



# ORANGE COUNTY

## NORTH CAROLINA

*Buckhorn Area Study*  
Frequently Asked Questions  
(FAQ)

May 2021

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## Introduction

Orange County Planning Staff prepared this document in response to residents' questions and comments regarding the *Buckhorn Area Study* that was undertaken by the City of Mebane and Orange County. The Study was a combined effort of the two jurisdictions.

Staff hopes that residents and the Board of County Commissioners will find this document useful.

## 1. Land Use History/Project Initialization

### 1.a. What is the *Buckhorn Area Study*?

The *Buckhorn Area Study* (originally the *Buckhorn Area Plan*) is a technical study of future land use and potential utility services to identify properties that could be zoned for nonresidential purposes and best support economic development while balancing the costs of utility service extensions. The study used GIS mapping to determine parcels most suitable for development within the study area. The study process allowed for a technical review of multiple development factors, including:

- Developable acres
- Preservation areas
- Average (mean) slope
- Watersheds
- Sewer Infrastructure
- Water Infrastructure
- Interstate Access
- Interstate Visibility
- Roadway Access
- Access to Existing Rail Lines

Past plans in the area were reviewed to ensure that the vision, goals, and strategy for the area aligned with the recommendations to the *Buckhorn Area Study*. The study area was defined after significant consideration of existing land uses, environmental impacts and economic potential.

### 1.b. What was the catalyst for the *Buckhorn Area Study*?

Mebane's Comprehensive Land Development Plan, *Mebane by Design*, was adopted in 2017 and provides a vision for Mebane's growth through 2035. In its 2017 version, *Mebane by Design* did not fully address the areas that fell outside of its Future Growth Area, including the Medline site. As such, the City of Mebane needed to amend *Mebane by Design*. The *Buckhorn Area Study* provided the necessary focus to amend the G-2 Industrial (V) Growth Area as well as the Future Growth Area boundary line in *Mebane by Design*.

In Orange County's case, as suggested by the Board of County Commissioners (BOCC) in late 2018, staff was to research the development potential of existing designated economic development zones, as well as other viable sites. A prior engineering analysis of strengths, weaknesses, opportunities, and threats (SWOT analysis) by Timmons Group of the economic development districts bolstered the need for additional study, which led to the *Buckhorn Area Study*.

### 1.c. What was the scope of the study?

The Piedmont Triad Regional Council (PTRC) Scope of Services, taken from its contract with the City of Mebane, included:

- Staff meetings
- Analysis of existing conditions, prior studies, environmental constraints, and water/sewer infrastructure
- Evaluation of growth trends, population and jobs
- Stakeholder interviews with schools, businesses, and organizations
- Public information meeting
- Presentation of Study to Mebane Council and Orange County BOCC

- Update to the *Mebane by Design* report.

The Contract offers some explanation to the title discrepancies, and the misunderstanding that has occurred over the title, which was referred to as, “Small Area Plan Study”. By virtue of separate Agreement, Orange County agreed to split the cost of the Study with Mebane.

#### 1.d. How many meetings were held for the *Buckhorn Area Study*?

There have been six meetings between 2020 and 2021 that have had a focus on the *Buckhorn Area Study*, detailed below:

- November 10, 2020 – Joint City of Mebane and Orange County hosted Virtual Open House (Public Comments Actively Solicited)
- November 23, 2020 – BOCC Information Item
- February 16, 2021 – BOCC Report Item (Public Comments Taken)
- March 9, 2021 – BOCC Work Session with City of Mebane Council
- April 20, 2021 – BOCC Regular Item (Public Comments Taken)
- May 17, 2021 – Orange County hosted Virtual Public Outreach Meeting (Public Comments Actively Solicited)

Additionally, the City of Mebane Planning Board and City Council conducted meetings on the topic:

- November 9, 2020 – Mebane Planning Board approves BAPS and amendment to Mebane’s CLDP
- December 7, 2020 – Mebane City Council discusses the modification of Mebane’s CLDP to include the West Ten Industrial Site (6016 W. Ten Rd.) and Medline Sites (5512 W. Ten Rd. and 5414 W. Ten Rd.) and to continue to public hearing until the 1.4.21 Council meeting.
- January 4, 2021 – Mebane City Council continues the public hearing, but leans on the decision to not adopt the *Buckhorn Area Study* until it is seen by the Orange County Commissioners, and the public hearing was continued until the 1.6.21 Council meeting.
- January 6, 2021 – Mebane City Council votes to amend the CLDP, *Mebane by Design*, to include West Ten Industrial Site (6016 W. Ten Rd.), the Medline sites (5512 W. Ten Rd. and 5414 W. Ten Rd.) and Focus Area A from the *Buckhorn Area Study*.

#### 1.e. What are the next steps for the *Buckhorn Area Study*?

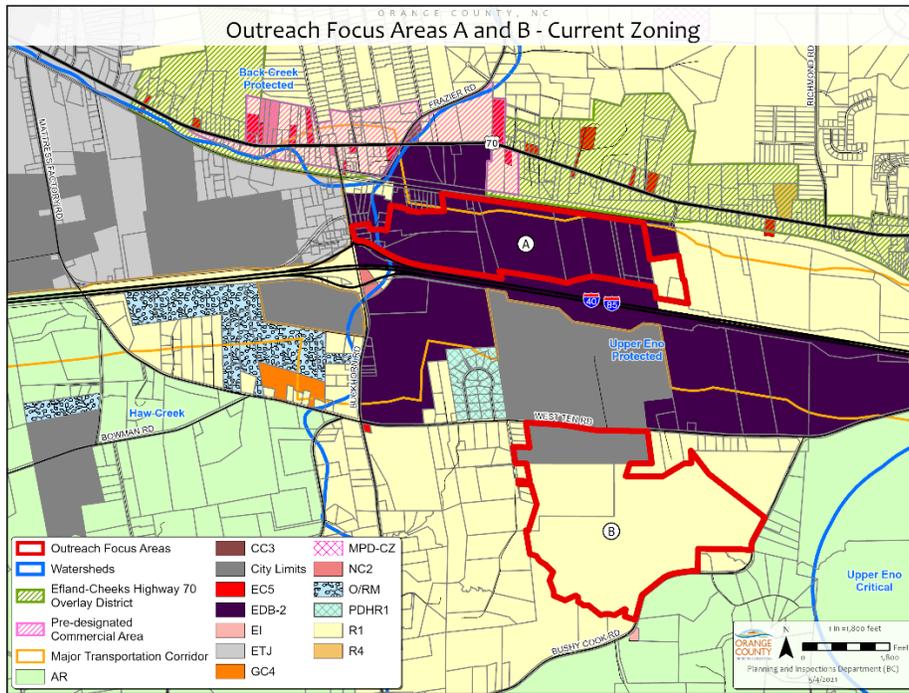
At the time of first drafting this document, the Orange County Planning and Inspections Department was preparing to host a public outreach session on May 17, 2021 from 6:00 PM – 8:00 PM to allow the public to share questions and comments. Much of the information that fills this document was captured at the public outreach meeting, and some of the questions have been based on queries that came outside of the scope of the public meeting.

After receiving questions and comments from the public, Orange County Planning will compile this FAQ document and share it with the BOCC for its June 1, 2021 Business Meeting. The BOCC will decide what future steps are warranted.

## 2. Focus Areas of the *Buckhorn Area Study*

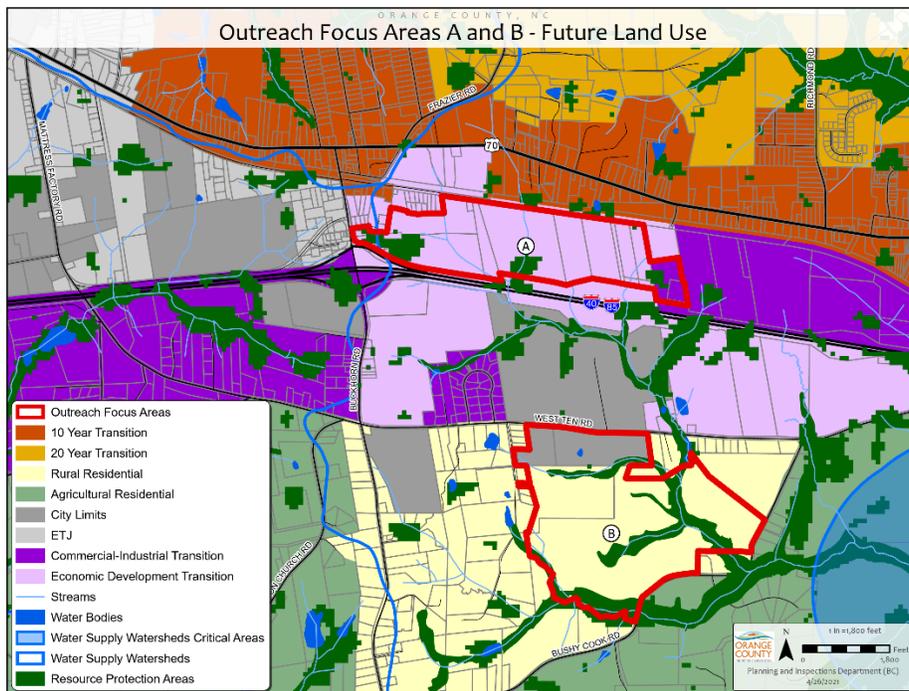
### 2.a. What are Focus Areas “A” and “B” from the *Buckhorn Area Study*?

Focus Areas “A” and “B” are the two areas of interest that grew out of the original *Buckhorn Area Study*. Focus Area A is located north of Interstate 40/85 and is zoned EBD-2. Focus Area B is located south of West Ten Road and is zoned R1.



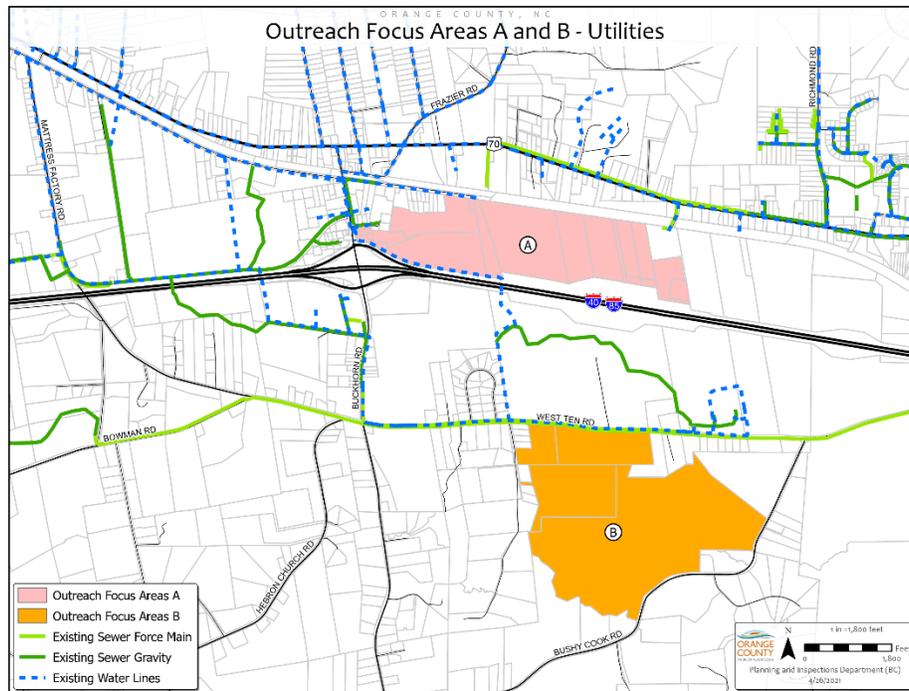
2.b. What are the Future Land Uses for Focus Areas “A” and “B” based on Orange County’s Future Land Use Map (FLUM)?

The future land uses for Focus Area A is a mix of Economic Development Transition (lavender on the map) and a small portion of Commercial-Industrial Transition (deep purple) on the east end. The future land use of Focus Area B is Rural Residential (yellow). It is important to note that the northernmost end of Focus Area B has been annexed into Mebane’s municipal jurisdiction (dark grey).



### 2.c. Where are the existing water and sewer utilities in this area located?

The existing water and sewer utilities are located both north and south of the Focus Areas A and B. In the map below, the existing water lines are delineated by the checkered blue line; the dark green line indicates existing gravity sewer lines while the lighter green lines indicate force sewer lines.



### 2.d. How do water and sewer utilities affect growth?

In most cases, development will only occur where there are sufficient utilities in order for businesses to operate. It can be inferred that businesses are most likely to develop in areas where the utilities are present or planned while areas lacking utilities are not of interest to development, even if there are other attractive attributes to businesses.

### 2.e. Will Areas C, D and E remain viable for development?

Approximately, one-third of Area C and a relatively small part of Area E, west of the I-85/US70- Connector, are located in areas that are consistent with the existing Orange County Future Land Use Map and remain viable for non-residential development. Area D is not consistent with the existing Orange County Future Land Use Map (FLUM) and is not viable for non-residential development. Presently the BOCC has not requested any changes to the FLUM. Areas C, D, and E all have area in the Orange County Critical Watershed, which presents additional limitations for development. There is nothing that prohibits the development of properties located within Areas C, D, and E that is consistent with the existing FLUM and Zoning, which currently support areas for low-density residential development. The City of Mebane's Comprehensive Land Development Plan also provides insight into potential development in the Study area.

## 3. Balance of Goals – Environmental, Economic and Equity in Services

### 3.a. Were there environmental considerations as a function of the technical study?

**Yes.** Mebane and its surrounding area have relatively few slope constraints, which would make potential land development more difficult or expensive. No development has been encouraged on environmental wetlands, and areas that limit development—particularly wetlands and flood zones—were removed from analysis.

Preservation areas including Voluntary Agricultural Districts (VADs), Conservation Easements, and National Heritage Element Occurrences (NHEOs), all of which were given negative values during the technical GIS analysis. VADs are voluntary and can be opted out of whereas conservation easements are permanent legal agreements that limit the uses of land in order to protect its conservation values. The only parcel with a conservation easement in the *Buckhorn Area Study* was the Soccer.com Center, east of Gravelly Hill Middle School, which was not included in the analysis. All NHEO parcels, areas where land or water is important for the conservation of natural biodiversity, fall outside of the Focus Areas A and B.

### 3.b. Were there watershed considerations as a function of the technical study?

**Yes.** Areas that fall within the State’s critical water supply watersheds were clipped to be not included in the study meaning that there was never intent to even explore these critical areas. While Orange County’s locally-designated critical areas are not regulated by the NC Department of Environmental Quality—and, therefore, are not included in the study as a whole—both Focus Area A and B lie west of the County’s critical area. As such, both Focus Areas lie outside of the critical watershed area for the State as well as the critical watershed area for Orange County.

### 3.c. Is Orange County compliant with the State’s requirements for the Protected and Critical Areas of the Upper Eno Watershed?

**Yes.** The State’s Division of Energy, Mineral, and Land Resources, Department of Environmental Quality, recently confirmed that Orange County is meeting its requirements and in some cases is more stringent. For additional detail, including a comprehensive description of the County’s watershed program, a white paper has been made available at the following link: <https://www.orangecountync.gov/DocumentCenter/View/16020/Orange-County-Watershed-Plan-with-Appendix-6121?bidId=>

### 3.d. Were there social considerations as a function of the technical study?

**Yes.** Small-lot residential areas in the study were identified and mapped. In an effort to preserve rural residential appeal, buffering these residential areas from light and noise was intended to be defined and applied to protect residents’ quality of life and is stipulated as recommendations at the end of the study. Additionally, parcels that were already developed with social significance—schools, churches, cemeteries—were also removed from analytical consideration.

### 3.e. Is Gravelly Hill Middle School labelled on the maps included in the Study?

**Yes.** The location of Gravelly Hill Middle School is shown on several of the maps in the Study, including on the cover page. Gravelly Hill Middle School is also mentioned in the text of the Study on p. 66.

### 3.f. Were there economic development considerations as a function of the technical study?

**Yes.** The study area from the *Buckhorn Area Study* includes the entire Buckhorn Economic Development District (BEDD), a dedicated development district created in 2011 by Orange County and the City of Mebane. Metrics to consider the most ‘highly developable’ parcels took into consideration factors such as average (mean) slope, total number of developable acres, access to water and sewer infrastructure, interstate access and visibility, roadway access and proximity to existing rail; all of these attributes and the resulting highest-scoring parcels from the analysis were used to inform where economic development could take place in the area.

### 3.g. Were there traffic considerations as a function of the technical study?

**Yes.** While interstate access and interstate visibility were metrics that were measured as a function of the analysis, recommendations were made in order to keep traffic along West Ten Road manageable, particularly because Gravelly Hill Middle School lies near the center of West Ten Road.

The City of Mebane will continue to require a Traffic Impact Analysis (TIA) for applications for preliminary plat or rezoning requests that anticipate generating 100 or more peak-hour vehicle trips or 1,000 or more average daily trips

(ADT). It was noted in the study that primary access points should be directed to West Ten Road and Buckhorn Road and away from Bushy Cook Road and Mt. Willing Road. As an additional consideration for the improvement of traffic flow and safety, a shared driveway requirement for contiguous non-residential uses is to be considered when feasible to do so.

### 3.h. Will any development along Buckhorn Road cause removal of the Washington Street and Washington Street Extension?

**No.** There are no plans, studies, projects or anything else that would remove access to E. Washington Street and the E. Washington Street extension from Buckhorn Road. Any potential realignment of Buckhorn Road would maintain connection to E. Washington Street both east and west of Buckhorn Road.

### 3.i. Can West Ten Road Handle Truck Traffic?

According to NCDOT staff, West Ten Road is built for mixed traffic including trucks. As a result of the land use analysis that was included in the Efland-Buckhorn-Mebane (EBM) Access Management Plan\* (2019), Orange County is recommending roadway improvements to West Ten Road including larger lanes and wider paved shoulders. This is currently an unfunded project which Orange County will continue to pursue through the NCDOT prioritization process for funding consideration. This is handled separately from more localized road improvements that may need to occur through the implementation of development specific Traffic Impact Analyses (TIAs).

\*The process to prepare the EBM Access Management Plan also include public outreach, Planning Board recommendation, and BOCC adoption (04/02/2019).

## 4. Inter-Local Cooperation

### 4.a. Does Orange County have joint planning agreements with Mebane?

**No.** Orange County and the City of Mebane are interested in working together and will continue to do so for geographies of mutual interest. While there is not a joint planning agreement between the two entities, Orange County and the City of Mebane do have a Utility Services Agreement that was amended in 2012. Mebane is not a signatory to the Water and Sewer Management, Planning and Boundary Agreement (WASMPBA). WASMPBA is a multi-party agreement among Orange County, Orange Water and Sewer Authority (OWASA), and the towns of Carrboro, Chapel Hill, and Hillsborough; WASMPBA establishes a system of service areas for public water and sewer utilities. Even without an agreement, both entities are interested in pursuing collaboration on projects.

## 5. Annexation

### 5.a. How does annexation work in North Carolina?

North Carolina has three (3) statutory methods of municipal annexation:

1. Voluntary annexation of contiguous areas (G.S. 160A-31 and 31.1)
2. Voluntary annexation of noncontiguous areas (G.S. 160A-58 through -58.8)
3. Involuntary annexation of contiguous areas, subject to urban development standards, mandatory service provisions, and a referendum requiring approval by a majority of voters in the area to be annexed (G.S. 160A-58.50 through -58.63).

5.b. Is the *Buckhorn Area Study* a precursor to involuntary annexation?

**No.** There has never been a plan in the area for involuntary annexation of any properties.

5.c. Is the *Buckhorn Area Study* a precursor to voluntary annexation?

**No.** The *Buckhorn Area Study* is a technical study of future land use and potential utility services to identify properties that could be zoned for nonresidential purposes and best support economic development while balancing the costs of utility service extensions. In the case that a property owner was interested in development, that property owner or a developer (working with the property owner) would only seek out annexation if the property owner/developer sought out the utilities for development.

5.d. What is Mebane's role in annexation, and how does that affect the development approval process?

In order for potential developments to receive sewer and water utilities, there is usually an agreement in place where a developer will voluntarily annex the property into Mebane's municipal jurisdiction. Mebane is not interested in non-voluntary annexation.

If a property is being developed in Orange County (outside of the municipal jurisdictions that lie within Orange County) and does not seek sewer and water utilities, then the property in question will go through the development approval process according to Orange County's standards that are outlined in the Unified Development Ordinance (UDO). However, if a property is seeking annexation into Mebane then it is Mebane's development process that the development will follow according to Mebane's standards as outlined in their UDO.