

NEW BERN REGIONAL LAND USE PLAN

1.000 INTRODUCTION AND EXECUTIVE SUMMARY

1.100 Purpose, Goals and Objectives

Land development generally involves a series of decisions by both private individuals and the public sector. In order to promote the public interest in the land development process, the North Carolina Coastal Area Management Act (CAMA) requires that local governments prepare, adopt, and keep current a land use plan. The land use plan is intended to provide a framework that will guide local governmental officials as they make a day-to-day and long-range decisions that affect land development. The land use plan will also be used by state and federal agencies in making project consistency, project funding, and CAMA permit decisions.

CAMA regulations require that an update be made of land use plans every five years. The update is designed to ensure that all current land development issues are reviewed and reflected in the land use plan. Also, the Coastal Resources Commission (CRE) recently adopted revised planning guidelines which include requirements not addressed in previous land use plans. The land use plan update also provides an opportunity to evaluate policy statements and to determine their effectiveness in implementing the land development objectives of the community. The study area for this land use plan update is the New Bern Region which includes the City of New Bern, Town of River Bend, and the Town of Trent Woods and their extraterritorial planning and zoning jurisdiction, where applicable. The City of New Bern's previous land use plan was updated in 1992. River Bend's last land use plan was updated in 1994 and Trent Woods', in 1991. The planning period for the New Bern Regional Plan is ten years.

A regional approach to updating the land use plans of New Bern, River Bend, and Trent Woods was taken in order to prepare a better coordinated planning document and to provide a mechanism which would foster a better understanding of the land use issues, objectives, and policies of the three participating communities. The three communities are in close proximity to one another, have common boundaries in many places, and are located within the same drainage basin. New Bern and Trent Woods have some shared utilities and the highway network provides a common link among all three communities. While there are many areas of commonality, there are also distinct planning needs and objectives among the three communities. The regional approach to updating the land use plans also provides a forum for obtaining a better understanding of and appreciation for the differences between the communities.

The goals and objectives of the land use plan update include:

- To identify and analyze new and emerging land use issues and concerns.
- To reexamine existing policies to determine their effectiveness.
- To revise existing policies and develop new policies that address current land use issues and concerns.
- To reexamine the existing land classification system and map to determine what revisions are necessary to address new land use issues and concerns as well as revised and newly developed policy statements.
- To further explore implementation strategies.
- To promote a better understanding of the land use planning process.

- To promote citizen involvement in the process of preparing the update.
- To provide a better understanding of the land use planning issues and concerns that face the New Bern Region.
- To provide a forum for identifying common regional land use planning objectives, policies, and implementation methods among the three participating communities in the New Bern Region.
- To foster a better understanding of the differing land use planning objectives, policies, and implementation methods among the three participating communities in the New Bern Region.

1.200 Overview of the Land Use Plan Update

This New Bern Regional Land Use Plan follows the methodology recommended by CAMA in its Land Use Planning Guidelines (Subchapter 7B of the North Carolina Administrative Code). Section 2.00 of this land use plan involves an analysis of existing conditions in the New Bern Region including population, economy, and land use as well as an analysis of plans and regulations that affect land use. Demographic, economic, and land use trends are identified and their implications for the future use of land are analyzed. Section 2.000 also provides a description of the major constraints to land development in the New Bern Region. The general suitability of land for development is analyzed and includes a discussion of physical limitations for development, fragile land and water areas, and areas with resource potential. The analysis of land suitability is particularly useful in preparing the land classifications which are discussed in Section 4.000. Existing community facilities and municipal services are also reviewed and summarized in Section 2.000. An evaluation of each participating community's ability to provide basic municipal services is made following an analysis of population projections and future land demands. The data analyzed in Section 2.000 provide important information upon which policy decisions are based. Data sources utilized in the preparation of this land use plan update are summarized in Appendix A.

Section 3.000 contains an evaluation of the previous policy statements and outlines policies designed to address land development and growth management issues identified through the analysis of existing factors that affect land use. Policy statements concerning resource protection, resource production and management, economic and community development public participation, and storm hazard mitigation, post-disaster recovery, and evacuation are delineated in this section. The policies are intended to establish guidelines to be utilized by the participating municipalities in making day-to-day local planning decisions and by state and federal agencies in project consistency, project funding, and permit decisions. The policy statements were developed based upon the previously described analysis of existing conditions, land use trends, and constraints to land development as well as citizen input obtained through an extensive public participation process.

The land classification system described in Section 4.000 provides a means of assisting in the implementation of the land development policy statements. The land classification system provides a basic framework for identifying the future use of land and illustrates the participating communities' policies as to where and to what density and intensity it wants growth to occur. The land classification system also delineates where the communities want to conserve natural and cultural resources. Section 4.000 provides a description of the land uses proposed within each land classification. The land classification map presented in this section graphically illustrates the land classification system as applied to the New Bern Region.

1.300 Summary of Land Use Issues

The major land use and development issues identified during the preparation of this land use plan update that will affect the New Bern Region during the next ten-year period include the following (not presented here in any priority order):

Resource Protection Issues

- Conservation of wetlands.
- Storm water management.
- Surface and ground water quality.
- Preservation of historic, cultural, archaeological resources.
- Promoting best land uses for existing conditions.
- Flood hazards.
- Moorings and mooring fields.
- Drystack storage facilities for boats.
- Bulkheads.
- Marinas and floating home development.
- Guiding growth to areas best suited to accommodate development.
- Provision of municipal sewer service.

Resource Production and Management Issues

- Sensitive conversion of agricultural and commercial forest lands to more intense uses.
- Preservation of agricultural and commercial forest areas.
- Implementation of ‘best management practices’ for agricultural and forest lands.
- Enhancing recreational fishing and boating opportunities.
- Expanding public and pedestrian access to the waterfront.
- Reclamation of mineral production areas.
- Promotion of recycling and other conservation efforts.
- Determining land use and transportation impacts on resources.
- Promotion of green ways.
- Promotion of buffers between resource production activities and other land uses.
- The impact of land development activities on marine fisheries.
- The provision of public recreational space and water access.

Economic and Community Development Issues

New Bern

- Preserving New Bern's historic character and resources.
- Promoting the City Center (the downtown central business district).
- Promoting waterfront development that provides maximum public access.
- Encouraging safety and livability in neighborhoods with pedestrian access ways, sidewalks, trails, green ways, etc. for purposes of recreation, interaction, buffering and convenient access to shopping, employment and other activities.
- Redeveloping the Five Points and River Station areas.
- Maintaining and upgrading the existing housing stock (through CDBG, NCHFA, MHC, etc.).
- Promoting new housing development (affordable, in-fill, special needs, etc.).

- Promoting tourism.
- Ensuring appropriate commercial development along major corridors through improved development standards and design review.

River Bend

- The impact of storm water runoff from existing and future development.
- Maintaining existing low residential densities.
- The impact of additional commercial development on US Highway 17.
- Providing a second vehicular access to River Bend from US Highway 17.
- The impact of improvements to major thoroughfares in the vicinity of River Bend.
- Provision of municipal sewer service to future residential development.

Trent Woods

- Maintaining existing low residential densities.
- Provision of municipal sewer service to residential development.

1.400 Summary of Data Collection and Analysis

The data analyzed in Section 2.000 were collected from a wide variety of sources (see Appendix A, Index of Data Sources) including published documents, governmental and private organizations, and individuals. Printed and digital map data were utilized in the preparation of this section of the plan. The major conclusions resulting from the data collection and analysis include:

Population

- The New Bern Region contains an estimated population of approximately 30,000.
- The New Bern Region contains approximately 37 percent of Craven County's estimated 1997 population and 57 percent of the county's municipal population.
- The New Bern Region's growth since 1990 has far exceeded that of Craven County and the state.
- New Bern's and Trent Woods' rate of population change since 1990 are among the highest for selected North Carolina coastal cities.
- Population growth in the past has resulted largely from in-migration.
- The population density of the New Bern Region is approximately 1,326 persons per square mile.
- The population density for Craven County is 117 persons per square mile and for North Carolina, 136 persons per square mile.
- While seasonal and recreational population is an important part in the overall population of Craven County, it does not have a significant impact on the total population of New Bern, River Bend, and Trent Woods. Nonpermanent population is perhaps more a factor in the region in the form of motel population as opposed to seasonal housing population.

Economy

- The economies of New Bern, River Bend, Trent Woods, and Craven County are based largely on services, wholesale/retail trade, manufacturing, finance/insurance/real estate, and public administration employment sectors.

- Future employment within the New Bern Region is projected to be centered around the services and retail trade sectors of the economy.
- The New Bern area is the retail and commercial services center for Craven County.
- Projections indicate that while the per capita income in Craven County will increase in future years, it will continue to remain below that of the state as a whole.
- Travel and tourism contribute substantially to the economy of New Bern and Craven County.

Land Use

- The predominant land use in the New Bern Region is residential.
- Trent Woods and River Bend are almost exclusively residential communities.
- New Bern contains more varied land uses. New Bern contains the majority of commercial land uses and all of the industrial land uses within the region.
- Considerable undeveloped land remains throughout the region, estimated as approximately 41 percent of the total acreage of the three communities that comprise the New Bern Region.
- Much of the existing undeveloped land is forested or use for agricultural purposes. The largest undeveloped tracts are located in the western portion of New Bern's ETJ and in the northwest quadrant of River Bend. Very little vacant land exists in Trent Woods.

Constraints To Development

- Natural hazard areas within the region include floodable areas. The primary threat of flooding is due to the effects associated with hurricane storm surge.
- The primary man-made hazard results from the production, use, storage, and transport of hazardous materials.
- Within the New Bern Region, the primary water pollution sources of estuarine waters are estimated to be multiple nonpoint sources including agriculture, forestry, urban runoff, septic tank runoff, and marinas and point sources like the New Bern and River Bend wastewater treatment plants.
- All waters within the region have been classified as nutrient-sensitive. Nonpoint sources are the largest source of nutrient loadings and, of these type of sources, agricultural runoff contributes the highest levels of nutrient loadings.
- The NC Division of Water Quality has classified the waters in the New Bern Region as SB, SC, and C.
- Areas of Environmental Concern with the region include coastal wetlands, estuarine waters and public trust areas, and the estuarine shoreline. Other fragile natural areas include freshwater wetlands, estuarine islands.
- A Regional Natural Heritage Area is located within the region along the west bank of the Trent River south of US Highway 70.
- Several cultural resource-fragile areas are located within the New Bern Region including the 56-block.

Carrying Capacity

- New Bern Historic District. New Bern and River Bend provide water service to the majority of the region. The water source for both municipalities is deep wells. Trent Woods is served by the New Bern-water system but many residents rely on private wells for their water supply.
- The majority of the region is provided sewer service by New Bern and River Bend. Only

about one-half of River Bend has municipal sewer service. New Bern provides some sewer service to Trent Woods but most residents rely on septic systems for sewage disposal.

- The City of New Bern operates under a council-manager form of government. Both the Town of River Bend and the Town of Trent Woods have a mayor-council form of government. Current staffing levels are considered sufficient to provide the level of municipal services to meet current and anticipated demand.
- Major highway projects currently underway in the region include the Neuse River Bridge replacement and the upgrading of US Highway 17 in New Bern (Trent Road to US Highway 70 Business).

Estimated Demand and Future Land Needs

- The population of the New Bern Region is expected to increase during the ten-year planning period. However, the rate of growth in each municipality comprising the region is varied.
- New Bern is projected to increase its population to 27,848 by 2005. River Bend is expected to increase to 3,135, and Trent Woods, 4,555.
- During the next ten years, all three municipalities within the region are expected to have growth rates that exceed both Craven County and the State of North Carolina.
- Based upon projected population increases and housing distribution demand, New Bern is expected to add 2,596 new dwellings to its existing housing stock. River Bend is projected to add 200 residences, and Trent Woods, 85.

1.500 Summary of Policy Statements

While the New Bern Region has been the focus of the 1998 Land Use Plan Update, the Region itself is composed of three neighboring but separate incorporated communities. It is recognized that each of the three participating communities has distinct planning needs and objectives. For that reason, updated policy statements have been developed for each community with an emphasis on developing compatible, but not necessarily duplicate policies. Since River Bend and Trent Woods are primarily residential communities that share similar attitudes toward growth and development, many of their policy statements are likewise very similar. New Bern, on the other hand, is a much more diverse city than either River Bend and Trent Woods and its policy statements reflect that diversity. Appendix Y provides a summary of the updated policy statements for each of the three participating communities. A review of this summary will reveal that most policy statements, while containing somewhat differing language, more often than not have a similar emphasis that reflects the New Bern Region's commonality. Section 3.310 delineates the major policy issues for which all three communities have adopted similar policy statements. These areas include:

- Conformance with CAMA Minimum Use Standards.
- Floating Home Development.
- Maintaining Existing Community Character.
- Storm water Management.

Section 3.320 outlines major areas where the communities developed differing policy statements. These areas include:

- Marina Development.
- Drystack Boat Storage Facilities.
- Public Mooring Fields.
- Trawling Activities.

- Industrial Development.
- Offshore Exploratory Drilling.
- Acquisition of Land in the Most Hazardous Areas (Storm Hazard Mitigation).
- Anticipated Future Development.
- Estuarine Water Access.

Several policy statements were developed that exceed minimum CAMA 7H Use Standards. Floating homes are prohibited in all three communities. River Bend and Trent Woods do not permit new marina development. Drystack boat storage facilities are not allowed in River Bend and Trent Woods. Trent Woods' policies will not allow public mooring fields. A complete description of policies and implementation strategies is provided in Section 3.000.

1.600 Summary of Land Classifications

The Land Classification Map includes five land classifications: (i) Developed; (ii) Urban Transition; (iii) Limited Transition, (iv) Rural, and (v) Conservation. The Land Classification Map graphically illustrates the locations of the various classifications. Because of the scale of the Land Classification Map, the Conservation classifications cannot be mapped with any degree of accuracy. Precise locations for some areas classified as conservation must be determined by field investigation by the appropriate permitting agency. Although specific areas are outlined on the Land Classification Map, land classification is merely a tool to help implement policies and is not, in the strict sense of the term, a regulatory mechanism. The general locations of the various land classifications as illustrated on the Land Classification Map are described below.

Developed Areas. The Developed areas generally include land that is being used for urban purposes. The Developed areas primarily include the vast majority of the land that is currently within the corporate limits of the three communities. All of the built-upon areas within Trent Woods are classified as Developed. Municipal services are currently provided or can readily be extended to the overwhelming majority of the areas classified as Developed. Most of the areas delineated as Developed is within a sub-basin of the Bachelor Creek watershed (14-digit watershed #03020204020010).

Urban Transition Areas. These areas include most of the western portion of New Bern's ETJ, the Pleasant Hill community, portions of the Taberna satellite annexation area, and the northwest quadrant of River Bend. Municipal services are either currently available within these areas or are expected to ultimately be extended into the majority of such areas.

Limited Transition Areas. These areas include portions of the Rocky Run community and an area south of US Highway 17 between Trent Woods and River Bend. The Limited Transition designation has been selected for these areas due to commitments by the City of New Bern to maintaining low residential densities through zoning and because much of the existing vacant acreage contains wetlands and severe soil limitations for building development.

Rural Areas. The Rural designated lands include two areas within the northwestern portion of New Bern's planning jurisdiction. These areas contain farmland, mining operations, and low density residential uses. Municipal-type services are not anticipated to be extended to these areas as a catalyst for more intensive development.

Conservation Areas. These areas include the AECs delineated in Section 4.250 and '404' freshwater wetlands. Much of the area designated as Conservation is within identified flood hazard areas. Because of the map scale, the Conservation designated areas can not be accurately mapped. The precise location of coastal wetlands, freshwater wetlands, and the estuarine shoreline must be determined by field investigation by the appropriate permitting agency. All three communities concur with CAMA AEC standards for properties located in the Conservation classification and with the US Army Corps of Engineers regulations for '404' wetlands, except as previously noted in Section 1.500.

The major differences in the New Bern Regional Land Use Plan Land Classification Map and the land classification maps in the former plans are delineated below:

New Bern

- Expanded the Developed area into areas that were formerly classified as Urban Transition, particularly in the southern, northern, and northwestern portions of the city's planning jurisdiction.
- The Urban Transition area was reduced and is limited mostly to the western sections of the ETJ.
- The Old Towne Subdivision area and Pleasant Hill community were changed from Limited Transition to Developed and Urban Transition, respectively.
- The only proposed Limited Transition area is in the Rocky Run community and in the area south of US Highway 17 between Trent Woods and River Bend.
- Areas classified as Rural in the northwestern portion of the city's planning jurisdiction have essentially remained as in the former plan.
- One small area at Chelsea Road that was, due to a mapping error, formerly classified as Conservation was reclassified as Developed.
- Conservation-classified areas have essentially not changed.
- Added classifications (Developed and Urban Transition) for the recently annexed Taberna development.

River Bend

- Most of River Bend continues to be classified as Developed.
- Only the northwest quadrant of the town's planning jurisdiction is classified as Urban Transition, as in the former plan (slight adjustments were made to the boundary between the Developed and Urban Transition areas).
- Conservation areas have not changed.

Trent Woods

- All of Trent Woods that was formerly classified as Urban Transition has been changed to Developed.
- Conservation areas have not changed.

1.700 Plan Implementation and Management

In order for the Land Use Plan to be a meaningful planning tool and to implement the policies and

recommendations of the Plan, various actions are necessary. Section 5.000 outlines such implementation and management actions which include use of the land use plan; procedures for amending, reviewing, and updating the plan; maintaining consistency between the plan and land development regulations; continuous public education; and municipal budgeting. Specific implementation methods to carry out adopted policies are provided in Section 3.000, Policy Statements and Implementation Strategies.

The Regional Land Use Plan, as adopted by the elected officials of each participating community and as may be amended from time to time, should serve as the primary basis upon which to make land use policy decisions. The policy statements and recommendations of the Land Use Plan can also be of assistance to the elected officials in making long-range decisions regarding such matters as the provision of water and sewer services, thoroughfare planning, storm water planning and management, implementation of an economic development strategy, recreational facility planning, preparation of annexation feasibility reports, and implementation of housing and community development programs.

An amendment to the Land Use Plan should be initiated only by the governing body, either at its own initiative or upon the recommendation of the Planning Board, municipal staff, or any other person or agency. Amendments to CAMA-certified land use plans must be submitted to and approved by the Coastal Resources Commission in accordance with the requirements of NCAC 7B.0400, Land Use Plan Amendment Process.

Planning is a continuous process and updating of the Land Use Plan should be part of that process. To that end, it is recommended that each participating community informally review the Plan on a biannual basis.

Following the adoption of the Land Use Plan, each participating community should review its land use regulatory tools to ensure that they are implementing the policies and implementation strategies delineated in Section 3.000. Specifically, the zoning ordinance, subdivision regulations, and other municipal regulations and policies (water and sewer extension policies, annexation strategies, ETJ extension strategies, etc.) regarding land use and land development should be reviewed and any provisions which are determined to be inconsistent with the policies of the Plan should be amended.

Keeping the citizens of the New Bern Region aware of land development issues and needs should be a continuous process. If citizens are to participate in the formulation of land development goals and policies, they must first have a basic understanding of the major issues facing the community, the planning problem areas and opportunities, and the mechanics of the land development planning process. To expect that citizens are made aware of all of these matters solely during the Land Use Plan preparation process is unrealistic. An ongoing public education program could benefit not only the Land Use Plan preparation but also the community's overall planning program. An informed citizenry will result in meaningful citizen participation and input and, therefore, significant guidance for elected officials. Recommended activities in a public education program include:

- Media press releases which promote, educate, and inform.
- Use of the local public access cable television and internet-based forums to distribute current planning information.
- Program presentations to civic, community, and special interest groups.
- Informal meetings with affected parties (developers, adjoining property owners, neighborhood advocates, etc.) prior to holding public hearings on rezoning and conditional use requests.
- Planning program presentations to school groups.

- Community forums on specific planning issues.
- Preparation of an annual report which highlights planning accomplishments as well as emerging planning and land development issues.

Each participating community's programming and budgeting process should be utilized to reinforce the Land Use Plan by scheduling recommended plans and studies for future funding. Priority items should include revisions to the current land use regulations, review of water and sewer extension policies, and preparation of comprehensive plans and capital improvements plans.