Town of Southern Pines
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North Carolina
The Mid South Resort
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Requirements for Submittal of Application for the Watershed Protection Permit

I. **All documents** must be received (25) twenty-five days prior to the regular scheduled Town Council meeting.

II. **The names and addresses** of all officers in the Corporation must be provided if a Corporation makes the request.

III. **Four (4) Development Site Plans** must be submitted with this application. The plans must reflect the amount of impervious surface for the project and the requested amount to be deducted from the Town of Southern Pines 5/70 Exemption Allocation Tally. **All plans and/or maps larger than 11 x 17 shall be folded down to letter size**.

IV. **Four (4) vicinity maps** drawn to a scale of 1 inch = 200 feet must be submitted. **All maps larger than 11 x 17 must be folded down to letter size**.

V. **A PDF of all plans & maps** sent to kennedy@southernpines.net and cc sherry@southernpines.net .

VI. **Section 3.6.8 r**efers to the WPO- Watershed Protection Overlay District as follows:

Section 3.6.8. WPO - Watershed Protection Overlay District

(A) Purpose

(1) The purpose of this Section is to describe the watershed areas and regulations herein adopted. The Town of Southern Pines has within its jurisdiction, a portion of the Protected Area of the Cape Fear River Watershed, classified as a WS-III by the Environmental Management Commission. The Town Council has chosen the Low-Density option as a zoning permit for Development within the Watershed areas. These areas are displayed on the Town of Southern Pines Official Zoning Map and the following regulations apply to these areas in addition to the other standards established in this UDO. This amendment was adopted June 8, 1993, and was effective beginning July 1, 1993.

(2) G.S. 143-214.5 provides for a cooperative program of water supply Watershed management and protection to be administered by local governments consistent with minimum statewide management requirements established by the Environmental Management Commission. To promote the public health, safety and welfare, the governing board of the Town of Southern Pines adopts these Watershed protection regulations effective for all areas designated Watershed Protection Overlay District on the Official Zoning Map.

(B) Applicability and Procedures

(1) All new Development created after December 15, 1993 is subject to the Water Supply Watershed protection regulations.

(2) If, at the time of application for a zoning permit, final development plan or architectural compliance permit, it is determined that the property lies in a water supply Watershed, as shown on the Zoning Map, a Watershed Protection Permit will be required to be issued subject to the procedures established in Chapter 2 of this UDO.

(3) The Planning Director shall serve as Watershed Administrator and shall issue Watershed Protection Permits as prescribed herein. A record of all permits shall be kept on file for public inspection.

(4) The Town Council for the Town of Southern Pines shall serve as Watershed Review Board and hereby delegates administrative review procedures to the Planning Director.

(5) The Town Council shall have the responsibility to grant Variances from these regulations in accordance with the provisions of Chapter 2 of this UDO. A Variance is required for any allocation of Built-Upon Area that exceeds twenty-four (24) percent outside of the CB district.

(C) Water Quality Areas

The following watershed protection areas are established:

(1) **Critical Area:** The area adjacent to a water supply intake where risk associated with pollution is greater than from the Watershed. The critical area is defined as extending one-half mile upstream from and draining to the Town of Carthage public water supply intake or the ridge line of the Watershed (whichever comes first). The Town of Southern Pines may extend the Critical Area as needed. Major landmarks such as highways or property lines may be used to delineate the outer boundary of the Critical Area if these landmarks are immediately adjacent to the appropriate outer boundary of one-half mile.

(2) **Protected Area**. The area adjoining and upstream of the Watershed Critical Area in which protection measures are required. Unless otherwise modified by the Town, this area corresponds with the State's high quality water (HQW) area. The boundaries of the protected area are defined as extending ten (10) miles upstream and draining to the Cape Fear, lower Little River #2 public water supply intake or the ridge line of the Watershed (whichever comes first). The Town may extend the Protected Area as needed. Major landmarks such as highways or property lines may be used to delineate the outer boundary of the Protected Area if these landmarks are immediately adjacent to the appropriate outer boundary of ten miles.

(D) Development Density and Intensity Requirements
Development shall comply with the density and intensity standards established in Exhibit 3-15. For all calculations of "built upon land area", natural water bodies such as ponds or streams shall be deducted from the total area prior to calculation.
(E) Cluster Development
Clustering of Development is allowed subject to the conditions of Section 6.1 and the following conditions:
(1) Minimum Lot sizes are not applicable to cluster Development projects; however the total number of Lots or Dwelling Units shall not exceed the number of Lots allowed for Developments in the
applicable zoning district. Built-Upon Area of the project shall not exceed that allowed for the balance of Watershed.
(2) All Built-Upon Area shall be designed and located to minimize storm water runoff impact to the receiving waters and minimize concentrated storm water flow.
(3) The remainder of the Tract shall remain in a vegetated or natural state, not to be developed at any future date. Where the Development has an incorporated property owners association, the title of the open space area shall be conveyed to the association for management and maintenance. Where a property association is not incorporated, a maintenance agreement shall be filed with the property deeds and individual property owners shall be responsible for maintenance.
(F) Buffers Required
(1) A minimum of thirty (30) foot vegetative buffer is required for Development activities 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. Desirable artificial stream bank or shoreline stabilization is permitted.
(2) No new Development is allowed in the buffer except for water dependent structures and public projects such as road crossings and greenways where no practical alternative exists. These activities should minimize built-upon surface area, direct runoff away from the surface waters and maximize the utilization of storm water Best Management Practices.
(G) Public Health Regulations
(1) Public health, in general. No activity, situation, structure or land use shall be allowed within the Watershed, which poses a threat to water quality and the public health, safety and welfare. Such conditions may arise from inadequate on-site sewage systems which utilize ground absorption; inadequate sedimentation and erosion control measures; the improper storage or disposal of junk, trash or other refuse within a buffer area; the absence or improper implementation of a spill containment plan for toxic and Hazardous Materials; the improper management of storm water runoff; or any other situation found to pose a threat to water quality.
(2) Abatement. The Planning Director shall monitor land use activities within the Watershed areas to identify situations that may pose a threat to water quality.
(3) Where the Planning Director finds a threat to water quality and the public health, safety and welfare the Planning Director shall institute any appropriate action or proceeding to restrain, correct or abate the condition and/or violation.
(4) Stormwater runoff from Development should be transported by vegetated conveyances to the maximum extent practicable

VII. **The applicant or a representative is expected to attend all meetings** (Town Council Agenda Meeting and Town Council Regular meeting) to answer questions concerning the request. The absence of the applicant or a representative at the agenda meeting is sufficient grounds to warrant a deferral of action by the Town Council.

VIII. **The Town Council Agenda meeting is held the Wednesday preceding the Town Council Regular meeting. The Town Council Regular meeting is held the second Tuesday of the month. The agenda meeting is held in the Southern Pines Police Station Community Room, 450 West Pennsylvania Avenue, and the Regular Town Council meeting is held at the Douglass Community Center, 1185 West Pennsylvania Avenue, Southern Pines, NC. Both of the meetings start promptly at 7:00 PM.**

IX. **For your convenience, meeting dates are readily** accessible **on the Town's official web site, www.southernpines.net . On the Town of Southern Pines' Home Page, select Government, then select Public Meetings (Calendar).**

Location	Maximum Density or Intensity
Critical Area	New Development shall be limited to either one (1) Dwelling Unit per acre or twelve (12) percent built upon land area.
High Quality Water (HQW) / Protected Area	New Development shall be limited to one (1) Dwelling Unit per acre or twelve (12) percent built upon land area unless (a) the development disturbance area is less than one (1) acre or (b) BMPs or another approved stormwater management based practices are used. New Development with a development disturbance area less than one (1) acre shall be limited to two (2) Dwelling Units per acre or twenty-four (24) percent built upon land area. New Development utilizing BMPs or another approved stormwater management based practices shall be limited to two (2) Dwelling Units per acre or twenty-four (24) percent built-upon land area in the Watershed outside of the Critical Area. • For Commercial Projects: New Development requires a state Stormwater Permit if the development disturbance area exceeds one (1) acre. If the new development exceeds the twenty-four (24) percent built upon area the project may apply for the 5/70 exemption*. • For Residential Projects: New Development requires a state Stormwater Permit if the development disturbance area exceeds one (1) acre. If the new development exceeds the twenty-four (24) percent built upon area the project may apply for the 5/70 exemption*.
Rest of Watershed (WS-III)	New Development shall be limited to two (2 Dwelling Units per acre or twenty-four (24) percent built-upon area. If the new development exceeds either of these thresholds the project may apply for the 5/70 exemption*.

Exhibit 3-15: WPO District Development Density and Intensity Requirements

Table Notes: *** 5/70 Exemption Allocation for Non-Residential and High- Density Attached Residential Development:** New Development may be developed at up to seventy (70) percent built-upon land area as follows:

1. The total area subject to this provision shall not to exceed five (5) percent of Southern Pines' jurisdiction as of July 1, 1993 within the Watershed and outside of the Critical Area.
2. Development in the **CB** district shall qualify for this allocation on a first come, first serve basis until the five (5) percent is exhausted.
3. Development outside of the **CB** district requiring an allocation of Built-Upon Area shall require approval from the Town Council in conjunction with any Development Order prior to Building Permit Approval. The allocation may be granted concurrently with Architectural Compliance Permit or Final Development Plan approval and shall be subject to the following criteria:
    a. The use and location of the use are consistent with the Comprehensive Plan;
    b. The design of the project is appropriate for the location and is consistent with the purposes of the WPO district;
    c. The allocation is minimum necessary to establish the use at a size, scale and design that serves the interests of the neighborhood and the Town as a whole; and
    d. The allocation will not detract from the viability of similar uses in the area or other parts of the Town.
4. All allocations shall be deducted from the five (5) percent total area allocation and shall be monitored by the Planning Director.
5. If this exemption is granted, a State stormwater permit shall not be required.

Exemptions: Those areas bounded by a pre- existing natural or permanent obstruction which prevents surface storm water runoff from reaching any designated water supply as determined in writing by the North Carolina Division of Water Quality, and the exception would have only an insignificant impact on the available allocation as determined by the Town Council.

APPLICATION FOR THE
TOWN OF SOUTHERN PINES TOWN COUNCIL
WATERSHED PROTECTION PERMIT

Date Received:_____ Case: WP-_____ - _____

TO THE TOWN COUNCIL OF THE TOWN OF SOUTHERN PINES, NORTH CAROLINA:

I, the undersigned, do hereby make application for a Watershed Protection Permit of the property as described below, to the Town of Southern Pines Town Council:

1. **Name of Project**:_____
2. **Project Street Address**: _____
3. **PIN #** _____ **LRK** _____
4. **Watershed**: _____
5. **Type of Commercial Building (i.e. retail, office, etc.)**:_____

I certify that all information furnished in this application is accurate and in compliance with the Watershed Protection Overlay standards of the Town of Southern Pines.

Name of Petitioner: _____ **Signature**: _____
Please Print

Mailing Address of Petitioner: _____
Please Print

E-Mail of Petitioner: _____
Please Print

Phone Number of Petitioner: _____
(Area Code)

Name of legal owner of Property Owner
(If different from Petitioner) _____
Please Print

Mailing Address of legal Property Owner
(If different from Petitioner) _____
Please Print

Phone number of legal Property Owner
(If different from Petitioner) _____
(Area Code)

Form updated December 13, 2013

IN ADDITION TO *Watershed Protection Permit* from the Town Council, ALL APPLICABLE PERMITS MUST BE OBTAINED BEFORE CONSTRUCTION AND/OR DEMOLITION CAN BEGIN.

When the applicant applies for the required permits such as zoning, grading, soil erosion control, building, etc., a set of detailed plans (including a site plan in compliance with various Sections of the Town of Southern Pines UDO) will be necessary. Planning staff recommend a staff consultation of the applicant's preliminary plans to provide comprehensive remarks by all appropriate Town Departments/Divisions. Such staff consultation should minimize development costs, avoid misunderstanding or misinterpretation and ensure compliance with the requirements of the UDO. You may contact Chris Kennedy, Planner at (910) 692-4003.

Please contact the Inspections Department for information concerning the required forms and procedures for applying for a building permit (910) 692-4003.