

**ENVIRONMENTAL COMMITMENT STANDARDS:**

River District will honor the unique resources and character of the +/- 1,377.68 acre master planned community by preserving significant natural areas, land features and environmentally sensitive lands. This effort will cultivate accessibility, stewardship and education opportunities related to nature for the residents as well as serve as a regional amenity. From neighborhood parks to an extensive trail system that traverses along streams, through wooded areas and connects destinations, there will be tremendous opportunities to appreciate the natural environment within 5 minutes of every destination or neighborhood. River District will maintain high standards for water quality practices as well as exceed required tree save measures.

River District will create a one-of-a-kind community that keeps natural resources and open space preservation as the cornerstone of its built environment.

**OUTLINE**

- I. Environmental Intent**
- II. Water Quality**
- III. Open Space**
- IV. Recreation and Connectivity**
- V. Tree Save**

**I. ENVIRONMENTAL INTENT:**

The land use pattern will respect the natural resources and recognize the opportunity to integrate natural features and open space amenities as a primary organizing element. River District will concentrate development in districts, while intentionally maintaining open space areas and providing greenway connections. The opportunity to focus development in these districts allows for minimized environmental impact.

Higher intensity districts, such as the Employment and Town Center will be developed in a condensed pattern away from challenging topography and the river. All districts will be linked by a thoughtful transportation system of sidewalks and trails that promotes walkability and pedestrian activity.

As the River District develops closer to the water and topography becomes more challenging, lower density residential uses will become more prevalent. Large swaths of tree save and open space will link these areas to the Town Center District and the Employment District. The River District Environmental Vision includes various stewardship commitments related to Open Space (defined in the General Development Standards [Sheets RZ-3A – RZ-3D] reference section I. h) water quality, recreation and connectivity, and tree save aspects, as more particularly set forth below.

**II. WATER QUALITY**

The enhanced water quality protection measures committed to by the Petitioner, or assigns, include:

**a. Erosion Control** - A commitment to basin sizing on storm events detaining the 2 year storm for five (5) days and the 25 year storm for three (3) days while routing the 50 year storm through the water quality skimmer outlet. Additional specific measures to be employed in concert with increased basin capacity will include that all plans follow the requirements of the Critical and Protected Area Enhanced Erosion Control Measures Checklist, including polyacrylamide (PAM) plans. PAM shall be specified for use with seeding mixtures and to treat sheet flow runoff to basins including type, amount and frequency of application. All plan submittals will also include an earthwork cut/fill analysis. A qualified individual will be dedicated solely to the protection of surface water resources with duties to include the periodic inspection of erosion control measures and land disturbing activities, the routine inspection of surface waters and all activities necessary to ensure the compliance with all water quality regulations and rezoning conditions.

**b. Enhanced Water Quality Protection** - The commitment to enhanced water quality protection will be based on collaborative best practices and exceeding several current regulatory requirements as follows.

1. In collaboration with the City of Charlotte Storm Water Services and Charlotte Department of Transportation, the evaluation of innovative storm water treatment options in concert with the design of the River District roadway infrastructure. Implementation of innovative options will be subject to City concurrence in meeting the PCSO Ordinance.
2. Where topography and proximity to enhanced stream buffers permit, and upon the cooperation and concurrence of City of Charlotte Storm Water Services, the evaluation and implementation of tiered storm water treatment through dispersion of storm water through the enhanced buffer as noted in 3 below.
3. Petitioner, or assigns commits to increase the horizontally measured width of stream buffers in accordance with [Sheet RZ-4B].
4. Increased buffer widths identified as an extension of the "Upland Zone", on [Sheet RZ-4B] shall follow the "Buffer Disturbance" as defined in the Charlotte Mecklenburg Water Quality Buffer Implementation Guidelines, last revised September 2014.
5. Commitment to a minimum horizontal buffer of 50 feet around all delineated jurisdictional wetlands.
6. In collaboration with Mecklenburg County Land Use and Environmental Services Agency (LUESA), a commitment to fund the provision, installation, and operation of up to four (4) water quality monitoring stations before construction activities commence as approved by LUESA.

Perform continuous onsite monitoring in streams which are immediately downstream of active construction. Monitoring should begin prior to land disturbing activity and continue throughout construction until the applicable portion of the site is stabilized and grading permit is closed. Parameters to be measured are turbidity, water level, and rainfall. Data must be immediately available via a network communication system and be able to provide immediate alerts to LUESA staff when thresholds are exceeded, which may indicate a failure of erosion control devices. This monitoring will be performed by Mecklenburg County Storm Water Services. Petitioner to pay all costs associated with the installation and maintenance of the monitoring sites. Sites will be in the cores identified in note 7 below.

7. For the purposes of establishing a benchmark of existing conditions of the lake bottom, Petitioner, or assigns will conduct a bathymetric survey of Little Paw Creek, Lochfoot Drive, Lynn Parker Lane and Browns Coves. Petitioner, or assigns, will provide these surveys to LUESA prior to the initiation of any construction within the respective drainage basins. Alternately, Petitioner, or assigns may elect to retain and pay LUESA to conduct these surveys. The frequency of monitoring is as follows: Pre development (6 months prior to any land disturbing activities) and then 6 months starting after land disturbing activity is complete. If continuous activity lasts over five years, then another survey will be conducted at the fifth year. If surveys are self-performed then the procedure/methodology must be pre-approved by LUESA.
8. Perform chemical analyses on water in 2 coves (Little Paw and Lochfoot Cove) per standard Mecklenburg County lake sampling protocol. Parameters include: Temperature, DO, pH, Specific Conductance, Secchi, Fecal Coliform, E. Coli, Chlorophyll A, Nutrient Suite, Turbidity. Monitoring frequency to be 8 months per year (Jan, March, May, June, July, Aug, Sept, Nov). Monitoring to begin at least one year prior to land disturbing activity and continue until one year after development is complete. This monitoring is to be performed by Mecklenburg County Storm Water Services while conducting routine lake monitoring activities and the Petitioner, or assigns, is to pay the analytical costs associated with the added monitoring for development in drainage areas contributing to these cores.
9. Conduct baseline biological monitoring in all stream draining greater than 50 acres prior to construction activities. Monitoring should include a full assessment of fish a macroinvertebrate diversity. Monitoring results to be provided to LUESA.

#### **IV. OPEN SPACE**

Open Space (as defined in the General Development Standards on [Sheets RZ-3A – RZ-3D]) will be utilized to enhance the quality of life for residents and visitors to the River District. Petitioners, or assigns, commit to a minimum total of 40% of the overall acreage of +/- 1,377.68 acres, or +/- 551 acres of open space. Significant focus will be placed on providing wildlife and habitat corridors that are interconnected and respond to both adjacent properties and the water.

The Open Space commitment is conceived as multi-faceted endeavor providing preservation of wildlife corridors, meeting or exceeding tree save requirements, and allowing area for an extensive trail and greenway system. Open Space shown on [Sheet RZ-4A] represents generally where additional Open Space is anticipated. Prior to issuance of the first building permit for the first building within MUDD-O Areas, Petitioner, or assigns, will provide levels for open space for each District and as development occurs in connection with individual development sites, Petitioner, or assigns, will demonstrate compliance with a portion of such overall open space commitments that reflects the size and nature of the applicable development site and takes into consideration previously designated open space (e.g. tree save areas), as a demonstration of progress to overall compliance. Furthermore, prior to completion of 70% of the development entitlement within the applicable District, Petitioner will provide to Planning Department a plan that demonstrates how compliance will be met for the remainder of the applicable District. Petitioner, or assigns, reserves the right to seek administrative site plan amendments that adjust the above-referenced compliance, which will be subject to the discretion of the Planning Director, or designee.

~~Additional preserved open space will be identified and generally described in connection with development of individual parcels prior to issuance of the building permit associated with such parcels.~~

a. Other specific Open Space commitments include:

1. Preservation of one “wildlife preserve” greater than 75 acres that will be located within the Residential District. Exact location will be identified prior to the issuance of certificate of occupancy for 1,000th residential dwelling unit.
2. Preservation of all land within the 100 year floodplain (zone AE) and the future 100 year floodplain (zone X) as Open Space.

## V. RECREATION & CONNECTIVITY

Developers commit to create an extensive trail and greenway network as part of the Open Space system and integrated into the physical development to provide a pedestrian and non-vehicular connectivity throughout the Master Planned Site (ie. River District). Natural trails, greenway paths, linear parks, bike routes and a carefully designed street and pedestrian network will enable a more active and connected lifestyle. Section IV of the General Development Standards (set forth on [Sheets RZ-3A-3D]) describe certain commitments of the Petitioner, or assigns, regarding park sites, greenway dedication and other trails.

## VI. TREE SAVE

The tree save area requirement for the entire site will be minimum 15% gross acreage. The minimum of +/- 1,377.68 acres is +/- 206.65 acres of tree save area required. This specifically requires all areas of the site to provide a minimum 15% tree save, including MX-2 areas and single family development. The

MUDD-O tree save dedication will include a minimum of 70% (+/- 71 acres) of the land dedication for the benefit of the +/- 675 acre area associated with the MUDD-O Districts in a single location within the Residential District as conceptually shown on [RZ-4A] and an additional dedication area, within the project, of up to 30% (+/- 31 acres) of the total dedication. The MUDD-O tree save areas will be dedicated prior to Land Development plan approval for the first parcel developed within the MUDD-O Districts. Tree save commitments for the MX-2 portion of the Master Planned Site shall be dedicated as development occurs within the MX-2 District. The Tree Save commitments shall be implemented subject to the following provisions:

1. The areas depicted on [Sheet RZ-4A] are conceptual in nature and the Petitioner or assigns reserves the right to shift the boundaries due to development, infrastructure, utility needs, civic purposes or other programmatic elements provided, that the tree save areas will represent a total of a minimum of 102 acres.

2. The minimum approximately 102-acre tree save areas ~~are~~ are is for the benefit of the MUDD-O District only. In the event that development levels in the MUDD-O Districts do not exhaust the entire dedicated tree save area, the remaining tree save areas may not be used for the benefit of the MX-2 District.

~~3. Upon approval of development permits, a notification/letter of approval shall be sent from Urban Forestry to the owner of record of the dedicated tree save areas and the developer applying for development permits in the MUDD-O District. A letter of approval from the Tree Save owner of record in the MX-2 area must accompany any MUDD-O development permit.~~

~~4.3.~~ 4.3. Urban Forestry staff is to be contacted prior to creation of any trails or parts of trails within tree save areas. Proposed trails or parts of trails within tree save areas are to be reviewed and approved by Urban Forestry staff prior to any creation of trails.

~~5.4.~~ 5.4. Any proposed tree save area will be subject to prior approval by Urban Forestry staff, and may require additional surveys, tree planting or other reasonable measures to ensure the area meets the intent of the Tree Ordinance.

~~6.5.~~ 6.5. Permanent tree protection fencing and signage, per ordinance, denoting the area as “tree root protection zone” is required along the boundary between the minimum approximately 102-acre tree save areas ~~for~~ is for the benefit of the MUDD-O District and the developable portion of the ~~MX-2 area~~ River District site. This fence will be required to be installed prior to City of Charlotte Land Development issuance of a grading permit for the first ~~parcel developed in the MUDD-O area~~ adjacent parcel to the above mentioned boundary. This fence must remain intact and entire until final certificate of occupancy for the last adjacent parcel developed along this boundary.”

~~7.6.~~ 7.6. All zoning areas within the Master Planned Site shall comply with all sections for the Charlotte Tree Ordinance, ~~in existence as of date of approval of the Rezoning Plan as the ordinance is written as of the date of approval of the Rezoning Plan~~. All requirements of the tree ordinance will govern and take precedence over any provision listed within this conditional

rezoning plan unless the provisions listed within the rezoning plan establishes more stringent standards and/or requirements as determined by the City of Charlotte's Urban Forestry Supervisor and City Arborist.

~~8.7.~~ No off-site mitigation of any required tree save area on this site will be allowed at any time now or in the future. The Master Planned Site, as a whole, will be treated as one site.

~~9.8.~~ All parcels on this site not part of the original MUDD-O District, and therefore not having tree save requirements met by the minimum approximately 102-acre tree save areas, will be required to show a minimum 15% tree save based on gross area.