NORTH CAROLINA CENTER FOR
PUBLIC POLICY RESEARCH INC.

NEWS RELEASE

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NOTE TO EDITORS: The December 1990 issue of Insight will be available to the public on Dec. 20. If you need a copy immediately, call the Center at 919-832-2839 and we'll get you one.

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CENTER FINDS MOUNTAIN COUNTIES LACK PLANNING, OUTLINES FOUR OPTIONS TO PREPARE FOR GROWTH

Mountain counties engage in far less land-use planning than other parts of the state despite a clear interest in preserving the scenic beauty of the mountain region, new research by the North Carolina Center for Public Policy Research shows. For example, fewer than one in three mountain counties has a subdivision ordinance, while 75 percent of the Piedmont and eastern counties have these ordinances. And only three of the 24 mountain counties have land-use plans to guide growth, compared to more than 50 percent of the rest of the counties across North Carolina, the Center says in the latest issue of North Carolina Insight.

"The mountains are facing a flood of newcomers, but the region trails the rest of the state by a wide margin in planning for growth, and it's already starting to show," says Mike McLaughlin, Insight associate editor and author of the article which appears in the December issue of the quarterly magazine. "Unless somebody takes the initiative to provide more planning, the mountain region can plan on more growth-related problems in the future."

The General Assembly first considered mandatory planning for the mountains in the early 1970s when it adopted the Coastal Area Management Act to regulate development along the coast. But the legislature was unwilling to tackle widespread opposition in the mountains, and the issue has since lain dormant. More than 15 years later, with continued growth in the mountains and heightened environmental awareness, the Center decided the issue of land use planning for the region deserved another look.

"We wanted to find out how much planning is going on at the county level in the mountains and whether the state needs to step in and require more of it," says McLaughlin. "The answer to the first part of the question is 'not much.' But opinions are split on the appropriate role of the state."

Georgia, Florida, and Virginia are among a number of states now mandating a minimum level of planning at the local level. But what course should North Carolina take? The Center identifies four clear options. The state could: (1) require regional land-use planning for the mountains, as it has done for the coast; (2) mandate local land-use planning statewide; (3) avoid comprehensive strategies but attack specific environmental problems that would require some land-use controls; or (4) leave planning entirely up to local elected officials, who could adopt growth management strategies or leave it up to market forces to dictate where and how growth will occur. In the article, the Center lays out the pros and cons of each of these approaches as it explores the appropriate role of the state in local land-use planning.

To find out about the extent of land-use planning in the mountains, the Center surveyed county officials in all 100 counties in June 1990. Every North Carolina county participated, for a response rate of 100 percent. County officials were asked whether they have land-use plans, subdivision ordinances, zoning ordinances, and other planning tools. They also were asked about the attitudes of their citizens toward planning and growth management issues. To compare responses, the counties were divided into three groups: the 24 mountain counties listed in the proposed 1974 Mountain Area Management Act; the 20 coastal counties covered under the existing Coastal Area Management Act; and the remaining 54 Piedmont and eastern counties. On virtually every measure, the mountain counties trailed the rest of the state.

Among the Center's findings are these:

--Mountain counties are far less likely to have subdivision ordinances -- considered by planning professionals to be a minimal land use control -- than are counties across the rest of the state. Three out of every four coastal and Piedmont and eastern counties have subdivision ordinances, while such ordinances are in place in only 29 percent of the mountain counties -- seven of the 24. Subdivision ordinances generally require a developer who wants to subdivide to meet criteria for lot size, road width, drainage, erosion control, and other standards.

--Zoning, which legally restricts property to specific uses and development densities, is less pervasive in the mountains. Of the 30 counties across North Carolina with countywide zoning, only two, Madison and Caldwell, are in the mountains.

--Mountain counties have fewer billboard or sign ordinances than counties in other regions of the state. Only 29 percent of the mountain counties have such ordinances in place, compared to 40 percent of the coastal counties and 57 percent of the Piedmont and eastern counties.

--Besides imposing fewer restrictions, the mountain counties on the whole are doing less planning. Only three mountain counties, for example, have adopted land-use plans to guide growth, compared to more than half of the Piedmont and eastern counties and all of the coastal counties, which are required under the Coastal Area Management Act to prepare such plans.

--Only one-fourth of the mountain counties require a site review for large developments such as shopping centers, while 39 percent of the Piedmont and eastern counties and 45 percent of the coastal counties have such a requirement. Mountain counties also trail the rest of the state in incorporating planning boards and agencies into the workings of local government.

Leaders in the mountain region point to a number of examples they view as monuments to poor planning, including: residential and commercial development that has gobbled up most of the land suitable for industrial development in some mountain counties, fostering dependency on the low-wage and seasonal tourist industry; unsightly commercial strip development along spectacularly scenic routes, a problem which likely will become worse as intrastate highways financed through the state's $9 billion highway improvement package are built; a proliferation of billboards that block views and clutter the landscape; extensive cutting of forests, which mars mountain scenery and threatens the environment; residential development in watersheds and along pristine mountain trout streams, which threatens water quality; and slap-dash second-home developments with poorly designed gravel roads that erode to the point of impassability and with rocky soil that will not accommodate a septic tank for sewage treatment.

This dearth of development controls may be explained in part by the fact that the mountains are more sparsely populated than other regions of the state. But Center research also turned up a difference in attitudes toward growth management in the mountains compared to the rest of the state. Only 29 percent of the mountain county officials surveyed said their citizens would support or strongly support land-use planning, compared to 50 percent of respondents in Piedmont and eastern counties and 60 percent of respondents in coastal counties. And mountain county officials also were much more likely to describe their citizens as opposed or strongly opposed to zoning. A majority of respondents in other regions of the state favor the state's requiring county land-use plans, while only 42 percent of the mountain county officials surveyed favor such a requirement.

County officials and private citizens say the region's reluctance to plan is rooted in its Scotch-Irish heritage and a mistrust of government motives. "Leave me alone and I'll leave you alone and don't tell me what to do," is how Asheville real estate developer Bill Johnson describes the attitude. "They've got brains enough to know that if you tie a noose around that guy's neck, you tie a noose around your own."

Other mountain citizens interviewed believe more must be done to protect the region's resources. "The number of people moving in here is just beyond the scope of belief," says Jerry Sutton, chairman of the Macon County Board of Commissioners. "We need some type of land development controls."

These citizens say the lack of planning already has taken its toll. "You talk to folks privately who are county managers or commissioners and you will get general agreement that we are already behind the eight-ball and need to get into growth management in a more functional way than we are now," says Bill Gibson, director of the Southwestern North Carolina Planning and Economic Development Commission.

The Center's research points to four options for growth management:

(1) <u>The legislature could enact a Mountain Area Management Act, revising the original proposal to assure adequate local input, perhaps even adding a local government opt-out provision like that included in a 1983 law governing ridge top construction</u>. This would bring a minimum level of planning to the least-regulated region of the state. Through the designation of areas of environmental concern, precious resources could be protected, and mountain residents would have some assurance that their quality of life would be protected for future generations.

But there are also pitfalls. The politics of imposing planning on a single region of the state could make this a difficult campaign from the start. Including an opt-out provision through which local officials could conduct referendums on whether to participate would weaken the law. The process for getting projects approved under the act would add a new set of administrative hoops for developers to jump through, and there would be added expense for taxpayers.

(2) <u>The governor or the legislature could appoint a blue-ribbon task force to set about formulating a mandatory and comprehensive land-use planning program for the entire state of North Carolina.</u> Georgia did this with an umbrella panel known as the Governor's Growth Strategies Commission. Representatives of all interest groups -- business, developers, environmentalists, government officials, and private concerned citizens -- were brought into the deliberations, and the result was a growth management package that everyone could support. The package included carrots for local government, such as funds for water, sewer, and highways, but it also carried two big sticks -- withholding of state funds for local governments that did not participate and the promise that if appropriate local land-use plans were not prepared, the state would step in and do the job.

Such an approach in North Carolina would bring some uniformity to planning efforts across North Carolina. And there is a clear need for more regional planning and cooperation in such areas as land use, transportation, and waste management. The drawbacks are cost and the creation of another state program. Georgia is spending $3-4 million on just the regional planning elements of its growth management program. Florida has spent more than $22 million to finance local comprehensive plans. But proponents argue there is greater cost in continued neglect of planning.

(3) The state could attack specific environmental problems with problem-specific laws by setting minimum standards for county land-use planning and regulation and forcing all 100 counties to comply. Every county could be required to have a planning department; each county could be asked to enact a land-use plan and adopt subdivision regulations. The state could appropriate money to finance these new planning efforts, or it could use existing aid to local governments as leverage. The 1990 Watershed Protection Act, which controls density of development in watersheds, is an example of a problem-specific law. Under this option, local government officials might complain about more regulations from Raleigh without the money to implement them.

(4) The state could leave land-use planning up to county officials, who could decide to invoke local controls or let the market dictate where growth will occur. Supporters of this kind of approach argue that the state might be able to use incentives to encourage more local planning without violating the concept of local control. Or local officials could choose the status quo, leaving property owners free to develop their land as they see fit. A number of land-use plans were prepared for mountain counties during the 1970s, using mostly federal dollars, only to be rejected by county commissioners or to be adopted and ignored. To protect against this happening in the 1990s, the state could set out a process for preparing land-use plans that assures adequate public input and makes funds available, but requires the counties to reimburse the state if they fail to adopt a plan within a given time frame. Additional incentives could be offered to counties that participate in regional planning. The state could revisit the issue five years down the road to determine if intervention were needed.

"Each of these approaches has its pluses and minuses," says McLaughlin. "There is also the option of doing absolutely nothing, the so-called market approach that gave us gaudy Gatlinburg in Tennessee but also gave us the well-designed Grandfather Golf and Country Club in Avery County. Whatever the approach, we think it's time to address the question of the appropriate level of planning for the North Carolina mountains, and how best to reach that level."

The N.C. Center for Public Policy Research is an independent, nonpartisan, nonprofit corporation created to study state and local government policies and practices. The Center is supported in part by grants from the Z. Smith Reynolds and Mary Reynolds Babcock Foundations, both in Winston-Salem. Other funding comes from 114 corporate contributors and more than 600 individual and organizational members. In addition to publishing North Carolina Insight, the Center has conducted studies on campaign finance, problems with local landfills running out of space, disparities in funding among rich or poor school districts in North Carolina, and a comparison of the formal powers of all 50 state governors. The Center also publishes a biennial guide to the N.C. General Assembly and rankings of the effectiveness of all legislators.

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Copies of the issue of North Carolina Insight containing the research on land-use planning in the North Carolina mountains are available for $6.30 (plus $1.00 postage and handling) from the N.C. Center for Public Policy Research, P.O. Box 430, Raleigh, N.C., 27602, or call (919) 832-2839.

For more information, call Mike McLaughlin at the N.C. Center for Public Policy Research at (919) 832-2839.

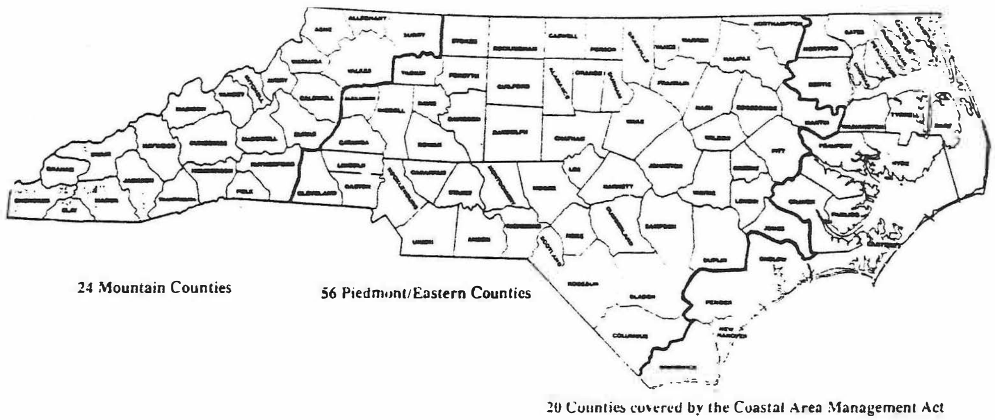

Table 1. Summary of Land-Use Ordinances in North Carolina Counties — June 1990

Category	Coast	Mountains	Piedmont & East	State-wide
1. Counties with a flood damage prevention (floodway or floodplain) ordinance	18 90.0%	16 66.7%	41 73.2%	75 75.0%
2. Counties with a sedimentation and erosion control ordinance	*1 5.0%	5 20.8%	15 26.8%	21 21.0%
3. Counties with a watershed protection ordinance	2 10.0%	1 4.2%	14 25.0%	17 17.0%
4. Counties with a subdivision ordinance	15 75.0%	7 29.2%	42 75.0%	64 64.0%
5. Counties with a zoning ordinance	13 65.0%	8 33.3%	43 76.8%	64 64.0%
6. Counties which have zoning in all of the county	6 30.0%	2 8.3%	23 41.1%	31 31.0%
7. Counties which have zoning in only a portion of the county	7 35.0%	6 25.0%	21 37.5%	34 34.0%
8. Counties which have either a billboard or sign ordinance	8 40.0%	7 29.2%	32 57.1%	47 47.0%

*The state administers the sedimentation and erosion control program in counties that do not have a locally administered program.

Note: As defined for these tabulations, there are 20 coastal counties, 24 mountain counties, and 56 Piedmont or eastern counties.

—Dale McKeel

Table 3. The Status of Land-Use Planning in North Carolina Counties, June 1990

	1	2	3	4	5	6	7	8	9	10
Alamance			Y		Y	Y	Y	4	7	7
Alexander	Y	Y			Y		Y	1	1	1
Alleghany									1	1
Anson			Y		Y	Y	Y	2	7	2
Ashe						Y			3	0
Avery						Y	Y	1*	4	1
Beaufort	Y								7	4
Bertie	Y	Y				Y	Y	1	8	3
Bladen		Y					Y	1	7	1
Brunswick	Y		Y			Y	Y	4	18	6
Buncombe		Y			Y		Y	9	6	2
Burke						Y	Y	3	10	4
Cabarrus	Y	Y	Y	Y		Y	Y	8	4	4
Caldwell	Y	Y	Y	Y		Y	Y	8	8	3
Camden	Y		Y	Y		Y			1	1
Carteret	Y		Y		Y	Y	Y	4	9	6
Caswell		Y	Y		Y	Y			2	0
Catawba	Y	Y	Y	Y		Y	Y	5	8	6
Chatham	Y		Y		Y	Y	Y	2	3	2
Cherokee									2	0
Chowan	Y		Y		Y	Y			1	1
Clay						Y			1	1
Cleveland		Y	Y		Y	Y	Y	2	15	3
Columbus					Y				8	6
Craven	Y	Y	Y		Y	Y	Y	3	8	6
Cumberland	Y		Y		Y	Y	Y	23**	8	0
Currituck	Y		Y	Y		Y	Y	4.5	0	0
Dare	Y		Y		Y	Y	Y	5	5	2
Davidson	Y		Y	Y		Y	Y	5	3	2
Davie	Y		Y	Y		Y	Y	1	2	1
Duplin	Y					Y	Y	2	10	2
Durham	Y		Y	Y		Y	Y	43**	1	0
Edgecombe			Y	Y		Y	Y	2	9	2
Forsyth	Y	Y	Y	Y		Y	Y	36**	5	1
Franklin	Y		Y	Y		Y	Y	1	5	5
Gaston	Y	Y	Y			Y	Y	4	15	13
Gates	Y		Y			Y			1	0
Graham									2	0
Granville	Y		Y	Y		Y	Y	3	4	2
Greene									3	1
Guilford	Y	Y	Y	Y		Y	Y	11	5	3
Halifax				Y		Y	Y	1	7	6
Harnett	Y	Y	Y	Y		Y	Y	5	5	5
Haywood						Y	Y	1	5	5

LEGEND FOR TABLE:

1. County has adopted a land use plan
2. County has adopted a capital facilities or capital improvements plan (CIP)
3. County has a subdivision ordinance
4. Zoning in all of county
5. Zoning in a portion of the county
6. County has an active planning board/commission or a joint planning board/commission
7. County has a planning agency
8. Number of persons on agency staff
9. Number of active incorporated municipalities in the county
10. Number of municipalities that exercise extraterritorial planning/zoning

* A consultant from the state Division of Community Assistance is working full-time for two years on planning projects.

** Joint city-county planning department

—*Dale McKeel*

	1	2	3	4	5	6	7	8	9	10
Henderson			Y		Y	Y	Y	2	4	1
Hertford	Y		Y	Y		Y	Y	2	5	2
Hoke		Y	Y			Y	Y	2**	1	1
Hyde	Y				Y	Y	Y	1	0	0
Iredell	Y		Y	Y		Y	Y	3	5	3
Jackson						Y	Y	1	3	2
Johnston	Y		Y		Y	Y	Y	3	9	7
Jones			Y			Y			3	0
Lee	Y	Y	Y	Y		Y	Y	2	2	2
Lenoir						Y	Y	2	3	0
Lincoln	Y		Y		Y	Y	Y	3	1	1
Macon						Y			2	1
Madison				Y		Y			3	1
Martin									10	3
McDowell		Y							2	0
Mecklenburg	Y	Y	Y	Y		Y	Y	50**	7	3
Mitchell		Y				Y			2	0
Montgomery			Y		Y	Y			5	4
Moore			Y		Y	Y	Y	3	11	6
Nash			Y		Y	Y	Y	6	11	7
New Hanover	Y		Y	Y		Y	Y	10	4	2
Northampton			Y			Y			9	0
Onslow	Y		Y		Y	Y	Y	5	5	4
Orange	Y	Y	Y		Y	Y	Y	14	4	4
Pamlico	Y		Y	Y		Y			9	0
Pasquotank	Y		Y		Y	Y	Y	2	1	1
Pender	Y			Y		Y	Y	2	6	0
Perquimans	Y		Y			Y			2	1
Person			Y		Y	Y	Y	2	1	0
Pitt	Y		Y			Y	Y	3	10	6
Polk			Y		Y	Y	Y	1	3	1
Randolph	Y		Y	Y		Y	Y	5	8	5
Richmond									6	3
Robeson	Y		Y		Y	Y	Y	2	15	4
Rockingham	Y	Y	Y	Y		Y	Y	5	5	4
Rowan						Y			9	6
Rutherford		Y	Y			Y	Y	2	8	2
Sampson									7	6
Scotland			Y	Y		Y	Y	2	4	1
Stanly	Y		Y	Y		Y	Y	4	7	5
Stokes		Y		Y		Y	Y	2	3	2
Surry			Y		Y	Y	Y	2	4	3
Swain									1	0
Transylvania						Y	Y	2	2	1
Tyrrell	Y		Y			Y			1	1
Union	Y		Y	Y		Y	Y	5	7	1
Vance		Y			Y	Y			3	0
Wake	Y	Y	Y	Y		Y	Y	9	12	12
Warren			Y		Y	Y			3	1
Washington	Y	Y					Y	2	3	1
Watauga	Y	Y	Y		Y	Y	Y	6	4	2
Wayne			Y		Y	Y	Y	7	7	3
Wilkes	Y		Y		Y	Y	Y	3	3	2
Wilson	Y		Y		Y	Y	Y	1	6	4
Yadkin					Y	Y	Y	2	4	4
Yancey						Y			1	0
TOTAL	52	27	64	30	34	85	70	385.5	520	257