



ADOPTED EXCLUSIONARY CRITERIA

Criteria	Application
<p>1. SITES LOCATED OUTSIDE OF ORANGE COUNTY (Figure 1)</p> <p>Definitions: County Boundary</p> <p>Source: Orange County Planning Department</p>	<p>Site must be located totally within Orange County Planning, Joint Planning (including Rural Buffer and Urban Transition areas), ETJ, and/or Municipal incorporated planning areas.</p>
<p>2. SITES WITHIN "CRITICAL AREA OVERLAY DISTRICT" OF PROTECTED WATERSHED OVERLAY DISTRICT OF WATER SUPPLY WATERSHEDS (Figure 2)</p> <p>Definitions: Protected Watershed/Overlay Districts are defined in Article 22 of the Orange County Zoning Ordinance as, "Land that drains to existing reservoirs which are public water supplies or potential reservoir sites or stream intakes, which have been designated for protection. All such lands have been classified by the [North Carolina] Environmental Management Commission as WS-II, WS-III, or WS-IV watersheds and require protection in accordance with the State Mandate."</p> <p>"Critical Areas Overlay District" (within Protected Watershed) are defined in Section 4.2.27 of the Orange County Zoning Ordinance as, "The land area within one-half mile of the normal pool of an existing or proposed water supply impoundment, or the ridgeline of the watershed, whichever is less."</p> <p>Source: Orange County Zoning Overlay Watershed Map 2005</p>	<p>Site must be totally located outside of "Critical Area Overlay District" of Protected Watershed.</p>
<p>3. SITES LOCATED BEYOND 3 MILES OF US 15-501, NC 54, NC 86 (EXCLUDING NC 86 NORTH OF HILLSBOROUGH), US 70, I-40, OR I-85 (Figure 3)</p> <p>Definition: Three-mile corridor on either side of the centerline of the following major transportation routes: US 15-501, NC 54, NC 86 (excluding NC 86 North Of Hillsborough), US 70, I-40, or I-85.</p> <p>Source: GIS Mapping prepared by Orange County Planning and Inspections Department.</p>	<p>Primary access to site must be within three miles of designated transportation routes.</p>

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4. SITES LOCATED BEYOND 12-ROAD MILES OF THE PROJECTED WASTE GENERATION CENTROID (Figure 4)	
<p>Definition: The 12-mile distance shall be road miles measured from the proposed site to waste generation centroid - 2025 Mean Center (weighted by population and employment).</p> <p>Source: 2025 Mean Center (weighted by population and employment) based upon Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC-MPO) population and employment data.</p>	<p>Primary access to the site must be within 12-road miles of the waste generation centroid.</p>
5. SITES WITH WETLANDS AND FLOOD PLAINS (Figure 5)	
<p>Definition: Wetlands – As defined in the Open Space Standards of the Orange County Subdivision Regulations (<i>Section IV-C.3 b.</i>) in the following manner: “Including, but not limited to, streams, creeks, ponds, reservoirs, stormwater management facilities for watershed protection purposes, and adjoining land areas identified as part of:</p> <ul style="list-style-type: none"> ▪ The National Wetlands Inventory Maps for the county, prepared by the U.S. Fish and Wildlife Service (see LUE page 2.2.15, 1981); ▪ The “Orange County, N.C. Soil Survey,” prepared by the U.S.D.A. Soil Conservation Service (1977); ▪ The “Inventory of Natural Areas and Wildlife Habitats,” as prepared by the Triangle Land Conservancy; ▪ LANDSAT satellite data collected and analyzed under the Albemarle-Pamlico Estuarine Study; ▪ Results recognized by Orange County Planning and Inspections Department from any required environmental assessment or environmental impact statement; and/or ▪ Results recognized by Orange County Planning and Inspections Department from any site analysis conducted by a registered engineer, land surveyor, landscape architect, architect or land planner using data from the U.S. Army Corps of Engineers.” <p>Wetlands are further defined in Article 22 of the Orange County Zoning Ordinance as, “Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.” (Definition taken from EPA regulations at 40 CFR Section 230.3(t) and COE Regulations at 33 CFR Section 328.3(b), as of July 2, 2002.)</p> <p>Floodplain – As defined in the Orange County Flood Damage Prevention Ordinance, “Any land area susceptible to being inundated by water from any source.” Floodplains in Orange County are delineated on an official map of Orange County, issued by the FEMA, on which FEMA has delineated the Special Flood Hazard Areas and the floodways. This official map is a supplement to and shall be used in conjunction with the Flood Insurance Rate Map, effective February 2, 2007, and as amended from time to time by Letters of Map Amendment and Letters of Map Revision.</p> <p>Source: Land Use Element (LUE) [1981] – Primary Conservation Area – Floodplains and alluvial soils.</p>	<p>At least 25 acres of site must be unencumbered with respect to this criteria or any other combination of exclusionary criteria.</p>
6. SITES WITH AREAS HAVING STEEP TOPOGRAPHIC SLOPES (>15%) (Figure 6)	
<p>Definition: Areas having steep topographic slopes (>15%).</p> <p>Source: Land Use Element (LUE) [1981] - Primary Conservation Area – Steep slope areas (15% or greater).</p>	<p>At least 25 acres of site must be unencumbered with respect to this criteria or any other combination of exclusionary criteria.</p>

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7. SITES WITH ENDANGERED AND PROTECTED FLORA AND FAUNA HABITATS (Figure 7)	
<p>Definition: Natural Areas, and Wildlife Habitats [PKA Endangered and Protected Flora & Fauna Habitats] -- As defined in the Open Space Standards of the Orange County Subdivision Regulations (Section IV-C.3 b.) in the following manner: [Those areas] "identified as part of:</p> <ul style="list-style-type: none"> ▪ The "Inventory of Natural Areas and Wildlife Habitats of Orange County," as prepared by the Triangle Land Conservancy in coordination with the NC Natural Heritage Program (see LUE Map page 2.2.36 and Table 2-2.38-40) [1988]; ▪ The habitats are rated by significance integrity and threat. ▪ These areas are lands designated as... containing sensitive environmental resources...(part of LUE RPA definitions page 3.3.3)." <p>Source: Land Use Element (LUE) [1981] - Primary Conservation Area - Natural areas, and wildlife corridors and habitats, and Inventory of Natural Areas and Wildlife Habitat, 2005.</p>	<p>At least 25 acres of site must be unencumbered with respect to this criteria or any other combination of exclusionary criteria.</p>
8. SITES WITH PROTECTED SITES OF HISTORICAL, ARCHEOLOGICAL, OR CULTURAL SIGNIFICANCE (Figure 8)	
<p>Definition: Historic and Archaeological Sites [includes cultural] -- As defined in the Open Space Standards of the Orange County Subdivision Regulations (Section IV-C.3 b.) in the following manner: [Those properties] "listed on the National Register of Historic Places or included on the state's national register study list, designated as a local historic landmark, designated as a local historic district, and/or identified as having a high potential for archaeological remains as part of:</p> <ul style="list-style-type: none"> ▪ The 'Chapel Hill Township Architectural Survey: Final Report' (1992); ▪ The 'Orange County Multiple Property Documentation Form: Historic Resources of Orange County' (1993); ▪ 'An Archaeological Survey of Portions of Orange County, N.C.'; ▪ Land Use Element (LUE) [2.2.49]" <p>Source: Land Use Element (LUE) [1981] – Primary Conservation Area - Historic and Archaeological sites including:</p> <ul style="list-style-type: none"> ▪ sites listed on the National Register of Historic Places; ▪ sites included on the State's National Register study list; ▪ sites designated as a local historic landmark; ▪ areas designated as a local historic district; and ▪ areas identified as having a high potential for archaeological remains. 	<p>At least 25 acres of site must be unencumbered with respect to this specific criteria or any other combination of exclusionary criteria.</p>
9. SITES WITH COUNTY OWNED LANDS OR EASEMENTS DESIGNATED FOR PRESERVATION (Figure 9)	
<p>Definition: County-owned lands acquired for parks and/or nature preserves - Lands that have been purchased by the County through the Lands Legacy Program (or other mechanism) for the protection of natural and cultural resources and as future park sites.</p> <p>Site(s) with deed restriction or with permanent conservation easements will be excluded.</p> <p>Source: ERCDC, Parks and Recreation, and Planning staff.</p>	<p>At least 25 acres of site must be unencumbered with respect to this specific criteria or any other combination of exclusionary criteria.</p>

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<p>10. SITES WITH LESS THAN 25 ACRES IN SIZE UNLESS TRANSPORTATION ACCESS, EXISTING BUFFERS, AND PRELIMINARY TRANSFER STATION LAYOUT DEMONSTRATES THE ADEQUACY OF A SMALLER SITE</p> <p>Definition: 25-acre single parcel or combination of parcels.</p> <p>Source: [County GIS data base].</p>	<p>At least 25 acres of site must be unencumbered with respect to any given exclusionary criteria or any combination of exclusionary criteria.</p> <p>Sites will be identified using County GIS data.</p>

ALTERNATE CRITERIA

<p>11. SITES WITHIN "PROTECTED WATERSHED OVERLAY DISTRICT" EXCEPTING THEREIN THOSE NON-RESIDENTIAL LAND USE ACTIVITY NODES (i.e., COMMERCIAL/INDUSTRIAL, COMMERCIAL, INDUSTRIAL AND ECONOMIC DEVELOPMENT) [LUE 1981-1994] (Figure 10)</p>	
<p>Definition: (1) exclude residential areas within protected watershed overlay districts, and (2) include non-residential activity nodes within Protected Watershed Overlay District.</p>	
<p>Source: Orange County Zoning Overlay Watershed Map 2005 Protected Watershed Overlay Districts.</p>	