

**ATTACHMENT #1**

**AN ORDINANCE APPROVING THE CHATHAM PARK  
AFFORDABLE HOUSING PLAN ADDITIONAL ELEMENT**

WHEREAS, the Board of Commissioners of the Town of Pittsboro has considered the proposal to approve the Affordable Housing Plan Additional Element (the “Proposed Additional Element”) pursuant to the Chatham Park PDD Master Plan to review the Additional Element in the same manner as the “legislative process for amending the text of the Unified Ordinance,” the text of the Proposed Amendment being attached hereto as **Exhibit B** and incorporated by reference; and

WHEREAS, pursuant to Article 8 of the Town of Pittsboro Unified Development Ordinance the Town of Pittsboro Planning Board has advised and commented to the Board of Commissioners regarding the Proposed Additional Element by a “Land Use Plan Consistency Statement For Approval” that the Proposed Additional Element is consistent with the Town’s comprehensive plan, including the Land Use Plan, and other officially adopted and applicable Town plans and policies, and recommending that the Proposed Additional Element be adopted; and

WHEREAS, pursuant to Article 8 of the Town of Pittsboro Unified Development Ordinance a public hearing on the Proposed Additional Element was held on August 14, 2017 and on October 25, 2021 and the Board of Commissioners has duly considered the written and oral comments from the public hearing regarding the Proposed Additional Element; and

WHEREAS, the Board of Commissioners has determined that the proposed Additional Element advances the public health, safety, and welfare;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF PITTSBORO as follows:

1. That when approving the Chatham Park Affordable Housing Plan Additional Element, the same shall be approved as a part of the Master Plan and shall be enforceable in the same manner and to the same extent as the Master Plan,
2. That the Board of Commissioners also hereby approves the statement attached hereto as **Exhibit A** and incorporated by reference.
3. That all ordinances and portions of ordinances in conflict herewith are hereby repealed.
4. That the Proposed Additional Element is **Exhibit B**.

Adopted this 22<sup>nd</sup> day of November 2021.

TOWN OF PITTSBORO

By: James Nass  
James Nass, Mayor

ATTEST:

Cassandra M. Bullock  
Cassandra M. Bullock, Clerk



MEMO TO: Mayor and Commissioners

FROM: Chris Kennedy, Town Manager

SUBJECT: Chatham Park Affordable Housing Additional Element

DATE: November 22, 2021

Purpose: To vote on the proposed additional element language for the Chatham Park Additional Element for Affordable Housing.

**PLEASE NOTE:** The Town is expecting updates to the September 9, 2021 version of the Chatham Park Affordable Housing Plan prior to the Board's November 22, 2021 Regular Meeting. This staff report and memorandum will be updated accordingly once Town staff receives an updated version of the Chatham Park Affordable Housing Plan.

Background:

- The Town of Pittsboro approval of the Chatham Park PDD Master Plan, approved on August 10, 2015, included a requirement in Article VIII thereof for Additional Provisions to be presented to provide more details related to development within Chatham Park in addition to the Master Plan and to govern land use and development within the Planned Development District. of the Chatham Park PDD requires the adoption of twelve (12) additional elements.
- These additional elements were reviewed in three tranches:
  1. Phasing, Parking & Loading, Signage, and Lighting
  2. Open Space, Landscaping, Tree Protection, and Stormwater
  3. Public Art, Public Facilities, Transit and Affordable Housing
- All of the additional elements, aside from the affordable housing element, have been adopted to date. For utmost clarity, this is the last remaining additional element to be initially approved by the Town.
- Staff is interested in the Board's feedback on the proposed language and whether the current iteration meets the expected mark of the Affordable Housing Additional Element.
- Please note, additional internal or external review may lead to additional edits prior to adoption of the language.

Board of Commissioners Public Hearing #1:

At the August 14, 2017 Regular Meeting of the Board of Commissioners, the Board opened a legislative hearing to discuss the proposed third tranche of Chatham Park's required additional elements. The Board heard from the public and the Chatham Park Additional Element Committee on the third tranche of

additional elements, which also included the elements for transit, public facilities, and public art, in addition to the affordable housing additional element. After discussion, the Board closed the public hearing.

Planning Board Review:

At the October 4, 2021 Regular Meeting of the Planning Board, the Board reviewed the latest version of Chatham Park's additional element for affordable housing. After discussion, the Board adopted a Land Use Plan Consistency Statement, finding that the proposed language is consistent with the Town's Land Use Plan and voted to recommend to the Board of Commissioners approval of the Chatham Park Affordable Housing Element with a vote of 5-0.

Board of Commissioners Public Hearing #2:

At the October 25, 2021 Regular Meeting of the Board of Commissioners, the Board opened a legislative hearing to discuss the Chatham Park Affordable Housing Plan to fulfill their additional element obligation. The Board heard from the public and voted to continue the Public Hearing to the November 8, 2021 Regular Meeting of the Board and to set up a Special Session of the Board to discuss the proposal with community stakeholders involved with affordable housing initiatives.

At the November 8, 2021 Regular Meeting of the Board of Commissioners, the Board re-opened and closed the legislative hearing to discuss the Chatham Park Affordable Housing Plan.

Board of Commissioners Workshop:

On November 10, 2021, the Board held a workshop session to discuss the proposal with community stakeholders involved with affordable housing initiatives.

Attachments:

1. Draft Ordinance to Approve the Chatham Park Affordable Housing Plan Additional Element
2. Draft Consistency Statement for the Approval of the Chatham Park Affordable Housing Plan Additional Element – Exhibit A
3. Placeholder for the Final Language of the Approved Chatham Park Affordable Housing Plan Additional Element – Exhibit B
4. Proposed Chatham Park Affordable Housing Element – Version Dated September 9, 2021
5. Approved Land Use Plan Consistency Statement from the Planning Board

Recommendation:

- Re-open the Public Hearing and Continue the Review of the Chatham Park Affordable Housing Additional Element to the November 22, 2021 Regular Meeting of the Board of Commissioners.

## **ATTACHMENT #2**

### **EXHIBIT A CONSISTENCY STATEMENT FOR THE APPROVAL OF THE CHATHAM PARK AFFORDABLE HOUSING ADDITIONAL ELEMENT**

The Town of Pittsboro Board of Commissioners finds that:

1. The proposed additional element is consistent with the Town of Pittsboro Land Use Plan because it advances the vision and goals of the plan such as promoting practices that:
  - Enhance economic development,
  - Create a mix of housing types and balance the mix of housing types to provide housing opportunities for all members of the community regardless of age, income, or background, and
  - Preserves the character of the Town as the Town grows.
  
2. The proposed additional element is reasonable, is in the public interest, and will benefit the surrounding community by:
  - Creating more opportunities for economic growth for low-income families,
  - Creates a more diverse and equitable community, and
  - Protects the current and future public health, safety and welfare of the Town by promoting housing of high quality in neighborhoods throughout the community for households of a variety of income levels, ages and sizes in order to meet the Town's goals of preserving and promoting a culturally and economically diverse population in the Town, overcoming economic segregation, and producing a community in which lower and moderate-income households have opportunities for economic advancement.

**ATTACHMENT #3**

**EXHIBIT B  
CHATHAM PARK ADDITIONAL ELEMENT  
AFFORDABLE HOUSING PLAN**

[Text to be inserted once approved by the Board of Commissioners]

ATTACHMENT #4

TABLE 1  
CHATHAM PARK

AFFORDABLE & WORKFORCE HOUSING - 5%

DUs PLATTED IN CHATHAM PARK EXCLUDING AFUs & WHUs)	AFUs/WHUs PROVIDED		OR		LAND DONATION EQUIVALENT		Total Acreage
	Single-Family	Multi-Family	Single Family SF Detached (Ac.)	TH/Condo (Ac.)	Multi Family Apartments (Ac.)	TH/Condo (Ac.)	
Prior to 5000 DUs	23	215	0.92	2.3	17.92		21.14
Prior to 7500 DUs	11	108	0.44	1.1	9		10.54
Prior to 10,000 DUs	11	108	0.44	1.1	9		10.54
Prior to 12,500 DUs	11	108	0.44	1.1	9		10.54
Prior to 15,000 DUs	11	108	0.44	1.1	9		10.54
Prior to 17,500 DUs	11	108	0.44	1.1	9		10.54
Prior to 20,000 DUs	11	108	0.44	1.1	9		10.54
Prior to 22,000 DUs	11	85	0.44	1.1	7.08		8.62
<b>Total</b>	<b>100</b>	<b>948</b>	<b>4</b>	<b>10</b>	<b>79</b>		
		1048	DU		93	Acres	93
	9.51%	90.49%					

## CHATHAM PARK AFFORDABLE HOUSING PLAN ADDITIONAL ELEMENT

### Introduction

This is the Chatham Park Planned Development District Affordable Housing Plan Additional Element, which addresses affordable housing and workforce housing, or land donation equivalent, to be provided for Chatham Park as set out herein. Each Article of this Element is divided into Sections (designated by numbers) and subsections (designated by letters).

### Article 1. Definitions

The following definitions apply to this Element:

1. Accessory Dwelling Unit or ADU: A Dwelling Unit that is ancillary or secondary to a primary Single-Family Dwelling or Condominium Dwelling, and that has a separate kitchen, bathroom, and sleeping area existing either within the same structure or on the same Lot as the primary Dwelling Unit. An Accessory Dwelling Unit shall be excluded when calculating the number of Dwelling Units that have been platted or constructed in Chatham Park, proposed to be platted or constructed in Chatham Park, and the maximum number of Dwelling Units allowed by the Chatham Park Master Plan.
2. Affordable Housing Unit or AHU: A Dwelling Unit for which monthly rent or mortgage payment plus monthly cost of water, sanitary sewer, and electric utilities does not exceed thirty percent (30%) of eighty percent (80%) of annual MFI divided by 12.
3. Apartment Dwelling: A Dwelling Unit in a building that contains two or more Dwelling Units that are rented or proposed for rental.
4. Chatham Park, Chatham Park Planned Development District, or Chatham Park PDD: The real property included in the property zoned by the Town of Pittsboro, North Carolina as the Chatham Park Planned Development District.
5. Condominium Dwelling: A Dwelling Unit that is part of a condominium established pursuant to the North Carolina Condominium Act contained in Chapter 47C of the North Carolina General Statute or any replacement statute. Although Condominium Dwellings often are classified as Multi-Family Dwellings under local government ordinances, for the purposes of this Element they are classified as Single-Family Dwellings.
6. Dwelling Unit or DU: A primary single living space that provides complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation (i.e., bathroom). Each of the following constitutes a Dwelling Unit for this Element: Single-Family Detached Dwelling; Townhouse Dwelling; Condominium Dwelling; Apartment Dwelling; and Accessory Dwelling.
7. Lot: A tract of real property identified on a plat recorded in the office of the Register of Deeds for Chatham County, North Carolina as a separate tract and intended for development thereon of one or more Dwelling Units.



8. Master Plan: The Master Plan for Chatham Park PDD adopted as part of the zoning of Chatham Park PDD by the Pittsboro Board of Commissioners, including all subsequently adopted amendments and supplements thereto, and including all "Additional Elements" as defined in the Master Plan.

9. Median Family Income or MFI: Annual median family income for a household of four (4) persons in the Durham-Chapel Hill, NC HUD Metro FMR Area, as determined annually by the United States Department of Housing and Urban Development (HUD) in its calculations of Income Limits for Public Housing and Section 8 Programs.

10. Multi-Family Dwelling: An Apartment Dwelling or an Accessory Dwelling Unit.

11. Single-Family Dwelling: A Single-Family Detached Dwelling, Townhouse Dwelling, or Condominium Dwelling.

12. Single-Family Detached Dwelling: A single Dwelling Unit on a Lot (exclusive of any Accessory Dwelling) that is not attached to any other Dwelling Unit.

13. Townhouse Dwelling: A Dwelling Unit in a building that contains two (2) or more separate Dwelling Units that are attached horizontally through one or more common walls, with each Dwelling Unit occupying space from the ground to the roof of the building (as contrasted with one Dwelling Unit being above another Dwelling Unit), and with each Dwelling Unit in the building located or capable of being located on a separate Lot.

14. Workforce Housing Unit or WHU: A Dwelling Unit for which monthly rent or mortgage payment plus monthly costs of water, sanitary sewer, and electric utilities does not exceed thirty percent (30%) of one hundred twenty percent (120%) of annual MFI divided by 12.

15. Examples of AHU and WHU.

Example of a calculation for an AHU:

- Assume MFI is \$86,400.00
- $\$86,400 \times 80\% = \$69,120.00$
- $\$69,120.00 \times 30\% = \$20,736.00$
- $\$20,736.00 \div 12 = \$1,728.00$

An AHU in the foregoing example is one for which the monthly rent or mortgage payment plus monthly water, sewer, and electric utilities does not exceed \$1,728.00.

Example of a calculation for a WHU:

- Assume MFI is \$86,400.00
- $\$86,400 \times 120\% = \$103,680.00$
- $\$103,680.00 \times 30\% = \$31,104.00$
- $\$31,104.00 \div 12 = \$2,592.00$

A WHU in the foregoing example is one for which the monthly rent or mortgage payment plus monthly water, sewer, and electric utilities does not exceed \$2,592.00.

Article 2. Affordable Housing Plan

AHUs and WHUs, or land donation equivalent, or a combination of AHUs and/or WHUs and land donation equivalent, shall be provided for Chatham Park in accordance with this Element.

1. The number of AHUs and WHUs required for Chatham Park, if the requirements of this Element are satisfied without any land donation, is equal to five percent (5.0%) of the total number of Dwelling Units “platted” in Chatham Park (excluding AHUs and WHUs). For the purposes of this Element, a Dwelling Unit is deemed to be “platted” as follows:
  - a. A Single-Family Dwelling, Townhouse Dwelling is platted when a plat showing the Lot on which the Single-Family Dwelling or Townhouse Dwelling is constructed or is to be constructed is recorded in the office of the Register of Deeds for Chatham County, North Carolina.
  - b. A Condominium Dwelling is platted when the plat and plans for that Condominium Dwelling, as required by Chapter 47C of the North Carolina General Statute or any replacement statute, are recorded in the office of the Register of Deeds for Chatham County, North Carolina.
  - c. An Apartment Dwelling and a Condominium Dwelling is platted when a certificate of occupancy is issued for the Dwelling Unit that constitutes the Apartment Dwelling or Condominium Dwelling.
  - d. An Accessory Dwelling is platted when the Housing Trust or the Pittsboro Planning Department certifies that it exists.
2. The following is the formula used in **Table 1** attached hereto and incorporated by reference for calculating the total number of AHUs and WHUs to be provided for Chatham Park as various total numbers of Dwelling Units (excluding AHUs and WHUs) in Chatham Park are platted, if the requirements of this Element are satisfied without any land donation (0.5 and greater shall be rounded up to the nearest whole number and less than 0.5 shall be rounded down to the nearest whole number):

$$\begin{aligned} X + .05X &= Y \text{ (total number of platted DUs excluding AHUs and WHUs)} \\ Y \div 1.05 &= Z \\ Z \times 5\% &= \# \text{ of required AHUs and WHUs} \\ Z + \# \text{ of required AHUs and WHUs} &= X \end{aligned}$$

Based on the foregoing formula, the following is the calculation in **Table 1** for AHUs and WHUs required to be provided prior to 15,000 DUs (excluding AHUs and WHUs) in Chatham Park being platted:

$$X + .05X = 15,000 \text{ DUs}$$

$$15,000 \text{ DUs} \div 1.05 = 14,286 \text{ DUs}$$

$$14,286 \text{ DUs} \times 5\% = 714 \text{ required AHUs and WHUs}$$

$$14,286 \text{ DUs} + 714 \text{ DUs} = 15,000 \text{ DUs}$$

3. If more than the minimum required numbers of AHUs and WHUs or land donation equivalents are provided as the various total numbers of Dwelling Units in Chatham Park are platted, the excess may be applied against satisfaction of subsequent minimum requirements. For example: if 300 Multi-Family Dwellings are provided before 5,000 Dwelling Units in Chatham Park are platted, the excess of 85 Multi-Family Dwellings may be applied toward satisfaction of any subsequent number of Multi-Family Dwellings to be provided; or if 25 acres of land are donated before 5,000 Dwelling Units in Chatham Park are platted, the excess 3.86 acres may be applied toward satisfaction of any subsequent land donation.
4. **Table 1** also provides land donation equivalents for this Element based on the following development densities: Apartment Dwellings at twelve (12) Dwelling Units per acre (0.08333 acre per Apartment Dwelling); Townhouse Dwellings and Condominium Dwellings at eight (8) Dwelling Units per acre (0.125 acre per Townhouse Dwelling or Condominium Dwelling); and Single-Family Detached Dwellings at five (5) Dwelling Units per acre (0.2 acre per Single-Family Detached Dwelling). Each AHU and each WHU provided pursuant to this Element shall reduce the applicable land donation by its equivalent per Dwelling Unit acreage. For example: five (5) Single-Family Detached Dwellings provided would reduce the land dedication equivalent by 1.0 acre (0.2 acre x 5 = 1.0 acre); and one hundred twenty (120) Apartment Dwellings provided would reduce the land dedication equivalent by 10 acres (0.08333 acre x 120 = 10 acres). For the purposes of determining acreage, 0.05 and above shall be rounded up to the nearest 0.1 and less than 0.05 shall be rounded down to the nearest 0.1.
5. 90.49% of the total of AHUs and WHUs provided to satisfy this Element shall be Multi-Family Dwellings and 9.51% of the total of AHUs and WHUs provided to satisfy this Element shall be Single-Family Dwellings. **Table 1** reflects the foregoing percentages of Multi-Family Dwellings and Single-Family Dwellings.
6. AHUs and WHUs to satisfy the requirements of this Element may be provided in any combination of AHUs and WHUs and as for sale Dwelling Units, rental Dwelling Units, or subsidized rental Dwelling Units, subject to the following:
  - a. Not less than forty percent (40%) of Single-Family Dwellings shall be Affordable Dwelling Units; and
  - b. not less than forty percent (40%) of Multi-Family Dwellings shall be Affordable Dwelling Units.

Each of the foregoing rental AHUs shall continue to be an AHU for 30 years, beginning with

the year in which it first is rented.

7. AHUs, WHUs, and land donation equivalents to satisfy the requirements of this Element may be provided on land within the boundaries of Chatham Park PDD, on land within one (1) mile of any boundary of Chatham Park PDD, or on other land approved by the Pittsboro Town Board of Commissioners.
8. The initial determination of whether a Dwelling Unit satisfies the requirements of this Element for an AHU or a WHU shall be made at the time of the first sale or rental of the AHU or WHU, as applicable, based on the applicable Median Family Income from HUD in effect at the time of such sale or rental.
9. Within one (1) year following the date of approval of this Element by the Pittsboro Board of Commissioners, the Town of Pittsboro shall establish a non-profit organization (referred to in this Element as the "Housing Trust", but which can have any name selected by the Town of Pittsboro), that is exempt from federal and State of North Carolina income taxes and which shall be governed by a board of directors consisting of not less than seven (7) persons appointed by the Pittsboro Board of Commissioners. The Housing Trust shall be established for the following purposes and such other purposes as determined by the Pittsboro Board of Commissioners:
  - a. To administer, support, and incentivize the development of Affordable Dwelling Units and Workforce Dwelling Units in the Town of Pittsboro;
  - b. To expend the two and one-half percent (2.5%) of annual ad valorem taxes on real properties in Chatham Park PDD collected by or paid to the Town of Pittsboro and disbursed to the Housing Trust pursuant to Section 10 of Article 2 of this Element to pay for any one or more of the following for AHUs and/or WHUs that are provided to satisfy the requirements of this Element and/or that are built on land donated to satisfy the requirements of this Element: rent; mortgage; utilities; ad valorem taxes; property owner association assessments; maintenance and repair of AHUs and/or WHUs that are owner-occupied; payment of property hazard insurance premiums on AHUs and/or WHUs that are owner-occupied; and Town and other governmental entity taxes and fees related to such AHUs and/or WHUs;
  - c. To construct AHUs and/or WHUs on land donated to the Housing Trust to satisfy the requirements of this Element; and
  - d. To sell or rent AHUs and WHUs owned or managed by the Housing Trust.

If the Housing Trust is not established by the end of three (3) years following the date this Element is approved by the Pittsboro Board of Commissioners, the requirement for provision of Affordable Dwelling Units and Workforce Dwelling Units for Chatham Park, or donation of land equivalents, shall be suspended until such time as the Housing Trust is established. Provided, however, AHUs, WHUs, and land donation equivalent for Chatham Park may continue to be provided during the time of suspension of the requirement for providing AHUs and WHUs or land donation equivalent.

10. Commencing with the year in which this Element is approved by the Pittsboro Board of Commissioners, two and one-half percent (2.5%) of the annual ad valorem taxes on real properties in Chatham Park PDD collected by or paid to the Town of Pittsboro shall be allocated to the Housing Trust to be used solely for any one or more of the purposes described in Section 9.b. of Article 2 of this Element. This allocation of ad valorem taxes to the Housing Trust shall continue each year until the year immediately following the first of the following to occur:
  - a. such ad valorem taxes have been paid to the Housing Trust for thirty (30) years; or
  - b. five (5) years after the date on which the requirements of this Element for provision of AHUs and WHUs and/or donation of land equivalent have been satisfied.
11. All land donated to the Housing Trust in satisfaction of the requirements of this Element shall be used by the Housing Trust for one or more of the following:
  - a. construction of AHUs or WHUs in satisfaction of the requirements of this Element; or
  - b. proceeds from the sale of such land by the Housing Trust shall be used for one or more of the purposes described in Section 9.b. of Article 2 of this Element. Land donated to the Housing Trust in satisfaction of the requirements of this Element and subsequently sold by the Housing Trust does not have to be replaced with additional land to satisfy the requirements of this Element.
12. The value of all land donated to the Housing Trust in satisfaction of the requirements of this Element and the costs of donating such land shall be eligible for federal and state income tax deductions or credits.
13. All AHUs and WHUs located in Chatham Park PDD shall be subject to the same restrictive covenants as other residential properties in Chatham Park PDD, including payment of assessments as provided in the applicable restrictive covenant documents.
14. The Town of Pittsboro shall allocate water and sanitary sewer capacity for all AHUs, WHUs, and donated land equivalent provided to satisfy the requirements of this Element. Provided, however, sanitary sewer capacity for all AHUs and WHUs and donated land equivalent that is not available from the Town of Pittsboro and is provided by either the Chatham Park Water Recovery Center (located at the intersection of U.S. Highway 64 Business and Eubanks Road) or by other sewer capacity owned by or allocated to Chatham Park Investors LLC or its assignees or affiliates (e.g., sewer capacity to be provided by the City of Sanford), shall be provided at the same costs as it is provided for other residential properties in Chatham Park.
15. Each AHU and each WHU provided pursuant to this Element shall be exempt from the payment of all Town of Pittsboro fees related to construction of residential dwellings including, without limitation, water & sewer system development fees and permits; subdivision plan and site plan review application fees; plat review fees; engineering plan/construction drawing review fees; recreation/park fees; open space fees; stormwater review fees, facility fees, and discharge permit fees; and building permit & inspection fees. Also, if waivable by the Town

of Pittsboro, school impact fees and sedimentation and erosion control permit and inspection fees, waiver of which also or instead may require consent of Chatham County.

16. No recreation/park land dedication shall be required for any AHU or WHU provided to satisfy the requirements of this Element. For example, assume that a site plan is submitted for 150 Apartment Dwellings in Chatham Park PDD to include 50 Apartment Dwellings as AHUs or WHUs. The park land requirement under the Chatham Park Master Plan is 1/33 acre per Dwelling Unit. At 1/33 acre per Apartment Dwelling, 4.5 acres of park land would be required for 150 Apartment Dwellings (1.5 acre for each 50 Apartment Dwellings). For this example the park land requirement would be 3.0 acres, as no park land would be required for the 50 Apartment Dwellings proposed as AHUs or WHUs. At the accelerated rate of 1/25 acre per Dwelling Unit for provision of park land required by the Master Plan, 4.0 acres of park land would be required for 100 Apartment Dwellings. Final determination of how much park land was not required would be made when initial determination of whether the 50 Apartment Dwellings qualified as AHUs or WHUs is made as provided in Section 8 of Article 2 of this Element.
17. For each AHU and each WHU provided pursuant to this Element, Chatham Park Investors LLC shall receive a density credit of one (1) residential unit. This density credit may be used to increase the total number of Dwelling Units in Chatham Park, applied to other development projects on property owned by Chatham Park Investors LLC or any of its affiliates, assigned by Chatham Park Investors to any other person or legal entity, or any combination of the foregoing.
18. Chatham Park shall not be subject to any Town of Pittsboro ordinances or regulations, other than this Element, that require the provision of AHUs, WHUs, land dedication in lieu thereof, monetary payments in lieu thereof, any combination of one or more of the foregoing, or any other ordinance or regulation relating to the required provision AHUs or WHUs. Provided, however, Chatham Park may participate in all Town of Pittsboro ordinances and regulations that provide incentives for the provision of AHUs and WHUs.
19. The Town of Pittsboro shall work with Chatham County to identify incentives that may be used by Chatham Park and others for the provision of AHUs and WHUs (e.g., no school fees required for AHUs and WHUs; and % of annual ad valorem taxes paid to Chatham County to be allocated toward AHUs and WHUs in the same manner as described in this Element for allocation of ad valorem taxes collected by the Town of Pittsboro).

20. On or before each February 15, Chatham Park will submit a report to the Housing Trust and Pittsboro Board of Commissioners confirming the number of AHUs and WHUs sold or rented, and the amount of land donated to the Housing Trust, during the immediately preceding calendar year to satisfy the requirements of this Element. Provided, however, no report shall be required if, in the immediately preceding calendar year, there have not been any AHUs or WHUs sold or rented, or land donated to the Housing Trust, to satisfy the requirements of this Element.

(End of Page)

ATTACHMENT #5

**TOWN OF PITTSBORO PLANNING BOARD  
LAND USE PLAN CONSISTENCY STATEMENT FOR APPROVAL  
Chatham Park Affordable Housing Plan Additional Element**

Having reviewed the proposed Affordable Housing Plan Additional Element and accompanying documents, and having considered information from the planning staff of the Town of Pittsboro and comments from the applicant and other persons, pursuant to Section 160D-604 of the North Carolina General Statutes and Article X, of the Town of Pittsboro Zoning Ordinance, the Town of Pittsboro Planning Board, at its scheduled meeting on October 4, 2021 finds that:

1. That the proposed additional element request is consistent with the Town of Pittsboro the Land Use Plan because it advances the vision and goals of the plan such as promoting practices that:
  - Enhance economic development,
  - Create a mix of housing types and balance the mix of housing types to provide housing opportunities for all members of the community regardless of age, income, or background, and
  - Preserve the character of the Town as the Town grows.
  
2. The Chatham Park Planned Development District property has been designated for Mixed Use Neighborhood which is designated for a mixture of land uses including residential, commercial, and civic/institutional – at a variety of densities. The rezoning approval included a Master Plan and Land Use Plan Map which requires the approval of the Affordable Housing Plan Additional Element.
  
3. The text amendment is reasonable, is in the public interest, and will benefit the surrounding community by:
  - Creating more opportunities for economic growth for low-income families,
  - Creates a more diverse and equitable community, and
  - Protects the current and future public health, safety and welfare of the Town by promoting housing of high quality in neighborhoods throughout the community for households of a variety of income levels, ages and sizes in order to meet the Town's goals of preserving and promoting a culturally and economically diverse population in the Town, overcoming economic segregation, and producing a community in which lower and moderate-income households have opportunities for economic advancement.

Therefore, the Town of Pittsboro Planning Board recommends **APPROVAL** of the Chatham Park Affordable Housing Plan Additional Element.



Raeford Bland, Chair  
Pittsboro Planning Board

4 OCT 2021

Date