Gates County
Planning and Zoning
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TO: Charlan Owens, District Planner, DCM
FROM: Lisa Cherry, County Planner
DATE: May 14, 2019
SUBJECT: Gates County LUP Implementation Status Report

Please find the Implementation Status report for Gates County, items reported are in Blue after each action item as well as continuing as efforts are continuing in the County. Thank you for your assistance as always.

Implementing Actions – Public Access:

I.1 Develop a shoreline access plan, consider proposals to provide public access opportunities to public trust waters for all segments of the County, including persons with disabilities, and support continued funding and enhancement of State-maintained public access facilities along the Chowan River and in Merchants Millpond State Park. Continuing

I.2 Seek opportunities, including memoranda of understanding, easements, and deeded property, for public access(es). Continuing.

I.3 Assess shoreline access needs and opportunities on an ongoing basis. Continuing.

I.4 Pursue private and public sources of funding for the development of shoreline access facilities, including donation of land. Continuing.

I.5 Cooperate with state and federal agencies to secure estuarine access areas to ensure adequate shoreline access within all areas of the county. Continuing.

I.6 Work closely with and coordinate efforts to establish improved and/or new public access facilities with the NC Wildlife Resources Commission, NC Division of Parks and Recreation, and the Town of Gatesville. Continuing.
Land Use Compatibility

Implementing Actions – General:

I.7 Adopt regulations and procedures that provide clear direction to assist local decision making and consistency findings for divisions of land and public and private projects. The Sub-Division ordinance and Zoning Ordinance has been codified and continue to be updated as required.

I.8 Evaluate development and redevelopment proposals according to County goals, objectives, and policies, and the land suitability analysis and the future land use map. Each development proposal is reviewed according to these standards and compared with these in mind.

I.9 Apply local development regulations and procedures to ensure protection of natural resources and fragile areas experiencing development. Development regulations and procedures are followed.

Implementing Actions – Residential:

I.10 Enforce ordinances and procedures which support detached residential structures as the preferred type of residential land use. Continuing.

I.11 Promote the development of traditional, platted subdivisions served by interior roads and adequate infrastructure (as opposed to State road frontage lot development); and, ensure future development is in character with existing development with regard to size, lot coverage, and construction materials and methods. Continuing.

I.12 Support residential development in response to market needs provided that the following criteria are met:

- Consideration is given to all aspects of the environment.
- If deficient community facilities and services are identified, the County should attempt to improve such to the point of adequately meeting demands.
- Additional residential development should concurrently involve planning for improvements to community facilities and services if excess capacity does not exist within those facilities and services.
- Residential development is consistent with other County policies and the land use map contained in this plan update. Continuing.

I.13 Pursue options to provide housing choice that will support its aging population and retirement community through innovative residential design and development. Continuing.
Implementing Actions – Office/Commercial/Industrial:

I.14 Implement the following industrial locational strategies:

- Industrial development should have easy access to major transportation facilities and infrastructure but be compatible with nearby residential, agricultural, and conservation areas.

- Industrial development should not be located in areas that would diminish the desirability of existing and planned non-industrial areas, nor shall incompatible non-industrial uses be allowed to encroach upon existing or planned industrial sites.

- Industrial development should be located on land that is physically suitable and has unique locational advantages for industry. Advanced planning for the identification of such land should be encouraged. The Industrial and Developed/Infill Areas future land use categories may be used for this purpose.

- Industrial uses should be located in or near existing built-up areas to take advantage of available services. Careful design and/or buffering shall be required to ensure compatibility with surrounding areas.

- Warehousing, storage, and distribution facilities should have access to appropriate thoroughfares.

- New industrial development should be encouraged to locate in existing and/or planned industrial/commercial parks consistent with the future land use map. Continuing efforts during development process for Industrial Uses.

I.15 The County will implement the following commercial design and locational considerations in review and approval of office/commercial proposals:

- Commercial and office development should be located in mixed-use shopping centers and office parks to minimize the proliferation of strip development.

- Mixed-use developments, planned from the outset, which allow for a compatible mixture of uses with a pedestrian scale and design, are encouraged. Similarly, businesses may be located adjoining (and therefore convenient to) an existing residential area, when such businesses can be shown to satisfy design considerations similar to a newly planned, pedestrian-scaled, mixed-use development.

- Neighborhood and convenience commercial centers should be encouraged to locate at the intersection of primary neighborhood or subdivision streets.
Highway oriented commercial uses should be clustered along segments of highways and contain land uses which are mutually compatible and reinforcing in use and design; they should be designed in such a way as to minimize signage, access points, and uncontrolled strip development.

Support developing system(s) of paralleling access roads.

Commercial uses shall be encouraged to develop by consolidation and expansion of existing property, when such consolidation and expansion does not encroach upon a viable residential area, conservation area, or agricultural area.

Strip development along the county’s major streets and highways shall be discouraged. Existing strip development shall be reduced and/or development standards should be made more restrictive when redevelopment opportunities permit.

Attractive, environmentally beneficial landscaping shall be provided by new commercial or office developments, and in the rehabilitation and upgrading of existing developments. Effective buffering should be provided when commercial or office development adjoins existing or planned residential uses.

New or redeveloped commercial development along major county roadways shall be encouraged to retain or create a buffer of trees adjoining the road right-of-way. The intent is to retain or create the look of “corridors of trees” along the County’s major travel ways.

Office and institutional development shall be encouraged to locate as a transitional land use between residential areas and commercial and industrial activities of higher intensity, where appropriate. “Activities of higher intensity” are typically automobile oriented commercial development but may also include heavily traveled thoroughfares.

Highway oriented commercial uses should be clustered along segments of highways and contain land uses which are mutually compatible and reinforcing in use and design; they should be designed in such a way as to minimize signage, access points and uncontrolled strip development.

Strip development along the County’s major streets and highways should be discouraged.

Industrial development shall be located on land that is physically suitable and has unique locational advantages for industry. Advanced planning for the identification of such land should be encouraged. Continuing and consideration of
all these implementation strategies are understood during development process presently.

I.16 Undertake a study to determine the feasibility of establishing an industrial park (separate from the Commerce Park). The study should consider, at a minimum, location criteria, park/parcel size, and target industries. Site considerations should include: topography, utilities, slope, hydrology, soils, zoning, surrounding land use, and buildable area. A preliminary master plan for the park should be prepared. Continuing.

I.17 Prepare a Unified Development Ordinance which will consolidate all land use regulatory ordinances into one ordinance. The UDO will consider the land use concerns/issues indicated in Appendix F. The County has gone through Codification in 2018 with Ordinances in one location, UDO continues to be considered.

Implementing Actions – Conservation:

I.18 Utilize the future land use map as a development management tool to protect valuable resources. The map is coordinated with the land suitability map (Map 16). Continuing, as the Future Land Use Map is utilized and referred to for land use decisions.

I.19 New development and redevelopment activities which would significantly degrade the quality of natural scenic resources in Gates County, prematurely diminish the predominantly rural character of the area, or create incompatibilities of scale, design or land use, shall not be permitted. Continuing.

I.20 Monitor development proposals for compliance with Section 404 of the Clean Water act and continue to enforce local land use ordinances to regulate development of freshwater swamps and 404 wetlands. Continuing.

I.21 Support the protection of natural heritage and other natural resource areas through easements and outright acquisition by private entities and state/federal agencies. Continuing.

I.22 Support the development of a management plan for utilization of the Chowan River within Gates County. These efforts should specifically address the issue of Hydrilla eradication. Continuing

I.23 Consider the development of an open space/natural resource plan. The county supports open space currently.

Implementing Actions – Redevelopment:

I.24 Allow the reconstruction of any structures demolished by natural disaster which will comply with all applicable local and state regulations. Gates County would support according to regulations.
I.25  Seek state and federal financial aid and technical assistance for community improvements and redevelopment.  *Continuing*

I.26  Consider adopting a minimum housing code.  *Continuing*

I.27  Review all redevelopment proposals to ensure consistency with the comprehensive plan.  *Continuing*

I.28  Consider development of a historic preservation plan.  *Continuing*

I.29  Consider development of an Economic Development Plan as a means to boost the local and regional economy.  *The county continues to look for opportunity and will continue working toward a plan.*

**Implementing Actions – Agriculture/Silviculture:**

I.30  Support commercial forestry activities, provided significant adverse impacts on natural resource systems are fully mitigated. Such activities should be considered in accordance with the standards and recommendations of the NC Forest Service. The County also advocates the voluntary participation of commercial forestry interests in the State of North Carolina’s best management practice program for forestry management.  *Continuing.*


I.32  Pursue grant funds which may assist with the preservation of agricultural lands.  *Continuing.*

I.33  Support establishment of voluntary agricultural district areas and consider the preparation of a Farmland Protection Plan.  *The County adopted 1/2019 a Voluntary Agriculture District Ordinance and Enhanced Agriculture District as well.*

I.34  Ensure that all zoning decisions and revisions to the future land use map (Map 20) are consistent with policies P.39 through P.45.  *Continuing.*

**Implementing Actions – Infrastructure Carrying Capacity and Services:**

I.35  Support the use of individual, on-site sewage disposal systems as the primary method of wastewater treatment in Gates County. Non-traditional methods of wastewater treatment should be used only when natural soil conditions dictate their use and not solely to accommodate larger structures or a greater dwelling density. Package treatment plants should be considered only when natural conditions prohibit the use of septic systems, as
remedial efforts to correct existing failing septic improvements, or if required by ordinance and should be constructed to serve a specific development without excess capacity for off-site wastewater treatment connections. If the NC Department of Environmental Quality approves any package treatment plants, the County requests preparation of a specific contingency plan, specifying ongoing private operation and maintenance of the plant detailing provisions for assumption of the plant into a public system or other approved system should private operation fail. Continuing.

I.36 Review of all development proposals will be coordinated with the Gates County School System to determine and mitigate impact(s) on the school system. Continuing. The School System is asked for comments as part of TRC committee.

I.37 Require that water systems be constructed with lines designed and sized for adequate fire protection and sufficient water pressure. Continuing. Water Department is provided opportunity for comments as part of TRC Committee.

I.38 Provide sufficient emergency management facilities to adequately serve the county. Continuing. Emergency Management is provided opportunity for comments as part of TRC Committee.

I.39 Vigorously pursue grants to expand the water and sewer systems. Continuing.

I.40 Continue to investigate affordable options for expansion of its sewer system. Continuing.

I.41 Rely on the Gates County Health Department to ensure that the performance of existing septic tank systems is monitored; that existing systems are properly maintained; and, that proposed systems are installed according to approved plans under the supervision. Continuing. Albemarle Regional Health System is involved in reviews.

I.42 Evaluate the potential impacts of development proposals according to the future land use map categories of this land use plan update with existing and planned infrastructure capabilities. Continuing.

I.43 Develop ways to improve interaction and communication between the Gates County Board of Commissioners, Planning Board, and School Board with respect to school facilities’ capacities and needs as related to the impacts of development(s). When new development is requested the School Board is sent opportunity to comment.

I.44 Work to ensure the efficient and cost-effective collection and disposal of solid waste, continued participation in a regional solid waste authority, and continued operation of voluntary recycling efforts. The County will strive to expand/enhance its recycling program. Continuing.
I.45 Continually monitor the demands placed on the solid waste management system to determine if and when changes are needed. *Continuing.*

I.46 Continue to rely on the existing system for solid waste collection and disposal services. *Continuing.*

I.47 Develop a County website and a quarterly newsletter to disseminate information to residents and visitors concerning solid waste management system related issues. *This has not been implemented but if Solid Waste Expanded will work to ensure*

I.48 Consider the development of a Capital Improvements Plan as a means to address infrastructure and carrying capacity issues on an annual basis. *Continuing*

**Implementing Actions – Natural Hazard Areas:**

I.49 Support applicable Federal laws and regulations regarding land uses and development in areas of environmental concern. Additional Federal regulatory programs or expansion of existing programs will be reviewed on a case by case basis. The County reserves the right to support, oppose, review, or comment on additional regulations that may impact Gates County, its image and character, and its economy. Local public hearings by Federal agencies should be extensively advertised and conducted in Gates County, before any new regulations are adopted or existing programs are expanded. *Continuing.*

I.50 Lobby for the opportunity to purchase all or part of Federal properties within its borders if such properties are proposed for sale and will work to ensure that any changes to land use on Federal properties is consistent with County goals, objectives, and policies. *Continuing*

I.51 Monitor development proposals for compliance with Section 404 of the Clean Water Act and continue to enforce local land use ordinances to regulate development of freshwater swamps, marshes, and 404 wetlands. *Continuing.*

I.52 Continue to enforce its floodplain ordinance and participate in the National Flood Insurance Program. Subdivision regulations will be enforced – requiring elevation monuments to be set so that floodplain elevations can be more easily determined. *Continuing.*

I.53 Take steps locally and in conjunction with NCDOT and adjacent jurisdictions to improve traffic safety and drainage to mitigate the impact of localized flooding and seek alternative methods of hazard avoidance. *Continuing.*

I.54 Continue to participate in and support the Albemarle Regional Hazard Mitigation Plan. The Gates County strategies are included in Appendix D of this plan. *Continuing.*
I.55 Evaluate (during the development review process) the potential impacts of existing and planned development on existing and planned evacuation infrastructure. *Continuing.*

**Implementing Actions – Water Quality:**

I.56 Rely on the technical requirements and state program approval for underground storage tanks (40 CFR, Parts 280 and 281), and any subsequent state regulation concerning underground storage tanks adopted during the planning period. *Continuing.*

I.57 Consider developing a storm water management plan and implementing (infrastructure) system improvements. *Continuing*

I.58 Support, in approval of development, reducing soil erosion runoff, and sedimentation to minimize the adverse effects on surface and subsurface water quality. *Continuing.*

I.59 Encourage the use of pervious materials and new technologies that provide for safe and efficient driveway and parking areas and that appropriately address stormwater runoff areas. *Continuing.*

I.60 Continuously ensure that land use and development regulations are consistent with the proper management of water resources and applicable state and federal development regulations. *Continuing.*

I.61 Continue to assist the State as appropriate to develop programs and regulations: for public trust waters to help ensure that water quality is maintained if not impaired, and improved if impaired; that help prevent or control non-point source discharges (sewage and stormwater) such as, but not limited to impervious surface limits, vegetated riparian buffers, natural areas, natural area buffers, and wetland protection; and, to protect open shellfishing waters and restore closed or conditionally closed shellfishing waters. *Continuing.*

I.62 Support the development of a management plan for utilization of the Chowan River within Gates County. *Continuing*

**Implementing Actions - Transportation:**

I.63 Support the transportation improvements included in the Gates County Comprehensive Transportation Plan (see Section 4, page 4-6). *Continuing Support.*

I.64 Support/pursue designation of US 158 as a state scenic highway. *When sought the County would consider support*

I.65 Work closely with NCDOT and NCDEQ to plan and design transportation
Economy

Implementing Actions - Economy:

I.66 Implement the following activities to support eco-tourism:

- Promote eco-tourism to enhance traditional tourism:
  - Develop brochures to publicize existing eco-tourism/tourism attractions.
  - Publicize through multimedia to make eco-tourism data available to the general public.
  - Identify and publicize eco-tourism/agri-tourism attractions that could be successful in Gates County.
  - Work with NC Cooperative Extension to set up a task force to support the training of individuals in eco/agri-tourism. The County Supports all endeavors and continues to try and attract tourism.

- Promote new farm crops to develop alternative farming methods and make effective use of farmlands. Continuing.

- Promote coordination with both the Wildlife Resources Commission and NC Division of Parks and Recreation. Continuing.

I.67 Continue to investigate/support expansion of the County’s sewer system. Continuing.

I.68 Implement the following activities to support economic development:

- Formulate local incentives to attract business/industry.
- Support County water systems and other infrastructure.
- Support incubator programs for startup businesses.
- Identify and recruit industries that are compatible with and complement Gates County’s geography, culture, and climate.
- Promote awareness of service industry catering to tourists’ opportunities.
- Support energy generation and transmission as economic development initiatives, as feasible.
- Expand opportunities (both public and private) for employment and procurement by using local vendors, when feasible.
- Encourage agriculturally-based industries including research and development.
- Develop a comprehensive county-wide farmland preservation management plan that includes utilizing farm-based support industries suitable for future recruitment such as farm equipment manufacturing, farmland research management and testing equipment manufacturing, and natural resource management testing equipment manufacturing. The County is continuously in support of these initiatives and has encouraged these strategies as industries inquire as possibly looking to expand or locate the County.