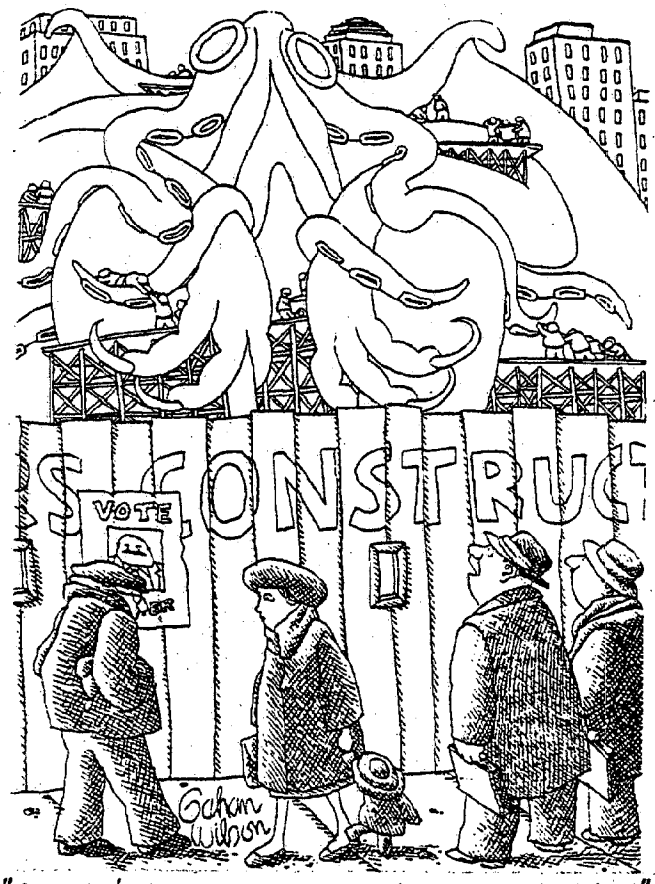
A SUMMARY OF PLANS, POLICIES, AND REGULATIONS IN NEW HANOVER COUNTY



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1986 Wilmington - New Hanover County Land Use Plan Update

A SUMMARY OF PLANS, POLICIES AND REGULATIONS IN NEW HANOVER COUNTY

November, 1985

Prepared by the New Hanover County Planning Department

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A SUMMARY OF PLANS, POLICIES, AND REGULATIONS IN NEW HANOVER COUNTY

INTRODUCTION

The purpose of this report is to provide a series of summaries describing County plans, policies and regulations that have some effect on the land use planning process of the County, in accordance with the North Carolina Coastal Area Management Act. Each summary gives the purpose, principal features, and availability of the document.

The following plans, policies, and regulations are summarized in this report:

(1) **Capital Improvement Program (CIP)** - The CIP determines when, where, and how the County will spend funds in terms of public buildings and schools, utilities, transportation and recreation.

(2) **Floodplain Management Regulations of New Hanover County** - These regulations govern development within floodplains.

(3) **Wilmington-New Hanover County Land Use Plan** - This Plan establishes policies for growth and development in the County.

(4) **Master Plan - Parks, Recreation and Open Space** - This Plan analyzes park requirements for the County.

(5) **Thoroughfare Classification Plan** - This document inventories and classifies major roads in the unincorporated County based on their design and traffic counts.

(6) **Wilmington Area Thoroughfare Transportation Plan** - This plan establishes regional priorities for future road expansions and improvements for the greater Wilmington area.

(7) **New Hanover County Sewer Plan and Extension Policies** - These plans set forth the phasing of and requirements for construction of the County sewer system.

(8) **New Hanover County Zoning Ordinance** - The Zoning Ordinance regulates density and types of land uses in the unincorporated County.

(9) **New Hanover County Subdivision Regulations** - These regulations specify the requirements for the subdivision of land and the construction of roads.

(10) **New Hanover County Mobile Home and Travel Trailer Park Ordinance** - This ordinance lists the improvements needed to develop a mobile home or trailer park.

(11) **New Hanover County Sedimentation and Erosion Control Ordinance** - Any development disturbing more than one acre of ground must comply with these grading and drainage requirements.

It is important to note that this report's summary information should be used only as a guide. For any land development activity it is necessary to contact the appropriate County agency and to review the complete text of the applicable plans, policies, and regulations. Departmental addresses are listed as an Appendix to this report. In addition, this report does not discuss the various State and Federal plans, policies, and regulations which affect land development. If more information is desired concerning which regulations and permits are applicable for a land development project, the supplemental report "Land Development Permit Summary", prepared by the County Planning Department, should be examined as a guide.

II. CAPITAL IMPROVEMENT PROGRAM

PURPOSE: The purpose of this document is to provide a comprehensive and systematic method for scheduling, funding, and monitoring the progress of capital projects for the coming eight years. The Capital Improvements Program provides authoritative fiscal information for County officials and agencies, private developers, other businessmen, and the general public.

This information can assist County officials and agencies in making day-to-day management decisions as well as long range investment plans for the allocation of limited financial resources. The information also serves as a guide to the private sector concerning the County's principal plans for providing public services and establishing future tax trends. In addition, the Program can be highly effective in promoting intergovernmental relations among County Officials, the City of Wilmington and the beach communities.

One of the most important roles of the Capital Improvements Program is that of reflecting and implementing the County's Land Use Plan. The Program allows the County to control growth by minimizing the diseconomies of scale and distance associated with providing urban services. The objective is not to restrict growth per se, but to manage the location, intensity, and rate of growth in a manner consistent with the efficient and economical provision of services.

SUMMARY: The present CIP program, approved by the Board of Commissioners in 1985, extends to 1993, although the latter years are difficult to project. The first four years of the CIP are fairly realistic detailed projections of annual costs.

The following projects and costs are included in the CIP:

Project	Cost
New Hanover County Sewer System	$ 69,339,000
Solid Waste Disposal	819,400
Governmental Builidings	9,998,297
Airport	21,261,310
Parks	1,067,549
CES Voting System	229,063
Board of Education	16,051,000
Data Processing	687,021
TOTAL	$119,452,640

These costs will be met through a variety of Federal and State grants, the County General Fund, revenue sharing, sales taxes, bonds, and user fees. The County Sewer System, the most expensive project, will be financed partially through a recently passed 60 million dollar bond referendum.

AVAILABILITY: Presently out of print, copies are available for review at the County Manager's Office, Finance Department, and Planning Department.

III. FLOODPLAIN MANAGEMENT REGULATIONS OF NEW HANOVER COUNTY

PURPOSE: This Ordinance regulates development in areas prone to flood hazard.

SUMMARY: These Regulations include the following key provisions:

(1) Residential septic systems, sanitary sewer systems, and water supply systems shall be located and designed to minimize impairment to them caused by flooding and to reduce contamination of adjacent waters.

(2) All new construction and improvements shall be adequately anchored and constructed with materials resistant to flooding.

(3) New or improved residential construction shall have the lowest floor elevated to base flood elevation, as determined by the Flood Insurance Rate Maps (FIRM).

(4) New or improved commercial, industrial, or other non-reisential construction shall also be above base flood elevation or floodproofed sufficient to withstand flood damage.

(5) No mobile home shall be placed in a floodway (watercourse channel necessary to adequately discharge floodwater) or in V-zones, except in an existing mobile home park or subdivision.

(6) All mobile homes shall be anchored with over-the-top ties and frame ties.

(7) New or expanded mobile home parks and subdivisions shall provide lots with pilings or compacted fill sufficient to place the mobile home at or above the base flood level.

(8) No construction of any kind shall be made in floodways unless it can be certified that there will be no increase in flood levels during occurrence of the base flood discharge.

FIRM Maps have been available for the County since 1978. A recent update of the maps is presently undergoing the public hearing process. The new maps, based on a different methodology and set of assumptions, will result in a reduction of V-zone coverage with present V-zones on the sounds and estuaries becoming A-zones, and a lowering of base flood elevations by several feet.

AVAILABILITY: Copies of the regulations and maps are available for review at the Building Inspections Department.

IV. WILMINGTON-NEW HANOVER COUNTY LAND USE PLAN

PURPOSE: The Wilmington-New Hanover Land Use Plan is an official public document adopted by the County Commissioners and City Council as a general policy guide for decisions concerning primarily the physical development of the County and City.

SUMMARY: The Plan is designed to provide guidance to County and City agencies as they prepare and consider:

1. Capital Improvement Programs and Investments
2. Zoning Map and Text Amendments
3. Subdivision Proposals and Ordinance Amendments
4. Special Area Development Plans and Projects
5. Utility Extensions
6. Other Development Controls

The Plan also communicates a statement of local government policy which may be used by citizens and private organizations as they submit development proposals and respond to matters under consideration by the governing boards. As an official policy instrument of the County Commissioners and City Council, the Plan is also useful to regional, State and Federal governmental agencies which provide for facilities or services in the Planning Area.

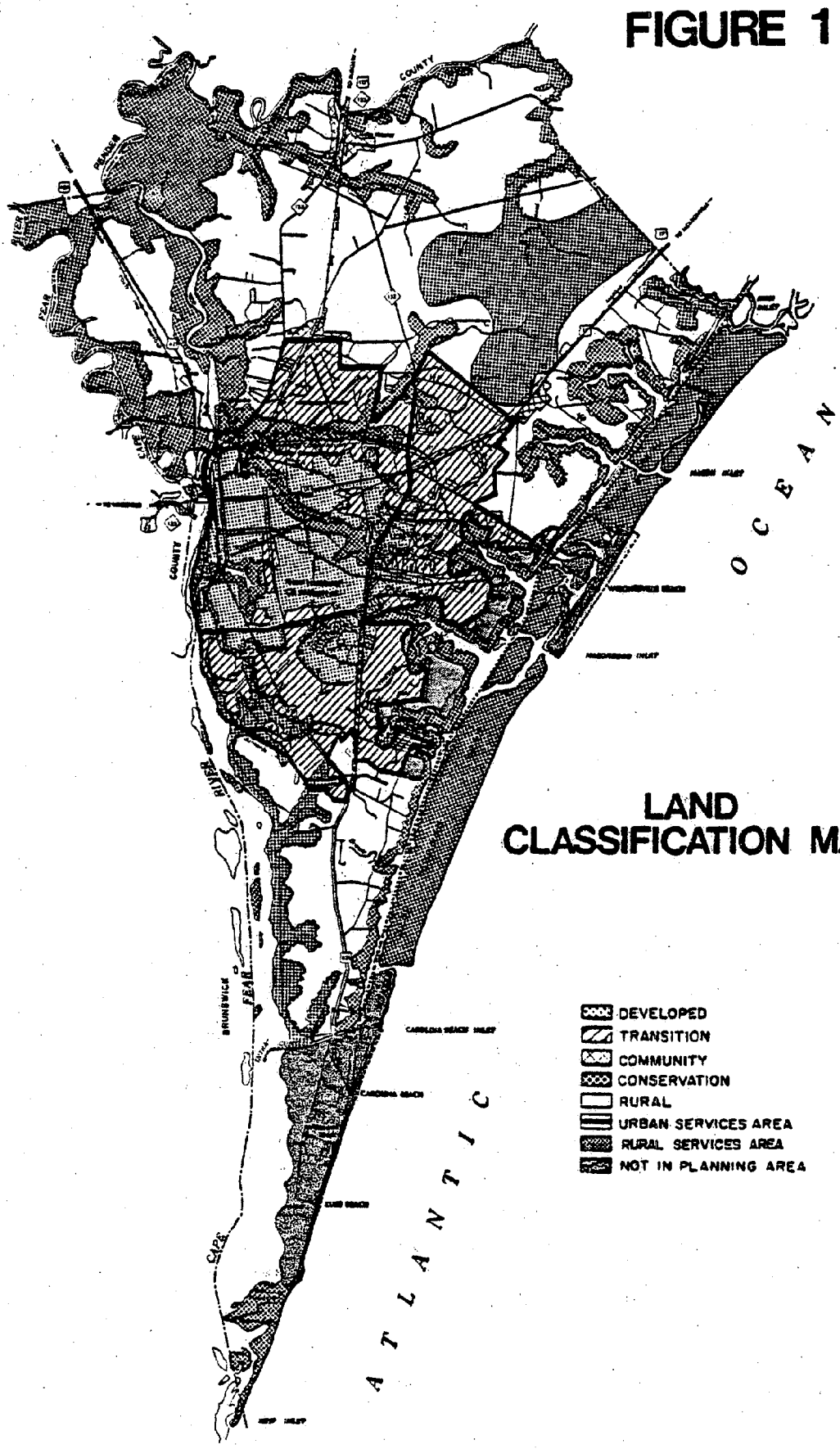
While the Plan is not law in the sense of an ordinance, it is adopted, amended and updated by formal action of the County Commissioners and City Council. The N. C. Coastal Resources Commission must also approve the final Plan and amendments.

The present 1981 Plan represented the first "update" to the original Policies For Growth and Development as adopted by the Commissioners and Council in 1976, and as developed under provisions of the North Carolina Coastal Area Management Act. The CAMA legislation requires that local governments prepare and update land use plans at least once every five years. The County and City are presently in the process of updating the Land Use Plan for adoption in 1986. A number of technical reports, such as this one on plans, policies and regulations, are being prepared for background information and justification for the 1986 Update.

The Land Use Plan includes both a Land Classification Map and Policies for Growth and Development. The Map, shown in Figure 1, divides the County into several development classes, such as Developed and Rural. The Map delineates an Urban Services Area, beyond which densities are restricted by the Zoning Ordinance and the provision of urban services, such as sewer, are limited. The Policies provide guidelines for regulating development and other aspects of growth.

AVAILABILITY: Copies are available at the County Planning Department.

FIGURE 1



LAND CLASSIFICATION MAP

V. MASTER PLAN - PARKS, RECREATION, AND OPEN SPACE

PURPOSE: To provide an orderly guide for the acquisition and development of open space lands and recreation facilities throughout New Hanover County.

SUMMARY: The Plan, which was prepared in 1976 and will likely be updated within the next several years, highlights the following recommendations for New Hanover County and the City of Wilmington.

NEW HANOVER COUNTY

-Acquire 25 - 35 acres of land for active recreation.
-Acquire or control approximately 200 acres of land for natural areas and access area.
-Encourage state efforts to include state park functions at Ft. Fisher and to acquire Masonboro Island as a natural area.
-Make extensive use of existing school sites.
-Construct on existing sites three district-serving parks and five community parks.
-Acquire land and develop two new community parks and several special purpose areas.

CITY OF WILMINGTON

-Acquire 45 - 50 acres of new land for active recreation and 80 acres of new land for open space.
-Create an open space linear park system based on flood prone lands.
-Develop two new district-serving parks and improve two old ones.
-Make extensive use of existing school sites.
-Develop a number of new facilities, including four swimming pools, three community centers, a major athletic complex, and a riverfront park.
-Establish and maintain on-going methods of evaluation program effectiveness.
-Esthetically upgrade existing and future recreation sites.
-Develop the untapped potential of Greenfield Lake.
-Abandon the old zoo and build a new one.
-Assume a leadership role in coordinating all local public and voluntary agency recreation programs throughout the County.

This plan strongly recommends the consolidation of all local public recreation functions within the County and that cooperative efforts be undertaken between public recreation agencies, voluntary agencies and the private sector to create a total comprehensive park, recreation and open space system serving all County residents.

COPIES: Out of print. Available for review at the County Planning Department and the County Department of Parks and Recreation.

VI. THOROUGHFARE CLASSIFICATION PLAN

PURPOSE: The purpose of the County's Thoroughfare Classification Plan is to classify major roads in the unincorporated County with regard to intensity of use and design parameters in order to provide an adequate road system for different intensities of land development.

SUMMARY: An arterial is typically a U. S. numbered highway and serves as a link between urban populations of 1,000 or more persons. A collector collects traffic from residential concentrations of at least 100 residential units, or serves as a link between arterials or other major traffic generators. A collector must also meet certain design standards such as right-of-way width. Collectors and arterials are shown in Figure 2.

In addition to arterials and collectors, a third classification, local residential streets, is also part of this Plan. These are smaller streets that essentially serve 50 or more units (500 trips per day) or provide access between subdivisions or collectors.

This Plan performs several major functions. High density development, if located on an arterial or collector and within the Urban Services Area, is permitted in residential districts. Maximum building height can be increased for buildings within certain commercial and Planned Development zoning districts located on a collector or arterial and within the Urban Services Area. Less directly, this Plan serves as a guide in developing and reviewing subdivisions in terms of access and future road connection needs.

AVAILABILITY: A detailed map and list of classified roads are available for review at the County Planning Department.

VII. WILMINGTON AREA THOROUGHFARE TRANSPORTATION PLAN

PURPOSE: Provides a publicly adopted plan for the progressive development of a street and highway system to meet future travel demands within the Wilmington Urban Area. The Plan provides for newly constructed streets as well as widening and improvements to existing streets.

SUMMARY: Since its adoption, the Thoroughfare Plan has served as a guide in developing recommendations for local transportation improvements. Several elements of the Thoroughfare Plan have been constructed. Many, however, remain to be implemented.

In 1976, the Wilmington Area Highway Priorities Task Force was established to review area highway needs and submit to the North Carolina Board of Transportation a listing of highway priorities reflecting the consensus of the area's elected officials. The

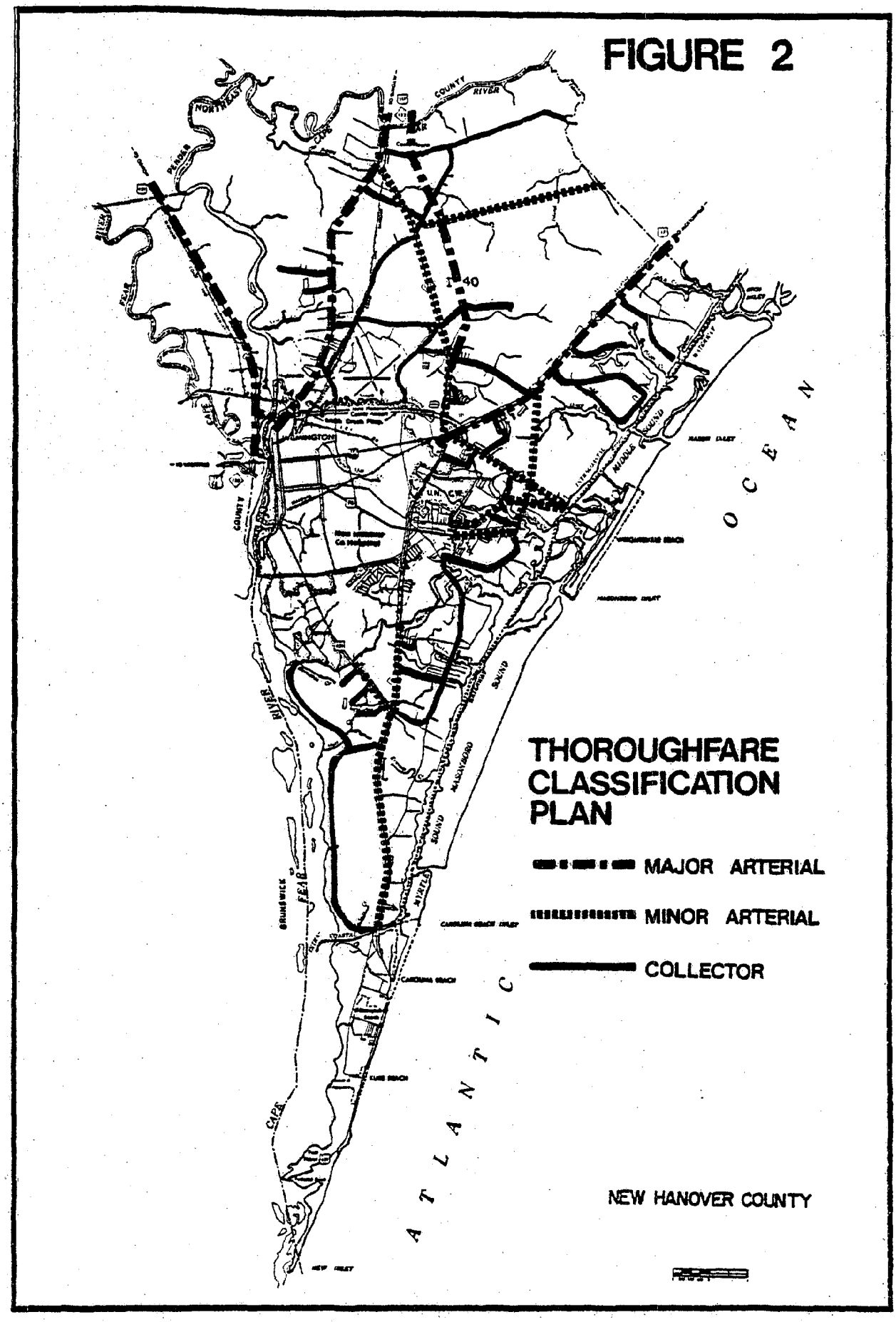


FIGURE 2
THOROUGHFARE CLASSIFICATION PLAN
MAJOR ARTERIAL
MINOR ARTERIAL
COLLECTOR
NEW HANOVER COUNTY
ATLANTIC OCEAN
I 40

Wilmington Area Highway Priorities Task Force is comprised of the New Hanover County Board of Commissioners, Wilmington City Council, members of the Transportation Council of the Chamber of Commerce and key staff of the County and City governments. Since 1976, the Task Force has annually developed and endorsed a list of locally significant highway priorities to be considered by the Board of Transportation for inclusion in the annual update of the highway element of the North Carolina Transportation Improvement Program (NCTIP).

The highway priorities endorsed by the Task Force are selected from the Wilmington Area Thoroughfare Plan and reflect the area's most critical major highway construction needs. The most recent highway priorities for the Wilmington-New Hanover area were endorsed by the Task Force on May 15, 1984. These priorities are summarized below. In order of priority the projects are:

1. Smith Creek Parkway/Downtown Spur
2. N. C. 132 (Shipyard Boulevard to U. S. 421)
3. Improvements to the Corridor from the Cape Fear Memorial Bridge to the State Ports Authority (Front Street/Burnett Boulevard)
4. Outer Loop Project (Southeast Outer Loop - and Northern Outer Loop - Smith Creek to U. S. 17)

A major consideration in the selection of the priorities indicated above was the distribution of traffic to and from the I-40 extension to Wilmington. An update to the Thoroughfare Plan is scheduled for completion and adoption by June, 1986. The present draft of this Plan is shown in Figure 3.

AVAILABILITY: Out of print. Available for inspection at the County Planning Department.

VIII. NEW HANOVER COUNTY SEWER PLAN AND EXTENSION POLICIES

PURPOSE: The purpose of the County sewer plan and extension policies is to provide sewer to unincorporated County residents, with emphasis on reducing estuarine pollution from septic systems and on serving existing development first.

SUMMARY: New Hanover County has initiated design and construction of a Countywide sewer system. This system will be financed, in part, by a 60 million dollar bond referendum approved by County voters.

The extension of sewer lines will be phased, as shown in Figure 4. The system should be completed by 1995. It is important to note that expansion of the City of Wilmington's Southside Wastewater Treatment Plant will take place in conjunction with the County's sewer system.

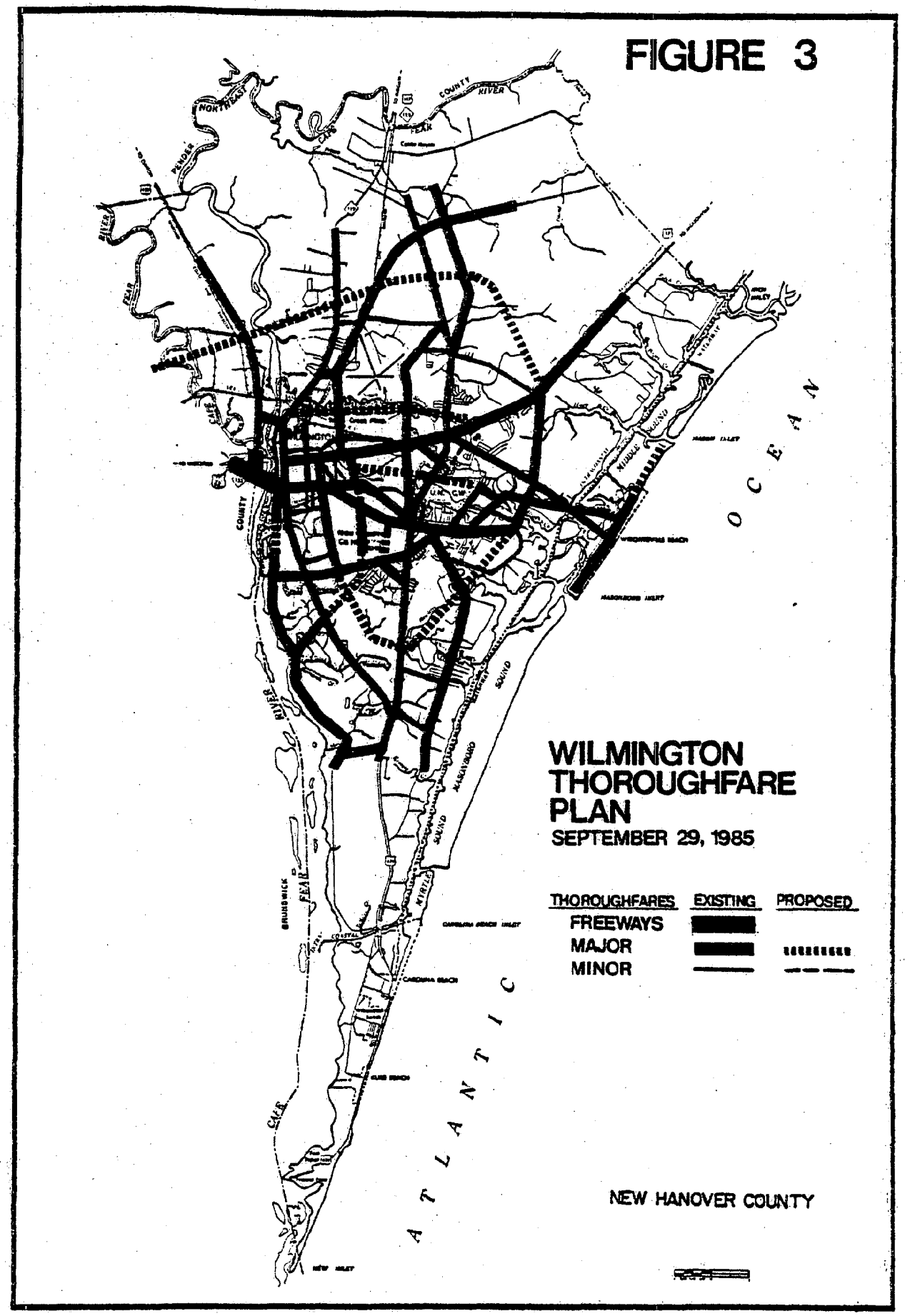
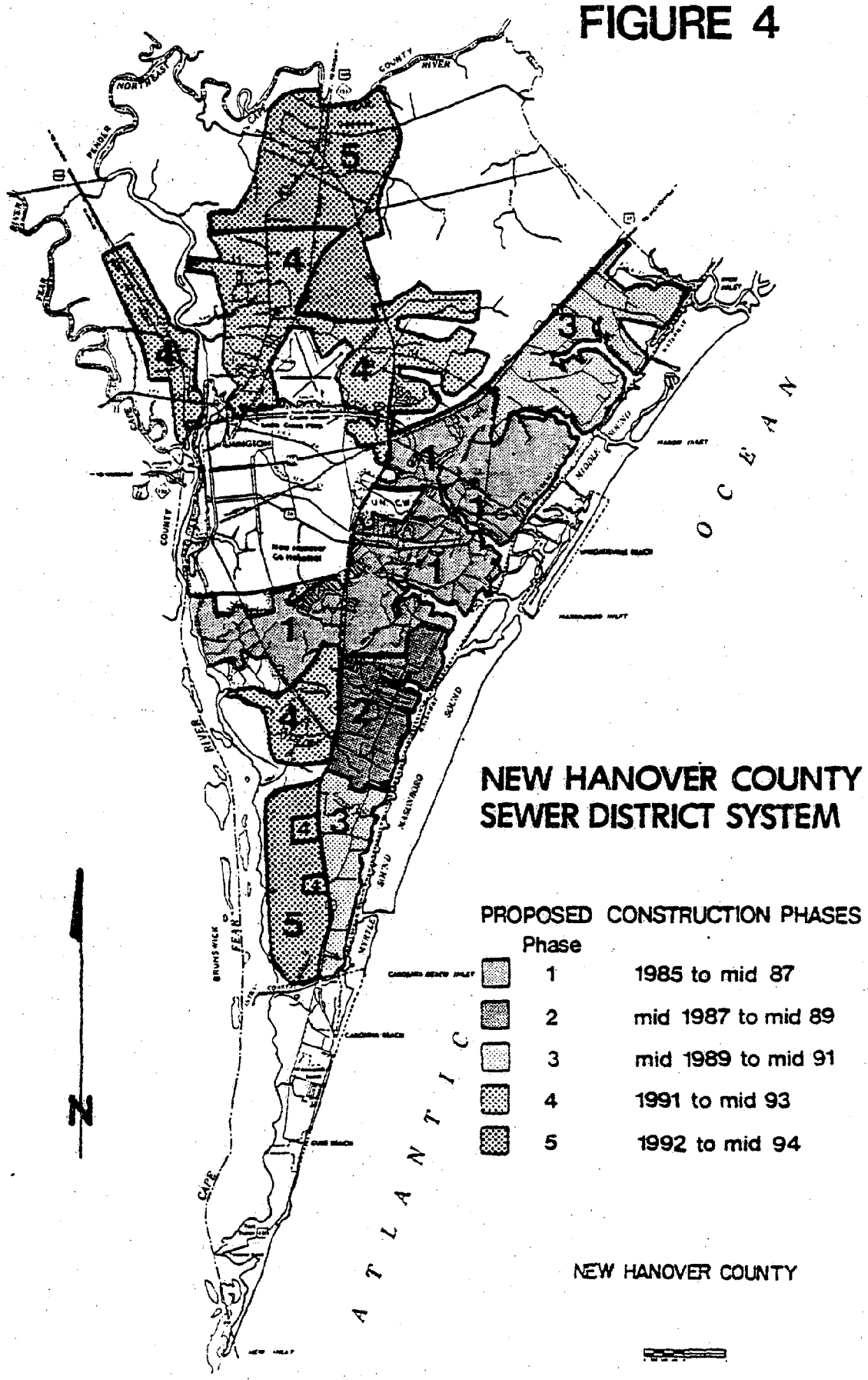


FIGURE 3
WILMINGTON
THOROUGHFARE
PLAN
SEPTEMBER 29, 1985
THOROUGHFARES
EXISTING
PROPOSED
FREEWAYS
MAJOR
MINOR
NEW HANOVER COUNTY
ATLANTIC
OCEAN

FIGURE 4


NEW HANOVER COUNTY
SEWER DISTRICT SYSTEM
PROPOSED CONSTRUCTION PHASES
Phase
1 1985 to mid 87
2 mid 1987 to mid 89
3 mid 1989 to mid 91
4 1991 to mid 93
5 1992 to mid 94
NEW HANOVER COUNTY
ATLANTIC OCEAN
N

The County has also developed a set of sewer line extension policies. Any developer wishing to connect a new development to the sewer system must pay for all costs involved in designing and constructing any necessary trunk sewer lines, force mains, rights-of-way, and other items. The County may request a developer to construct a larger than needed trunk line in order to provide for future tap-ons, but will develop a pay-back schedule to the developer as new tap-ons are established.

AVAILABILITY: The County Sewer Plan and Extension Policies are available for review at the County Engineering Department.

IX. NEW HANOVER COUNTY ZONING ORDINANCE

PURPOSE: The purpose of the Zoning Ordinance is to regulate the use of land in order to provide for safe, orderly, and harmonious growth and development.

SUMMARY: The Zoning Ordinance consists of two components: a Zoning Map and a Text. The Zoning Map essentially delineates the entire County into various districts. Each district allows only certain uses, e. g. commercial, industrial, or residential. The Text describes the uses allowed and other subjects, such as parking, signs, building heights, and density.

Several major additions have been made to the Zoning Ordinance in recent years. A Conservation Overlay District was adopted that regulates uses in certain environmentally significant areas and requires a certain amount of preservation and protection of those areas. A Planned Development District was created, allowing a large, well-designed development to mix residential with commercial and light industrial uses. The County recently zoned the Castle Hayne area, using a low density residential district, which completed the establishment of zoning in the entire unincorporated County. Finally, the County adopted landscaping and buffering requirements as part of the Zoning Ordinance.

AVAILABILITY: Zoning Maps and Texts are available for sale and review at the County Planning Department.

X. NEW HANOVER COUNTY SUBDIVISION REGULATIONS

PURPOSE: The purpose of the County's Subdivision Regulations is to govern the subdivision of land in order to provide for orderly development.

SUMMARY: The Subdivision Regulations requires individuals and developers, who wish to subdivide property into new parcels or lots, to go through a review and approval process with the County Planning Department and Planning Board. Plats of the subdivision must be submitted, approved, and filed before new lots may be sold or otherwised transferred to new ownership.

These regulations require certain improvements be performed before a subdivision can be approved. For example, roads must meet certain construction specifications. Floodplains, utilities, and certain other areas must be delineated and labeled on the final plat.

AVAILABILITY: The Subdivision Regulations are available at the County Planning Department.

XI. NEW HANOVER COUNTY MOBILE HOME AND TRAVEL TRAILER PARK ORDINANCE

PURPOSE: This Ordinance regulates the development of mobile home and travel trailer parks where lots are rented to residents.

SUMMARY: This Ordinance requires persons developing a mobile home park to undergo a review and approval process with the County Planning Department and Planning Board. The developer must submit a plan showing locations of all spaces and other improvements. Because of the increased density allowed in these parks, certain additional improvements, related to recreation space and utility systems, are required.

AVAILABILITY: This Ordinance is available at the County Planning Department.

XII. NEW HANOVER COUNTY SEDIMENTATION AND EROSION CONTROL ORDINANCE

PURPOSE: The purpose of this Ordinance is to reduce the potential for erosion and sedimentation associated with land disturbing activities.

SUMMARY: This ordinance requires developers to meet certain specifications in performing construction activities that disturb at least one acre of soil. These specifications include revegetation practices, use of silt fences and rip-rap, reduction of velocity of discharge of runoff water, and other soil conservation practices.

AVAILABILITY: This Ordinance is available at the County Engineering Department.

APPENDIX - PUBLIC OFFICES

Agency and Address	Phone Number
-New Hanover County Planning Department 320 Chestnut Street Wilmington, NC 28401	(919) 341-7165
-New Hanover County Manager 320 Chestnut Street Wilmington, NC 28401	(919) 341-7184
-New Hanover County Finance Department 320 Chestnut Street Wilmington, NC 28401	(919) 341-7187
-New Hanover County Engineering Department 414 Chestnut Street Wilmington, NC 28401	(919) 341-7139
-New Hanover County Inspections Department 414 Chestnut Street Wilmington, NC 28401	(919) 341-7151
-New Hanover County Parks and Recreation Dept 414 Chestnut Street Wilmington, NC 28401	(919) 341-7198

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