

APPENDIX B

*Summary of Plans, Policies
& Regulations*

Summary of Plans Policies & Regulations

Brunswick County has an active Planning Board that works with the Board of Commissioners to oversee the County's land use management program. Both boards rely on the County's Planning Department for information about and input on development-related issues. Among the department's many responsibilities are developing, updating, and implementing the plans, policies, and regulations adopted by the County. In addition, the department works in coordination with other County departments and local, State, and Federal agencies to ensure their policies, codes, and initiatives that affect development in Brunswick County are taken into consideration in the evaluation of local land use matters. The following provides a summary of the documents presently informing decisions about land use and conservation in the unincorporated areas of the county.

Plans & Policies

Agricultural Development Plan (2017)

An Agricultural Development Plan was prepared in 2019 as a way of creating a path forward for agriculture in Brunswick County, particularly as a component of the local economy. The plan documents the circumstances at the time the plan was created, acknowledges the threats to agricultural operations, outlines goals, and supports the ideas with strategies for the continuation and expansion of agricultural activities in the future. The key findings presented in the plan include the rate of residential and commercial growth the county has been experiencing over several decades and the decreasing viability of farming. Low profitability, rising taxes, average age of the farmers, and lack of support businesses are among the issues that are influencing farmers' decisions to sell land for development. One of the most common challenges noted pertains to the impacts of surrounding development, as it encroaches upon existing operations and essentially reduces usable field space, limits opportunities for expansion, and contributes to a fragmented pattern that expedites the loss of farmland. While many of the solutions suggested in the plan are related to improvements in communication, education, promotion, and support services, a set of strategies under Goal #9 directly address land use with recommendations for conservation (cluster) design, agricultural zoning, accessory businesses to supplement income, and Purchase or Transfer of Development Rights programs (PDRs and TDRs). The plan specifically calls for incorporating "elements of this plan into any new planning documents and any future land use plan."

Cama Core Land Use Plan (2007)

The current CAMA Core Land Use Plan serves as the County's comprehensive land use policy guide. Adopted in 2007, the plan provides direction regarding the future development pattern. The plan emphasizes conservation and growth management to minimize and mitigate the potential impacts of development on the environment, particularly the natural resources upon which the community and the local economy depend, to maintain a healthy, functioning ecosystem. The plan promotes goals and objectives, as outlined by the Coastal

Resource Commission (CRC). In support of those goals and objectives, the plan includes a future land use map, design principles, and policy recommendations. Together, the plan components provide a foundation for local land development regulations as well as investments in infrastructure to support development.

The current plan was recertified most recently by the CRC in 2011. Appendix D provides an analysis of the County's success in implementing the plan. The plan is consistent with the State's standards for AECs. In addition, Appendix D summarizes implementation measures by Brunswick County and the actions taken by the County to protect natural systems.

Community Health Assessment (2019)

The Community Health Assessment which may be updated as frequently as every three years, is conducted to "examine the health and quality of life of Brunswick County citizens. The process includes gathering information from community residents (primary data) and comparing this data to available health statistics (secondary data) to identify the most pressing concerns," as stated in the introductory information in the document. By identifying the top community concerns, County leaders can make better decisions about the allocation of resources with the intent of improving the health of the County's population and improving the quality of life in Brunswick County. The 2019 assessment revealed the following as the top three health priorities: substance misuse, access to care, and chronic conditions. In addition, addressing the needs of the aging population across Brunswick County will continue to be a primary focus of Brunswick County Health Services. Interestingly, when asked about the quality of life in the county, survey respondents identified the following factors, which are among the conditions that can be address through thoughtful land use planning.

- Affordable housing
- Employment opportunities
- Access to healthy food
- Access to recreational facilities
- Quality of land (or development)
- Educational opportunities
- Transportation
- Places to exercise

The assessment notes several strategies and interventions to improve health and quality of life, advancing advance efforts to address the top health priorities. Among them are transportation, provision of elder care options, expanded opportunities for employment and education, safe housing, and improved proximity of residents to land uses and development features that enable healthy lifestyle behaviors and conditions (i.e., parks, walking paths, healthy food outlets, medical facilities).

HEALTH & THE PHYSICAL ENVIRONMENT

The places we live, learn, work, and play make up our physical environment. The many components of a physical environment can strongly influence a person's health. Healthy N.C. 2030 health indicators for physical environment include access to exercise opportunities, access to healthy foods, and prevalence of housing quality problems. Although not part of HNC 2030, another factor of the physical environment is transportation. *Source: Brunswick County Community Health Assessment (2019)*

Comprehensive Historical/Architectural Site Survey (2010)

In 2009, County leaders chose to conduct a comprehensive survey of Brunswick County's historic architectural resources to document buildings and other historic built resources located in municipalities, unincorporated communities, and rural areas throughout the County. A total of 506 properties were examined. The work of several historians, preservationists, and others with an interest in the County's history and architecture led to the "identification of historic resources that merit placement on North Carolina's Study List of properties and districts that appear to be potentially eligible for the National Register of Historic Places," which is the focus of the first of four recommendations presented in the survey report. Other recommendations called for encouraging preservation through a variety of means, considering a County-wide historic signage program, and documenting and preserving grave markers. The roles identified for County government and its partner agencies in facilitating preservation efforts include promoting state and federal tax credit programs and, through land conservation mechanisms, protecting the sites and landscape features that contribute to the value of some historic resources. Following the completion of the survey, Brunswick County has maintained the inventory of historic resources, including cemeteries, with geographic information system (GIS) mapping.

Comprehensive Wastewater Master Plan (2006)

The purpose of the 2006 Comprehensive Wastewater Master Plan is to provide Brunswick County with a coordinated County-wide plan to adequately serve the present and projected wastewater needs of its residents, businesses, and industry. The master plan also discusses permanent and seasonal population projections, permanent and seasonal wastewater flow projections, and the regional facilities necessary to meet these demands. The goal of this Master Plan is to evaluate existing facilities and outline the infrastructure needed to meet the County's 2020 wastewater demands.

https://www.brunswickcountync.gov/files/planning/2015/04/CAMA_Appendix_XIII.pdf

Comprehensive Water Treatment & Distribution System Master Plan (2006)

The purpose of the 2006 Water System Master Plan is to recommend improvements to Brunswick County's water treatment and distribution system to supply the service area through 2015. To accomplish this purpose, the Master Plan includes an estimation of future demands in the service area and Brunswick County's wholesale and industrial customers. Water demand projections are used to develop recommendations on new water system infrastructure and main extensions to serve areas presently without water service, and recommendations to correct existing low flow and circulation problem areas.

https://www.brunswickcountync.gov/files/planning/2015/04/CAMA_Appendix_XIV.pdf

Hazard Mitigation Plan (2021)

The Southeastern North Carolina Regional Hazard Mitigation Plan was approved by the Brunswick County Board of Commissioners in 2021. It replaces the previous plan by the same name, which was approved in 2016. Hazard mitigation plans are developed as a step toward reducing losses due to natural disasters. It applies to the county and its municipalities. This plan was developed in response to Federal and State mandates resulting from legislation [i.e., the Disaster Mitigation Act of 2000 (Federal) and NC Senate Bill 300 (State)]. It adheres to established guidelines to ensure the County can receive funding in the event of a disaster. Such funding comes from two primary sources: the Hazard Mitigation Grant Program (HMGP) and the Pre-Disaster Mitigation (PDM) program. Both are administered by the Federal Emergency Management Agency (FEMA) under the Department of Homeland Security. The plan details the findings of a risk assessment conducted to identify hazards that pose threats to the communities in the study area and describes the vulnerability of participating jurisdictions and their capabilities in terms of implementing

meaningful mitigation strategies. The plan concluded with an action plan that defines specific mitigation actions for each county to implement. Among the 56 actions recommended for Brunswick County are steps that pertain to land use and development, including the following:

- Protected Open Space – Continue to accept gifts of land located in or affected by hazards (i.e., storm events); enhance and develop new public accesses to waterway resources in a manner as to protect sensitive environment areas from development; and support beach municipalities in maintenance/ protection of beaches and other shorelines; and integrate publicly acquired land into public park and greenway systems.
- Natural Resources – Continue to support the guidelines of the Coastal Area Management Act and the efforts and programs of the NC Department of Environmental Quality, Division of Coastal Management and the Coastal Resources Commission to protect the coastal wetlands, estuarine waters, estuarine shorelines, and public trust waters of Brunswick County; continue to require 404 wetlands and 100-year floodplain areas to be delineated on all preliminary subdivision plats; and support commercial forestry activities, provided significant adverse impacts on natural resource systems are fully mitigated.
- Land Use Plan – Annually, ensure the Future Land Use Map continues to adequately delineate portions of the County deemed unsuitable for development due to existing environmental conditions or other factors.
- Land Development Regulations – Evaluate local land development regulations for ability to target and direct growth to areas consistent with the land classification map, the water distribution system, and existing and future sewer systems; and continue to consider incorporating the concept of cluster subdivision development into the County’s subdivision regulations.
- Flood Damage Prevention and Stormwater Management – Review and update as necessary the Flood Damage Prevention Ordinance to ensure maximum protection from flood hazard events; maintain ordinances for compatibility of EPA Phase II NPDES requirements, and remedy hotspots; and continue to maintain/enforce an overall cap of 5% on post-development stormwater discharge increase over pre-development conditions.
- Roads – Work with NCDOT and the Cape Fear Regional Metropolitan Planning Organization (MPO) to improve access standards and protect the integrity of significant traffic-carrying roadways.
- Utilities - Encourage proper development of regional water and sewer systems; and review written policies on water and sewer system extensions to ensure that the County is adequately addressing infrastructure requirements that support effectively managed and sustainable development, while discouraging inappropriate development in sensitive environmental areas and areas prone to flood or storm surge hazards.
- Siting of/Access to Public and Critical Facilities – Avoid locating new facilities and applicable facility expansions in flood hazard areas, and ensure access to all critical facilities is readily available in the event of a natural hazard event via alternative transportation routes.
- Rebuilding – Minimize repetitive losses with improved policies and procedures.
- Education – Make available materials focused on educating citizens, builders, realtors, and developers about the dangers associated with floodplain development and sound techniques for floodplain development and floodproofing of existing structures.

Military Ocean Terminal Sunny Point Joint Land Use Study (2019)

To address the relationship between the military installation and neighboring development, the Military Ocean Terminal Sunny Point Joint Land Use Study (JLUS) was conducted. Completed in 2019, the JLUS examined areas of potential conflict and sought to establish policies and procedures for managing compatible land uses adjacent to and encroaching on MOTSU. To protect public safety and maintain safe evacuation routes, the JLUS recommends that local governments:

- Consider adopting regulations to restrict certain uses, particularly residential, as well as the density/intensity and height of structures adjacent to MOTSU, the Leland Interchange Yard, and the rail corridor connecting them; and
- Involve MOTSU representatives in decisions pertaining to land use and development.

More Than A Trail Plan (2017)

The More than a Trail Plan is a concise document presenting a conceptual system of proposed walking trails, bike routes, and paddle trails. The corridors are envisioned to be used for recreational and transportation purposes. In addition to connecting communities and points of interest, the locations were selected with the intention of enhancing wildlife and natural resource conservation efforts, increasing public access to waterways and shorelines, and creating opportunities for camping. The plan lends itself as a framework for incorporating a variety of trails into future recreation and transportation systems in the county.

Shoreline Access Plan (2003)

In 2003, the County updated its Shoreline Access Plan, which was created originally to “identify the areas most in need and to identify sites that will provide the best access for citizens in all parts of the county.” Increases in the population and related land development activities contributed to growing concerns about the quantity and quality of public access points, particularly as private development began to restrict access to historical access points. The purpose of the plan is to outline specific strategies for providing and maintaining adequate public access to the Atlantic Ocean, Intracoastal Waterway, and estuarine streams and rivers within the county. An inventory of existing sites is included in the plan, as well as additional sites to be as considered potential access points in the future. Such targeted properties are prioritized for acquisition. Recommendations in the plan address improvements to existing access points, partnerships with other public entities and private developers, and funding. A five-year implementation schedule at the end of the plan suggests specific improvements to be made at existing facilities.

Strategic Vision for Brunswick County (2015)

Following the Great Recession, Brunswick began to experience major shifts in demographics and the local economy. So, in 2015, County leaders decided it was time for a new long-term strategic vision guide. The “Brunswick Vision” documents a process to update the 2004 plan entitled “Brunswick Tomorrow,” as well as the resulting goals and action steps. As stated in the introduction, the strategic vision is “to provide essential services to support the development of a sustainable and prosperous community with limited bureaucratic intrusion.” This vision is supported by seven priorities: economic development, education and workforce development, public safety, public health, quality of life, infrastructure, and public information and citizen engagement. Key strategies for achieving the vision include the following:

- Maintain a Unified Development Ordinance that is clear, concise, and revised as needed.
- Continue the balanced approach to growth as outlined in the County’s Unified Development Ordinance, which promotes quality development through use of exceptional design, best management practices, and sustainability.
- Strengthen and maintain the available inventory of industrial and commercial sites.
- Support efforts to develop and expand affordable and workforce housing.
- Support lifelong learning and cultural opportunities.
- Maintain comprehensive and accessible information of county and municipal cultural and recreational resources.
- Continue to support the North Carolina Coastal Land Trust and Nature Conservancy land acquisition

efforts to acquire areas of environmental sensitivity and importance.

- Collaborate with our municipalities on projects that restore or protect the quality of our waterways and shoreline.
- Continue the county's expansion of water and sewer infrastructure.
- Support Brunswick Transit System's plans.

Strategic Plan, FY23-FY27 (2021)

In 2021, the County leaders created a new strategic plan entitled *Brunswick County FY23-FY27 Strategic Plan*. In it, County leadership sets forth an updated vision for the future, which is to be “a prosperous, vibrant, and forward-thinking community that offers opportunities to enhance and sustain the highest quality of life for residents.” This vision is supported by five goals pertaining to the following: (#1) economic development, (#2) education, (#3) an excellent government, (#4) growth and sustainability, and (#5) a healthy and safe community. County staff are responsible for developing and coordinating tactics and strategies to achieve stated objectives. Key performance indicators are employed to track and measure performance and outcomes.

US 17 Corridor Study (2015)

According to the study, the 48-mile corridor that extends from the county's northeastern border with New Hanover County to the South Carolina state line is a segment in a vital transportation route serving the coastal area of North Carolina and South Carolina. The purpose of the study was to identify future roadway improvements for the portion of US-17 in Brunswick County that would protect the integrity of and maintain the mobility in the US-17 (Ocean Highway) through the year 2030 as residential and commercial development continues. The study examined a “no-build” option, as well as four alternatives.

The study was conducted as part of the North Carolina Department of Transportation's Strategic Highway Corridors (SHC) initiative. While maximizing connectivity in the state was a primary objective of the initiative, other objectives stated in this document were “promoting environmental stewardship through maximizing the use of existing facilities to the extent possible, and fostering economic prosperity through the quick and efficient movement of people and goods.”

The evaluation of alternatives considered the level of service (based on potential traffic congestion measures), as well as the social and environmental impacts, which were determined through an assessment of how the alternatives would affect land use, travel patterns, and business access along the US 17 Corridor. Though the study results revealed that the Freeway Alternative would operate with an acceptable level of service, this alternative would eliminate all at-grade intersections, introduce two-way frontage roads, and require the highest amount of land area. Other alternatives maintained access to adjacent businesses and had fewer environmental impacts, but the level of service was lower. The group conducting the corridor planning effort acknowledged that “successful controlled development” depends on the coordination of land use and transportation planning.

Utility Policy (1998)

Upon the directions and guidance of the Board of Commissioners, the County's utility infrastructure (water and sewer systems) and the operation thereof are expanded and upgraded from time to time. The Board's decisions are informed by the Utility Policy, which was adopted by the Brunswick County Board of Commissioners in 1998 and updated in 2020. According to the policy, staff administration is the responsibility of the County Manager, or an authorized representative, such as the Assistant County Manager or the Public Utilities Director, to be designated by the Brunswick County Board of Commissioners. The policy supports four guiding principles, including the following: “Extension shall be made in a manner so as to promote the planned and orderly growth within the County.” Generally, the policy clarifies the conditions under which the County will extend or upgrade lines to adequately serve existing and future

development in the county. It also outlines the conditions for the approval and, if warranted, reimbursements of developer-installed lines. Specifically, the policy addresses considerations for publicly-provided line extensions; capital recovery charges; connection requirements and fees; conditions pertaining to the approval of developer-installed line extensions and dedication (i.e., plan submission/review, upsizing for future water/sewer service capacity, reimbursement, etc.); locations, particularly to avoid flood damage and conflicts, such as encroachment of existing buildings, houses, and other such permanent structures; and the operation, maintenance, and repair of all applicable infrastructure and related facilities. As a companion document to the policy, a handbook that establishes many standards and specifications for utility design, construction, and operation has been prepared by the Public Utilities Department.

Wellhead Protection Plan (2013)

The Safe Water Drinking Act (SWDA), as amended in 1986, requires states to have voluntary programs in place through which local governments can enhance protection of water supplies from contaminants that could adversely affect the health of the population. Local plans are prepared to delineate and define management strategies for each wellhead protection area (WHPA), which is defined in the law as “the surface and subsurface area surrounding a water well or wellfield, supplying a public water system, through which contaminants are reasonably likely to move toward and reach such water well or wellfield.” Brunswick County’s Wellhead Protection Plan describes the analysis conducted to delineate the WHPA, which is generally located on both sides of NC-211 between Southport and Supply. Portions of the municipal areas of Boiling Spring Lakes, St. James, and Oak Island are within the WHPA. The plan, which was prepared in 2012 and adopted in 2013, recommends the distribution of educational materials to inform the public, particularly the businesses, industries, and farms located within the WHPA, about best management practices and federal and state regulations currently in place to reduce the potential for ground water contamination. As a supplement to federal and state regulations, the County is currently undertaking an effort to create and adopt a Wellhead Protection Area Overlay District to enhance efforts to protect drinking water.

Regulations

Unified Development Ordinance (UDO)

The County currently utilizes the Brunswick County Unified Development Ordinance (UDO), which became effective on May 1, 2007, as the basis for all local land use regulation. It has been updated several times. The most recent amendments in 2021 included changes to bring the UDO into compliance with N.C.G.S. 160D. It controls the use of all land throughout the unincorporated areas of Brunswick County. Zoning districts define the limitations on the types, scale, and locations of uses. Requirements that must be met in all new development and redevelopment are also set forth in the UDO, and they are expressed as design and performance standards that pertain to many aspects of development, including the subdivision of land, size and configuration of site elements (buildings, parking, and driveways), landscaping, buffers, flood damage prevention, and signs.

More information about the application of zoning is provided in Appendix D-2, Existing Land Use and Development.

Airport Height Control Ordinance

This ordinance was originally adopted in the early 1980s. The County adopted a revised ordinance in 1998 in an effort to regulate height control and development immediately surrounding the two general aviation airports located within the county: Brunswick County Airport and the Ocean Isle Beach Airport. This ordinance is intended to protect public safety by establishing land use controls within and immediately adjacent to the airport

properties. The ordinance restricts building heights that could impair pilots' vision or interfere with navigational signals, radio communication between the airport and aircraft, or any other activity associated with the landing, takeoff, or maneuvering of any aircraft. Restrictions apply in the areas defined in the Airport Height Control Overlay district in the UDO.

Flood Damage Prevention Ordinance (2019)

Brunswick County is a participant in the National Flood Insurance Program (NFIP). Enrollment in the NFIP is initiated by a voluntary agreement between the local jurisdiction and the Federal Emergency Management Agency (FEMA). It is agreed that if a community implements and enforces measures to reduce the risk from flooding in special flood hazard areas, the federal government will make flood insurance available within the community to mitigate future flood losses. As required by the NFIP, the County has adopted a flood damage prevention ordinance and related FEMA-approved flood maps, all of which were updated in 2019. This ordinance assures that the ground floor of all structures located in FEMA-designated 100-year flood zones have a base floor higher than the defined 100-year flood elevation.

North Carolina State Codes

The County has adopted in their entirety the North Carolina State Building Code, North Carolina Heating Code, North Carolina Electrical Code, and the North Carolina Uniform Residential Building Code. The codes establish regulations for the following:

- The location, design, materials, equipment, construction, reconstruction, alteration, repair, maintenance, moving, demolition, removal, use, and occupancy of every building or structure or any appurtenances connected or attached to such building or structure;
- The installation, erection, alteration, repair, use, and maintenance of plumbing systems consisting of house sewers, building drains, waste and vent systems, hot and cold water supply systems, and all fixtures and appurtenances thereof;
- The installation, erection, alteration, repair, use, and maintenance of mechanical systems consisting of heating, ventilating, air conditioning and refrigeration systems, fuel burning equipment, and appurtenances thereof; and
- The installation, erection, alteration, repair, use, and maintenance of electrical systems and appurtenances thereof.

