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## EXECUTIVE SUMMARY

U. S. DEPARTMENT OF COMMERCE NOAA  
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CAMA

LAND USE PLAN UPDATE

FOR

HYDE COUNTY, NORTH CAROLINA

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## EXECUTIVE SUMMARY: HYDE COUNTY LAND USE PLAN UPDATE

This Land Use Plan Update for Hyde County has been prepared in accordance with requirements of the North Carolina Coastal Area Management Act (CAMA). Specifically, this document complies with the Land Use Planning Guidelines, as amended, September 1, 1979.

The initial Land Use Plan was prepared for Hyde County in 1976. According to the Land Use Planning Guidelines, the major purpose of periodic updating of local land use plans is to identify and analyze emerging community issues and problems.

The guidelines further give the following objectives the update should meet:

- to further define and refine local policies and issues;
- to further examine and refine the land classification system and the land classification map;
- to assess the effectiveness of the existing land use plan and its implementation;
- to further explore implementation procedures, and;
- to promote a better understanding of the land use planning process.

The major conclusions of the updated land use plan are:

1. Hyde County's population grew between 1970 and 1980, reversing a five decade old trend of population losses. Population growth is projected to continue through 1990, with some notable shifts in racial and age groups.
2. The economic importance of agriculture will remain dominant in the County throughout the next 10 years, but tourism, as an economic activity, will increase in significance (particularly on Ocracoke). The mining of peat will also become significant within the next 10 years.
3. The overall land development pattern, being one with a predominantly rural, scattered, character, will likely continue. The rapid clearing of forest land for conversion into agricultural use will continue to be an issue requiring policy attention;
4. The major community facility need in Hyde County will be some alternative to on-site waste water disposal facilities in developed and developing communities;
5. In order to provide for economic expansion for the benefit of the overall populace, some form of industrial development needs to be pursued, and;

6. Growth pressures in Ocracoke will all but necessitate the development of some form of local land use controls.

This Executive Summary contains a synopsis of the issues which were identified and defined in the update, selected policies for addressing the issue, and a description of how the policies will be implemented.

#### I. ISSUES:

The four broad issue areas addressed are:

- Resource Protection
- Resource Production and Management
- Economic and Community Development
- Continuing Public Participation

In addition to these four, the Coastal Resources Commission assigned other "special issues", these are:

- Peat Mining
- Superfarms/Freshwater Drainage
- Second-home/Waterfront Development
- Airport Industrial Park
- Impact of Wildlife Refuge Areas
- Ocracoke: Development v: Historical Character

#### A. RESOURCE PROTECTION:

##### 1. Areas of Environmental Concern: Development Policies.

Hyde County recognizes the primary concern of the Coastal Resources Commission, in terms of protecting resources, as being management of Areas of Environmental Concern (AECs). The County also shares this concern for the protection and sound management of these environmentally sensitive lands and waters. The AECs which occur in Hyde County, were identified in the 1976 Plan, as "proposed" areas of environmental concern. Since then those interim areas have been officially designated as AECs by the Coastal Resources Commission and statutorily defined. All of these areas are within the Estuarine System. The Ocean Hazards AECs is under the control of the U. S. Park Service on Ocracoke Island. In terms of developing policies, the Estuarine System AECs, which include Coastal Wetlands, (or marshlands), Estuarine Waters, Estuarine Shorelines, and Public Trust Areas, will be treated as one uniform grouping since they are so closely interrelated.

a. Coastal Wetlands: In line with the CAMA definitions, Hyde County prefers to use the term "Marshlands" instead of Wetlands. Since the County has a low, relatively flat topography and high water table, the general use of the term "wetlands" could be applicable almost anywhere in the County. "Marshlands" is more descriptive of the area included as an Area of Environmental Concern, which are regularly flooded marsh areas often containing

specific marsh plant species. The first priority for land use in these areas will be the allowance of uses which promote conservation of the existing marshlands. Second in priority will be uses which require water access. All acceptable uses such as utility easements, fishing piers, and docks, will be required to adhere to the use standards under the North Carolina Administrative Code (15 NCAC 7H).

b. Estuarine Waters:

Estuarine waters are defined in G. S. 113A-113(b) (2) as "all the water of the Atlantic Ocean within the boundary of North Carolina and all the waters of the bays, sounds, rivers, and tributaries thereto seaward of the dividing line between coastal fishing waters and inland fishing waters, as set forth in an agreement adopted by the Wildlife Resources Commission and the Department of Natural Resources and Community Development filed with the Secretary of State, entitled "Boundary Lines, North Carolina Commercial Fishing -- Inland Fishing Waters," Revised to March 1, 1965."

Hyde County is clearly aware that protection of the estuarine waters is of paramount importance to fishing -- both as an industry and for recreation. The aesthetics of the County's estuarine waters is also an important consideration. Therefore, the County shall promote the conservation and quality of this important resource. The estuarine waters which empty into the Pamlico Sound and form the many creeks and bays in the County, are primary nursery areas for several important species of fin fish and shell fish. Activities in these areas will be limited to those which do not permanently or significantly affect the function, cleanliness and circulation of the estuarine waters in a negative manner. Highest priority will be given to uses which are geared to the conservation of estuarine waters. Second in priority will be uses which require appropriate water access. Such uses may include simple navigational channels, boat docks, marinas, and piers. Dredging operations which are designed to provide better channel access or increase the flushing action of tidal movements, will also be permitted.

c. Public Trust Areas:

Hyde County recognizes that the public has certain established rights to certain land and water areas. These public areas also support valuable commercial and recreational fisheries, waterfowl hunting, and also contain significant aesthetic value. Tourism has increased over the years and is becoming more and more important to the County. Hyde County will promote the conservation and management of public trust areas. Appropriate uses include those which protect public rights for navigation and recreation. Projects which would directly or indirectly block or impair existing navigation channels, increase shoreline erosion, deposit spoils below mean high tide, cause adverse water circulation patterns, violate water quality standards, or cause degradation of shellfish waters, shall generally not be allowed. Allowable uses

shall be those which do not cause detriment to the physical or biological functions of public trust areas. Such uses as navigational channels, drainage ditches, bulkheads to prevent erosion, piers, docks, or marinas, shall be permitted.

d. Estuarine Shoreline:

Hyde County recognizes that actions within the estuarine shoreline, which is defined as the area extending 75 feet landward of the mean high waterline of the estuarine waters, could have a substantial effect upon the quality of these waters. The majority of Hyde County's boundary, from the northeastern tip, southward and around and up to the northwestern portion of the County, is the Pamlico Sound. The land area along the Sound and the shores of the many creeks and bays connecting to it, all make up the estuarine shorelines in Hyde County. This area is subject to erosion and occasional flooding, which could not only affect the quality of the adjacent estuarine life, but also threaten the security of personal property from developments located therein. Hyde County will permit only those uses which are compatible with both the dynamic nature of the estuarine shorelines and the values of the estuarine system. Residential, recreational, and commercial uses may be permitted within the estuarine shoreline, provided that:

1. a substantial chance of pollution occurring from the development does not exist;
2. natural barriers to erosion are preserved and not substantially weakened or eliminated;
3. the construction of impervious surfaces and areas not allowing natural drainage is limited to only that necessary for developments;
4. standards of the North Carolina Sedimentation Pollution Control Act 1973 are met;
5. development does not have a significant adverse impact on estuarine resources;
6. development does not significantly interfere with existing public rights or access to, or use of, navigable waters or public resources;

e. Policy Alternatives: AEC Development:

Alternative policy choices for Hyde County could be the development of local land use controls, such as zoning or subdivision regulations in order to enhance federal and state regulations; or nominating additional uses other than those generally permitted by the State Administrative Code (15 NCAC 7H). However, Hyde County does not wish to take either of the above actions at this time.

2. Natural and Cultural Resource Areas: Development Policies

a. Natural Resource Areas:

Some areas in the County are not statutorily defined AECs, but should be recognized because of educational, scientific, or cultural value. The areas in this category in Hyde County include those which sustain remnant species, and complex natural areas. All of these natural resource areas except one, are located in areas under either Federal or State control. The wildlife refuge areas contain these areas and the responsibility for their management is currently not with the County. The Swan Quarter National Wildlife Refuge, Mattamuskeet National Wildlife Area, Pungo National Wildlife Area, and the Cape Hatteras National Seashore Area on Ocracoke Island, are all under Federal control. The Gull Rock Wildlife Area is under State control and management. All of these areas are important, both socially and economically, to Hyde County in that they are major attractions for tourists in the County. Tourism is becoming a significant element in the local economy. The County believes that the management and control of the State and Federal areas are adequate. Therefore, the County will not propose any additional policies for these areas, but continue to support Federal and State management of natural resource areas within the County.

#### b. Cultural Resource Areas

These historical and/or architecturally significant structures are valuable educational and aesthetic resources which cannot be duplicated. It is the goal of the County to protect those identified cultural resources and others which may be noted in the future. Therefore, it is the intention of the County to not permit development in or near areas of historical or architectural significance which may cause major or irreversible damage. Generally, any permitted development shall be consistent with and shall preserve the value of any identified cultural resource. Also, prior to development in or near archeological sites, the County will seek investigative assistance to help determine the significance of the site.

### 3. Constraints to Development:

The constraints to development in Hyde County relate to both physical constraints and limitations of community facilities. The physical constraints in Hyde County include soils, flood prone areas, and areas subject to man-made constraints such as airports. Most of Hyde County's soil types have limited absorption capacity which restricts septic tank placement in many areas. This is particularly true in Ocracoke Village where muck and silt soil types are extensive. Also in many areas on the mainland, peat-type soils, which in some cases have a consistency similar to sawdust, cannot support septic tank placement nor bear the construction of heavy structures. This is notably true in the Engelhard vicinity. In relation to the flood hazard constraints, most of Hyde County is located in a flood prone area subject to the effects of the 100-year surge. The areas more susceptible to flooding are those defined in this section as estuarine shorelines.

a. Policy Choices:

The County adopts the following policies regarding development in areas with constraints:

- Development will not be encouraged in areas subject to erosion. Proposals must comply with provisions outlined for development within the estuarine shorelines.
- The County will discourage development in high-flood-prone areas. However, Hyde County will continue to participate in the Federal Flood Insurance Program. Proposed developments which are not otherwise damaging to other AECs, may be permitted in some flood-prone areas, provided protective measures which comply with flood insurance requirements are taken.
- Development in areas where the soil types have limited bearing capacity, will not be encouraged.
- In areas with septic tank limitations, the County will remain committed to compliance with requirements contained in the State Health Regulations and as enforced by the County Sanitarian. Where required, modifications such as suitable fill to elevate nitrification lines will be encouraged.
- Although the capacity of the County's water system is not projected to pose a serious constraint to development during the planning period, Hyde County will continue to encourage residential and commercial development within existing water service areas.
- Hyde County will explore the feasibility of developing "limited-area" sewer systems which would coincide with existing population clusters and the current water service area.
- The County will not encourage residential or commercial development within airport approach zones.

## B. RESOURCE PRODUCTION AND MANAGEMENT:

Production of these resources forms, in many cases, the economic foundation of Hyde County. In Hyde County these resources are productive agricultural lands; commercial forestlands; commercial fisheries; recreational fisheries, and; peat mining.

### 1. Agricultural Production:

As noted and documented in the 1976 plan (p. 98) the most important resource production area in Hyde County is agriculture. In fact, agricultural production has been and remains the major element in the County's economic base and is steadily growing. For example, in 1970, crop production income in the County was \$4,495,000. In 1979, income from crop production totaled \$15,585,500, which was an increase of 247 percent over the nine-year period. Although production yields and inflation have accounted for some of this increase, the most significant factor is the conversion of forest land into productive crop lands. The 1974 U.S. Department of Commerce Census of Agriculture showed that there were a total of 54,750 acres of farm land in crops. The 1978 Census of Agriculture figures showed 65,300 acres as being in cropland. The North Carolina Division of Soil and Water Conservation estimated the total cropland acreage to be close to 80,000 acres in 1979. This seems to be a continuing trend.

Because of soil conditions and a high water table, agricultural drainage is extremely important to crop production in Hyde County.

- (1) The County will continue to support the maintenance of existing drainage rights-of-way for farm drainage.
- (2) Hyde County will continue to support the clearing of land for agricultural uses.
- (3) The County will encourage, as much as feasible, drainage to empty directly into the Pamlico Sound, or freshwater bodies.
- (4) Hyde County will continue to support State and Federal programs which promote stabilization of productive agricultural land.

### 2. Commercial Forest Lands:

Forestry is an important industry in Hyde County and accounted for the third largest source of income in the County for 1978. The economic importance of commercial forestry in Hyde County is likely to continue throughout the next 10 years. The County generally supports the maintenance of its commercial forestlands in line with its support of productive agricultural land.

#### (a) Policy Choices

Hyde County will encourage and support the maintenance of its most productive commercial forests by discouraging land clearing



except for commercial purposes or the development of productive agricultural lands.

### 3. Commercial and Recreational Fisheries:

The historical importance of fishing remains a significant feature in Hyde County's economy. Much of the County's jurisdiction--including Ocracoke Island, encompasses significant water areas. Commercially, fishing ranked second only to agriculture as a chief source of income for many of the County's residents. The processing of much of the County's fish landings is also a significant employment segment for many lower-skilled workers.

The many creeks and bays, along with the Pamlico Sound and the Federal and State wildlife areas, also provide strong attractions for sports and recreational fisheries. Thousands of sports fishermen visit the County each year, contributing significantly to the local economy by adding to the total retail sales. There are also many privately used oyster beds in the County either owned in fee, or held through private leases.

According to the North Carolina Division of Marine Fisheries, one of the major problems associated with the decrease in commercial fishing is the decline in the oyster and brown shrimp populations. Decreasing salinity levels of vital nursery areas is a most serious problem. This is because shrimp, oysters and other species use these nursery areas for feeding and protection. These creatures require a certain minimum salinity level. Monitoring by government agencies show salinity levels have been lowered (many times far below the 10 parts/1000 parts base level) over a period of years and this trend is continuing.

The decreasing salinity levels can be attributed mostly to fresh water drainage. It should be pointed out that fresh water drainage does have an adverse effect but this is not the sole cause. Land development of any type, in which the vegetation is cleared, increases freshwater runoff. Salinity levels also are naturally unstable, fluctuating with seasonally high or low runoff periods.

Both commercial and recreational fisheries are important to Hyde County and the County wishes to see the continued enhancement and growth of these resources.

#### (a) Policy Choices:

- (1) In order to support fishing both as an industry and as recreation/tourist attraction, Hyde County will seek to maintain primary nursery areas (estuarine bays and creeks) by discouraging direct fresh water runoff into these areas.
- (2) The County will encourage, as much as is feasible, agricultural drainage to run directly into Lake Mattamuskeet

or some of the canals which drain the lake and which empty directly into the Pamlico Sound.

- (3) The County will seek Federal and State aid to have the outfall Canal cleaned and maintained. This is a major drainageway running southward from Lake Mattamuskeet directly into the Pamlico Sound which could be very useful in the drainage network to get freshwater directly into the Sound.
- (4) Hyde County will continue to support recreational fishing both for local citizens and for tourists.
- (5) The County will support any private, State, or Federal activities aimed at cleaning up polluted shellfish areas.
- (6) The County will provide adequate spoil areas for Federal and State supported channel maintenance activities.

#### 4. Existing and Potential Mineral Production Areas:

Hyde County, along with several other counties along the Pamlico Basin, are known to have substantial deposits of peat. According to a document titled 1980 Annual Report on Peat Resources in North Carolina by Lee T. Otte, and Roy L. Ingram, November, 1980, there are two significant peat deposits located in Hyde County. The first is known as the Pamlico Peninsula, which also lies in part of Washington, Tyrrell and Dare Counties. It is estimated that approximately 120 square miles of this deposit, which contains about 70 million tons of moisture-free peat, lies in Hyde County. A second, much smaller deposit is located in the Gull Rock Wildlife Area, currently under State control, covering a six square mile area. These two deposits encompass an estimated 80,640 acres of land.

Peat has tremendous potential in Hyde County and this is recognized by County officials. Moisture-free peat can be converted into a useful energy source and used for industrial, residential or commercial fuel. The economic impact upon Hyde County could be significantly positive. Increased employment and an expanded tax base will be the principal economic benefits.

Also, according to the North Carolina Geological Survey, there are indications of significant deposits of phosphate in Hyde County. These deposits range in depth from 150 to 250 feet and are located mostly in the western portion of the County (west of Lake Mattamuskeet). Within the realm of currently available technology, it may not be economically feasible to mine phosphate at these depths.

#### (a) Policy Choices:

Because of the potentially favorable economic and employment benefits, Hyde County encourages and supports the development of peat mining. Since mining operations are relatively new, the County will seek to develop more information on the various impacts of peat mining. It is the desire of the County that mining activities cause no major or irreversible damage to any Area of

Environmental Concern, or significant cultural or natural resource. Also, the County will encourage and support Federal and State regulations requiring land restoration and reclamation.

C. ECONOMIC AND COMMUNITY DEVELOPMENT:

Nearly 40 percent of the population growth in Hyde County since 1970 has occurred in Ocracoke Village, as more permanent residents locate there and more native young people decide to remain in the Village (See Part II: Ocracoke, for detailed discussions of economic and community development issues for the Village).

Hyde County is very much concerned about the future growth in economic and community development. As the population gradually increases, the economic base will need to expand, more housing will be needed, and increased pressure will be placed on community facilities. Sound public investment decisions will also have to be made. All of these issues, and others, are important in the formulation of land use policies. Particular issue areas, and policy statements are discussed below.

1. Types and Locations of Desired Industry:

Hyde County would like to see industry developed which could take advantage of existing natural resources and/or expand upon the current three major industries in the County. Industries such as seafood processing, food canneries, paper and wood manufacture, and marine-related industries would all be considered desirable as long as the integrity of environmentally sensitive areas, such as marshlands, could be assured of maintenance and stability. Also, other low-pollution, light manufacturing and/or assembly industries would be desirable.

(a) Locations and Standards

The County would like to see industry locate, if feasible, in industrial parks which could be developed in suitable locations in the County. All industrial prospects will be required to comply with general development standards which are designed to protect environmentally sensitive areas, including:

1. Providing an assessment of the impact of the development of the industry and be required to use the best available technology to avoid pollution of air or water during construction or operation.
2. Be located on land having stable, well-drained soils. The sites should be located in areas adequately protected from flooding and be accessible to existing public utilities and transportation routes.

Some marine-related industries may need to be close to water areas, or have adequate water access.

(b) Policy Choices

1. The County will seek to develop an active industrial recruitment program, seeking low-pollution, light manufacturing industries.
2. Hyde County will seek technical assistance and financial help to develop at least one industrial park, to be located near the new airport at Engelhard.
3. The County believes that all industrial prospects should be given a fair, case-by-case assessment in order to carefully compare possible economic benefits to possibly negative environmental effects.
4. The County will provide, as much as is locationally and economically feasible, basic support services such as water, and if developed, sewer, to newly locating major industries.

## 2. Local Commitment to Service Provisions

The main service which the County currently provides is water. The water service areas generally include the cluster communities of Swan Quarter, Fairfield, Engelhard, Sladesville, Ponzer, and Scranton. The County will, therefore encourage the continuation of the existing community growth patterns by extending water and/or sewer services to new areas as the demand dictates.

## 3. Desired Urban Growth Patterns:

### a. Policy Choices:

Hyde County generally would like to see a continuation of the existing growth patterns on the mainland, therefore, the County will seek to:

1. Encourage residential and commercial development in and around existing "core" cluster communities through limiting water extensions to these areas.
2. Encourage both single-family and multi-family residential development in areas where septic tank placement is suitable and in compliance with State Health Regulations. This will include both mobile and modular structures.

## 4. Redevelopment of Developed Urban Areas:

As Federal and State funds are available, Hyde County will continue to apply for such funds in order to help alleviate the substandard housing conditions of many of its low and moderate-income citizens.

## 5. Commitment to State and Federal Programs:

Hyde County is generally receptive to State and Federal programs, particularly those which provide improvements to the County. The County will continue to fully support such programs.

6. Assistance to Channel Maintenance:

Proper maintenance of channels is very important in Hyde County, mainly because of the substantial economic impact of commercial fisheries. Commercial fishing is increasing in the County and many of the commercial boats are getting larger. If silt or other deposits fill in the channels, this could impede efficient docking of the commercial vessels. With adequate channel maintenance, Hyde County could begin to make more utilization of its extensive waterways for water transportation purposes. Hyde County provides assistance to the Corps and State officials by either helping to obtain or providing spoil sites. The County will remain committed to providing such assistance.

7. Energy Facility Siting:

In Hyde County, the siting or location of energy facilities relates almost solely to peat mining. The nature of peat mining is such that there is little choice about particular extraction sites.

Peat mining, like strip-coal mining, must be done where the mineral is. It is always an on-site operation, yet the conversion or processing of it can occur somewhere else. The County believes that off-site processing should not occur in environmentally sensitive or hazardous areas, or in any area where it is known that major or irreparable environmental damage will result.

8. Tourism:

Water fowl hunting, sportsfishing, the Wildlife Refuge areas, and Ocracoke Island provide strong attractions for the influx of thousands of visitors to Hyde County each year. The natural resources of the County are important generators of income for many businesses, (particularly on Ocracoke), providing jobs and increased sales receipts for Hyde County. Figures from the State Ferry Traffic Report for July 1, 1978 to June 30, 1979, indicated that 917,641 passengers used the ferries going to and from Ocracoke. Of a total 270,313 vehicles using the ferries during the period, 52 percent (140,700) were from out-of-state. Many of these transient visitors spend money in the County and particularly in Ocracoke. The North Carolina Department of Commerce, Division of Travel and Tourism estimated that in 1979, tourism accounted for \$7,705,000 in expenditures in Hyde County. In Fiscal Year 1978-79, the North Carolina Department of Revenue reported that total retail sales in Hyde County was \$15,286,250. Assuming that tourism income in 1978 was similar to the 1979 figure, it can be projected that tourism accounted for slightly more than half (50.4%) of total retail sales during Fiscal Year 78-79. The impact of tourism, obviously, is no small matter in Hyde County.

The County will continue to support and promote tourism, both on the mainland and on Ocracoke.

D. CONTINUING PUBLIC PARTICIPATION:

Hyde County recognizes that an important element in developing and implementing any policies or plans regarding the use of land, is citizen participation.

It is the belief of the Hyde County Board of Commissioners that all citizens be afforded adequate opportunities for participating in the governmental and planning decisions which affect them.



E. ADDITIONAL SPECIFIED LOCAL ISSUES:

The Coastal Resources Commission specified that certain issues, which it viewed as having particular significance in Hyde County, be addressed in the land use plan update. These issues are: (1) Peat Mining; (2) Superfarms-Freshwater Drainage; (3) Second-Home Water Front Development; (4) Airport-Industrial Park; (5) Wildlife Refuge Impact, and; (6) Ocracoke, Development v: Historical Character. Discussion and policy implications for these issues were presented under the other policy statement areas and Part II of this Update is devoted entirely to Ocracoke.

F. IMPLEMENTATION ASSIGNMENT SCHEDULE:

In order to effectuate the implementation strategies discussed in this section, the following steps will be taken:

1. Resource Protection

- (a) During Fiscal Year 1981-82, the County Board of Commissioners will appoint the Land Use Advisory Committee to serve as a citizens' Development Review Board for the County. This citizens' board will work directly with the County Manager, local CAMA minor permit officer, and the regional CAMA major permit officer, in reviewing each development proposal within an AEC, or natural or cultural resource area. This board shall report its findings and/or recommendations to the County Board of Commissioners. The commissioners shall notify the appropriate State or Federal review or permit agencies of the County's position.
- (b) During Fiscal Year 1981-82, the County's Civil Preparedness Officer will conduct a review and assessment of the the "Civil Preparedness" and "State of Emergency" Plan for Hyde County. Particular attention will be placed on the hurricane and flood evacuation needs of the County, and where necessary, provisions of the plan will be updated and revised.
- (c) Throughout the first four years of the planning period, (Fiscal Years 1981-84) Hyde County will continue to support the existing CAMA development process and other State and Federal regulatory controls. During the fifth year (FY 1985-86), of the planning period, the plan will again be reviewed and updated.

2. Resource Production and Management

- (a) The County Manager will study the possibility of requesting, during Fiscal Year 1982, assistance from the U. S. Soil Conservation Service and the U. S. Department of the Interior to study ways of redirecting existing drainage, and ways of guiding new drainage directly into the Pamlico Sound or freshwater bodies.
- (b) In Fiscal Year 1982, the County Manager will study the possibility of consulting with the North Carolina Division of Marine Fisheries to obtain information and guidance on the feasibility of developing artificial reefs extending outward into the Pamlico Sound. This may be done, if feasible, to enhance recreational fishing opportunities.

- (c) In Fiscal Year 1983, the County Manager will look into the possibility of seeking assistance from the U. S. Soil Conservation Service and the North Carolina Division of Soil and Water Conservation to help identify for mapping, the most productive farmlands in the County.
- (d) During Fiscal Year 1984, the County Manager will study the possibility of seeking State, Federal, and private assistance, to help identify the most productive commercial forestlands. This will help in the formulation of additional management policies.

### 3. Economic and Community Development

- (a) During Fiscal Year 1981-82, the County Manager will study the possibility of initiating a more active contact with the Washington Regional office representative of the North Carolina Department of Commerce, responsible for industrial development.
- (b) The County Board of Commissioners will look into the re-activation of the currently inactive Industrial Development Committee. This action, to be taken in Fiscal Year 1981-82, will help Hyde County develop an industrial "Sales Team" approach in attempting to recruit appropriate industrial prospects.
- (c) In Fiscal Year 1981-82, Hyde County will submit a preapplication to the U. S. Department of Housing & Urban Development for financial assistance to alleviate substandard housing conditions in several low-income communities.
- (d) In Fiscal Year 1982-83, the County Manager will study the possibility of conducting a detailed study of all of the County's capital facilities and community services. This will be done to identify strengths and weaknesses, and thus aid in public investment decisions.
- (e) By Fiscal Year 1983-84, the County Board of Commissioners will study the possibility of requesting the U. S. Army Corps of Engineers to widen and deepen the Atlantic Intracoastal Waterway in Hyde County. This will facilitate water access for commercial bulk cargo shipments.

### 4. Continuing Public Participation

- (a) Throughout the planning period, the County Commissioners will continue to provide citizens with adequate published notices of meetings and hearings on planning issues and governmental decisions which will affect them.

## LAND CLASSIFICATION SYSTEM

The land classification system provides a uniform way of looking at how the planned use of land interacts with environmentally sensitive areas and with the development of a particular locality. It is not a strict regulatory device in the sense of a zoning ordinance or zoning map. It represents more of a tool to understand relationships between various land use categories and how these relationships help shape local policy. Particular attention is focused on how intensely land is utilized and the level of services required to support that intensity. The regulations for the Coastal Area Management Act state:

"The land classification system provides a framework to be used by local governments to identify the future use of all lands in each county. The designation of land classes allows the local government to illustrate their policy statements as to where and to what density they want growth to occur, and where they want to conserve natural and cultural resources by guiding growth.: (7B.0204) (a)

The five land classifications and land classification maps are therefore intended to serve as a visual reflection of the policies previously stated.

The five land classifications in Hyde County are identified and defined below.

### A. DEVELOPED

The developed class of land use provides for continued intensive development and redevelopment of existing cities. Areas to be classified as "developed" include lands currently developed for urban purposes or approaching a density of 500 dwellings per square mile that are provided with usual municipal or public services including at least public water, sewer, recreational facilities, police and fire protection. Areas which exceed the minimum density but which do not have public sewer service may best be divided into a separate class to indicate that although they have a developed character, they will need sewers in the future.

Within Hyde County, the developed areas complying with the above definition are Swan Quarter, Engelhard, Fairfield, and Ocracoke Village. Most of the population growth projected by 1990 will occur in and around these areas. Adequate water supplies are currently provided to these areas and will continue to be provided throughout the planning period. Septic tanks are the major source of waste water disposal in these areas.

### B. TRANSITION

Transition land is classified as those lands providing for future intensive urban development within the ensuing ten years on lands that are most suitable and that will be scheduled for provi-

sion of necessary public utilities and services. They may also provide for additional growth when additional lands in the developed class are not available or when they are severely limited for development.

Lands classified "transition" may include:

1. lands currently having urban services, and
2. other lands necessary to accommodate the urban population and economic growth anticipated within the planning jurisdiction over the next ten years.

The lands in Hyde County that will be classified "transitional" are those areas adjacent to the identified developed clusters of Swan Quarter, Engelhard, Fairfield and Ocracoke Village. If an industrial park is developed near the new airport at Engelhard, this land will also be classified as transitional.

The relationship between the "developed and transition" classification is important in predominantly rural counties like Hyde. The first class is meant to define the already developed areas and/or those areas where public investment decisions will be required to provide the necessary urban services. These become important areas to closely monitor.

The Developed and Transition classes should be the only lands under active consideration by the County for intensive urban development requiring urban services. The area within these classes is where detailed local land use and public investment planning will occur. State and Federal expenditures on projects associated with urban development (water, sewer, urban street systems, etc.) will be guided to these areas.

#### C. COMMUNITY

The "community" classification provides for clustered land uses to meet housing, shopping, employment, and public service needs within the rural areas of the County. It is usually characterized by a small grouping of mixed land uses which are suitable and appropriate for small clusters of rural development not requiring municipal sewer service.

This is an important classification in Hyde County, since nearly all the rest of the County's population not residing in the areas classified previously as either "developed" or "transitional", live in such clusters. There are no incorporated municipalities in Hyde County, but many small communities are along the primary roads in the County. Areas classified as "Community" include: Ponzer, Scranton, Sladesville, Rose Bay, Lake Comfort, New Holland, Nebraska, Gull Rock, Middletown, and the area along S.R. 1304, northwest of Fairfield.

#### D. RURAL

The "rural" class provides for agriculture and forest management, mineral extraction and other low intensity uses on large sites including residences where urban services are not required and where natural resources will not be unduly impaired. These are lands identified as appropriate locations for resource management and allied uses; land with high potential for agriculture, forestry or mineral extraction; lands with one or more limitations that would make development costly and hazardous, and; land containing irreplaceable, limited, or significant natural, recreational or scenic resources not otherwise classified.

The majority of land within Hyde County falls within the "rural" classification. This classification is very important in Hyde County, because of the economic importance of agriculture and other resource extraction activities.

#### E. CONSERVATION

The "conservation" class provides for effective long-term management of significant limited or irreplaceable areas. This management may be needed because of its natural, cultural, recreational, productive or scenic values. However, there may be high ground areas within the conservation class that may be suitable for development. Each application for development shall be reviewed on a case by case basis.

In Hyde County, the environmentally sensitive areas identified as Areas of Environmentally Concern (AECs) i.e., Coastal Marshlands, Estuarine Waters, Estuarine Shorelines, and Public Trust Areas, are classified as "conservation". Also included in this classification are the State and Federally owned and managed wildlife refuge areas, gamelands, and the Cape Hatteras National Seashore Recreation Area.

## RELATIONSHIP OF POLICIES AND LAND CLASSIFICATIONS

### A. DEVELOPED AND TRANSITION CLASSES

The developed and transition classes were specifically designed to accommodate these more intensively developed areas and land uses, including residential, commercial, industrial parks and open space, community facilities and transportation. Hazardous or offensive uses such as land application systems, power plants, airports and bulk chemical storage facilities will be located away from these classes.

### B. COMMUNITY CLASS

Intensive development will not be encouraged in this class due to the lack of urban services and/or physical limitations. The general range of acceptable uses are limited to residences, isolated general and convenience stores, and churches and other public facilities.

### C. RURAL CLASS

Residences may be located within the Rural Class where urban services are not required and where natural resources will not be permanently impaired. Some large developments may be encouraged in the Rural Class when there is an absence of otherwise suitable land within the Developed and Transition Classes and/or when there is a possible threat to the urban populace. Such large developments include airports, power plants, and hazardous materials storage. The County also reserves the privilege of allowing specific types of industrial development in the rural areas if in the opinion of the government there will be no harmful effects from such a location.

### D. CONSERVATION CLASS

Development in the estuarine system should be restricted to such uses as piers, bulkheads, marinas, and other water-dependent uses.

## PART II: HYDE COUNTY LAND USE PLAN: OCRACOKE

Ocracoke as a jurisdictional entity of Hyde County, is generally included under the policies stated for the rest of the County. However, because of the presence of natural and cultural resources on Ocracoke which are not generally located on the mainland, in some policy areas, the development of additional policies are appropriate. These additional policies, which are supplemental to those previously described, are discussed below:

### A. CONSTRAINTS:

In addition to the County's general policies on "Constraints", the following policies are set forth for Ocracoke.

- a. Septic tank placement will be limited to compliance with State Health regulations as enforced by the County Sanitarian. In order to help make lots which would otherwise be unusable useable, modifications such as the use of suitable fill to elevate nitrification lines, or the installation of low-pressure mound systems, will be encouraged.
- b. If water demands exceed the systems's current capacity, the Ocracoke Sanitary District should seek to increase its pumping capacity and obtain another reverse osmosis desalinizing machine.
- c. Alternative means of solid waste disposal, such as the development of high-pressure incinerators on the island, need to be explored.
- d. Capacity of other community facilities and services, such as schools, police and fire protection, and road capacity, should be expanded as growth takes place and as needed.

To implement the above listed policies, the Hyde County Commissioners and the Ocracoke Sanitary district will: (1) Continue to support local and state regulations regarding septic tank placement, and; (2) With assistance from the County Manager's office, contact State and Federal agencies for planning and financial assistance to develop alternative means of solid waste disposal on Ocracoke.

### B. ECONOMIC AND COMMUNITY DEVELOPMENT

The land development issues involving economic and community development in Ocracoke are different from similar issues on Hyde County's mainland. Major factors such as the economic base of the Village, its land development pattern and density, and faster population growth rate, are all responsible for this difference.



Other changes and trends in Ocracoke also have serious implications for economic and community development land use policies. They include:

- Increase in permanent population from 541 in 1970, to 658 in 1980, with a projection by 1990 of from 800 to 850 persons;
- Increase in the seasonal population from 1,267 in 1970 to 3,500 in 1980, with 1990 projections of 5,005 persons;
- Increase in the number of vacation cottages and second homes, (from about 146 in 1970, to 208 in 1980), in spite of identified constraints.
- Initiation of and proposed reduction of the State operated ferry services to and from the island; (The Swan Quarter ferry was started in 1977).
- Development in 1977 of a central water system by the Ocracoke Sanitary District;
- Continued growth and development in the absence of local land use controls (such as zoning and subdivision regulations), and;
- The growing importance of tourism.

1. Local Commitment To Service Provisions

a. Water

The Village Water Association, under the auspice of the Ocracoke Sanitary District, intends to serve developing areas within the current water service area as a first priority. Areas which are developing outside of the current service area will be served over a period of years during the planning period.

b. Sewer

The Sanitary District will, with assistance from the County Manager's office, begin in Fiscal Year 1982-1983 seeking State and Federal assistance to have a waste water facilities plan prepared for Ocracoke.

In Fiscal Year 1984-1985, funding assistance will be sought to help develop a central waste water collection and disposal system on the island, with the aim of reducing the burden on user charges.

c. Solid Waste Disposal

Throughout the planning period, the Sanitary District will continue to contract with Dare County for solid waste disposal. As the need dictates, this contract may be expanded.

## 2. Desired Urban Growth Patterns

Ocracoke is the most densely populated settled area in Hyde County. The compact development pattern in the Village makes no distinction between residential, commercial or institutional uses. This incompatibility of land uses has resulted from a lack of enforcement of local land use controls. Therefore, the development and enforcement of local land use controls will be studied for feasible application in Ocracoke.

In Fiscal year 1981-1982, Hyde County through the County Manager's Office will apply for funds from the N.C. Office of Coastal Management to conduct and prepare a preliminary zoning study for Ocracoke Village.

## 3. Redevelopment of Developed Urban Areas

The area around Silver Lake is almost completely developed. Silver Lake is perhaps the most scenic attraction in the Village. The lake-front development currently consists of a mixture of land uses, including residential, commercial and government and institutional. The broad, sweeping vista which Silver Lake has the potential to offer, is somewhat obscured by much of the current waterfront development.

It is the belief of the Hyde County Board of Commissioners and the residents of Ocracoke that the natural aesthetics of Silver Lake should be maintained and enhanced as much as possible. Therefore, the following policy statements are set forth:

a. Only development which does not cause major or irreversible damage to the natural beauty and aesthetics of Silver Lake should be allowed along the Lakefront.

b. Land uses which are supportive of the desire to maintain open enjoyment of the Lake's attractiveness will be encouraged.

In order to help implement the above mentioned policy objectives during the planning period the following actions will be taken:

a. The County Commissioners, through the County Manager's Office, will seek assistance from the N. C. Department of Natural Resources and Community Development (NRCD) to provide information on funds for preparing water-front design alternatives.

b. The County Commissioners, through the County Manager's Office will, in Fiscal Year 1982, seek funding from the N. C. Office of Coastal Management to conduct a preliminary zoning study for Ocracoke Village. Part of this study will show the potential

impact of zoning as a land development control device around Silver Lake.

4. Tourism:

Ocracoke Island continues to be a strong attraction for thousands of visitors each year. Thousands upon thousands of visitors board the ferries from Cedar Island, Hatteras and Swan Quarter to the Village of Ocracoke. Tourism is steadily growing in Ocracoke, and is the backbone of the Village's economy.

It is the County's policy, therefore, to continue to support and promote tourism as a vital economic activity on Ocracoke.

### SECTION III: LAND CLASSIFICATIONS IN OCRACOKE:

#### A. DEVELOPED:

This classification includes all of the currently developed or developing areas in the Village, with the exception of the land area owned by the U. S. Coast Guard, the State Department of Transportation (Ferry Office and Docking Facilities), and the U. S. park services; and the border around Silver Lake.

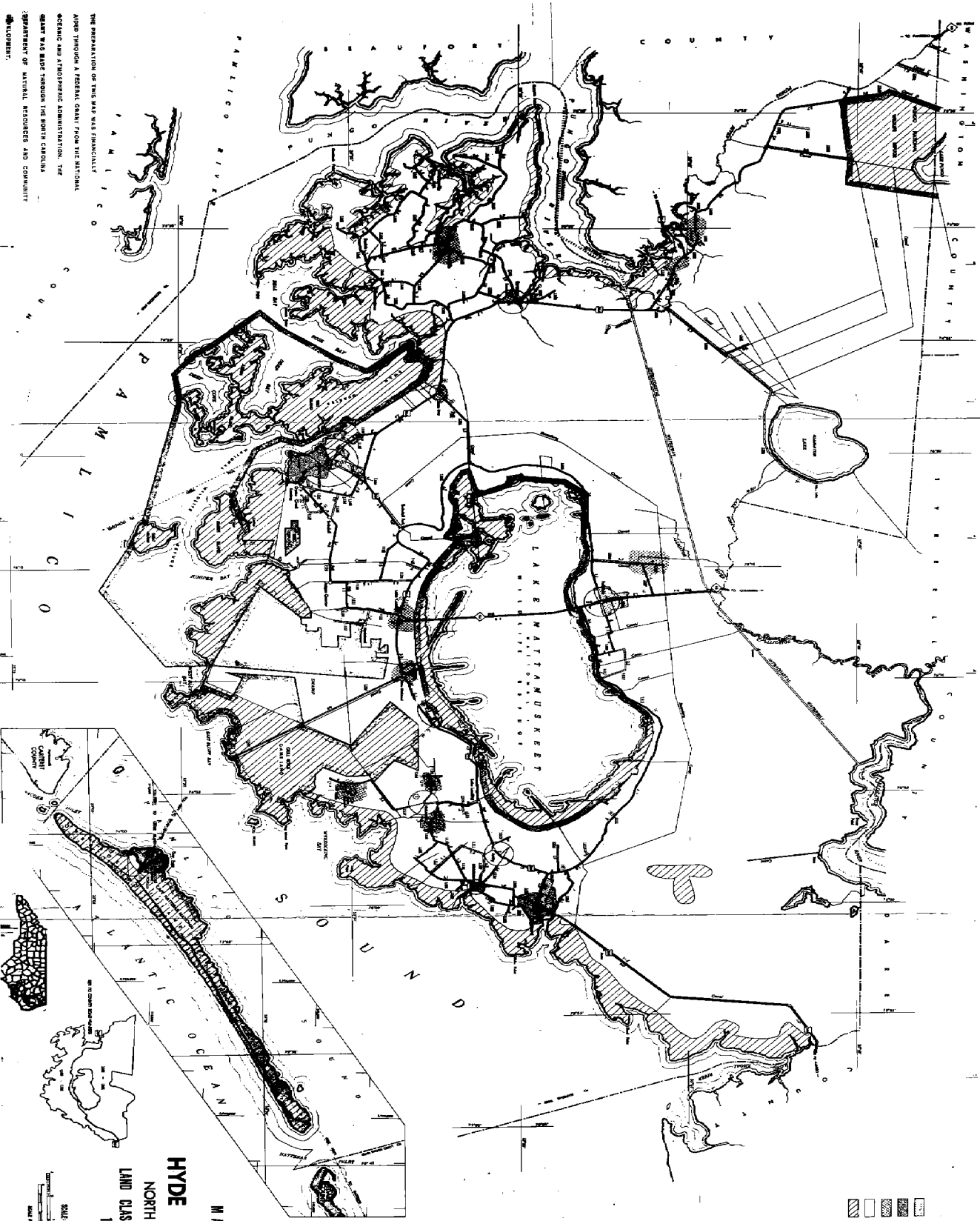
#### B. TRANSITION:

Most of the land area adjacent to the portion of the Village classified as "developed", will be classed as "Transitional". As the Village population grows, both permanent and seasonal, the transitional areas will be needed to accommodate the additional growth. The Village water system's lines are also accessible to these areas. This area includes lands North of the Old Cuttin Sage Lake area, and the lands south of the currently developed lands, to the Cape Hatteras National Seashore Recreation area.

As Ocracoke grows throughout the planning period, the projected development will take place in these areas. Appropriate land uses will be residential, commercial and government and institutional. As is fiscally feasible, municipal services will be extended or made accessible to these areas as growth and development guides.

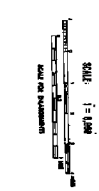
#### C. CONSERVATION:

In Ocracoke, the conservation class shall include the land area generally bordering Silver Lake, the State and Federally owned land to the North of the Lake. Also, the Estuarine Shorelines will be classified as conservation, and the land area around and adjacent to the Ocracoke Light Station and Keepers Quarters.



- LEGEND**
- WETLANDS
  - TRANSITION
  - COMMUNITY
  - RURAL
  - CONSERVATION

**MAP 5**  
**HYDE COUNTY**  
 NORTH CAROLINA  
 LAND CLASSIFICATION MAP  
 1981



THE PREPARATION OF THIS MAP WAS FINANCIALY  
 AIDED THROUGH A FEDERAL GRANT FROM THE NATIONAL  
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