



Agenda Action Form Overview

The County Manager recommends that the Board approve the County’s acceptance of a conservation easement to permanently protect 19.302 acres, a portion of REID 237256 located at 2421 Stagville Road, to offset excess impervious area at 105 Snow Hill Road (REID 187910) for the construction of a the Bahama Veterinary Medical Center.

Background/Justification

As permitted by Durham County Unified Development Ordinance (UDO) Section 8.7.2, impervious limitations can be exceeded through an impervious surface credit transfer. In this case the permanent conservation easement will prohibit any impervious area on the 19.302-acre donor parcel transferring 50,488 square feet of impervious to 105 Snow Hill Road. The easement will also require that areas remain vegetated or natural, or as well-managed agricultural land. County Open Space Program staff assessed the proposed easement area and determined that the site meets the criteria for acceptance (Attachment 2). The easement area is entirely wooded, includes a perennial stream, is adjacent to the future Durham-to-Roxboro Rail Trail, is located along the North Durham Scenic Byway, and is near other protected open space. The parcel is also identified as significant by the City of Durham’s and Raleigh’s Watershed Protection Programs for source water protection of Little River Reservoir and Falls Lake. The easement will allow public use if agreed upon by Durham County and the landowner and allow Durham County to own the land fee simple, also if desired by both landowner and Durham County.

Durham County currently holds conservation easements on 37 different areas (2,698 acres) including three easements that involved impervious credit transfers. This Stagville Road project will be the largest impervious surface easement.

County-held Conservation Easements for Impervious Credit Transfer

<u>Date</u>	<u>Location</u>	<u>Size (acres)</u>	<u>Easement Grantor</u>
12/31/2006	1408 John Jones Road	6.12	Philip Blalock
12/28/2008	2120 Canterbury Circle	0.582	Eno River Association
9/30/2009	920 Red Mountain Rd	9.03	New Red Mountain Missionary Baptist Church

Durham County Open Space staff monitor all conservation easements annually to ensure easement terms are met.

Policy Impact

The protection of land for permanent conservation open space aligns with DCo Forward 2029 Strategic Plan Focus Area: Sustainable Infrastructure and Environment, Objective SI 3 – Preserve and restore the natural and built environment through Initiative SI 3c – Improve water quality through equitable and efficient use of resources and land protection and through Initiative SI 3d – protect and restore natural resources, land, recreational, historical, and rural spaces.



The protection of this site to provide impervious credit transfer is allowed by Durham County Unified Development Ordinance (UDO) Section 8.7.2 and is part of the UDO’s Watershed Protection Overlay Standards.

The 19.302-acre easement area is designated “Rural and Agricultural Reserve” in the Comprehensive Plan’s Place Type Map and is currently zoned Rural Residential (RR). Alternately the site for the Bahama Road Veterinary Hospital is a “Suburban Commercial Area” Place Type and currently zoned RR and RS-20. Both areas are within the Lake Michie / Little River Critical Area.

Durham’s 2023 adopted [Comprehensive Plan](#) includes policies that support conservation of significant natural areas, ecosystems, habitats, and wildlife corridors and protection of drinking water sources for Durham and nearby communities:

Policy 78 Ensure that a minimum of 30% of the land area of Durham County is placed in permanent conservation by 2050. Encourage permanent conservation of land, especially publicly owned land, that is most suitable for permanent protection, such as natural heritage areas, forested tracts, and bottomlands.

Policy 79 Protect Durham’s most ecologically sensitive natural areas (including floodplains, wetlands, wildlife habitats, unique plant communities, hillsides, drinking water sources, critical watersheds, and natural heritage areas) from the impacts of development.

Policy 86 Protect Durham’s drinking water sources. Ensure that all residents have access to clean drinking water following equitable investment in water infrastructure. Protect water sources that provide drinking water for adjacent counties.

Policy 98 Encourage the creation and preservation of natural wildlife habitat and natural plant communities, particularly for pollinators and birds, on both public and private land.

Procurement (Acquisition) Background

n/a

Fiscal Impact

There is no fiscal impact of the County’s acceptance of this impervious surface conservation easement. The developer and/or landowner will incur any costs/fees related to conveying the conservation easement to Durham County.

County Manager’s Recommendation:

The County Manager recommends that the Board approve the County’s acceptance of a conservation easement to permanently protect 19.302 acres, a portion of REID 237256 located at 2421 Stagville Road, to offset excess impervious area at 105 Snow Hill Road (REID 187910) for the construction of a new Bahama Road Veterinary Hospital.