

## Little River Reservoir Water Supply Watershed Frequently Asked Questions

### 1. What is a WS-II watershed?

A watershed is the region or land area that drains to a specific body of water. Everything that happens within a watershed has an impact on water quality within that watershed. The state and local goals are to maintain and enhance the quality of public water resources, allowing no further degradation of water quality while allowing limited development in water supply watershed.

The North Carolina State Department of Environment and Natural Resources' (DENR) designated the Little River Watershed a WS-II - a designation for High Quality Water: pristine waters in water supply watersheds that are used as a drinking water supply and as habitat for rare, threatened, or endangered species.

### 2. What is the critical area?

The critical area is the land closest to a water supply intake where risk associated with pollution is greater than from the remaining portions of the watershed. The critical area is defined as land within one-half mile + 300 feet, or 2,940 feet, upstream and draining to a river intake or within one-half mile + 300 feet, 2,940 feet, and draining to the normal pool elevation of water supply reservoirs. Critical areas are more restrictive than areas outside this area, which are classified as the non-critical portion of the water supply watershed.

Parcels within the Little River Reservoir Watershed Critical Area are currently zoned R-80W-allowing one (1) dwelling unit per two (2) acres.

### 3. What is the non-critical area?

The non-critical area extends beyond the critical area boundary to a ridgeline of the drainage basin defined as the watershed outermost boundary. Development standards are less restrictive in the non-critical portion of the water supply watershed.

Parcels within the Little River Reservoir Watershed Non-Critical Area are primarily zoned R-40W-allowing one (1) dwelling unit per one (1) acre.

### 4. What is the purpose of the overlay district?

The purpose of the overlay district is to implement the provisions in the inter-local agreement (ILA). These provisions will assist in protecting the Little River Watershed that is classified as a WS-II Watershed by the State of North Carolina.

Overlay districts are overlaid on general zoning district classifications to alter some or all of the underlying district regulations in order to address special situation or accomplish specific planning or zoning goals.

### 5. What is the Little River Reservoir Water Supply Watershed Inter-local Agreement (ILA)?

An agreement to establish an urban growth boundary for the purpose of protecting surface water supplies by controlling development density and to control urban-style development in environmentally sensitive areas in order to protect the health, safety and general welfare of the public.

### 6. Have there been representatives on the ILA committee from the people who own property and live in this area?

Elected officials from the various affected communities and local, state and federal staff comprised the ILA work group.

### 7. Can I obtain a copy of the inter-local agreement?

Yes. A copy of the ILA (as approved by the City of Raleigh on October 2, 2007) can be obtained by contacting Wake County staff. Partner municipalities could change the ILA's recommended protection standards as their Town Boards consider the agreement.

### 8. What uses will be allowed?

1. Very Low Density Residential
2. Limited Non-Residential uses will be allowed only in the non-urban activity centers, except for uses allowed within the underlying zoning classifications. Examples: farms, forestry, public safety facilities and churches
3. Reservoir Uses: See copy of Inter-local agreement

### 9. Why rezone from R-80W to R-120W in the Little River critical area?

The Little River Watershed is a WS-II water supply watershed. A number of WS-II water supply watersheds in North Carolina have minimum 2 acre standards equivalent to Wake County's R-80W. The water quality for several of these reservoirs is deemed degraded or impaired. Therefore, ILA Workgroup believes it is necessary to increase the zoning in order to provide greater protection.

It should be understood that the final zoning requirements for the critical area of the reservoir will be subject to final negotiations with state and federal agencies during the environmental permitting process.

### 10. How will this affect my property within the critical area?

The maximum density allowed will change from 1 dwelling unit per 2 acres to 1 dwelling unit per 3 acres in the **critical area** of the Little River Reservoir Water Supply Watershed. If the inter-local agreement is adopted as currently drafted, this change will affect new lots created. The proposed rezoning will not affect the density of properties located within the non-critical area of the watershed.

### 11. Why is the land below US 64 being rezoned to R-120W, when it does not impact the proposed Reservoir?

The area that drains downstream of the proposed Little River reservoir dam is not proposed to be rezoned to one (1) dwelling unit per three (3) acre, but the WSO2 Overlay will be applicable to this area.

### 12. My lot is less than the proposed 3 acres. Can I build on it?

Yes, any legally created lot that is less than the required acreage upon adoption of this ordinance amendment would be considered a nonconforming lot. A nonconforming lot is a tract of land that was lawfully established in accordance with all regulations in effect at the time of its establishment but which no longer complies with the newly applicable lot size requirements, lot width or lot frontage because of an amendment to these regulations.

### 13. Can existing homes be expanded, replaced or completely razed and rebuilt?

Yes, but it would have to meet the standards that are in place (i.e. impervious surface coverage limit, setbacks, septic, etc).

### 14. What is impervious surface coverage?

Any surface resulting from human activity that obstructs or prevents infiltration of water into soil. Impervious includes, but is not restricted to: buildings and rooftops; walkways, driveways, and parking areas.

### 15. My lot exceeds the maximum impervious surface coverage allowed. Will I be exempt?

No, the existing impervious will not be considered exempt from the maximum impervious allowed. If any additions are proposed then the existing impervious, as well as the proposed, must not exceed the maximum allowed impervious surface coverage. You will not be required to bring your lot (existing impervious) into compliance with the new requirement, however, if the legally existing impervious surface area exceeds the maximum allowed, then no additions/improvements can be approved that will cause the impervious to increase.

**16. How will this new standard affect my projects/permits that are currently in the review cycle (commercial, subdivisions, residential, etc)?**

If an application is accepted as "complete" prior to the adoption of the ordinance amendment, it will be reviewed using the regulations in effect at the time the application was submitted.

**17. Will the tax value of the land be reduced or increased?**

Tax rate is based on the market value. Personal property is assessed every year based on the market value. Commercial Property is assessed every 8 years base on the market value (next assessment will be in January 2009).

**18. Who is going to pay taxes on a 100-foot stream buffer on my property?**

The buffer is still a part of the property, so the landowner will be responsible for the taxes associated with his/her property.

**19. Will Wake County compensate landowners for the restrictions that are being placed on property owners land?**

No, the property owners will still have reasonable use of the their property.

**20. What is the flood risk in the event of severe rain such as a hurricane?**

The City of Raleigh and/or Wake County will own all property around the reservoir that could potentially be flooded due to extreme rainfall events such as hurricanes.

Upstream and downstream property owners along the Little River could still be subject to flooding during extreme events but the degree of flooding would not be influenced by the reservoir.

**21. Will flood insurance be needed?**

Construction of the reservoir will not affect the need for flood insurance.

**22. Will there be any public boat ramps for boat use?**

No private boat of any type shall be allowed upon the reservoir. This is to prevent the transfer of unhealthy elements from one water body to another.

**23. Will fertilizer and herbicides be restricted in the "Critical Area"?**

Currently these items are not regulated by the Wake County Unified Development Ordinance but may be regulated by other departments or agencies (i.e. state and federal).

**24. Will septic systems be allowed or restricted?**

Septic systems are currently and will continue to be allowed in the Little River Reservoir watershed.

**25. How long will this land use plan amendments, rezoning and overlay district process take?**

The Wake County Board of Commissioners is scheduled to hear the above items on July 7, 2008.

**26. When will the land use plan amendments, new zoning and overlay district be effective?**

If adopted by the Wake County Board of Commissioners, the earliest effective date: possibly July 2008.

**27. Why the decision of no sewer or water lines in the critical area? Wouldn't municipal lines be better than septic systems?**

The extension of water or sewer lines could place pressure on the developer to build at greater densities to make the extension of these utilities economically feasible.

**28. How long before the Reservoir is on-line?**

The City of Raleigh Public Utilities Department provided the following timeline: approximately 10 years for permitting and 2 ½ years for the construction period: 2016 to 2018.

**29. Who will be responsible for obtaining the permits and constructing the reservoir?**

The City of Raleigh will obtain the applicable permits and oversee construction of the Little River Reservoir.

**30. Will any permanent road closures occur due to the construction of the reservoir?**

Yes. At this time, however, any attempts to identify which roads will be closed would be premature. Roads will be identified for closure based on engineering design. Approval for these road closures will include a public hearing before the Wake County Board of Commissioners and a review by the North Carolina Department of Transportation.