of security phones and lighting. The plan shall also include additional information on security for pedestrian bridges during evening hours.
- e. Construction Traffic Management Plan:
- i. A construction traffic control plan shall be submitted which will provide for the safe and orderly movement of construction traffic to and from the construction site and staging area. The plan must identify the location and size of staging areas and material storage areas which would affect construction traffic routes.
  - ii. The plan shall indicate location(s) where construction equipment will be parked (if offsite) and where construction personnel will park, including a routing plan for equipment and personnel going to and from the work site.
  - iii. The plan shall indicate graphically and describe how emergency vehicle access to and around the project site will be provided both during and after completion of construction.
  - iv. The plan shall include measures to minimize construction traffic impacts on school bus traffic and access to schools in the vicinity of the project.
- f. Construction Management Plan Enforcement:
- i. Each Construction Management Plan shall describe how the University will enforce the requirements of the Construction Management Plan. In particular, the plan must describe how the University intends to enforce and ensure that pedestrian, bicycle, and greenway corridors will remain open and safe during construction periods.

- g. Construction Management Contact Information:
- i. Each construction site will include visible signage listing a telephone number and a University representative available to answer questions and respond to concerns about pedestrian safety and security. A detail of the proposed sign, including number of signs and general locations, shall be submitted with each Site Development Permit application.
10. Stormwater Management:
- Every application for a Site Development Permit shall include:
- a. A signed and sealed letter from a Professional Engineer, licensed in North Carolina, certifying that the stormwater management measures associated with the Site Development Permit application meet or exceed the approved stormwater management performance standards for Carolina North. Stormwater management and treatment practices shall comply with all applicable federal and State regulations, and revisions thereof.
  - b. Plans, signed and sealed by a North Carolina licensed Professional Engineer, showing grading, regulatory floodplains, stream buffers and RCDs, plantings, erosion control, and stormwater runoff control best management practice(s) designs and details, in accordance with the performance criteria.
  - c. A stormwater design report, signed and sealed by a North Carolina licensed Professional Engineer, that includes the following
    1. A narrative description of existing and proposed site conditions, stormwater impacts, and proposed stormwater management measures
    2. A summary table of pre-development and post-development impervious cover by drainage area
    3. Maps showing the pre-development and post-development impervious cover
    4. A table indicating the stormwater runoff volumes and peak discharge (rates) for the specified design storms at the following three conditions: pre-development; post-development without stormwater management; and post-development with stormwater management
    5. Copies of all hydrologic and hydraulic calculations and routings
    6. Maps indicating the existing and proposed drainage divides on the site and the drainage to each stormwater management measure
    7. Inspection, operations, and maintenance plans for the proposed stormwater management structures.
  - d. A note indicating the University is responsible for maintenance of stormwater facilities as agreed upon in the Carolina North Development Agreement for facilities on University-owned property.
11. Noise: Every application for a Site Development Permit shall include a signed and sealed letter from a Professional Engineer, licensed in the State of North Carolina and with demonstrable expertise in acoustical design and attenuation practices, certifying that any increase in measurable noise above existing pre-Development Plan noise levels on property outside the U-1 Zoning District will not exceed the levels allowed in the Town Noise Ordinance as established at the time each Site Development Permit application is approved by the Town. This noise restriction shall not apply to property outside of the U-1 Zoning District that is in the same ownership as property within the U-1 Zoning District.
12. Lighting Plan: Every application for a Site Development Permit shall include a lighting plan, sealed by a Professional Engineer licensed in the State of North Carolina and with demonstrable expertise in lighting design and mitigation strategies, that shows the following:
- a. existing and proposed lighting fixture types and locations
  - b. isolux contour diagram and grid points with the measured and calculated pre-development and post-development foot-candles at grade on property where lighting impacts are expected.
  - c. a description of how lighting meets the goals of 'dark skies' lighting and complies with the lighting standards of the Development Agreement.



- d. A demonstration that there is no increase in lighting foot-candle levels at the adjacent property line as a result of the project.
- e. Demonstration that increases in illumination on property outside of the Carolina North Project do not result in lighting levels in excess of 0.3 foot-candles, measured at ground level.
- f. Confirmation that, for property outside of the Carolina North Project where existing ambient lighting levels are in excess of 0.3 foot-candles, there is no increase in measurable lighting levels.

These lighting restrictions shall not apply to adjacent property outside of the Carolina North Project that is in the same ownership as property within the Carolina North Project.

13. Fire Protection and Safety:

- a. Fire Flow Report sealed by a registered Professional Engineer (NC) demonstrating compliance with Town Standards.
- b. A Fire Protection plan showing the following:
  - i. Location of fire hydrants, present and proposed
  - ii. Location of fire department connections to sprinkler/standpipe systems
  - iii. If building has both sprinkler and standpipe, show which FDC feeds which system
  - iv. Road access to fire protection systems
  - v. Emergency access to the structure on at least two sides
  - vi. Unobstructed 20 ft. emergency access lanes
  - vii. Fencing around construction site with 20 ft. opening swing or slide gates
  - viii. Temporary standpipe locations if building is 40 feet or higher
  - ix. Any areas which are proposed to be inaccessible during construction or demolition
  - x. Maintain compacted soil/gravel to withstand weight of fire department vehicles at 75,000 pounds vehicle, all weather road standards.

14. Engineering Construction Permit. If any part of a University project lies within a public right-of-way on Town streets, all documents required for an Engineering Construction Permit (ECP) must be submitted as part of the Site Development Permit application process. An ECP must be obtained from the Town prior to start of work on the right-of-way.

15. Energy and Conservation Goals:

- a. Permit applications shall include energy performance models and the LEED checklist with projected points to qualify at Silver level.
- b. Permit applications shall describe how potable water consumption and reclaimed strategies are incorporated into the project

16. Landscape: Plans indicating grading, and limits of construction, existing and proposed tree canopy mix and percent coverage, and other proposed plantings. Plans should also show how the proposed project relates to the overall master plan for Carolina North.

- a. identify planting materials, proposed irrigation and maintenance techniques for each type of landscape proposed
- b. applications should include any proposed trails, greenways or recreation facilities and connections to adjacent related facilities to be constructed as part of the project and describe the design standards applied to those elements

17. Solid Waste: Describe the solid waste management responsibilities for the project both during the construction phase and after the building is occupied.

18. Design Guidelines: Describe how the project meets the design standards applicable to Carolina North

Post-Construction: Upon completion of construction, the University shall provide commissioning reports, as-built drawings to the Town, signed and sealed by a North Carolina-registered Professional Land



Surveyor, showing building footprints, driveways, stormwater drainage/conveyance piping, stormwater management structures, and all other impervious surfaces and totals.

-  Conservation Areas per Development Agreement
-  Conservation Areas - Improved Ecological Value
-  Streams, Buffers, Wetlands, & Floodplains
-  Significant Natural Heritage Areas
-  Landfill
-  Existing Groundwater Treatment Infrastructure
-  Existing Utilities
-  Existing Gravel Service Roads, Utility Easements, ROWs

