

Citizen Review Proposed Land Use Plan Policies November 2004

This document contains all public input received during Phase II of the public input meetings held in November of 2004 for the Future Land Use Plan update. These 'draft' policies were agreed upon by the Pender County Planning Board and were presented to the public for comment. These meetings were held in Burgaw at the Agricultural Extension office and Hampstead at Topsail High School.

Citizens were given a series of green and orange markers with which to identify those policies which they strongly agreed with (green) or strongly disagreed with (orange). Each citizen was given five (5) green and five (5) orange markers. The number of markers each policy received was recorded and these results are provided below. Total Estimated Attendance: Burgaw – 45, Hampstead – 103.

POLICY STATEMENT	STRONGLY AGREE		STRONGLY DISAGREE	
	Burgaw	Hampstead	Burgaw	Hampstead
A. Public Access Policies				
1) Pender County supports expansion of public access locations through public and private actions.				
a) The County will prepare and implement a water use and access plan.		4		
b) The county will investigate use of property currently owned by public agencies for public access.				
c) The county will encourage property owners to dedicate sites for public access.		4		1
d) The county will work cooperatively with its barrier island communities and the state to locate and develop multi-regional access sites.		5		
e) The county will encourage the municipalities to develop community access sites where appropriate.		1		
f) The county will encourage developers of residential projects to provide neighborhood public access sites for the residents of the area, where opportunities are present.		1		
2) Where practical, the county encourages joint development of piers and docks to serve new developments and nearby residential properties.		3		
3) The county allows wet slip (publicly or privately owned docks for more than 5 vessels) and upland excavated marina to provide access to public trust waters. These facilities must be consistent with the policies in Section B.				
4) The county does not allow any use that significantly interferes with the public right of navigation or other public trust rights. Projects which would directly or indirectly block or impair existing navigational channels, increase shoreline erosion, deposit spoils below mean high water, cause adverse water circulation patterns, violate water quality standards, or cause degradation of shellfish waters also shall be prohibited.	1	8		
5) CAMA standards designed to limit the length of docks and piers as they project into <i>public trust waters</i> are the minimum standards in Pender County. The County reserves the right to be more restrictive where the use of public trust waters and environmental protection issues warrant.	1	12	2	16
6) Freestanding moorings and mooring fields are permitted only if they do not impede the use of public trust waters and they are installed in accordance with CAMA development standards.	3	2		
B. Land Use Compatibility Policies				
1) Pender County strongly discourages any use, development, or construction activity in the Estuarine Water AEC that is not compatible with conservation and management of its biological, social, economic, and community values.				
a) Only development associated with water-dependent uses is allowed. Examples of appropriate development may include public access facilities, docks and piers, erosion control structures, or other uses that are permitted by CAMA use standards[j].		1		
b) Floating homes are not allowed in the County's planning jurisdiction. A "floating home" is a moored structure that is secured to piers or pilings and is used primarily as a residence and not as a boat.		4		3
c) New wet slip (publicly or privately owned docks for more than 5 vessels) and upland marina basins are permitted only in non-Outstanding Resource Waters. The location, design, construction, and operation of these facilities must be consistent with county development regulations and the CAMA specific use standards for Estuarine Waters. Dry stack storage marinas generally are preferred over wet slip marinas or upland basins.		5		1

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2) The county does not allow any development in the Coastal Wetland AEC within its planning jurisdiction that does not support the protection and conservation of the biological and community values of this important resource. Only land uses and development that require water access and that cannot be located elsewhere are acceptable in coastal wetlands. Examples of acceptable uses are utility easements, docks, and piers. Where acceptable uses are permitted, they must be developed and operated in a manner that minimizes the impact on the wetlands. Appropriate land uses, development, and construction within the Coastal Wetland AEC are determined by local development regulations and the CAMA special use standards.		3		
3) Development in the Estuarine Shoreline AEC (75 feet for non-ORW waters and 575 feet for ORWs) must be consistent with the CAMA use standards) so that water quality and valuable coastal resources are protected and preserved.	1	3		
4) To further protect the Estuarine Shoreline AEC, the county will establish a 575-foot buffer area on the landward side of all ORWs in which local development regulations will reflect CAMA standards or more stringent standards set by the county. The development density and intensity allowed within the buffer zone will be controlled to protect water quality with specific limitations for storm water runoff not to exceed predevelopment conditions for the 10-year storm.	1	9	2	6
5) The county will discourage any new residential or commercial developments in these areas unless it is of extremely low density. Development standards should prohibit or limit installation of impervious surfaces in these areas to a very small percentage of the developed area.		7		4
6) The county will allow the installation of erosion control devices in freshwater swamps if all necessary local, state and federal permits can be obtained and all applicable regulations to protect freshwater swamps are followed.				
7) The county will not permit new residential or commercial development in <i>hydric soil areas as defined by Pender County</i> .	1	11	7	12
8) Development density and intensity and allowable lot coverage in areas adjacent to primary nursery areas will be kept low to protect these areas from undue encroachment, damage, or pollution from direct water runoff or other causes. Non-water dependent uses, such as commercial development, should also be directed away from these areas.		2		
9) The County will avoid undertaking any activity or approving of any activity that would destroy remaining habitat for loggerhead turtle nesting.		2		
10) The county supports the preservation, in perpetuity, of the Angola Bay Gamelands and the Holly Shelter Game Preserve for the rare and valuable plants and animals they contain and for the vital role they play in recharging regional groundwater supplies.	2	8		
11) Pender County is opposed to the development of undeveloped barrier islands within its planning jurisdiction. The County supports initiatives at the local, state or federal government level to purchase and maintain these environmentally sensitive areas for the benefit of all residents of the county, state and nation.	2	10		1
12) The county supports federal, state and local efforts to protect the quantity and quality of water in the region's groundwater system, whether such protection involves controls over the location and management of activities involving hazardous substances, restrictions on groundwater draw-downs, or any other activity which would jeopardize the short and long term viability of groundwater resources.	1	7		
C. Infrastructure Carrying Capacity				
Transportation				
1) The county will ensure that the Thoroughfare Plan is updated regularly and that it reflects the desired land development patterns and emergency evacuation needs.		1		
2) The county encourages the use of existing roadways to the extent feasible as a cost effective and environmentally sound means of meeting area transportation needs.				
3) The county encourages land use patterns and site development that protect highway capacity.		1		
4) The county will present a comprehensive list of transportation needs to the NCDOT each year.				
5) The County supports public transportation services to meet the special transportation needs of the elderly and disabled.		2		
Water and Sewer Service				
6) Water and sewer extension priorities will include existing developed corridors, growth areas and clusters and areas where development is to be encouraged, where provision of services is financially feasible, or where job-oriented development is to be encouraged. Exceptions may include extensions to address public health problems.	6	7		
7) Centralized sewer services shall generally avoid areas in the county used primarily for agriculture in order to protect farmland from development pressures brought about by such sewers. Where services in such are allowed, the county will develop connection and extension policies that provide protection to farmlands.	2	2		2

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8) The county will allow package treatment plants for sewage treatment and disposal if the plant is properly located, designed, constructed and maintained, and it meets State, federal and local regulations. Dumping sludge on the ground will require a special use permit.	3	5		
9) Greenspace development away from centralized sewage treatment facilities may employ package sewage treatment plants or other alternative sewage treatment systems as a means of achieving more efficient land use.		1		2
10) The county will continue to upgrade and expand its piped water supply system. Emphasis is on development of a self-supporting system where costs are assigned in relative proportion to the benefits conveyed.	1	2		1
11) The county will establish and maintain utility extension and connection policies that address the timing, location, priorities and sequence, etc. of system expansion in coordination with specific growth management objectives.		1	1	
Stormwater Management				
12)A master drainage plan will be used to identify and implement detailed solutions for specific problem areas threatened by flooding and to improve area water quality.		2		
13)New development will not be permitted when existing drainage facilities upstream or downstream cannot accommodate the storm water runoff in the drainage basin for at least the 10-year storm.		16	1	9
14)Pender County supports NC Division of Water Quality regulations regarding stormwater runoff resulting from development activity.	1	1		
15)In the review and approval of new development projects, post development runoff shall be reduced so that existing drainage facilities to the recipient perennial stream can accommodate at least the discharge from the 10-year storm.		1		
16)In developed areas with drainage problems, development projects that increase storm water runoff will not be approved unless appropriate corrective improvements are to be completed as part of the project. The county shall give priority consideration to corrective measures to prevent the flooding of roads, houses, and businesses following an intense rain event.		6	1	1
17)The costs of stormwater management, which are associated with an area's rapid growth, will be equitably distributed. The proponents (and beneficiaries) of development activity will be responsible for the costs of stormwater management associated with their development projects.	2	2		
18)Environmentally sound engineering solutions shall be employed to prevent unacceptable stormwater ponding on area roadways.	2	2		
Other Facilities				
19)The County supports advanced planning for the location of new public schools. Such advanced planning shall incorporate age-specific population projections, and projected residential growth patterns.		1		
20)The County shall insure that its development standards provide for all new development to provide a proportionate share of the cost of new facilities to serve it including schools.		12		1
21)New development shall provide for open space and/or recreation facilities based on the intensity of the development or provide payments to insure the provision of such facilities on a large-scale, economically feasible basis for the area.	1	2	4	
22)Planning for parks and open space will ensure that all areas of the county have access to appropriate facilities. The county will consider recreation and water access, multiple objectives for natural area conservation, visual enhancement, promotion of cultural and historic preservation, and watershed and flood prone area protection when identifying future park sites.	1	3		
23)The county will encourage identification and appropriate recreational development of a system of open space greenways, hiking trails, and paddling trails within the county shall be encouraged. The use of (1) natural corridors such as streams and floodplains, and (2) man-made corridors such as utility and transportation rights-of-way and easements will be emphasized.	4	1		
D. Natural Hazard Areas				
1) The county recognizes the risks to life and property that exist within its special flood hazard areas and within the related ocean hazard area AECs. The county will continue implementing measures that mitigate these risks and will avoid taking any action that materially increases these risks to life and property.				
a) Development activities in the 100-year floodplain or near water bodies shall be carefully controlled using local standards and FEMA guidelines.		1		
b) Development other than that necessary for water access and open space/recreation related shall be discouraged in the designated Floodway.				
c) If development must occur, the provisions of the County applicable Development Standards will apply regarding development in the floodplain and the floodway. Low intensity uses such as recreation and agriculturally related activities are preferred.		1		

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	d) The county shall discourage the placement of septic tanks within the 100-year floodplain.		13	2
e) The County supports CAMA use standards for the ocean hazard AECs. Examples of suitable land uses in these areas include very low-density residential and commercial uses, recreation, and beach management activities. In all cases, the CAMA use standards or local codes, whichever is more restrictive, shall determine permitted uses in these areas.	1			
2) The county will cooperate with state and federal agencies, the municipalities, and property owners to elevate residences and other structures above the flood elevation. The objectives are to mitigate risks for older properties and to keep neighborhoods intact.				
3) The county will adopt and periodically update a Hazard Mitigation Plan that addresses a broad range of natural hazards in the county.		1		
4) The county will take steps to ensure that traffic handling capacity in emergencies is a consideration in Thoroughfare Planning and that needed improvements for evacuations are included in the NCDOT Transportation Improvement Program.		1		
E. Water Quality Policies				
1) Pender County recognizes the importance of water quality to preserving the life-style and economic well being of its residents and property owners. To protect and restore water quality, where necessary, the county will implement measures to address both point source and non-point source discharges.	2	2		
a) The county shall establish a 575-foot buffer around all ORWs to protect water quality. Within this area, the county will encourage very low-density development and storm water standards that are consistent with preserving and restoring water quality.	1	13	1	7
b) Pender County shall support a vegetated buffer program along streams and water bodies to preserve, maintain, and protect the quality of area waters.	2	11	1	
c) The county supports location, design, and operation requirements for wet slip and upland marinas that minimize any negative impacts on water quality.		1		
d) The county strongly encourages "cluster" and "greenspace" development and other techniques to reduce the impervious surfaces associated with new development or significant redevelopment.	2		1	
2) The county supports the state's soil erosion and sedimentation control program and its stormwater management program by requiring proper permits prior to issuance of building permits or approval of preliminary plats for subdivisions.	1	6		
3) The county strongly encourages farmers and timber operators to employ accepted "best management practices" to minimize the impact of these operations on water quality.	2	2		
F. Local Concerns - Maintaining Pender County's Rural Lifestyle				
1) General development patterns				
a) Pender County encourages development that contributes the county's rural open space character and that provides for a village and country growth pattern. Clustering of development and preservation of open space will be considered in all development proposals. Intensive land uses and high-density development is encouraged where existing services are available with access to major transportation facilities.	2	5		3
b) County actions concerning infrastructure and regulations will direct new development first to compact targeted growth, cluster or transition areas. New development is discouraged from jumping to new locations in rural areas, conservation areas, in existing and prime agricultural lands or active forestry areas.		3		6
c) The County shall encourage development that has densities appropriate for its location. Location factors shall include whether the development is within an environmentally sensitive area, the type of sewage treatment available to the site, and the proximity of the site to existing community services and transportation facilities.	1	1		
d) All development in the county is encouraged to employ clustering and open space to provide an environmentally sound, economically cost effective and visually attractive alternative to large lot sprawl.		1		5
e) County development policy and regulations shall provide for flexibility in development of Home Based Business Services with accessory retail uses, especially in the Rural, Rural Cluster and Transition Areas.				
2) Residential development patterns				
a) Pender County seeks to accommodate the development and appropriate placement of a variety of housing types, including site built homes, apartments, townhouses, accessory living units, and manufactured homes. The county does not allow the use of any structure not recognized as a permanent residential structure under the North Carolina Building Code for permanent residency purposes.	3	4		1

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b) Factors in determining preferred locations for higher density residential development shall include: close proximity to employment and shopping centers, access to major thoroughfares and transit systems, the availability of public services and facilities, and compatibility with adjacent areas and land uses.	1	1		2
c) Established residential neighborhoods and communities will be protected from incompatible uses and unwanted traffic to ensure their continued existence as major housing resources. Existing housing shall be encouraged to meet or exceed minimum standards for health, safety and welfare.	3	5		
d) Very low density dispersed or clustered residential uses providing a variety of housing types may be appropriate in rural areas when adequate water supply and wastewater disposal are provided.		1		
e) The protection and rehabilitation of existing viable residential neighborhoods shall be a priority for all development activities, so that such areas will continue to exist as a housing source for the County's varied populace.		2		
3) Commercial Development				
a) Major retail centers should be located adjacent to the intersections of major roadways. These sites should have access to basic community services and should be developed in a manner that maintains traffic safety and minimizes impacts on highway level of service[iii]. Major commercial centers are best suited for retail and service activities that generate high volumes of traffic, require large parking areas, and serve countywide markets.	2	3		12
b) Highway commercial corridors should be clustered along segments of highways and contain land uses that require high visibility and good road access which are mutually compatible and reinforcing in use and design; they should be designed in such a way as to minimize signage, access points, and uncontrolled strip development. Strip development along the area's major streets and highways shall be discouraged.		15		9
c) Neighborhood and convenience commercial centers should be encouraged to locate where there is good vehicular and pedestrian access with preference on a collector street.		2		
d) Rural area commercial development should be encouraged to locate in crossroad centers and should be limited to local convenience stores, farm supply stores, and generally accepted rural business establishments.	1			9
e) Strip or individual lot development for all uses along the county's major thoroughfares and collectors is discouraged. When such development occurs it should be as an expansion of existing commercial areas and meet all standards of the County's Development Standards.		6	2	7
f) Incompatible commercial encroachment within or immediately adjoining existing residential areas is not allowed. Such incompatible encroachments often include, but are not limited to, automobile oriented uses such as service stations, car lots, car washes, drive through restaurants, and the like.	5	10		
g) Office and institutional development shall be encouraged to locate as a transitional land use between residential areas and commercial and industrial activities of higher intensity, where appropriate. "Activities of higher intensity" are typically automobile oriented commercial development but may also include heavily traveled thoroughfares.		2		
4) Industrial & Business Development				
a) The County shall encourage a public service and regulatory environment conducive to industrial development, compatible with environmental quality considerations and the availability of public financial resources.		4		
b) Industrial[iv] development should not be located in areas that would diminish the desirability of existing and planned non-industrial uses, nor shall incompatible non-industrial uses be allowed to encroach upon existing or planned industrial sites.	3			
c) The county encourages advanced planning for industrial and business uses to identify sites that are physically suited for such uses, that have basic water and sewer services (or services can be readily extended), and that are compatible with existing and planned residential areas and neighborhoods. The county will use the criteria contained in the state's "Certified Industrial Site" as an additional guide to identifying high priority sites. These criteria include the following:		6		
c) i) Minimum of 10 acres capable of supporting a 50,000 square-foot building plus parking and ancillary uses.		1		8
c) ii) Direct access to a roadway meeting NCDOT standards for tractor/trailer use.				1
c) iii) Wetlands must be delineated.		3		
c) iv) Site must be substantially out of floodplain.	2			
c) v) Site and intended uses must be compatible with surrounding land uses.				
c) vi) Ability to manage stormwater runoff onsite in a manner that minimizes impacts on water quality.		2		

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d) County development policy and regulations should direct the development of new manufacturing, warehousing, export related facilities, and similar land uses to areas with the following characteristics:				
d) i) Locations that have easy access to major transportation facilities.		1		
d) ii) Locations and sites that do not encroach upon or cause incompatibilities with existing residential areas or institutional facilities.	2	1		
d) iii) Sites with adequate services and facilities.				
d) iv) Conservation areas are preserved.				
d) v) Site plans that provide adequate open/green space, buffers and landscaping.	1	4		
e) The County prefers manufacturing and other similar uses to take place in planned developments such as business parks.	1	1		
f) Low intensity manufacturing uses may be located in or near areas developed with other uses as long the site has adequate access to adequate thoroughfares and adequate buffering, green space and landscaping is provided.			1	
g) Development regulations shall recognize the economic benefits of tourism, and community image especially as it applies to the areas major gateways and travel corridors. Development standards shall provide for requirements that enhance the areas image, appearance and ability to attract and improve its income from tourism.	1	10		
h) County development policy and regulations shall provide for flexibility in development of Home Based Business Services with accessory retail uses, especially in the Rural, Rural Cluster and Transition Areas.		3		
5) Agriculture & Open Space				
a) Rural and active agricultural area lands having a high productive potential shall be conserved to the extent possible, for continuing agricultural use. In addition to agriculture, very low-density residential activities shall be the preferred land uses in these areas.	1			
b) Farms and woodlands shall be recognized as an integral part of the planning area's open space system.				4
c) Centralized sewer services shall generally avoid areas in the county intended primarily for agriculture in order to protect farmland from development pressures brought about by such sewers. (Please see policy 3.2.3.) If extension into or through active agricultural areas is contemplated, an analysis of the impact of the extension on agricultural activities will be completed.		3		
d) Pender County supports short and long-term efforts to protect important natural wildlife and recreation areas, including particularly the Holly Shelter Game Lands and the Angola Bay Game Land, by directing growth to locations in or near existing urban and built-up areas.	5	6		
6) Hazards				
a) Public safety buffer areas will be established around all known hazard areas in the County. Such areas include large public game land management areas (areas in excess of 1000 acres), large privately held forestry tracts (areas in excess of 500 acres) and other areas established as Local Hazard Areas by the County. Such areas including the buffer area shall be considered Conservation Area and subject to policies applicable to Local Hazard Areas.		6		8
b) As a result of previous major flood damage Pender County recognizes the serious hazards associated with the riverine floodway and will adopt development controls that prohibit development other than water access and open space recreation related activities in this area.	1	1	1	
b) i) Service connections for any activities other than water access and open space/recreation related activities in this area are not allowed.				
b) ii) Any new subdivision of land for residential, transient residential, commercial, industrial and other uses will be prohibited in the designated floodway area.		15		7
c) Pender County development regulations shall provide for transient residential structures such as campers and recreational vehicles be removed to or stored in secure locations during hazardous weather conditions, including high wind or flood hazards.				9
7) Drainage				
a) All new development must provide evidence of the following:				
a) i) that existing drainage facilities on site, upstream, and downstream can accommodate at least the 10 to 20 year storm water discharge for the development; and		3		1
a) ii) accommodate existing development in the drainage basin and 20 storm water discharge for total anticipated development in the drainage basin; or				
a) iii) provide improvements to drainage facilities in the drainage basin to the recipient perennial streams to accommodate the anticipated storm water discharge.		2	1	

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b) Local development standards for storm water discharge for major new development shall require that storm water discharge be limited to no more than the pre-development discharge for the 10-year storm.		3	1	2
c) Minor development activities must provide evidence that the development has access for a drainage facility to a perennial stream or natural drainage way or provide other evidence that the site will drain without causing flooding to the site or upstream or downstream properties for the 10 to 20 year storm.	1			
8) Access				
a) All new development shall provide adequate access and internal street systems to ensure the convenience and safety of all residents, employees, and/or users.	4	3		
a) i) Meet minimum standards for access to the development and its components that will insure rapid and unimpeded access for all emergency and other public services.				
a) ii) All new residential development shall provide access to the units of the development that meet design requirements and construction specifications for Secondary Road Standards or equivalent standards for Pender County.				1
a) iii) All new development shall provide for "connectivity" to adjacent developments and property for continuity of streets, parks, drainage facilities, pedestrian trails, access ways and other common areas or public facilities.	1	1	3	13
a) iv) Pedestrian access facilities including sidewalks, walking paths, bike trails, etc. should be considered as necessary infrastructure for all new moderate density and intensity development.	3	1	3	
a) v) All new development shall provide for reasonable development of anticipated future thoroughfares and access.		2		
b) Access for higher density development shall typically not be provided through lower density development, unless adequate thoroughfares exist or are provided.		7		
c) New development of moderate density or intensity should provide urban type infrastructure including sidewalks, water and sewer services by public entities or public utilities and open space, recreation facilities, school site and facilities or payments in lieu of the services or facilities.	1		3	9
d) Off premise signs should be strictly regulated to appropriate business areas with significant spacing and design standards and not permitted in rural, residential or scenic locations.	2	2		
e) The county shall provide for regulation of development, especially in its gateway corridors, that emphasizes layout, access control, design, landscaping and buffers.		3		
9) Site development				
a) County development policies and regulations shall encourage and provide incentives for the following:				
a) i) Residential development that provides substantial recreation or open space.	2	2		3
a) ii) Commercial development in designated business parks with provision for services, infrastructure, and maintenance of common facilities, open space, buffers and landscaping.	1			
a) iii) Industrial, warehousing and related development in designated parks with provision of services, infrastructure, maintenance of common facilities, open space, buffers and landscaping.	1			
a) iv) All development that provides facilities including infrastructure (sidewalks, curb and guttering, public utility operated water and sewer services, etc.) open space, recreation facilities, clustered development above the minimum requirements of the County Development Standards.			1	
a) v) Residential development consisting of a variety of multiple housing types that utilizes clustering of units and preservation of open space, when overall density specifications are met.	1			
b) All new lots created in Pender County should meet minimum sanitation requirements of NC Environmental Health Rules for separation of wells and septic systems for new lots under normal conditions without variances to those rules.	1	2	2	
c) Offsite utilities for all new development shall be owned and operated by a public entity or public utility or development and maintenance standards shall be adhered to that will insure ready access to and maintenance of those facilities.		1		8
d) New development and redevelopment shall provide for preservation of existing trees that are indigenous or traditional to the area or region and especially such trees that are in critical locations on the site to be developed.	4	8		2
e) All new development shall provide for buffers and landscaping of street and boundary areas that emphasizes trees as opposed to just grass and shrubs. This standard may be addressed by preserving existing vegetation or new plantings.	4	5		1