

X. ADDITIONAL PROVISIONS

The following are additional provisions that are incorporated in and are part of the Chatham Park PDD Master Plan (the "Master Plan").

1. Within two (2) years following final, non-appealable approval of the *Chatham Park PDD zoning and Master Plan*, Applicant will submit the following “Additional Elements” for review by the Town of Pittsboro (the “Town”):

- a. Tree Protection Plan.
- b. Master Signage Plan.
- c. Master Parking and Loading Plan.
- d. Master Lighting Plan.
- e. Master Landscaping Plan.
- f. More Detailed Development Phasing Plan.
- g. Affordable Housing Plan.
- h. More Detailed Master Public Facilities Plan, which shall address all of the following:
 - 1) Town Administration.
 - 2) Police.
 - 3) Fire.
 - 4) Schools.
 - 5) Parks and Recreation.
 - 6) Water Supply and Distribution.
 - 7) Sewer Collection and Treatment.
- i. Master Transit Plan.
- j. Master Open Space Plan.
- k. Master Stormwater Manual.
- l. Master Public Art Plan.

The Town may extend the time within which Applicant is required to submit one or more of the foregoing Additional Elements. Additional Elements approved by the Town will be part of the Master Plan. Applicant will work with the Town in developing the Additional Elements, as it is anticipated that the Town may incorporate part or all of the Additional Elements in a new Unified Development Ordinance (“UDO”).

2. Within two (2) years following final, non-appealable approval of the *Chatham Park PDD zoning and Master Plan*, Applicant will submit for consideration by the Town a Development Agreement in accordance with Section 160A-400.20 et seq. of the North Carolina General Statutes. Any conflict between the Master Plan and the provisions of a Development Agreement, agreed to by Applicant and the Town shall be controlled by the Development Agreement.

3. Until such time as all of the Additional Elements and a Development Agreement are approved by the Town, which approval is not to be unreasonably withheld or delayed, development in Chatham Park PDD will be limited as follows:

- a. Site plans or preliminary subdivision approvals will not be issued by the

Town for more than a total of five percent (5%) of the maximum number of residential units allowed under the Master Plan.

b. Site plans or preliminary subdivision approvals will not be issued by the Town for more than a total of fifteen percent (15%) of the maximum amount of non-residential square footage allowed under the Master Plan.

4. Except as otherwise specified in VII, Development Standards/Regulation Elements of the Master Plan, all development within Chatham Park PDD, including subdivisions, site plans and public facilities and services, must be designed and constructed to conform to at least the minimum requirements of the local, state or federal regulatory governmental unit or agency having jurisdiction, including the Town, at the time of application for such needs and services. Chatham Park PDD and any plans for its development set forth in the Master Plan shall be expressly subject to and governed by any future Unified Development Ordinance or other land use ordinance applicable throughout the planning jurisdiction of the Town.

5. Prior to or contemporaneously with submittal of any subdivision, site plan, or other development plan for any property in Chatham Park PDD, if such property is not already in the Town limits, a petition for voluntary annexation of such property into the Town also will be submitted. Unless otherwise allowed by the Town, the property in Chatham Park PDD that is described in any such annexation petition shall be contiguous to property that already is in the Town limits or that is described in a previously submitted annexation petition that is pending consideration by the Town.

6. Applicant acknowledges that it will help defray the estimated additional costs expected to be incurred by the Town in dealing with development in Chatham Park PDD, including, without limitation, preparation of a Unified Development Ordinance, additional Town staff and private consultants that may be needed to review the proposed Additional Elements, Small Area Plans, requests for subdivision or site plan approvals (together, “development approvals”), extension of public services to Chatham Park PDD, Development Agreement(s) and other agreements, and engineering and construction drawings as well as capital and operational costs incident to the development of Chatham Park PDD.

7. Applicant will establish a “Development Review Committee” for Chatham Park PDD. Applications for development in Chatham Park PDD shall be submitted to the Town by the Development Review Committee and it will be the exclusive agency authorized to interact with the Town with respect to development applications in Chatham Park PDD from any person or legal entity.

8. Unless otherwise agreed by the Town and the Development Review Committee, development in Chatham Park PDD will be served by Town water and wastewater services and by other public infrastructure and services provided by the Town or with the Town’s consent by other applicable government units with jurisdiction. Each request for a development approval for property in Chatham Park PDD shall identify the Town infrastructure and services needed to serve the proposed development and, in instances in which capacity of the Town to provide such infrastructure and services does not exist at the time of submittal, how the

costs of providing such infrastructure and services for that proposed development, including the proportionate share to be paid by the proposed development, will be paid.

Whether by way of extension of existing services or construction of new facilities and infrastructure, such public facility needs and services shall be designed, constructed, operated and maintained in a manner satisfactory to the Town and any other governmental unit with jurisdiction. The reasonably anticipated public facility needs generated by development of Chatham Park PDD shall be provided by the Applicant or by the person or legal entity seeking approval for development in Chatham Park PDD. Among the methods to provide for such public facility needs could be payment of applicable capacity fees to utilize existing water or sewer capacity available from the Town, paying for construction of new public facilities with credits for oversizing of facilities or credits applicable to future development, or prepayment of water or sewer capacity fees for which the payor receives credits for payment of such capacity fees with respect to future development.

9. The *Chatham Park* PDD Master Plan dated May, 2014 supersedes and controls over all previously submitted versions of the *Chatham Park* PDD Master Plan submitted to the Town, including all amendments and revisions to such previously submitted versions of the *Chatham Park* PDD Master Plan.

10. If any section, subsection, paragraph, sentence or other part of this Master Plan is adjudged unconstitutional or invalid, such judgment shall not affect or invalidate the remainder of this Plan, but shall be confined in its effect to the section, subsection, paragraph, sentence or other part of this Plan directly involved in the controversy in which said judgment shall have been rendered and all other provisions of this Plan shall remain in full force and effect.

11. All provisions of the Master Plan which are inconsistent with the provisions of this Article X are deleted to the extent of any such inconsistency and the provision hereof shall control.