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## **LOWELL PLANNING AND ZONING BOARD MEETING**

Regular Meeting

Tuesday, January 4, 2022 6:00 P.M.

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- 1. CALL TO ORDER**
- 2. DETERMINATION OF QUORUM**
- 3. PLEDGE OF ALLEGIANCE**
- 4. CHANGES TO AND APPROVAL OF AGENDA**
- 5. APPROVAL OF MINUTES FROM DECEMBER 7<sup>TH</sup>, 2021 MEETING.**
- 6. ADMINISTRATION OF OATH TO SCOTT WILSON**
- 7. ADMINISTRATION OF OATH TO DAVID JENNINGS**
- 8. UNFINISHED BUSINESS**
  - A. Discussion of Stormwater Fee Credits and Exemptions**
- 9. NEW BUSINESS**
  - A. Consideration of Rezoning Case # RZ21-04 for parcels 136564 and 202774.**
- 10. ADJOURN**

# MINUTES

Lowell Planning Board

Regular Meeting

Tuesday, December 7, 2021, 6:00 P.M.

## I. CALL TO ORDER

Chairperson Vieta Benson called the meeting to order at 6:00 p.m. Those attending in-person were: Planning Board members John Cantrell, Mike Harris, and Travis Smith. Staff members present were: City Clerk Beverly Harris, Planning Director Alex Blackburn, and City Manager Scott Attaway. Troy Roberts and Scott Wilson were absent.

## II. DETERMINATION OF QUORUM

A quorum was determined for the meeting.

## III. PLEDGE OF ALLEGIANCE

The chairperson lead everyone in the Pledge of Allegiance.

## IV. CHANGES TO AND APPROVAL OF AGENDA

There were no changes made to the agenda. John Cantrell made a motion to approve the agenda as presented, followed by a second from Mike Harris. The vote was unanimously in favor.

## V. APPROVAL OF MINUTES FROM NOVEMBER 4<sup>TH</sup>, 2021 MEETING

Travis Smith made a motion to approve the minutes from the November 4, 2021 meeting, followed by a second from John Cantrell. The vote was unanimously in favor.

## VI. ADMINISTRATION OF OATH TO SCOTT WILSON

Scott Wilson was absent.

## VII. UNFINISHED BUSINESS

### A. Discussion of Stormwater Fee Credits and Exemptions

Alex Blackburn led the Planning board in a review and discussion of stormwater fee credits and exemption documentation from the towns of Fayetteville and Rocky Mount. He also provided them with documentation from other towns to discuss in future meetings.

## VIII. NEW BUSINESS

### A. Consideration of Lowell Development Ordinance Text Amendments

- Text Amendments to maintain compliance with Session Law 2021-138 to the following Lowell Ordinances:

- Article 5.2
- Article 16.1-7
- Article 18.3(H)
- Article 18.4(D)(5)
- Article 23.6-5
- Article 23.7-6

Alex Blackburn presented the Board with the amendments for the City of Lowell Ordinance articles listed above.

Travis Smith made a motion to approve the text amendments as presented to maintain compliance with Session Law 2021-138 to the following Lowell Ordinances (Article 5.2, Article 16.1-7, Article 18.3(H), Article 18.4(D)(5), Article 23.6-5, Article 23.7-6), followed by a second from Mike Harris. The vote was unanimously in favor.

**IX. ADJOURN**

John Cantrell made a motion to adjourn the meeting, followed by a second from Mike Harris. The vote was unanimously in favor. The meeting ended at 6:30 pm.

AFFIRM:

\_\_\_\_\_  
Chairperson, Vieta Benson

\_\_\_\_\_  
City Clerk

**Town of Swansboro**  
**Stormwater Utility**

**Credit Manual for Stormwater Fees**



Adopted by the  
Town Board of Commissioners  
June 27, 2017

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# 1 INTRODUCTION

## 1.1 Overview

In 2016, the Town Board of Commissioners of the Town of Swansboro established a town wide stormwater utility. The Utility provides a stable and adequate source of revenue for the Town's stormwater management program that allocates the costs of stormwater services across every stormwater "user" in the Town through a stormwater utility fee (or user fee). Each property that discharges stormwater to the Town's stormwater system is charged a fee based on the amount of impervious surface area on the property. The stormwater fee that a property owner pays is directly proportional to the impervious area found on the property.

The Town has developed a ~~one-time~~ annual credit for stormwater service customers who undertake specific, approved actions that reduce the demand for stormwater service on the public stormwater system, or provide an ongoing public benefit related to stormwater management. A credit is an ongoing reduction in the fee. This manual details the policies and procedures for Stormwater Utility credits.

The stormwater fee credit that will be offered in the Town of Swansboro is summarized in the following pages. At this time, the credit that is available for both residential and commercial properties.

To qualify for credits, the stormwater utility customer must fill out a credit application form and submit it to the Department of Public Works. The application will be evaluated to determine the amount of credit that the parcel/customer is entitled. Credits may include a one-time lump sum payment credit for both residential and commercial properties equal to one month's fee. An additional credit may be applied for if the residential owner implements measures to mitigate

the impacts of runoff by such methods outlined in the Swansboro Watershed Restoration Plan. Commercial properties may qualify for a one-month credit for an approved stormwater BMP. Commercial properties that implement Low Impact Development (LID) practices may apply for an additional credit reviewed by the Board of Commissioners subject to the stormwater ordinance and credit policy contained herein.

## 1.2 Definitions

**Best Management Practices (BMP):** Schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants to the municipal separate storm sewer system. BMPs also include treatment requirements, operating procedures, and practices to control site runoff, spillage, or leaks, sludge or waste disposal, or drainage from raw material storage.

**Credit:** A credit is ongoing reductions in the stormwater management service charge applicable to a given land parcel in recognition of on-site or off-site systems, facilities, measures, and/or actions undertaken to reduce or mitigate the stormwater quantity and/or quality impact(s) of the land parcel that would otherwise impact the public stormwater management system.

**Commercial:** Buildings and or parcels used for non-residential purposes directly or indirectly in connection with any business, or other undertaking intended for profit or non- profit.

**Detention facility:** A detention facility is a stormwater structure which provides temporary storage of stormwater runoff in ponds, parking lots, depressed areas, rooftops, buried underground vaults or tanks, etc., for future release, and is used to delay and attenuate peak flow and/or reduce the discharge of pollutants from land.

**Developed land:** A land parcel altered from its Natural State that contains impervious

surface.

**Impervious Surface:** Those areas within developed land which prevent or significantly impede the infiltration of stormwater into the soil. Common “impervious surfaces” include but are not limited to roof tops, sidewalks, walkways, patio areas, roads, driveways, parking lots, storage areas, brick or concrete pavers, compacted gravel surfaces (roads, driveways, walks, parking and storage areas), and other surfaces which prevent or significantly impede the natural infiltration of stormwater into the soil.

**Low Impact Development (LID):** Defined by NCDEQ’s definition of Low Impact Development. The runoff volume match goal is to keep the volume of stormwater runoff on an annual basis similar both before and after development. This approach helps to protect the receiving stream’s hydrology, structure and support. Under runoff volume match, the majority of the project must be treated by SCMs (stormwater control measures) that infiltrate and evapo-transpire stormwater; however, a small portion of the project’s stormwater may typically be released without treatment (this helps retain hydrology to the receiving waters). The definition in addition expands upon the NC Low Impact Development Guidebook which states LID maintains and restores the hydrologic regime by creating a landscape that mimics the natural hydrologic functions of infiltration, runoff and evapotranspiration.

**NCDEQ:** North Carolina Department of Environmental Quality.

**Public Works Director:** The Director of the Public Works Department for the Town of Swansboro.

**Residential:** Buildings and or parcels used for residences such as attached and detached single-family dwellings, apartment complexes, condominiums, manufactured homes, mobile homes, townhouses, cottages, etc.



**Retention facility:** A retention facility is a stormwater structure that provides for the permanent storage of stormwater runoff. These facilities are effective in reducing downstream flooding and in reducing stormwater pollution since the pollutants contained in stormwater are not released downstream.

**Service Charge:** Stormwater management service charge, applicable to a land parcel, which generally reflects the impact on or demand for Stormwater management services provided by the Town to properly control and manage Stormwater runoff quantity and/or quality associated with the land parcel. The Service Charge will vary from one land parcel to another based on the total Impervious Surface Area. The Service Charge may vary for the same class of service in different areas of the Service Area and may vary according to classes of service.

**Stormwater:** The runoff from precipitation that travels over Natural State or Developed Land surfaces and enters a Drainage System.

**Stormwater Management Program:** Identified set of measures and activities designed to protect, restore and/or manage stormwater quality by controlling and/or reducing pollutants and to reduce and/or manage stormwater quantity by controlling velocity, volume, and rate.

**Stormwater Services Utility Manager:** A person working for or on behalf of the Town to administer the Stormwater Management Program. For the purposes of this ordinance it shall also mean Public Works Director.

**Stormwater Pond:** Any structure including ponds, parking lots, depressed areas, rooftops, buried underground vaults or tanks, etc. that provides for either the temporary or permanent storage of stormwater.

## 2 CREDIT POLICIES & INSTRUCTIONS

### 2.1 General Policies

There are certain conditions that must be met and applications that must be completed that will determine what properties qualify for a credit and what amount of credit. General policies for stormwater utility credits are listed below. See the following pages for policies, details, and special circumstances that may be specific to individual credits.

- Credit may be given to eligible properties only, as described in the credit policies presented in the adopted stormwater ordinance, manual and/or in the credit application(s).
- It is the responsibility of the property owner (or his/her designee) to apply for stormwater credits, and to provide the necessary substantiating information with the Credit Application, as described herein.
- Credit applications are available from the Department of Public Works and Town Hall and questions regarding credits should be referred to the Stormwater Services Utility Manager. Although the Department staff is happy to answer questions, they are not responsible for initiating the application process.
- The Department of Public Works will only review complete credit applications. The review will be performed within 1 (one) week after a complete application is submitted. If approved, the credit will be applied in the next month after approval.
- Credits for stormwater utility fees paid prior to approval for a credit will not be applied retroactively except for applications received and approved prior to June 30, 2016. Except in this case, the Town will not refund any portion of the stormwater fees paid for a property prior to receiving approval for a stormwater credit.
- **The total credit available to any one property may be up to 16.66 % or equal to two months of the annual stormwater fee. Credits may be applied for as follows:**
  - **Lump Sum Payment for Annual Stormwater Utility Fee (One Month's Credit)**
  - **Properties that implement strategies from the adopted Watershed Plan (Residential) or Commercial properties that have an approved State BMP. (One**

Month's Credit)

- Commercial properties that exceed the minimum state standard for stormwater retention as approved through a Special Use Permit may receive a credit equal to the amount of stormwater not discharged (disconnected) from the Town's stormwater conveyance system. *See Low Impact Development. Additional Credit for Low Impact Development.* Commercial properties that have implemented NC State permitted Low Impact Development (LID) tools/practices may qualify for an additional credit beyond the stormwater bmp and lump sum credits noted above. The LID tool must be an accepted method per the most recently adopted NCDEQ Stormwater Design Manual. Certification by a NC Licensed Professional Engineer and/or an approval from NCDEQ of the LID for the additional credit must accompany the application certifying the LID tool implemented on site and the percentage of stormwater retained, disconnected, and not released into the Town's conveyance system. The credit request shall be reviewed before the Board of Commissioners and on a case by case basis. The credit may be considered on a percentage decrease basis similar and proportional to the percentage of stormwater retained, disconnected and not released into the Town's conveyance system. The town may request information as necessary to determine the eligible credit.

- Credits are maintained on a property as long as the activity is being performed in accordance with Town requirements, or the stormwater facility is properly functioning in accordance with applicable Town codes and ordinances, or the policies stated herein.
- Credits will be reviewed on an annual basis for all stormwater devices and/or facilities and LID tools and must be maintained and in working condition upon annual review for credits.

## 2.2 Commercial Ownership and Maintenance Requirements

All detention facilities for which credit is applied must be working in proper operating condition at the time that the application is submitted and shall be maintained in accordance with applicable Town codes, ordinances and policies.

- The facilities must be owned, operated and maintained, either on-site or by record of agreement, by the applicant. The applicant must provide documentation of the activities that will occur in order to inspect and maintain the facility to the standards presented herein.
- In the event that the stormwater facility is not located on the property owned or operated by the applicant, the applicant must provide a copy of a recorded agreement between the applicant and the owner of the off-site facility stating that the applicant is responsible for maintaining all or a portion of the facility and that the owner understands that the applicant will receive the stormwater fee credit for the facility. In addition, the owner of the off-site parcel should provide a letter to the Stormwater Manager indicating that he/she is in agreement with the information contained in the application for credit.
- The stormwater detention/retention facilities must be operated and maintained in proper condition to control the peak runoff rate and in accordance with the maintenance standards presented in this manual. If the applicant does not operate and maintain the facility as required, the credit will be discontinued.
- In order for stormwater retention and detention facilities to operate as they were intended, maintenance must be routinely performed. Improperly maintained stormwater facilities do not reduce stormwater impacts effectively and are therefore ineligible for credit. The following items are the basic minimum maintenance requirements for all applicable stormwater facilities:
  - (a) Sediment shall be removed when about 30% of storage volume of the facility is filled.
  - (b) Sediment traps, if existing, shall be cleaned out when filled.
  - (c) No woody vegetation shall be allowed to grow on the embankment without special design provisions.
  - (d) Debris shall be removed from blocking inlet and outlet structures and from other areas of potential clogging (i.e., weirs, pipes, grates, etc.). This is especially important after major storms. Extended detention control devices should be checked often for debris accumulation and clogging.
  - (e) The control structures shall remain unaltered and be kept structurally intact, free from erosion, and functioning as originally designed.
  - (f) All items a-e are subject to the maintenance provisions/agreement provided in the permit.

## 2.3 Credit Application and Approval Process

- If all requirements and conditions of this section are met, the credit will be available upon successful completion of the credit application process and approval of an on-site town inspection.
- Credit applications for new developments can occur as part of the normal development plan review procedures. The completed credit application should accompany the final plan/plat for the site.
- For either credit, a Right-of-Entry or easement, as applicable, must be granted to the town in order for the town to review and approve the credit and to perform occasional inspections to see that the stormwater management facility is maintained and operating as designed. Right-of-Entry is granted via the applicant's or property owner's signature on the credit application.

# STORMWATER FEE CREDIT APPLICATION

Town of Swansboro – *Friendly City by the Sea*  
 601 W. Corbett Avenue  
 910.326.4428 Office  
 910.326.3101 Fax



<b>Section A. Application Information</b>	
Residential <input type="checkbox"/>	Commercial <input type="checkbox"/>
Owner:	
Representative:	
Address:	
Telephone/Fax:	
Email:	

<b>Section B. Applicant's Designer/Engineer</b>
Firm Name:
Name:
Address:
Telephone/Fax:
Email:

<b>Section C. Property Information</b>
Name of Property (E.G. Complex or Development, Lot #):
Tax Map & Parcel ID Number:
Property Address:
Type of Property

<b>Section D. Stormwater Facility Details</b>				
Property Size (Acres)		Type of Facility		
Impervious Surface Area (Total SQ FT)		Impervious Surface Area (Served with controls)		
Pre-Developed Q		Post Q (With Controls)		
CAMA Enhanced (Yes or No)		Shared Facility (Yes or No)		
LID Tool		Percentage stormwater retained on site (disconnected from system)		
RESIDENTIAL Please check methods that apply	Rain Gutter Redirect	Cistern	Rain Barrell	Permeable Pavers
RESIDENTIAL	CERTIFIED BY THE US GREEN BUILDING COUNCIL			

<b>Section E. Owner Certification Statements (initial those that apply)</b>	
Please initial the following statements certifying that you have read and understand each one:	
	I hereby certify that I will notify the Town of Swansboro should a destruction or damage occur to the facility referenced in this credit application that prevents it from performing as credited.
	I hereby certify that I have maintained the stormwater facility or device and LID tool referenced in this application and have adhered to the approved maintenance schedule contained in the permit.
	I hereby certify that I am the financially responsible person or the officer, director, partner, owner or registered agent with authority to execute instruments for the financially responsible person.
	I hereby grant the Town of Swansboro access to my property referenced in this document to inspect the credited stormwater facility or facilities/devices, LID tool proposed for a stormwater fee credit.
	I hereby provide a copy of the approved state permit, plan and the maintenance provisions/certifications required for compliance of permit.
	I hereby provide copy of NC licensed engineer certification and/or NCDEQ approval for the LID tool for requested fee credit.

<b>Owner's Signature</b>	<b>Date</b>

***(OFFICE USE ONLY)***

The Town of Swansboro will affix copy of the permit and information to this application for file.

Watershed/Stormwater Credit applied to the applicant per the Town's Adopted Fee Schedule:

**APPROVED**                       **DENIED (REASON):**

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<b>Staff Signature</b>	<b>Date</b>

**For LID Credit (Board Approval Required)**

<b>Clerk Signature</b>	<b>Date</b>	<b>Granted Amount/% off</b>	<b>Denied</b>

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**CITY OF DURHAM**  
**APPLICATION INSTRUCTION MANUAL**  
**for**  
**STORM WATER SERVICE FEE CREDIT**

**City of Durham**





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**CITY OF DURHAM**

**APPLICATION INSTRUCTION MANUAL**

**for**

**STORM WATER SERVICE FEE CREDIT**

**Prepared For:**

**City of Durham Engineering Department, Storm Water Services  
Division**

**Prepared By:**

**Ogden Environmental and Engineering Services, Inc.  
Greensboro, North Carolina  
November 1995**

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This manual provides the information, instructions, and application forms necessary to apply for a storm water service fee credit. This manual is organized into the following sections:

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Words which appear in ***bold italics*** are defined in Appendix A.

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## SECTION 1: INTRODUCTION

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The City of Durham has elected to provide a credit toward reducing a ratepayer's storm water service fee. Credit WILL NOT be allowed for property that meets the definition of "residential unit." A "residential unit" is a detached single family house, a duplex, or a manufactured home or mobile home located on an individual lot or parcel of land rather than in a manufactured home park. Credit WILL be allowed for any property meeting the definition of "other residential and non-residential land." "Other residential and non-residential land" is any developed land not fitting the definition of a residential unit. It includes, but is not limited to, land upon which there are residential structures that contain more than two units, such as triplexes, townhouses, condominiums, apartments, boarding houses; churches, institutional buildings, whether public or private; commercial, office, and industrial buildings; parking lots and streets; and land containing improvements under construction or impervious surfaces that are not structures. Where development styles may not clearly fit the definitions of "residential unit," "other residential," or "non-residential," the City Public Works Director shall have the authority to determine whether the property is eligible for a credit under this policy.

### **Background Information**

Storm water runoff is water that flows over yards, City streets, buildings, parking lots, and other surfaces when it rains. Storm water runoff flows into the nearest natural or manmade drainage features such as streams, catch basins, pipes, and ditches. The storm water runoff eventually empties, untreated, into our local rivers, ponds, and lakes.

When properties are developed, the amount of storm water runoff generated by those properties increases. The increase in runoff produced by developed properties creates a variety of negative impacts on both the City's **storm water drainage system** and on natural drainageways. This increase in runoff (and the resulting negative impacts) is directly proportional to the amount of **impervious area** found on the developed property.

The City of Durham defines an impervious area as a surface that, due to its composition or compacted nature, impedes or prevents the natural infiltration of water into soil. Impervious areas include, but are not limited to; buildings, solid decks, streets, driveways, sidewalks, patios, parking areas, and concrete. Driveways and parking lots are impervious even if they are not paved because they are compacted. Wooden slatted decks and the water area of swimming pools are not considered impervious surfaces.

Since the amount of storm water runoff generated by a given property is directly proportional to the amount of impervious area found on that property, the storm water service fee a property owner pays is *also* directly proportional to the amount of impervious area found on their property. Non-residential ratepayers in Durham currently pay \$2.70 per month for each Equivalent Residential Unit (ERU) found on their

property.

One ERU is equal to the average amount of impervious area found on a typical single-family residence in the City of Durham. It was determined that the average single-family residence in Durham contains approximately 2,400 square feet of impervious area (therefore, 1 ERU = 2,400 square feet). Non-residential ratepayers are charged based on the number of ERUs found on their property. For example, a shopping center containing 96,000 square feet of impervious area would be charged for 40 ERUs (96,000 divided by 2,400). Since the rate for 1 ERU is currently \$2.70, then this shopping center would pay \$130.00 per month (40 ERUs times \$2.70).

The following negative impacts associated with storm water runoff are identified as being of particular concern to the City of Durham:

- increases in **peak discharge**;
- increases in runoff pollution; and
- increases in storm water drainage system maintenance.

Since increases in impervious area result in both increases in storm water runoff and increases in drainage system maintenance, credit to a ratepayer's storm water service fee is designed to be proportional to the effective reduction in impervious area (which in turn would reduce peak flows and pollution runoff) and/or the effective reduction in burden (to the City) for maintaining the storm water drainage system. The crediting mechanism allows credit for reductions in each of the above three areas.

To keep the crediting process simple, the methodologies that address the above three impacts have been reduced to three sets of criteria and standards. Although the crediting methodologies for the three "impact categories" have been simplified for easier application, they still guarantee real impact reductions for each category due to the technical foundation and proven results of each methodology.

## SECTION 2: CREDITING POLICIES

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It is the City's intent to encourage both sound judgment and sound technical design practices which reduce the negative impact of impervious area on the drainage system through a simple but effective crediting system. Credits may be granted for any combination of peak flow reduction, pollution runoff reduction, and/or a reduction in the City's increasing drainage system maintenance responsibilities.

Certain crediting policies are in place to help maintain a reasonable balance between application simplicity and program effectiveness. These crediting policies are summarized below. Further questions/comments on these policy statements should be directed to the Durham Storm Water Services Division (**SWSD**).

### **Applicability**

Credit WILL NOT be allowed for property that meets the definition of "residential unit." A "residential unit" is a detached single family house, a duplex, or a manufactured home or mobile home located on an individual lot or parcel of land rather than in a manufactured home park. Credit WILL be allowed for any property meeting the definition of "other residential and non-residential land." "Other residential and non-residential land" is any developed land not fitting the definition of a residential unit. It includes, but is not limited to, land upon which there are residential structures that contain more than two units, such as triplexes, townhouses, condominiums, apartments, boarding houses; churches, institutional buildings, whether public or private; commercial, office, and industrial buildings; parking lots and streets; and land containing improvements under construction or impervious surfaces that are not structures. Where development styles may not clearly fit the definitions of "residential unit," "other residential," or "non-residential," the City Public Works Director shall have the authority to determine whether the property is eligible for a credit under this policy. Credit will not be granted for any property that does not pay a storm water fee.

### **Existing Structure Credits**

Credit will be allowed for previously constructed controls that meet City criteria and standards. The amount of credit granted will be determined by the methodologies outlined in the body of this document.

### **Storm Drainage Easements**

No credit shall be granted until the property owner dedicates (at no cost to the City) a storm drainage easement, of such width as determined by the City, for all portions of the storm water system located on the owner's property.

### Impervious Area Owned

Credit when granted will be based solely on the impervious area associated with the property for which the credit is granted, even if other impervious areas drain to or through the property.

### Credits for Multiple Properties

Where a facility is designed to provide peak reduction benefits, pollution reduction benefits, or both to adjoining properties in multiple ownership, credit shall be available to those properties in proportion to the runoff from the respective parcels provided the property owners enter into a written agreement or form an owners' association with a document that provides for their respective responsibilities regarding construction and maintenance of the facility and further provides for each owner to have authority to act in the event another owner fails to perform his/her responsibilities. The document shall clarify actual ownership of the facility and provide such easements as may be required. The document shall also be recorded at the Durham County Register of Deeds after it has been approved by the Storm Water Services Division.

### Voluntary Controls

For new construction, credit will be granted where the City requires controls to be constructed and/or maintained. Other voluntary controls or upgrades of existing systems through retrofitting will be granted credit on a case-by-case basis considering the impact of the controls on the City's drainage system, as determined by the SWSD.

### Credit Schedule

A **maximum of 75%** of the storm water service fee may be granted in credit for the following categories:

Peak Discharge - Up to **35%** for measures that contribute to a reduction of peak discharge.

Water Quality - Up to **25%** for measures that contribute to an improvement in water quality.

To receive the peak discharge or water quality credit, the storm water controls must be properly maintained in a fully functional condition in accordance with maintenance criteria and **BMP** standards adopted by the City.

Maintenance - **15%** for maintenance activities that remove the maintenance burden of the storm water drainage system on private property from the City's responsibility.

The maintenance credit is applicable for contiguous properties with five or more acres of impervious area, under single ownership. The storm water drainage system must be maintained in a fully functional condition in accordance with maintenance criteria adopted by the City. A single maintenance plan for the entire contiguous property must be filed with the

City and maintained by the property owner.

### **Types of Structural BMPs**

Initially, credit for peak and pollution control will be granted only for ***extended detention basins, retention basins, and extended detention/retention basins*** that meet City design and maintenance standards. Credit may be granted for other control devices on a case-by-case basis providing sufficient technical justification is available to make such determinations. Standard specifications for peak and pollution control BMPs are provided in Appendix B.

### **Appeals**

Appeals of credit decisions will be made to the Manager of the Storm Water Services Division. Should satisfaction not be achieved, an appeal may be lodged with the City Public Works Director.

### **Timing of Applications**

For new construction, the peak and pollution control credits will be effective on the first billing cycle for the property following completion/implementation and/or final inspection of the control(s). Credit for existing peak and pollution controls will be granted retroactively to the date of initial billing if a complete application for credit, as determined by the City Public Works Director, is submitted within one year of the implementation of this credit policy. For existing peak and pollution controls for which the initial credit application is submitted more than one year after the implementation of this credit policy, credit will be granted retroactive to the submittal date of the complete application.

Maintenance credit will not be granted retroactively.

## SECTION 3: CREDIT APPLICATION SUBMITTAL PROCEDURES

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Procedural guidelines for credit applications have been separated below into the following four categories: New Developments; Existing Storm Water Controls; **Retrofit** of Existing Storm Water Controls; and On-Site Maintenance. Applicants must follow these guidelines to ensure the proper preparation of credit applications, and to ensure that an applicant receives the full credit to which they are entitled.

**For all four types of credit applications, a sketch must be submitted to the City at the time of credit application. This sketch must show all drainage system easements which are to be dedicated to the City.**

### New Developments

Storm water service fee credit applications for new developments may be submitted as part of the new construction documents required by the City. To expedite the review process, and to ensure compliance of proposed storm water controls, submittal of credit applications for new developments should include the following steps:

1. An initial sketch plan should be presented at a pre-submittal meeting with the Durham Storm Water Services Division. The sketch plan should include:
  - conceptual site plan and structural control location diagram;
  - locations, dimensions, and characteristics of all existing and proposed storm water facilities; and
  - existing and proposed grading and drainage plan and location of all existing and proposed structures, parking areas, driveways, and other impervious areas tributary to the control location.
2. Following the pre-submittal meeting, prepare detailed storm water service fee credit calculations and all supporting documentation to be submitted with the application forms supplied in this manual.
3. Submit the completed credit application forms, a maintenance plan and schedule as required, and all supporting calculations/documentation required by the City to:

Manager  
Storm Water Services Division  
Department of Public Works  
101 City Hall Plaza  
Durham, NC 27701
4. Following review and approval of the credit application, and approval of the new development activities, construct all structures.



5. Contact Durham Storm Water Services Division for site review and approval of constructed improvements.

### **Existing Storm Water Controls**

Credit applications for existing storm water controls must be submitted to the Durham Storm Water Services Division. Applicants interested in receiving credit for existing storm water controls should follow these procedural guidelines during preparation of their credit application:

1. Existing storm water controls must be properly maintained. Coordination with SWSD should be done prior to submission if there are any questions concerning the applicable maintenance standards.
2. Credit applications for existing controls shall be submitted for review on the forms supplied in this manual.
3. All applicable credit calculations and supporting documentation must be submitted with the forms supplied with this manual.
4. Pre-submittal coordination with Durham SWSD is advised to insure all policy requirements for existing controls have been considered and/or fulfilled.
5. Submit completed credit application forms, a maintenance plan and schedule as required, and all supporting calculations/documentation required by the City to:

Manager  
Storm Water Services Division  
Department of Public Works  
101 City Hall Plaza  
Durham, NC 27701

6. Following review and approval of credit application for existing storm water controls, contact Durham Storm Water Services for site review of existing controls.

### **Retrofit of Existing Storm Water Controls, or New Construction of Controls**

The submittal process for City approved retrofitting of existing storm water control structures for storm water service fee credit is similar to that of new developments. Customers interested in retrofitting existing storm water control structures for storm water service fee credit, or additional credit, must follow these guidelines:

1. A pre-submittal meeting should be scheduled with Durham SWSD to determine the nature of the retrofit and to discuss any special conditions and/or extraordinary situations. A sketch plan for the retrofit should be prepared for the pre-submittal meeting.

2. Following the pre-submittal meeting, prepare a set of detailed plans and specifications, along with calculations and credit forms, to be submitted to the Durham Storm Water Services Division for review and approval.
3. Submit the completed credit application forms, maintenance plan and schedule as required, and all supporting calculations/documentation required by the City to:

Manager  
Storm Water Services Division  
Department of Public Works  
101 City Hall Plaza  
Durham, NC 27701

4. Following review and approval of the credit application for retrofitting, and approval of all new construction activities, construct all design retrofits.
5. Contact SWSD for site review and approval of constructed improvements.

### **Onsite Maintenance**

Owners of properties where the storm water drainage system is maintained to acceptable City standards by the property owner are entitled to apply for an onsite maintenance credit. Properties must have five or more acres of impervious area to be eligible for an onsite maintenance credit. Guidelines for applying for an onsite maintenance credit are as follows:

1. Applicants should prepare supporting documents to be presented at the pre-submittal meeting. Supporting documents should include, at a minimum, the following items:
  - a maintenance plan that conforms to standards adopted/set by the City; and
  - a site plan or drawing showing the property boundaries; the location, dimensions and type of all existing storm water facilities, controls, conveyances and structures; and impervious features (including roads and buildings) adjacent to the storm water system.
2. Applicants approved for an onsite maintenance credit are required to submit annual reports detailing both the condition of the storm water drainage system and the level of accomplishment of the maintenance plan.
3. Submit completed onsite maintenance credit application forms and all supporting documentation to:

Manager  
Storm Water Services Division

Department of Public Works  
101 City Hall Plaza  
Durham, NC 27701

4. Upon completion of credit review and approval of onsite maintenance credit application, implement all scheduled activities detailed in the maintenance plan.

## SECTION 4: STORM WATER SERVICE CHARGE AND CREDIT CALCULATIONS

---

As specified in Section 1, Storm Water Service Charges are based on impervious area. The base service charge for a property can be computed from equation 1.

$$\text{Base Service Charge} = C = (IA/2400)*(\$2.70) \quad (1)$$

where: IA = total parcel impervious area (in square feet)  
2400 = number of square feet per ERU  
(note: round IA/2400 to integer)  
\$2.70= service charge per ERU

As specified in Section 2, credits may be provided in accordance with the following schedule:

Peak Credit= Q =Up to 35%, or 0 to 0.35  
Pollution Credit= P =Up to 25%, or 0 to 0.25  
Maintenance Credit= M =Zero or 15%, or 0 or 0.15

Notes: All credit factors are expressed as decimal numbers.  
There is no partial credit for maintenance.

The adjusted service charge is that charge owed once all credits have been applied. The adjusted service charge is computed from equation 2.

$$\text{Adjusted Service Charge} = A = C*(1-Q-P-M) \quad (2)$$

---

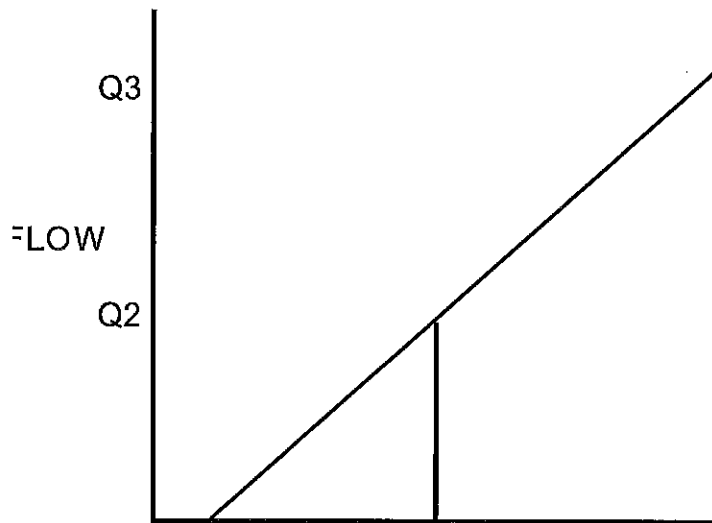
## SECTION 5: PEAK, POLLUTION, AND MAINTENANCE CREDITS

---

Property owners who make the impervious areas on their property "look", in terms of hydrologic impact, as if they are less impervious are entitled to apply for credit on that portion of the storm water service charge available for credit. Applicants should follow the criteria and procedures detailed below when developing credit applications for **peak** runoff reduction BMPs, **pollution** reduction BMPs, and for the maintenance credit.

### Peak Credit Methodology

The figure below illustrates the peak credit calculation concept.



- $I_1$  is the percent impervious prior to development.
- $Q_1$  is the pre-development peak runoff value.
- $I_3$  is the post development percent impervious value.
- $Q_3$  is the post-development peak runoff value without any controls in place.
- $I_2$  is the "effective imperviousness" which results from controls reducing peak runoff from  $Q_3$  to some lesser value  $Q_2$ .
- $Q_2$  is the post-development peak runoff value with controls in place.

### **Peak Credit Calculation Equation**

This computation procedure is based on the fact that the peak credit factor can be approximated as varying linearly with the percent impervious. Equation 3 shows the method.

$$\text{Peak Credit Factor} = (Q_3 - Q_2) / (Q_3 - Q_1) \quad (3)$$

The following shows the steps needed to compute the Peak Credit Factor and Peak Credit:

### **Peak Credit Factor and Peak Credit Calculation Steps**

- STEP 1: Calculate the 10-year storm runoff peak for undeveloped conditions ( $Q_1$ ). Use a minimum storm duration of  $20 \times T_p$  or 6 hours, whichever is longer.  $T_p$  is the time for the flow to peak.
- STEP 2: Calculate the 10-year storm total runoff for fully developed conditions without any controls in place ( $Q_3$ ) and measure the total impervious area ( $I_3$ ). Use a minimum storm duration of  $20 \times T_p$  or 6 hours, whichever is longer.
- STEP 3: Insert designed controls for the fully developed condition and route the storm through the controls. Calculate the controlled runoff peak ( $Q_2$ ).
- STEP 4: Calculate the Peak Credit Factor using equation 3 above. If the peak credit factor is greater than 1.0, use a peak credit factor of 1.0.
- STEP 5: Multiply the Peak Credit Factor times 0.35 to obtain the Peak Credit. (0.35 is the maximum credit allowed for Peak).

The Peak Credit Factor and Peak Credit Calculation Steps outlined above are discussed in further detail in Appendix C.

### **Annual Report**

Upon approval for peak credit, property owners will be required to prepare and submit an annual maintenance report for the storm water management facility. The annual report will describe the maintenance and inspection activities of the subject year, include copies of inspection and repair logs, and note any needed modifications to the maintenance plan for the following year.

If the annual report or a City inspection shows that the property owner has failed to comply with all provisions of the maintenance plan, then all peak credit received during the period covered by the annual report shall be ~~immediately~~ repaid to the City.

### **Pollution Credit Methodology**

Pollution credit is based on the efficiencies of the types of controls used to reduce the pollutant load in the storm water. Appendix C contains six design standards and the available credit for each. A designer must provide the City evidence that the controls meet the design standards set. Once the BMP design criteria is met, the Pollution Credit is based on the design's available credit **and** the percentage of the total impervious area routed through the BMP.

$$\text{Pollution Credit} = \text{Design's Available Credit} * \text{Percent of Total Site Impervious Area Routed} \quad (4)$$

### **Pollution Credit Calculation Steps**

- STEP 1: Determine the design standard which best fits the BMP used.
- STEP 2: Calculate the appropriate volume of the BMP.
- STEP 3: Determine the Percent of Total Site Impervious Area Routed through the BMP.
- STEP 4: Using equation 4, multiply the Percent Impervious Area Routed times the Design's available credit to get the Pollution Credit. The maximum pollution credit is 0.25.

The *Pollution Credit Calculation Steps* above are discussed in further detail in Appendix C.

### **Annual Report**

Upon approval for pollution credit, property owners will be required to prepare and submit an annual maintenance report for the storm water management facility. The annual report will describe the maintenance and inspection activities of the subject year, include copies of inspection and repair logs, and note any needed modifications to the maintenance plan for the following year.

If the annual report or a City inspection shows that the property owner has failed to comply with all provisions of the maintenance plan, then all pollution credit received during the period covered by the annual report shall be immediately repaid to the City.

## Maintenance Credit Methodology

The City of Durham will provide a storm water service fee credit to those properties that reduce the storm water drainage system **routine** and **remedial maintenance** (see definitions, Appendix A) responsibilities of the City. Property owners who remove the routine and remedial maintenance burden of the drainage system on their property from the City's responsibility are entitled to receive a storm water service fee credit of **fifteen percent (15%)** of their total monthly fee. Partial onsite maintenance credit is not available. To be eligible for an onsite maintenance credit the following procedures and/or criteria must be satisfied:

- the minimum period of participation in the maintenance credit process is one year.
- if participation in the maintenance credit process is terminated, the storm water drainage system must be in good working order as determined by the City. Any repairs determined necessary by the City must be completed by the property owner at the property owner's expense prior to returning responsibility for the drainage system to the City. If the property owner fails to comply with this requirement, the City may undertake the repairs and include the full cost of the repairs on the property owner's next storm water service charge invoice.

### Property Size

Only those properties having a total impervious area equal to, or greater than, five acres are eligible to apply for an onsite maintenance credit. A survey site plan detailing impervious area and property line location and lay-out must be included with the application package.

### Maintenance Plan

The applicant must prepare a detailed storm water drainage system maintenance plan for all drainage features on the subject property. The plan must detail the applicant's ability to maintain and/or address the following three areas:

- the "**in-ground**" drainage system (pipes, culverts, catch basins, etc.);
- the "**open**" drainage system (channels, ditches, swales, etc.); and
- **litter** control.

The above three areas will be maintained to standards established by the City. Applicants are encouraged to coordinate with SWSD prior to preparation of an onsite maintenance credit application to ensure compliance with City standards in all areas. At a minimum, applicants should follow the following maintenance standards for the above three areas:

- All components of the **in-ground** drainage system must be inspected at least quarterly, and repaired as needed. Those components that are found to be clogged or in some way obstructing the flow of storm water are to be cleared as necessary. Proper disposal of debris is required.
- Inspect and clean grates, inlets, and outlets after each significant storm event.



- All components of the **open** drainage system must be inspected at least quarterly and repaired as necessary. Components of the open drainage system must be maintained to minimize erosion.
- Property owners must keep their properties free of **litter**.
- The drainage system must be inspected after each significant storm event, and at least quarterly for water quality problems. If any water quality problems are observed, the City must be notified immediately. Examples of water quality problems include: oil sheen, foam, color, odor, and turbidity. For more details about how to inspect a drainage system for water quality, see Appendix E.
- All storm water controls and conveyances on the property must be maintained to provide structural soundness, to prevent erosion, to eliminate blockages, to eliminate litter, and to eliminate sedimentation.

### **Site Inventory**

Applicants are required to prepare an inventory of their site to be included in, and submitted with, the application package. Upon approval of the onsite maintenance credit, property owners will be required to keep the inventory for the subject site in a current state. At a minimum, the site inventory should include a site plan or drawing showing the property boundaries; the location, dimensions, and type of all existing storm water facilities, controls, conveyances, and structures; and impervious features (including roads and buildings) adjacent to the storm water system.

### **Annual Report**

Upon approval for an on-site maintenance credit, property owners will be required to prepare, and submit to SWSD, an annual maintenance report for the subject property. The annual report will detail the maintenance activities of the subject year, the current condition of the property's storm drainage system, accomplishments of the maintenance plan, a description of any repairs made, copies of all inspection logs, and any modifications to the maintenance plan necessary for the following year. Repairs to the storm water drainage system must be pre-approved by the City.

If the annual report or a City inspection shows that the property owner has failed to comply with all provisions of the maintenance plan, then all maintenance credit received during the period covered by the annual report shall be immediately repaid to the City.

## SECTION 6: FORMS AND CHECKLISTS

---

The following pages contain forms and checklists to assist applicants in applying for the storm water service fee credit. The following items have been included under this section:

- Credit Application Form - summary information about the project.
- City SWSD Application Review Form.
- Credit Application Checklist - used by the reviewer to check the application packet.

The application packet should consist of the application form on top followed by pertinent drawings, easement dedication maps and documents, documentation, and calculations sufficient to fully evaluate both the site and the proposed controls.

Maintenance provisions, schedule, and responsible parties must be specified for each control proposed.

**CITY OF DURHAM  
STORM WATER SERVICES DIVISION  
PEAK AND POLLUTION CREDIT APPLICATION FORM**

**Applicant Information (Financially Responsible Entity):**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Telephone: ( ) \_\_\_\_\_

**Applicant's Engineer:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Telephone: ( ) \_\_\_\_\_

Registration Number (PE) : \_\_\_\_\_

**Development Information:**

Name of Development: \_\_\_\_\_

Location: \_\_\_\_\_

Receiving Water's Name: \_\_\_\_\_

Property Size: \_\_\_\_\_  
—

Brief Description of Eligible Storm Water Management Facilities: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Tax Map Number(s): \_\_\_\_\_

**Service Charge Data:**

Property Impervious Area : \_\_\_\_\_

Existing Service Charge: \_\_\_\_\_

Peak Credit: \_\_\_\_\_ Pollution Credit: \_\_\_\_\_ Total Credit: \_\_\_\_\_

Account Number(s): \_\_\_\_\_

**Certification\*:**

The above information is true and correct to the best of my knowledge and belief. I agree to provide corrected information should there be any change in the information provided herein.

_____	_____
Type or print name	Title or Authority
_____	_____
Signature	Date

**\* This form must be signed by the financially responsible person if an individual, or if not an individual, by an officer, director, partner, or registered agent with authority to execute instruments for the financially responsible person.**

Engineer's Certification:

Existing conditions are in conformance to the conditions reflected in the calculations.

\_\_\_\_\_  
Signature and Seal of P.E.

**CITY OF DURHAM  
STORM WATER SERVICES DIVISION  
MAINTENANCE CREDIT APPLICATION FORM**

**Applicant Information (Financially Responsible Entity):**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Telephone: (\_\_\_\_) \_\_\_\_\_

**Development Information:**

Name of Development: \_\_\_\_\_

Location: \_\_\_\_\_

Receiving Water's Name: \_\_\_\_\_

Property Size: \_\_\_\_\_

Tax Map Number(s): \_\_\_\_\_

**Service Charge Data:**

Property Impervious Area : \_\_\_\_\_

Account Number(s): \_\_\_\_\_

\_\_\_\_\_

**Certification\*:**

The above information is true and correct to the best of my knowledge and belief. I agree to provide corrected information should there be any change in the information provided herein.

\_\_\_\_\_  
Type or print name

\_\_\_\_\_  
Title or Authority

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**\* This form must be signed by the financially responsible person if an individual, or if not an individual, by an officer, director, partner, or registered agent with authority to execute instruments for the financially responsible person.**

FOR STORM WATER SERVICES DIVISION USE  
DO NOT MARK IN THIS SPACE

Reviewer: \_\_\_\_\_ Phone: \_\_\_\_\_  
\_\_\_\_\_

Review Number: \_\_\_\_\_ Dates Received: \_\_\_\_\_ Returned: \_\_\_\_\_

Review Number: \_\_\_\_\_ Dates Received: \_\_\_\_\_ Returned: \_\_\_\_\_

Review Number: \_\_\_\_\_ Dates Received: \_\_\_\_\_ Returned: \_\_\_\_\_

Review Number: \_\_\_\_\_ Dates Received: \_\_\_\_\_ Returned: \_\_\_\_\_

Date Approved: \_\_\_\_\_

As-built Verification Inspector: \_\_\_\_\_ Date: \_\_\_\_\_

Project Information:

Current Storm Water Service Fee: \_\_\_\_\_

Approved Peak Credit: \_\_\_\_\_

Approved Pollution Credit: \_\_\_\_\_

Approved Maintenance Credit: \_\_\_\_\_

Total Credit: \_\_\_\_\_ Revised Storm Water Fee: \_\_\_\_\_

Required Maintenance/Special Construction: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## CREDIT APPLICATION CHECKLIST

### General Information/Requirements

- Site Plan and Property boundaries.
- Scale.
- Vicinity Map.
- North arrow.
- Adjoining wetlands, lakes, streams, or other major drainage ways.
- Existing and proposed contours.
- SCS** soil types.
- Impervious delineations and labels (buildings, driveways, etc.).
- Drainage area map, including off-site areas draining through the site.
- Delineation of floodway fringe and encroachment areas, where applicable.
- Size and location of all storm water structures.
- As-built details of existing structures.
- Construction drawing and details of proposed controls, where applicable.
- Final plat(s) dedicating storm drainage easements.

### Peak and Pollution Calculations

- Seal and signature of Registered Professional Engineer.
- Hydrologic calculations for undeveloped and developed land uses for the 2-year and 10-year storm events.
- Hydraulic calculations showing stage-discharge relationships of structural controls.
- Pollutant loading computations for undeveloped and developed land use.
- Pollution reduction calculations.
- Structural control routings
- Credit computations.
- Maintenance schedule of all operations that affect the efficiency of the structural controls including mowing, sediment removal, etc.

### Onsite Maintenance

- Survey Site Plan
- Maintenance Plan
- Site Inventory

**APPLICATION FOR REZONING**

TO: THE CITY OF LOWELL

APPLICATION #: \_\_\_\_\_

DATE FILED: December 10, 2021

FEE PAID: \_\_\_\_\_

The undersigned does (do) hereby respectfully make application and request to the City of Lowell to amend the Zoning Ordinance and/or change the Zoning Map of the City of Lowell as hereinafter requested and in support of this application the following facts are shown:

- 1) It is requested that the real property hereinafter described be rezoned from:

SFR-3 and R-1 to SFR-4(CZ)

The real property sought to be rezoned is owned in fee simple by: Belmont Land Investment Co. as evidenced in Deed Book, Page: SEE SCHEDULE 1 of the Gaston County Register of Deeds Office. There are no restrictions or covenants of record appearing in the chain of title which would prohibit the property from being put to the use specified in Paragraph 1 of this application.

- 2) The address of the real property sought to be rezoned is: SEE SCHEDULE 1 and / or a further legal description by metes and bounds of said realty is attached to this application.
- 3) The real property sought to be rezoned is located on the Right side of Lowell Spencer Mountain Road between Flowers Road and South Fork Catawba River and further identified in Gaston County Tax Book \_\_\_\_\_, Map \_\_\_\_\_ Parcels 135144, 136564, 202166, 202167, 210660 and 202774; Said Lots have 289.99 acres.
- 4) The following are all the adjoining property owners who own land adjacent to all sides, front and rear, which shall include properties across the street from the property sought to be rezoned. The names and addresses listed below shall be determined



by the most recent tax listing as recorded in the Gaston County Tax Office. (Use additional pages if necessary.)

NAME

ADDRESS

SEE SCHEDULE 2


- 6) The applicant understands that a letter stating the date, time and place for the Public Hearing for the rezoning of said property shall be mailed to each of the parties listed in Paragraph 5 at least ten (10) days prior to the said Public Hearing.
- 7) If the applicant is not the legal owner of the property sought to be rezoned, the legal owners names and addresses shall be listed below. Owners shall be determined by the most recent tax listing as recorded in the Gaston County Tax Office. (Use additional pages if necessary.)

SEE SCHEDULE 1



- 8) A map or drawing identifying the real property requested to be rezoned and all attached properties with their designated zoning districts shown shall be attached to this application.

Applicant(s) Name: The PulteGroup

Address: 11121 Carmel Commons Blvd, Suite 450 Charlotte, NC 28226

Telephone: 704-972-7389

Applicant's Signature: Matt Kearns

DocuSigned by:  
  
 070F408182D84A1...

City of Lowell  
101 West First Street  
Lowell, NC 28098

Telephone: 704 – 824 - 3518

SCHEDULE 1

<b>Parcel</b>	<b>Owner</b>	<b>Parcel Address</b>	<b>Owner Address</b>	<b>Deed Book</b>	<b>Deed page</b>
135144	BELMONT LAND & INVESTMENT CO	N/A	PO BOX 1939 , MC ADENVILLE, NC 28101-1939	3397	0134
136564	BELMONT LAND & INVESTMENT CO	N/A	PO BOX 1939 , MC ADENVILLE, NC 28101-1939	001E	0182
202166	BELMONT LAND & INVESTMENT CO	N/A	PO BOX 1939 , MC ADENVILLE, NC 28101-1939	3397	0130
202167	BELMONT LAND & INVESTMENT CO	N/A	PO BOX 1939 , MC ADENVILLE, NC 28101-1939	3397	0130
210660	BELMONT LAND & INVESTMENT CO	N/A	PO BOX 1939 , MC ADENVILLE, NC 28101-1939	4214	2394
202774	BELMONT LAND & INVESTMENT CO	N/A	PO BOX 1939 , MC ADENVILLE, NC 28101-1939	466	144

SCHEDULE 2

Parcel	Deed	Owner	Mailing Address	Zoning
136566	2133-708	Doris B Tallent	2306 RYAN CONLEY CT, GASTONIA, NC 28056	RS-20
136565	2411-777	Doris B Tallent	2306 RYAN CONLEY CT, GASTONIA, NC 28056	RS-20
136557	1891-116	Tallent Drum Company	P O BOX 675 , LOWELL, NC 28098	RS-20
136558	1454-363	Doris B Tallent	2306 RYAN CONLEY CT, GASTONIA, NC 28056	RS-20
135132	4963-030	Eunice H Carpenter & Cathy J Snyder	129 SUTTON CARPENTER RD, GASTONIA, NC 28056- 7852	R-1
135137	4514-2463	Gail Reddick Barker	2940 ALARKA RD , BRYSON CITY, NC 28713	R-1
135141	4684-697	Daniel A Davis	1405 LOWELL SPENCER MTN RD , GASTONIA, NC 28056-7841	R-1
135134	4975-2031	Jeffrey A Little	1413 LOWELL SPENCER MTN RD , GASTONIA, NC 28056-7841	R-1
135133	4693-2468	Tammy S Schronce	2408 MALLOTTE LN , GASTONIA, NC 28054-6407	C-1
135138	2286-634	Rachel Mann Moore	1429 LOWELL SPENCER MTN RD , GASTONIA, NC 28056-7841	R-1
135129	2371-490	Franklin Charles & Marsha B Morrow	104 FLOWERS RD , GASTONIA, NC 28056	R-1
135128	0010-551	Edith C May Heirs	C/O JEFFERY SCOTT BEASLEY 114 FLOWERS RD, GASTONIA, NC 28056- 6647	R-1
135127	1432-802	Dorothy May Brown	126 FLOWERS RD , GASTONIA, NC 28056	R-1
135108	4467-1512	Thomas gerald & Teri Lyn Flowers	138 HALL RD , GASTONIA, NC 28056-7825	R-1

## Public Hearing Consent Form

To: City of Lowell Board of Adjustment / Planning Board / City Council

From: \_\_\_\_\_

Subject:

consent for variance /  conditional use /  appeal /  subdivision variance /  watershed variance /  rezoning

Date: \_\_\_\_\_

I, \_\_\_\_\_, being the property owner of parcel(s) \_\_\_\_\_, give consent to \_\_\_\_\_ to act on my behalf in applying for the **PUBLIC HEARING REQUEST** under consideration.

\_\_\_\_\_  
Signature (owner)

\_\_\_\_\_  
Date



### City of Lowell-Development Services Department

101 W. First Street Lowell, NC 28098

Phone: 704-824-3518 Web: [lowellnc.com](http://lowellnc.com)

North Carolina  
Gaston County

I, \_\_\_\_\_, a Notary Public for the said County and State, do hereby certify that  
personally appeared before me this day and  
acknowledged the due execution of the foregoing instrument.

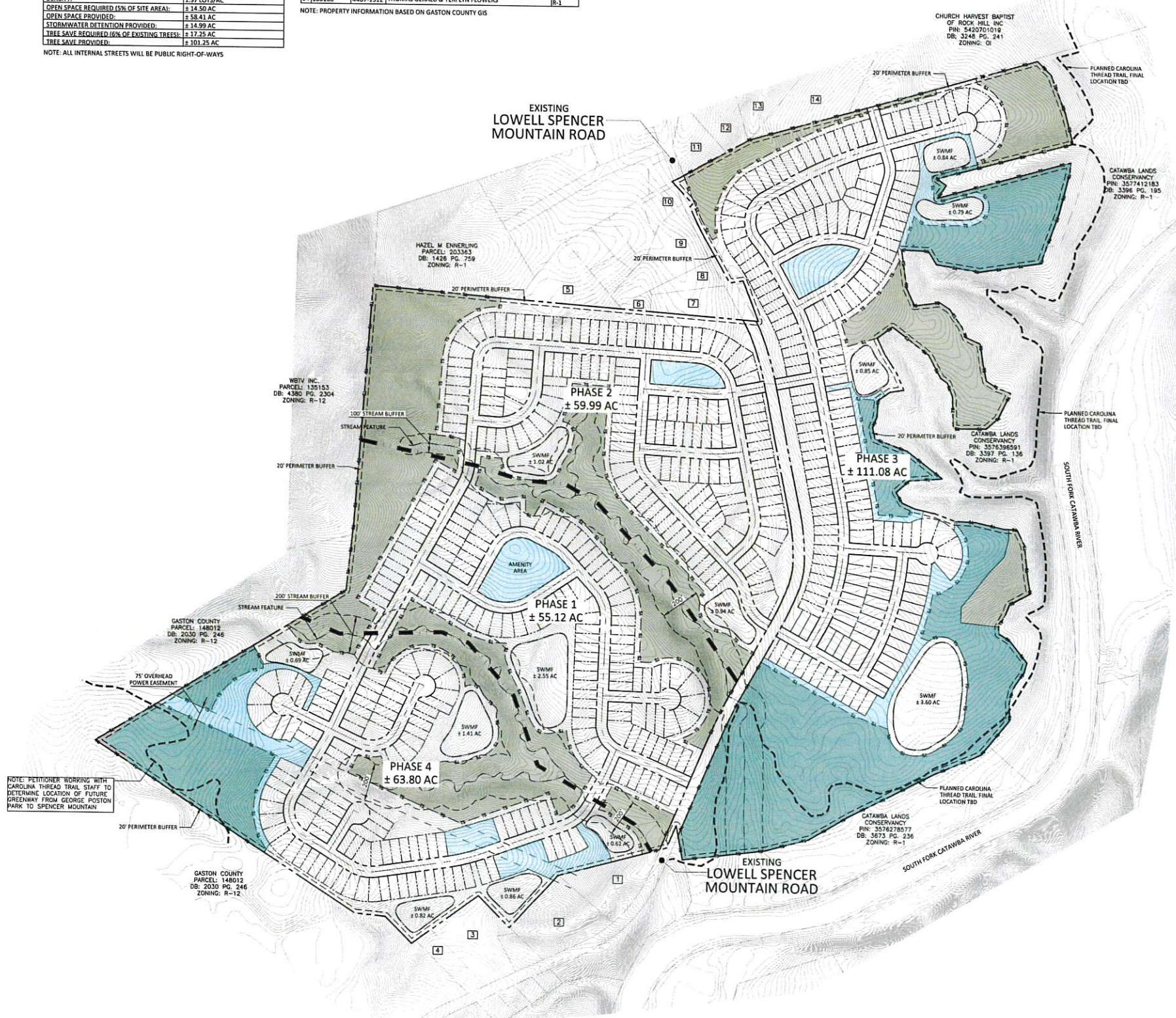
**SITE LEGEND**

- PROPERTY LINE
- - - RIGHT-OF-WAY LINE
- LOT LINE
- - - EASEMENT LINE
- - - BUFFER LINE
- - - CENTERLINE
- TREE SAVE
- OPEN SPACE
- OPEN SPACE + TREE SAVE

SITE DATA	
PREPARED BY:	MCADAMS
	3430 TORINGDON WAY, SUITE 110 CHARLOTTE, NC 28227
PID:	135144, 135564, 202166, 202167, 210660 & 202774
PROPOSED ZONING:	SR-4 (C2)
TOTAL DEVELOPMENT	
AREA:	± 269.99 AC
PERIMETER BUFFER:	20'
PUBLIC ROW WIDTH:	60'
SINGLE FAMILY (50' x 130')	575 LOTS
DENSITY:	1.97 LOTS/AC
OPEN SPACE REQUIRED (5% OF SITE AREA):	± 14.50 AC
OPEN SPACE PROVIDED:	± 58.41 AC
STORMWATER DETENTION PROVIDED:	± 14.99 AC
TREE SAVE REQUIRED (6% OF EXISTING TREES):	± 17.35 AC
TREE SAVE PROVIDED:	± 101.25 AC
NOTE: ALL INTERNAL STREETS WILL BE PUBLIC RIGHT-OF-WAYS	

ADJACENT PROPERTY OWNERS			
PARCEL	DEED	OWNER	ZONING
1	136566	2133-708 DORIS B TALLENT	RS-20
2	136565	2411-777 DORIS B TALLENT	RS-20
3	136557	1891-116 TALLENT DRUM COMPANY	RS-20
4	136558	1454-363 DORIS B TALLENT	RS-20
5	135132	4963-030 EUNICE H CARPENTER & CATHY J SNYDER	R-1
6	135137	4514-2463 GAIL HEDDICK BARKER	R-1
7	135141	4684-697 DANIEL A DAVIS	R-1
8	135134	4975-2031 JEFFREY A LITTLE	R-1
9	135133	4693-2468 TAMMY S SCHRONCE	C-1
10	135138	2786-634 TRACIE MANN USORE	R-1
11	135129	2573-490 FRANKLIN CHARLES & MARSHA B MORROW	R-1
12	135128	0010-551 EDYTH C MAY HEIRS	R-1
13	135127	1432-802 DOROTHY MAY BROWN	R-1
14	135108	4467-1512 THOMAS GERALD & TERI LYNN FLOWERS	R-1

NOTE: PROPERTY INFORMATION BASED ON GASTON COUNTY GIS



**McADAMS**

The John R. McAdams Company, Inc.  
3430 Toringdon Way  
Suite 110  
Charlotte, NC 28227  
phone 704.527.0800  
fax 919.361.2269  
license number: C-0293, C-187  
www.mcadamsco.com

**CLIENT**  
PULTE HOMES  
1121 CARMEL COMMONS BLVD.  
SUITE 450  
CHARLOTTE, NC 28226



**SPENCER MOUNTAIN  
SINGLE FAMILY  
REZONING PLAN**  
LOWELL SPENCER MOUNTAIN ROAD  
LOWELL, NORTH CAROLINA, 28098

**REVISIONS**

NO.	DATE

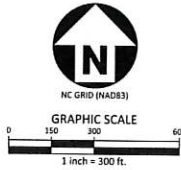
**PLAN INFORMATION**

PROJECT NO. PLT21001  
FILENAME PLT21001-R21  
CHECKED BY EM  
DRAWN BY JDS  
SCALE 1" = 300'  
DATE 12.10.2021

**SHEET**

**REZONING PLAN**

**RZ.01**



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