

Certified Sites Frequently Asked Questions

Last updated July 13, 2009

Q: 1 boring per 20 acres is too much - especially for parks, and especially for western NC. My understanding of the soil borings is that they are used to convey confidence and mitigate risk to a prospective client, in addition to being used as a predictive measure for grading and building prep expenses. One size fits all ratio on geotech work does not make sense considering the diversity of NC's terrain and geography. Can the requirements be changed to allow a consulting engineer and members of technical review team to determine a reasonable number of borings for the site or park, with perhaps a minimum of 1 per 50 acres for parks, and some other ratio for sites? If ECS' recommendation is 1 boring per 20 acres, why not just rely on the environmental consultant for each project to make a recommendation based on the site or park? Maybe include a minimum number of borings for total acreage?

A: Because subsurface conditions can dramatically affect a project's design, budget and schedule, it is critical that a Certified Site include a minimum standard for soil borings that can be consistently applied and easily understood.

After reviewing this criterion with a number of consulting engineering company representatives, this criterion will be adjusted to read, "Document that the Park's soil characteristics are compatible with industrial development by attaching a geotechnical study. For certification, the geotechnical study should be completed using the following minimum standard:

- A minimum of three (3) borings for any site.
- For a site less than 75 acres, one (1) boring for every 15 acres in the developable area.
- For a site between 76 and 500 acres, one (1) boring for every 20 acres in the developable area.
- For a site greater than 501 acres, one (1) boring for every 30 acres in the developable area.

Q: What is the standard (ASTM?) depth and width of the soil borings needed? This will help determine cost for the community.

A: There is no ASTM Standard for the depth and width of the soil borings.

Q: The 90% buildable acres on a 10 acre requirement could be in conflict with LEED Certification. Would Commerce waive the buildable requirement for LEED Certification?

A: The Department of Commerce certainly encourages communities to seek LEED Certification, or any other type of certification that they believe would make their site more competitive. Communities should realize that the North Carolina Certified Sites criteria are merely guidelines and if communities want to also pursue other types of certifications they should plan appropriately to meet those requirements as well as the Certified Sites criteria.

It does not appear that the LEED Certification criteria would preclude a community from seeking Certified Sites status in the vast majority of cases. At this time, the Certified Sites Steering Committee will not waive the buildable requirement for LEED certification.

Q: Can Commerce provide a point of contact or a letter of documentation for the steps required to obtain an exemption letter from CAMA?

A: The Certified Sites criteria related to CAMA Counties have been clarified. The first clarification relates to sites that are in "Areas of Environmental Concern." An Area of Environmental Concern (AEC) is an area of natural importance: It may be easily destroyed by erosion or flooding; or it may have environmental, social, economic or aesthetic values that make it valuable to our state. Sites that are in an AEC are not eligible for certification as part of the North Carolina Certified Sites Program.

If the site is not in an AEC, the following are required for certification:

- At the *Intent to Certify* stage, a community must provide a letter/memo from the Division of Coastal Management (DCM) that validates that the site is compatible and consistent with the county's certified CAMA land use plan and is available for industrial development. In addition, it will identify any policy limitations applicable to the site or other issues that may be considered unique or require special consideration that should be factored into the development plan.
- As part of the documentation required for final approval, the community must include the certified CAMA land use plan as part of the site's documentation.
- For recertification, every 2 years, the community must provide a revised letter from DCM that validates that the site is consistent with the county's certified CAMA land use plan and allows for industrial development.

To request a letter from DCM, please contact John Thayer, Manager of Planning/Public Access, at 252.808.2808, 888.472.6278 or John.Thayer@ncdenr.gov. You may also contact one of the district planners listed below:

- Camden, Chowan, Currituck, Dare, Gates, Pasquotank and Perquimans Counties: Charlan Owens, AICP, District Planner, 252.264.3901, charlan.owens@ncdenr.gov
- Beaufort, Bertie, Hertford, Hyde, Tyrrell and Washington Counties: VACANT
- Carteret, Craven, Onslow (north of the New River) and Pamlico Counties: Maureen Meehan Will, 252.808.2808, maureen.will@ncdenr.gov
- Brunswick, New Hanover, Onslow (below New River) and Pender Counties: Mike Christenbury, 910.796.7426, mike.christenbury@ncdenr.gov

Q: When completing the *Intent to Certify*, is a site boundary map suitable, or does it need to be a boundary survey?

A: When a community indicates its *Intent to Certify* it must submit some type of aerial visual of the site, but a certified boundary survey is not required.

Q: Is a field Boundary Survey required for final certification?

A: While a boundary survey bearing a licensed land surveyor's signed certification is highly recommended, the minimum standard for the Program is a "compiled" or "inspection" survey. This is a survey performed by a licensed surveyor that involves all the steps of a certified boundary survey, including research on all available recorded data about a site, but does not include the onsite, ground survey portion of the certified boundary survey.

Q: Does the Department of Commerce have any plans to provide signage designating NC Certified Sites?

A: The Department of Commerce does not plan to provide signage for the Certified Sites. There has been a new logo designed for the Certified Sites program that we can share with communities for their use on signage, brochures, etc. In addition, each community will receive a certificate from the Department once a site has earned the Certified Site designation.

Q: Does a park have to have at least half of the total acres meet the minimum acres / buildable acres requirement?

A: A majority of the sites within a park must meet the minimum acres / buildable acres criteria for industrial sites. The park may have sites smaller than 10 acres, but more than 50% of the parcels should be 10 acres / 90% contiguous and buildable. The steering committee may consider an exception where topographical challenges make it impossible to meet this requirement.

It is important to stress that to meet the criteria for a Certified Site under the Industrial / Business Park criteria that a community must include a master development plan. With the completion of this master development plan, it should be relatively simple to determine if for example, the community has 10 parcels in the park that at least 5 of them meet the 10 acres / 90% contiguous and buildable requirement. It is also important to stress that just because the master development plan has been completed, the Certified Sites designation does not require a park to be developed as originally planned. We certainly understand the need for the flexibility to sub-divide and/or combine parcels for prospective clients and nothing precludes this. If a community combined two parcels in the park for a client, at recertification, that community would just need to submit a new master development plan reflecting the change.

The intent of creating an Industrial / Business Park certification category is to encourage communities to think ahead about the possible uses of sites set aside for industrial development. As an example, a community certified a site in the previous program, and even though the community planned to develop it as a park, did not prepare a master development plan. A client searching for a site was interested in the park, but because a master development plan had not been developed, the client eventually determined that the easements, topographical challenges and wetlands precluded it from locating in the park. In the new program, with the Master Development Plan in place, the community will be better prepared to demonstrate to a prospective client how the site will meet the client's needs.

Q: Do I have to certify an entire park?

A: No, you can choose to certify sites within a park, or you can choose to certify an entire park if you wish.

Q: If I certify an entire park, do I have to then certify each site within the park as well, or are all sites within the park certified by association?

A: Each site within the park is certified when you certify an entire park. A requirement of the Industrial / Business Park criteria is to submit a master development plan for the park. While this master plan is not meant to be written in stone, it should help define potential issues with wetlands and where utilities, access roads, other easements, etc. will be located.

Q: Will the state be creating promotional literature for the Certified Sites program?

A: Once a few sites and parks are designated as Certified Sites, a revised promotional brochure will be prepared. It will be similar to the existing brochure that is available at: www.nccommerce.com/en/BusinessServices/LocateYourBusiness/BuildingsandSites.

Q: Is a new wetlands assessment required every four years even if the site has not been disturbed?

A: Yes, wetlands can change over time even if the site has not been disturbed.

Q: Documents online are publically available. Does Commerce have a plan to address when an engineering company enters into an agreement where these documents are not to be publically available?

A: The Department of Commerce is unaware of a situation where work performed by an engineering company for a community does not become the property of the community at the conclusion of the completed work and payment. It should be clearly understood that all documents submitted to the Department of Commerce become public record. In addition, if a community is not interested in sharing the documentation associated with its site, it should not seek certification.

Q: With such a high water flow requirement, does the Department of Commerce intend to exclude sites that are suitable for high impact projects, such as headquarters, with these requirements?

A: The intent of the Certified Sites Program is to focus on industrial sites. The intent is not to exclude any kind of development on certified sites; however it is important that some minimum requirements be set so it can be confirmed that the site can support some level of service. We believe that the water and sewer requirements are minimal and reasonable for even small industrial projects and would not preclude other types of development on the site.

Q: Is there a complete checklist available of the requirements under the new certification guidelines?

A: The complete guidelines for the redesigned Certified Sites Program includes all information required for certification, including a complete checklist.

Q: Where do we get the *Intent to Certify* form?

A: The *Intent to Certify* form will be included with the Certified Sites package that will be distributed shortly.

Q: We have a Certified Site that has had its first phase certified. Is this phase of the park grandfathered in? Will we have to re-certify the existing sites that have been certified prior to the changes and if so how long do we have to comply?

A: Once the new Certified Sites Program begins, all sites that were part of the previous program will be required to be certified under the new program requirements. Each existing site will receive a letter from the Department of Commerce detailing what will be required to obtain certification under the new requirements.

Q: When are these changes effective?

A: The new Certified Sites Program will be launched July 1, 2009.

Q: When will the new Building & Sites Database be available to start uploading documentation for the Certifies Sites program?

A: The plan is to have the new Buildings & Sites database available for managing the certification process and uploading required documents later this summer.

Q: Once a site has earned certification with the new criteria, when does the two year period begin before recertification?

A: It is anticipated that the two year period starts from the day the Steering Committee certifies the site.

Q: Will NC SiteSearch cease to exist once the new Buildings & Sites database is released?

A: The functionality of NC SiteSearch will be replaced with the new Buildings & Site Database which will be a part of NC EDIS.

Q: Can you provide a list of the steering committee members?

A: The Certified Sites Steering Committee includes:

- One (1) individual representing a Consulting Engineering Company – *Rick Kolb, Principal Geologist, MACTEC Engineering & Consulting*
- One (1) individual representing a Utility – *Todd Tucker, Sr. Account Executive, Progress Energy*
- One (1) individual representing a local Economic Development organization – *Tom Johnson, Executive Director, Rutherford County EDC*
- One (1) individual representing the Department of Commerce Raleigh Office – *Garrett Wyckoff, Economic Development Representative*
- One (1) individual representing a Department of Commerce Regional Office – *Tim Ivey, Existing Industry Specialist, Northeastern Regional Office*
- One (1) individual representing a management function of the Department of Commerce Business & Industry Division – *Susan Fleetwood, Director of Strategic Projects*

Individuals are appointed to the Certified Sites Steering Committee by the Secretary of the Department of Commerce effective July 1 of each year. Representatives are appointed for staggered, two-year terms and can be reappointed for a maximum of two consecutive terms.

Q: Can you give me a ballpark estimate for getting a greenfield business park site certified?

A: The minimum amount of time that it would require for a site to become certified in the program is two meetings of the Steering Committee. The Steering Committee meets every other month starting in August (see schedule below). Local communities are required to submit the information to the steering committee three weeks in advance of the scheduled meeting in order to give us time to compile and review the paperwork, visit the sites, and distribute the information to the steering committee in a timely manner that allows them to review it prior to the meeting.

The meeting schedule is:

- **Wednesday, August 26th** – Inaugural Meeting of the Certified Sites Steering Committee
 - **Wednesday, August 5th** is the deadline for submission of information for Inaugural Meeting of the Certified Sites Steering Committee

- **Wednesday, October 28th** – Second Meeting of the Certified Sites Steering Committee
 - **Wednesday, October 7th** is the deadline for submission of information for the Second Meeting of the Certified Sites Steering Committee

- **Wednesday, December 16th** – Third Meeting of the Certified Sites Steering Committee
 - **Wednesday, November 25th** is the deadline for submission of information for Third Meeting of the Certified Sites Steering Committee

The way the process will work is that all communities must submit an “Intent to Certify” Form along with preliminary documentation (to be detailed in the program packet we hope to finalize and release shortly). At that time the technical review committee will make a site visit and provide a recommendation to the Steering Committee as to whether they feel it should meet the qualifications for a Certified Site.

Once the Steering Committee gives approval for the site to move ahead with the certification process, based on the preliminary information submitted by the local community, the local community will then complete the certification documentation and submit it back to the Steering Committee for final review. It is at that time that a site can be designated a NC Certified Site.

The shortest period of time it can take from start to finish to certify a site is two meetings of the steering committee or approximately two months, on our end.