

Appendix C: Community Capability Assessment

A. Introduction

This section of the Plan is a detailed assessment of Wilson County's capacity as a local governmental unit to mitigate the impacts of the natural hazards that were identified and analyzed in Appendix A. This assessment includes an examination of the following local government capabilities:

1. Institutional – A review of County departments that have direct and indirect responsibility for hazard mitigation activities.
2. Policies, Programs and Ordinances - An examination and evaluation of existing plans, policies, and ordinances that either increase or decrease local vulnerability to natural hazards.
3. Legal – A review of State granted powers – regulation, acquisition, taxation and spending - that can be employed by local governments to further hazard mitigation efforts.
4. Fiscal – An examination of the County's use of local operating budget and capital improvement program funds to mitigate the effects of hazards.
5. Technical – A review of the County's ability to employ technical equipment and software programs to enhance mitigation activities.
6. Political Climate – A description of local political will and commitment to implementing hazard mitigation activities.

B. Institutional Capability

Wilson County has a government body with a board-manager form of government. The elected County Board of Commissioners is the decision making body for the County. A planning board serves as an advisory panel to the County Commissioners on specific matters, including planning and land use. The County Manager serves as the chief executive and along with other County staff carries out day-to-day administrative activities

Departments with Direct/Indirect Impact on Hazard Mitigation

County departments/divisions are divided into two categories – those with a direct impact on hazard mitigation activities and those with an indirect impact (Table C-1). The list is presented in alphabetical order within each category.

Other Agencies

Wilson County Public Schools System

The Wilson County Public School System provides public educational programming and facilities. The school system is responsible for constructing and maintaining school facilities. When selecting new school sites, the school system considers environmental factors that would impact the development potential of each site under consideration.

NC Department of Transportation (NCDOT)

NCDOT is responsible for construction and maintenance of state-owned roads and highways, including the construction and placement of stormwater drainage systems. Sizing and maintenance of stormwater drainage systems can have an impact on hazard mitigation, if inadequately sized structural elements, e.g., piping, channels, etc., cannot handle stormwater runoff, then upstream flooding will occur. Lack of maintenance especially due to insufficient resources, such as staff and equipment, can also increase the likelihood of system failure and stormwater damage to system elements, e.g., culverts, during flooding.

Departments and Agencies with Direct/Indirect Impact on Hazard Mitigation

Table C-1(a): Departments and Agencies with a Direct Impact – Wilson County

Department/Agency	Function
Administration	This department is responsible for the day-to-day activities of Wilson County and is headed by the County Manager and also by the Wilson County Board of Commissioners.
Emergency Communication	The 911 Center is the lifeline between the citizens needing assistance and the proper emergency agency being dispatched to render professional services.
Emergency Management	This department serves the citizens of Wilson County by taking the lead coordination role during major emergency and disaster situations. We coordinate resources on the local and state level to bring to bear on the hazards that may affect the citizens of Wilson County.
Emergency Medical	This department provides an organized method of response to the perceived emergency health needs of our community. To include, but not be limited to the promotion of system access, health education, and rescue coordination.
Health Department	The responsibility of this department is to provide public health care for the citizens of the County and the good health status of a community.
Maintenance	The Wilson County Building Maintenance department is responsible for mechanical, electrical and structural maintenance of county-owned buildings and structures.
Mapping	This department maintains the counties GIS mapping program.
Planning/Inspections	This department is responsible for developing long range plans, issuance of zoning permits, site plans, and variances. Also, this department is responsible for issuing and reviewing all building permits and construction.
Sheriff	The responsibilities of this department include providing our citizens the protection and service they deserve
Social Services	The department is a center for human renewal and transitional assistance. Staff members promote independence, employment and personal/parental responsibility in their work with families.
Soil and Water	This department is responsible for developing plans and programs for the protection and management of the natural resources within its boundaries.
Solid Waste	This department is responsible for all solid waste disposal throughout the county.
Technology Services	Wilson County Technology Services is responsible for developing, maintaining, and supporting Wilson County's Wide Area Network which consists of multiple servers, hundreds of workstations, and the county website.

Department/Agency	Function
Transportation	The mission of Wilson County Transportation Services is to provide transportation services, within its capabilities, to the residents of Wilson County and the agencies that serve the public.

Source: Wilson County.

Table C-1(b): Departments and Agencies with an Indirect Impact – Wilson County

Department/Agency	Function
Board of Elections	The responsibility of this department is to provide the community with non-partisan political and election information.
Extension Office	The responsibility of this department is to provide research-based information in horticulture.
Finance Department	The Finance office collects and disburses all funds of Wilson County in compliance with N.C. General Statutes and the county's budget ordinance.
Library	This department provides print and non-print materials of an educational and recreational nature, varied and wide-ranging information services, and related programs and services to the people of Wilson County.
Personnel	This department is responsible for the hiring of all new employees.
Register of Deeds	This department is responsible for all transactions such as deeds, deeds of trust, mortgages, contracts, agreements, right-of-ways, maps, assumed names, partnerships, power of attorneys and some corporate charters are recorded for safe keeping to be used by the general public.
Tax	Wilson County Tax Department is also the collection agency for nine municipalities located within the County, two Solid Waste taxes and 15 Fire Districts.

Source: Wilson County

C. Existing Policies, Programs and Ordinances

Wilson County has the statutory authority to plan for growth and development including the power to make studies of the County, to determine growth objectives, to prepare and adopt plans for achieving those objectives and to develop policies, ordinances and the administrative means to implement plans. The County Board of Commissioners has created and appointed a Planning Board to serve as an advisory body on planning matters.

Local government enabling legislation requires that zoning regulations, when adopted by a county, be made in accordance with a comprehensive land use plan. The existence of a comprehensive plan ensures that County boards and staff are developing regulations and ordinances that are consistent with the overall goals of the community.

Wilson County has used its legislated regulatory power to adopt and implement policies, programs, and ordinances that regulate land use and development. These policies and regulations help mitigate potential harmful effects of natural hazards.

Each County policy, ordinance or regulation has a unique and varying impact on hazard mitigation. Although policies and ordinances may have not been created specifically for hazard mitigation purposes, they have been and can be utilized to implement hazard mitigation initiatives. Existing County policies and ordinances include:



- Wilson County Comprehensive Plan (2008)
- Parks and Recreation Master Plan
- Zoning Ordinance (amended 2003)
- Subdivision Ordinance
- Flood Damage Prevention Ordinance
- Mobile Home Park Ordinance
- Watershed Protection Ordinance
- Outdoor Advertising Sign Ordinance
- Soil Erosion and Sedimentation Control
- Building Code Enforcement
- Restriction on Future Water Service to Protect Floodplains
- Emergency Operations Plan

Wilson County Comprehensive Plan (2008)

The purpose of the Comprehensive Plan is to establish a set of guidelines and procedures for implementing the long-range development and conservation objectives of Wilson County. Specifically, the Plan is intended for use by government agencies, residents, private developers, property owners and private organizations concerned with planning the County's future growth, development and preservation.

The Wilson County Comprehensive Plan aims to create a clear vision for the future that captures a basic Town and Country Planning Concept of allowing for future urban growth and rural preservation. Through the creation of this Plan, Wilson County is proactively responding to the need to accommodate growth by developing the plans and guidelines critical to taking advantage of the opportunities afforded by growth, while preserving its unique quality of life reflected in the rural landscape of Wilson County. It is in the realization of this balance, between managing anticipated growth and sustaining and improving upon existing conditions, that the citizens of Wilson County see their unique quality of life, which creates the challenge in the implementation of the Wilson County Comprehensive Plan over the next 20 years.

Plan Goals

Seven goals have been developed to achieve the vision for balancing growth and preservation of rural character in Wilson County and provide basic guidance for future growth throughout the County. The goal areas include, intergovernmental cooperation, population and housing, economic development, community facilities, natural resources, cultural and historic resources, and land use and growth management. Each goal area is represented as a separate section in this plan with strategies and actions for implementation.

- **Intergovernmental Cooperation**

- Facilitate an ongoing relationship between Wilson County, its nine municipalities and other governmental, non-profit and quasi-governmental organizations.

- **Population and Housing**

- Promote residential development that maintains the rural nature of the area that is safe and attractive – meeting the needs of the population.

- **Economic Development**

- Encourage compatible development between industrial and commercial growth by focusing on selected locations with high development potential that minimize impact on surrounding population, and
- Encourage the development of agri-tourism opportunities and green economic development
- **Community Facilities**
 - Provide access to and encourage the development and provision of adequate community facilities for all Wilson County residents.
- **Natural Resources**
 - Preserve the natural resources, water, air and land that have made Wilson County a wonderful place to live.
- **Cultural and Historic Resources**
 - Preserve and protect historical and cultural resources for the benefit of both current and future residents.
- **Land Use and Growth Management**
 - Establish a future land use / growth management map designating Rural Growth Areas, Secondary Growth Areas (10-20 years), Primary Growth Areas (5–10 years), and Conservation Areas that support a basic Town and Country planning model of allowing for both urban growth and rural preservation over the next 20 years, and
 - Establish general guidelines for residential, commercial, industrial, recreational, institutional/governmental and agricultural uses that allow for compatibility between uses.

Insert Growth Strategy Map C-1

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Parks and Recreation Master Plan

In 1993, Wilson County and the City of Wilson jointly adopted a Parks and Recreation Master Plan for the purpose of establishing a strategy for the development and management of the area's park facilities and recreation programs. Relevant implementation policies from the 1990 Wilson Growth Plan were incorporated as guiding principles for the recreation plan. Policies cited in the recreation master plan included a desire to conserve natural areas, to protect flood prone areas, and to provide open space and greenways along natural stream corridors. Even though the plan does not specifically mention that public acquisition of flood hazard areas can provide other benefits beyond recreation, the development of the parks and recreation system over time can greatly enhance the County's hazard mitigation efforts by protecting flood hazard areas from inappropriate development.

The master plan includes a standard for greenway/open space linkages that is based on a growing national interest in greenways, local interest in seeing a greenway system established, and the suitability and opportunity for establishing a greenway system using natural stream corridors. The plan justifies the need for a greenway system on:

- the increasing demand for greenways and trails;
- a stated local preference for open space facilities close to and within walking distance of residential neighborhoods;
- that development costs for open space along stream corridors can be modest relative to land acquisition in upland areas; and
- that suitable terrain and relatively even disbursement of stream corridors within the County make provision of a greenway system promising.

The plan encourages the selection of future park sites along or near streams to increase accessibility and interconnectivity with and among residential areas. The plan specifically targets tributaries of Hominy Swamp Canal and Contentnea Creek that flow through the rapidly developing west and northwest sides of the city as stream channels that offer long term opportunities to tie urban areas to a county-wide park system. The plan also identifies Toisnot Creek as a greenway opportunity in the northern section of the County.

Zoning Ordinance

The countywide Wilson County Zoning Ordinance was adopted in 1997. (Prior to countywide zoning, the County had several separate industrial zoning districts.) The zoning ordinance establishes general zoning districts (Table C-4) and companion conditional use zoning districts. The ordinance has provisions for uses allowed only with special use permits where additional restrictions are placed on development. The ordinance also establishes dimensional regulations for site development and parking and sign standards.

Table C-24: Wilson County Zoning Districts

Zoning District	Description
AR Agriculture-Residential	Designed to retain the open characteristics of the land.
R-30 Residential	The R-30 district is primarily intended to accommodate low density single-family dwellings on large lots where a public water system is available, with sewage disposal by individual septic system or through connection to a community sewer system.
R-20 and R-15S Residential	Medium residential density neighborhoods comprised chiefly of single-family dwellings where public water and sewer systems are available.
R-15 Residential	Medium population density neighborhoods comprised chiefly of single-family and two-family dwellings where public water and sewer systems are available.
R-30 MH Residential Manufactured Home	The R-30 MH Residential Manufactured Home District is intended to accommodate low density development comprised chiefly of manufactured homes on large lots where a public water system is available, with sewage disposal by individual septic system or through connection to a community sewer system.
R-20 MH Residential Manufactured Home	Medium population density neighborhoods comprised chiefly of manufactured homes on individually owned lots where public water and sewer systems are available.
R-15 MH Residential Manufactured Home	Medium population density neighborhoods comprised chiefly of single-family and two-family dwellings, including single-family manufactured homes and manufactured home parks where public water and sewer systems are available.
R-10 Residential	Moderate density apartments where public water and sewage systems as well as other services are available.
B-1 Highway Business	Provides for proper grouping and development of roadside uses and neighborhood business areas.
B-2 General Business	Provides for proper grouping and development of those uses which are related to municipal central business districts or neighborhood business areas. Such uses might include retail and wholesale use, office uses and those retail uses which provide essential items for day to day living to neighboring residential areas.
MHD Major Highway District	Provided to protect and preserve the natural scenic beauty along interstate and other major highways while allowing orderly development of land located along such highways.
M-1 Light Industrial	Provided to establish areas for offices, warehousing and light industries located on tracts of land where the operations involved do not detract from the development potential of nearby properties.
M-2 Heavy Industrial	Designed to accommodate all industries but those that could be objectionable by reason of their associated foul odors, smoke, dust, noise, glare or vibrations. Residential and commercial uses are strictly prohibited within an M-2 Industrial District.
OI Office Institutional	Established primarily for office and institutional uses which have only limited contact with the general public and which have no offensive noises, odors, smoke, fumes and other objectionable conditions.

Source: Wilson County Zoning Ordinance.

Planned Unit Developments

The zoning ordinance has a provision for planned unit developments as a special use in all residential zoning districts. Planned unit developments allow for reduced lot sizes where land within floodplains or within the normal banks of other water courses are subtracted from the total area to be developed prior to calculating density. Developers are to consider low land along streams for open space designation.

Subdivision Ordinance

Subdivision regulations control the division of land into parcels for the purpose of building development or sale. Subdivision regulations are a more limited tool than zoning and only indirectly affect the type of use made of land or minimum specifications for structures. Flood-related subdivision controls typically require that developers install adequate storm water drainage facilities and design water and sewer systems to minimize flood damage and contamination.

Subdivision regulations also provide for orderly growth and development by setting standards for street construction, interconnecting street systems, utilities, and for other improvements that ensure the appropriate design and layout of new development. These regulations serve to protect natural features and resources by not allowing or reducing development intensity within sensitive environmental areas.

The Wilson County Subdivision Ordinance, adopted in 1973 and last amended in July 2001, is enforced within the jurisdiction of Wilson County and within the jurisdiction of any municipality within the County whose governing body by resolution has agreed to such regulation.

The purpose section of the ordinance states that the regulations are designed:

- (a) to insure an adequately planned street system and to avoid sharp curves and hazardous intersections;
- (b) to avoid overcrowding of the land and extreme concentration of population;
- (c) to secure safety from fire, panic and other dangers;
- (d) to provide for adequate schools, parks and playgrounds;
- (e) to give the Health Department the opportunity to evaluate land for water systems and septic tank use;
- (f) to insure against flood damage;
- (g) to facilitate an orderly system for design, layout and use of the land;
- (h) to insure the proper legal description and monumenting of subdivided land; and
- (i) to provide for the re-subdivision of large land parcels.

The county manager or his designee has the authority, after consultation with the chairman of the planning board and the chairman of county commissioners, to approve all preliminary subdivision plats consisting of not more than three lots or parcels of land and which does not constitute the dedication of a new street right-of-way.

Subdivision Plat Requirements

Article 8 Section 3.3 of the subdivision ordinance states that in deciding on land suitability for subdividing, the "Planning Board shall not approve any subdivision of land where it has been determined by thorough and proper investigation that by reason of flooding, poor drainage or geological faults, that the platting and development of the proposed property would create imminent peril to the health, safety and welfare of life and property. Fill dirt may be used to raise the level of areas subject to flooding if the proposed process does not

unduly increase the overall flood level, the overall soil and water run-off or rearrange to any marked degree the flow of existing streams and tributaries.”

The ordinance further requires that a “letter from the U.S. Corps of Army Engineers certifying that the subdivision does not lie in a fifty (50) year floodplain area and does not by virtue of its location create imminent peril to life and property through flooding may be required.”

The ordinance requires that facilities for surface drainage shall be designed in conformance with standards adopted by the municipal governing body if the subdivision is within the corporate limits of a municipality. If the subdivision is within a municipal extra territorial planning jurisdiction or within the Wilson County planning jurisdiction, “street or road rights-of-way shall be graded, storm drainage facilities installed and roadway surface and base prepared so as to be acceptable for maintenance by the NC State Highway Commission.”

Under Article 11 of the ordinance, the “subdivider shall provide an adequate drainage system for erosion control and prevention of siltation of all surface water in order to protect the proposed development from water damage.

- 1) No surface water shall be channeled or directed into a sanitary sewer.
- 2) Where feasible, the subdivider shall connect to a municipal storm drainage system.
- 3) Where the municipal storm drainage system cannot feasibly be extended to the subdivision, a surface drainage system shall be designed to complement surface drainage systems on surrounding properties.
- 4) Cross pipes under streets and driveways shall be approved by the NC State Highway Commission.
- 5) Surface drainage courses where permitted behind future homes, shall have side slopes of at least one (1) foot of horizontal distance for each one (1) foot of vertical distance. Should less slope be requested, approval shall be given only upon recommendation of a Soil Conservation Service representative.
- 6) The minimum grade along the bottom of a surface drainage course shall be vertical fall of approximately one (1) foot to each 300 feet of horizontal distance.

Article 16 Section 1 h) requires that “in any subdivision due consideration shall be given toward the preservation of natural features such as trees, ponds, hills, open spaces, etc., and for historical sites which are of value not only to the subdivision but to the community as a whole.” This statement is not specific about what actions are recommended.

Drainage easements are required “where a subdivision is traversed by a water course, drainage way, channel or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially with the line of such water courses, and of such further width or construction, or both, as will be adequate for the purpose. Subdividers may be required to pipe twenty five (25) feet behind the rear of each house or to within ten (10) feet of the rear lot line, whichever is shorter.” (Article 16 4.3)

Flood Damage Prevention Ordinance

As part of the requirements for participation in the National Flood Insurance Program, Wilson County has had a flood damage prevention ordinance since 1986. The ordinance applies to all areas of special flood hazards identified by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study dated July 6, 1982. The County building inspector is charged with administering and implementing the provisions of the ordinance. Key sections of the ordinance are listed in Table C-5.

Table C-53: Wilson County Flood Damage Prevention Ordinance

Section	Description
Section B Findings of Fact	<p>(1) The flood hazard areas of the county are subject to periodic inundation which results in loss of life, property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.</p> <p>(2) These flood losses are caused by the cumulative effect of obstructions in floodplains causing increases in flood heights and velocities, and by the occupancy in flood hazard areas by uses vulnerable to floods or hazardous to other lands which are inadequately elevated, flood proofed, or otherwise protected from flood damages.</p>
Section C Statement of Purpose	<p>“It is the purpose of this article to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:</p> <p>(1) restrict or prohibit uses which are dangerous to health, safety and property due to water or erosion hazards, or which result in damaging increases in erosion of in flood heights or velocities;</p> <p>(2) require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;</p> <p>(3) control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of flood waters;</p> <p>(4) control filling, grading, dredging and other development which may increase erosion or flood damage;</p> <p>(5) prevent or regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards to other lands.</p>
Section D Objectives	<p>(1) to protect human life and health;</p> <p>(2) to minimize expenditure of public money for costly flood-control projects.</p> <p>(3) to minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;</p> <p>(4) to minimize prolonged business interruptions;</p> <p>(5) to minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains;</p> <p>(6) to help maintain a stable tax base by providing for the sound use and development of flood prone areas in such a manner as to minimize future flood blight areas;</p> <p>(7) to insure that potential homebuyers are notified that property is in a flood area.</p>

Source: Wilson County Flood Damage Prevention Ordinance.

The ordinance specifies that where base flood elevation data is provided an application for a development permit within Zone A must show the elevation of the lowest floor of new and substantially improved structures at least 2' above base flood elevation and if the structure is flood proofed the elevation to which the structured was flood proofed. If base flood elevation is not known the development permit must show construction of the lowest floor at least two (2) feet above the highest adjacent grade. A floor elevation or flood proofing certification is required after the lowest floor is completed.

Where any watercourse will be altered or relocated as a result of proposed development, the development permit is required to include a description of the extent of watercourse alteration or relocation; an engineering report on the effects of the proposed project on the flood-carrying capacity of the watercourse and the effect to properties located both upstream and downstream; and a map showing the location of the proposed watercourse alteration or relocation.

Variances

The ordinance provides for the issuance of a variance by the County Board of Adjustment in unusual circumstances. In passing upon a variance application, the Board of Adjustment is charged with considering all technical evaluations, all relevant factors, all standards specified in the ordinance and:

- (a) the danger that materials may be swept into other lands to the injury of others;
- (b) the danger to life and property due to flooding or erosion damage;
- (c) the susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
- (d) the importance of the services provided by the proposed facility to the community;
- (e) the necessity to the facility of a waterfront location, where applicable;
- (f) the availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
- (g) the compatibility of the proposed use with existing and anticipated development;
- (h) the relationship of the proposed use to the comprehensive plan and flood plain management program for that area;
- (i) the safety of access to the property in times of flood for ordinary and emergency vehicles;
- (j) the expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and
- (k) the costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, and streets and bridges.

Variances may not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result. The board of adjustment may attach conditions to the granting of a variance, as the board deems necessary. Conditions for variiances include:

- (a) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief;
- (b) Variances shall only be issued upon:
 - (i) a showing of good and sufficient cause;
 - (ii) a determination that failure to grant the variance would result in exceptional hardship to the applicant;

- (iii) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
- (c) Any applicant to whom a variance is granted shall be given written notice specifying the difference between the base flood elevation and the elevation to which the structure is to be built and a written statement that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest flood elevation. Such notification shall be maintained with a record of all variance actions.
- (d) The local administrator shall maintain records of all appeal actions and report any variance to the Federal Emergency Management Agency upon request.

General Standards

General standards that apply within special flood hazard areas include:

In all Special Flood Hazard Areas the following provisions are required:

- 1) All new construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structures resulting from hydrodynamic hydrostatic loads including the effects of buoyancy.
- 2) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage;
- 3) All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damages;
- 4) Electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding. These include but are not limited to HVAC equipment, water softener units, bath/kitchen fixtures, ductwork, electric meter panels/boxes, utility/cable boxes, appliances (i.e., washers, dryers, refrigerator, etc.) hot water heaters, electrical outlets/switches).
- 5) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the systems;
- 6) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters;
- 7) On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding; and
- 8) Any alteration, repair, reconstruction or improvements to a structure which is in compliance with the provisions of this ordinance, shall meet the requirements of "new construction" as contained in this Ordinance.
- 9) Non-conforming structures or uses may not be enlarged, replaced, or rebuilt unless such enlargement or reconstruction is accomplished in conformance with the provisions of the ordinance. Provided, however, nothing in this ordinance shall prevent the repair, reconstruction, or replacement of a building or structure existing on the effective date of this ordinance and located totally or partially within the floodway, non-encroachment area, or stream setback, provided that the bulk of the building or structure below the regulatory flood protection elevation in the floodway, non-encroachment area, or stream setback is not increased and provided that such repair, reconstruction, or replacement meets all of the other requirements of this ordinance.

- 10) New solid waste disposal facilities, hazardous waste management facilities, salvage yards, and chemical storage facilities shall not be permitted in Special Flood Hazard Areas. A structure or tank for chemical or fuel storage incidental to an allowed use or to the operation of a water treatment plant or wastewater treatment facility may be located in a Special Flood Hazard Area only if the structure or tank is either elevated or floodproofed to at least the regulatory flood protection elevation and certified according to Article 4, Section B(3) of this code.

Specific Standards

Specific standards regarding residential and non-residential construction and the placement of manufactured (mobile) homes can be found in Article 5 Section B of the ordinance.

Mobile Home Park Ordinance

The Wilson County Mobile Home Park (MHP) Ordinance, last revised May 1997, regulates “. . . the establishment of each and every new mobile home park and the alteration or expansion of existing mobile home parks within the jurisdiction of Wilson County and within the jurisdiction of any municipality whose governing body by resolution agrees to such regulation.” Mobile home parks are defined as “any plot of ground upon which two (2) or more mobile homes” are located.

The ordinance states that it is designed to accomplish four specific objectives:

- a) to further the orderly layout of mobile home parks;
- b) to secure safety from fire, panic, and other dangers;
- c) to provide adequate light and air; and
- d) to ensure that facilities for transportation, parking, and recreation are provided for mobile home park residents.”

Preliminary plans are required for all mobile home parks and preliminary and final plans are required for any new mobile home park or expansion of an existing park with ten or more sites. The list of requirements for preliminary plats and final plats (Article VI Section B (2)) requires that floodplain boundaries or potential wetland sites be identified. Review of the proposed park plan requires that the Planning Board review the plan for adherence to design standards including standards for surface water drainage. Mobile home parks spaces can only be occupied after all required improvements have been installed and certificates of compliance have been issued by the County.

Article VII Design Standards lists a number of requirements for plans. The first listed requirement states “Land lying within the Special Flood Hazard Area, as indicated on the “Flood Hazard Boundary Map” for Wilson County, may not be used for mobile home parks unless adequate methods are formulated by the developer for meeting the Wilson County Flood Damage Prevention Ordinance. No development of mobile home parks will be permitted in the floodway.” Special lot sizes are required within protected watershed areas.

Watershed Protection Ordinance

In the early 1990s, the North Carolina General Assembly passed legislation requiring local governments to adopt regulations designed to promote the public health, safety, and general welfare by protecting certain areas designated by the State as public water supply watersheds. Wilson County adopted the Watershed Protection Ordinance in January 1994.

Pre-existing development is not subject to the requirements of the ordinance but expansions must meet the requirements. A pre-existing lot owned by an individual prior to the effective date of the ordinance is allowed to be developed for single family residential purposes without being subject to the restrictions of the ordinance.

Wilson County has three designated protected watersheds. Toisnot WS-III Protected Area, Contentnea WS-IV Critical Area and Contentnea WS-IV Protected Area with a number of land use restrictions (Table C-6). The Planning Board serves as the Watershed Review Board.

Table C-64: Watershed Designations and Requirements

Minimum Requirements		
Designation	Residential – Single Family	Non-Residential Other Residential
WS-III Protected Area (Toisnot)	Lots with septic tanks – 40,000 square feet. No residential lot shall be less than ½ acre (including lots connected to city water and sewer) unless in an approved cluster development.	Development shall not exceed maximum of 24% built-upon area.
WS-IV Critical Area WS-IV Protected Area (Contentnea) (WS-IV subdivisions subject to regulations only when an erosion and sedimentation plan is required by State law.)	Lots with septic tanks – 40,000 square feet. Lots in AR zoning district – 43,560 square feet. No residential lot shall be less than ½ acre (including lots connected to city water and sewer) unless in an approved cluster development.	Development shall not exceed a maximum of 24% built-upon area.
Cluster Development	Minimum lot sizes are not applicable to single family cluster development projects; however, the total number of lots shall not exceed the number of lots allowed in typical subdivision. Built-upon area shall not exceed that allowed for the critical area or protected area, whichever applies. All built-upon area shall be designed and located to minimize stormwater runoff impact to the receiving waters and minimize concentrated stormwater flow. Remainder of tract shall remain in a vegetated or natural state.	
Buffer	A minimum thirty (30) foot vegetative buffer for development activities is required along all perennial waters. No new development is allowed in the buffer except for water dependent structures and public projects such as road crossings and greenways where no practical alternative exists.	
Allowed Uses	Agriculture, silviculture, residential development, non-residential development, excluding the storage of toxic and hazardous materials unless a spill containment plan is implemented.	
High Density Development Standards	The ordinance allows for high density development that exceeds the density and built-upon areas established by the ordinance if engineered stormwater controls are built to control runoff from the first inch of rainfall. Maximum built-upon areas within the WS-III PA and WS-IV CA are limited to 50% built-upon area and 70% within the WS-IV PA designated watershed. Only industrial development or uses are permitted to be developed under the high density option.	

Source: Wilson County Watershed Protection Ordinance.

Soil Erosion and Sedimentation Control

The regulation of soil erosion and sedimentation control requires that land-disturbing activities be monitored to control accelerated erosion and loss of sediment. Controlling erosion and sedimentation reduces the loss of valuable topsoil and reduces the likelihood of water pollution and damage to watercourses. Although its intended purpose is not targeted at hazard mitigation, it can impact mitigation initiatives.

By state law, Wilson County specifies that no construction activity that would disturb greater than one acre of land commence until an erosion and sedimentation control plan has been reviewed by the County and approved by the NC Sedimentation Control Commission (NCGS 113A-57(4)).

Building Code Enforcement Ordinance

Wilson County enforces the North Carolina State Building Code as required by state law. In addition to regulating building activity within the unincorporated areas of the County, Wilson County also provides building permitting and inspection services for the towns of Black Creek, Elm City, Lucama, Saratoga, Sims, and Stantonsburg.

Outdoor Advertising Sign Ordinance

The purpose of this ordinance is to preserve and improve the roadside appearance along highways in unincorporated Wilson County through the control of outdoor advertising signs on highways. The regulations are intended to minimize visual distractions to motorists, maintain roadside views of the rural countryside to enhance the attractiveness of the area for residents and visitors, protect property values, protect the public investment in highways, and promote the overall economic welfare of Wilson County. The ordinance requires that all outdoor advertising sign construction and maintenance meet the structural requirements of the North Carolina Building Code. Except for meeting building code wind resistance standards, this ordinance has little to do with hazard mitigation efforts.

Water Service Extension Policy

Wilson County is using USDA/Rural Development Agency (RDA) grant and loan funds to construct water lines to serve two water districts – the Southwest District and the Southeast District. The lines to serve the Southwest District are currently under construction with construction of lines to serve the Southeast District to follow.

Under Executive Order 11988 the Federal government issued new floodplain guidelines in 1998. The new guidelines recognize that “... continued encroachments into floodplains decrease the natural flood-control capacity of these land areas, creates the need for expensive manmade flood-control measures and disaster-relief activities, and endangers both lives and property”. (RD/RUS Bulletin 1794A-602 Versions 1.0 Revised March 2001)

The guidelines require agencies such as the RDA to avoid actions, to the extent practicable, which will result in the location of facilities in floodplains and/or affect floodplain values. The order recognizes that facilities located in a floodplain may be damaged or destroyed by a flood or may change the flood-handling capability of the floodplain or pattern or magnitude of the flood flow.

The floodplain management guidelines further require Federal agencies to apply the 0.2 percent or 500-year flood occurrence standard to the location of “critical facilities”. The guidelines define critical facilities as facilities whose loss would disrupt utility service to large areas for a considerable period of time or would disrupt utility service to critical facilities such as hospitals. Critical facilities include water treatment plants, wastewater treatment facilities, large pump stations, and centralized operations or communication facilities.

Under the terms of the RDA grant/loan agreement, Wilson County, in November 2000, adopted a policy to not extend water service into flood hazard areas. The resolution entitled “Restriction on Future Water Service to Protect Floodplains”, states that within the Southwest Water District “Wilson County will not install a new water service tap or will not otherwise agree to provide water service of any type to any structure, dwelling, building or other improvement which is located in whole or in any part within a designated 100-year floodplain”. The resolution goes on to state that “an exception may be made and service provided to the owner upon request where the structure/improvement located in the floodplain is that which is already existing or committed (all building permits obtained) ...”. A similar resolution will be required in conjunction with the funding of water line construction within the Southeast District.

Emergency Operations Plan

The Wilson County Emergency Operations Plan was created to predetermine actions to be taken by the governmental agencies and private organizations of Wilson County to reduce the vulnerability of people and property to disaster and to establish capabilities to respond to the actual occurrence of a disaster. Following any major emergency/disaster event, a critique will be held to evaluate the jurisdiction’s response to the event. A critique will include the following issues related specifically to recovery:

- A. Mitigation of potential problems through use of hazard mitigation grants.
- B. Plan revision based on lessons learned.
- C. Unmet needs status.
- D. Management of donated goods.
- E. Interagency cooperation.
- F. Damage survey report process and documentation.
- G. Training needed.

Community Capability Assessment Summary

Table C-10 summarizes existing County policies/programs and rates these policies/programs for effectiveness for hazard mitigation.

Incorporating Hazard Mitigation Requirements into Community Plans

No policies, programs or ordinances have been found to have the effect of hindering hazard mitigation; however, there are opportunities to make current policies more effective for mitigation. Existing policies and ordinances are regularly reviewed and considered for updates/revisions to meet changing community needs and to stay in compliance with State and Federal regulations.

The County will create a process to incorporate requirements in the Hazard Mitigation Plan into existing community plans and ordinances. The Planning Department will be responsible for providing a copy of the Hazard Mitigation Plan to each County department and for ensuring that the responsible department (see Table C-10) incorporates hazard mitigation goals, objectives and actions into plan updates and ordinance revisions to ensure that

updates and revisions do not contribute to increased community vulnerability to natural hazards.

The specific departments, as noted in Table C-10, that are responsible for implementation, enforcement, and updates to community plans and ordinances will be charged with monitoring programs and regulations for opportunities to improve hazard mitigation actions. More specific information on recommendations for new or revised policies and programs is detailed in Section II. Mitigation Action Plan.

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Table C-75: Community Capability Assessment Summary – Wilson County

Policies and Programs	Document Reference	Effectiveness for Mitigation	Rationale for Effectiveness	Recommendations for Incorporating Hazard Mitigation into Existing Plans and Mechanisms
Wilson County Comprehensive Plan (2008) , Wilson Growth Plan (1990)	Ordinance	Moderate	The Wilson Growth—County Comprehensive Plan is a 6-part series that addresses issues involving Economics, Population, Economic Development, Growth Management, External/Internal Growth, and Growth/Development.	Continue to work with area municipalities to ensure coordination of growth management efforts and to consider how hazard mitigation strategies can be incorporated into the Wilson Growth—County Comprehensive Plan. The Planning/Inspections Department is the lead agency responsible for plan updates.
Parks and Recreation Master Plan	Ordinance	Moderate	This ordinance establishes a strategy for the development and management of the area park facilities and recreation programs.	The Plan can be used to pursue the identification and purchase of environmentally sensitive properties to protect the property from development. The Parks and Recreation Department oversees plan updates.
Zoning Ordinance	Ordinance	High	The Zoning Ordinance establishes general zoning districts and companion conditional use districts.	Continue to investigate ways to improve zoning standards to address issues that are identified through countywide plans and studies. The Planning/Inspections Department is responsible for enforcing and revising the ordinance.
Subdivision Ordinance	Ordinance	High	Subdivision regulations control the division of land into parcels for the purpose of building development or sale	Continue to enforce and enhance subdivision standards, particularly in regards to stormwater management. The Planning/Inspections Department is responsible for enforcing and revising the ordinance.
Flood Damage Prevention Ordinance	Ordinance	High	This ordinance establishes guidelines for development and regulations for development in designated flood hazard areas.	Continue to enforce and enhance flood hazard control standards to reduce the exposure of the built environment and the population of the County to the perils of natural hazards. The Planning/Inspections Department is responsible for enforcing and revising the ordinance.

Policies and Programs	Document Reference	Effectiveness for Mitigation	Rationale for Effectiveness	Recommendations for Incorporating Hazard Mitigation into Existing Plans and Mechanisms
Mobile Home Park Ordinance	Ordinance	High	This ordinance set standards for development by establishing minimum space size requirements, review fees, improved design and construction standards, and construction plan submittal requirements.	Continue to monitor and enforce the provisions of the ordinance to ensure to the maximum extent possible the health and safety of manufactured home park residents. The Planning/Inspections Department is responsible for enforcing and revising the ordinance.
Watershed Protection Ordinance	Ordinance	High	This ordinance is designed to maintain the development of areas designated as watersheds.	Continue to work with area municipalities and other governments/agencies in the region to ensure maximum protection of water resources. The Planning/Inspections Department is responsible for enforcing and revising the ordinance.
Soil Erosion and Sedimentation Control	Ordinance	High	This ordinance is designated to control the development so not to accelerate erosion and loss of sediment.	Continue to enforce and enhance soil erosion and sedimentation control standards that will reduce erosion and damage to the carrying capacity of area streams and rivers. The Planning/Inspections Department is responsible for enforcing and revising the ordinance.
Building Code Enforcement	Ordinance	High	This ordinance was establishes in compliance with the NC State building code enforcement policies.	Continue to incorporate any revisions to the State Building Code into local code enforcement procedures and to vigorously enforce minimum building standards. The Planning/Inspections Department is responsible for enforcing and revising the ordinance.
Outdoor Advertising Sign Ordinance	Ordinance	Low	The purpose of this ordinance is to preserve and improve the roadside appearance along thoroughfares.	The Planning/Inspections Department is responsible for enforcing and revising the ordinance.
Water Service Extension Policy	Policy	High	This ordinance establishes a policy not to extend water service to any structure that is within a designated flood hazard area.	Non-extension policies for new development in floodprone areas can significantly reduce the potential for development within these hazard areas. All public utility providers should be encouraged to adopt non-extension

Policies and Programs	Document Reference	Effectiveness for Mitigation	Rationale for Effectiveness	Recommendations for Incorporating Hazard Mitigation into Existing Plans and Mechanisms
				policies. The County Manager's office has ultimate responsibility for overseeing implementation and revision of the policy.
1 st Hazard Mitigation Plan (2002)	Plan	High	The plan evaluates the potential impact of natural hazards that could occur in North Carolina and establishes strategies for limiting hazard vulnerabilities to protect people and property.	Expand the scope of the Plan to include the municipalities of Black Creek, Elm City, Lucama, Saratoga, Sims, and Stantonsburg. Update the plan to include new DMA2K requirements. Update hazard mitigation strategies, annually review progress on strategies, and update the plan on a regular basis. The Planning/Inspections Department is the lead agency responsible for plan updates.
Emergency Operations Plan	Ordinance	High	This was created to predetermine actions that need to be taken in cases of emergency.	Continue to update and improve disaster preparedness and response capabilities to reduce exposure of property and lives to the perils of natural disasters and other emergency events. The Emergency Management Department is responsible for updated the plan.

Source: Wilson County.

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D. Legal Capability

Local governments in North Carolina have a wide array of powers that enable counties and municipalities to adopt and implement policies and ordinances that may be used to mitigate the potential harmful effects of natural hazards. Below is a summary of the legal authority and powers that North Carolina has conferred on local governments within the state (*Local Hazard Mitigation Planning Manual*, NC Division of Emergency Management, 1998, Appendix B, pp. 61-64.) along with a short reference to how Wilson County has used these powers. Powers fall into four broad categories: regulation, acquisition, taxation, and spending.

Regulation (General Police Power)

Local governments in North Carolina have been granted broad regulatory powers. North Carolina bestows the general police power on local governments, allowing them to enact and enforce ordinances which define, prohibit, regulate, or abate acts, omissions, or conditions detrimental to the health, safety, and welfare of the people and to define and abate nuisances (including public health nuisances). Since hazard mitigation can be included under the police power (as protection of public health, safety and welfare), County's, cities and counties may include requirements for hazard mitigation in local ordinances. Local governments may also use their ordinance-making power to abate "nuisances," which could include, by local definition, any activity or condition making people or property more vulnerable to any hazard (NCGS 160A Art. 8 (Delegation and Exercise of the General Police Power to Cities and Counties); 153A, Art. 6 (Delegation and Exercise of the General Police Power to Counties)).

Building Codes and Building Inspection

Many structural mitigation measures involve constructing and retrofitting homes, businesses and other structures according to standards designed to make the buildings more resilient to the impacts of natural hazards. Most of these standards are imposed through the building code.

North Carolina has a state compulsory building code, which applies throughout the state (NCGS 14C-338(c)). However, municipalities and counties may adopt codes for their respective areas if approved by the state as providing "adequate minimum standards" (NCGS 14C-338(e)). Local regulations cannot be less restrictive than the state code. Exempted from the state code are: public utility facilities other than buildings; liquefied petroleum gas and liquid fertilizer installations; and farm buildings outside municipal jurisdictions. No state permit may be required for structures under \$20,000. (Note that exemptions apply only to state, not local, permits).

Local governments in North Carolina are also empowered to carry out building inspections. NCGS 160A, Art. 19, Part 5; and 153A Art. 18, Part 4 empower cities and counties to create an inspection department, and enumerates department duties and responsibilities, which include enforcing state and local laws relating to the construction of buildings, installation of plumbing, electrical, heating systems, etc.; building maintenance; and other matters.

Wilson County

Wilson County enforces the building code within the County planning jurisdiction (outside municipal corporate limits and ETJs) and through interlocal agreement within the planning jurisdictions of the towns of Black Creek, Elm City, Lucama, Saratoga, Sims and Stantonsburg.

Land Use

Land use regulatory powers granted by the state to local governments are the most basic manner in which a local government can control the use of land within its jurisdiction. Through various land use regulatory powers, a local government can control the amount, timing, density, quality and location of new development. All these characteristics of growth can determine the level of vulnerability of the community in the event of a natural hazard. Land use regulatory powers include the power to engage in planning, and to enact and enforce zoning ordinances, floodplain ordinances, and subdivision controls.

Each community possesses great power to prevent unsuitable development in hazard-prone areas. (NCGS 160A, Art. 8. (Delegation and Exercise of the General Police Powers to Cities and County's); Art. 19 (Planning); Part 3 (Zoning); and 153A. Art. 6 (Delegation and Exercise of the General Police Power to Counties; Art. 18 (Planning and Regulation of Development); Part 2 (Subdivision Regulation); Part 3 (Zoning).

Planning

In order to exercise the regulatory powers conferred by the General Statutes, local governments in North Carolina are required to create or designate a planning agency (NCGS 153A-321). The planning agency may perform a number of duties, including: make studies of the area; determine objectives; prepare and adopt plans for achieving those objectives; develop and recommend policies, ordinances, and administrative means to implement plans; and perform other related duties.

The importance of the planning powers of local governments is emphasized in NCGS 153A-341, which requires that zoning regulations be made in accordance with a comprehensive plan. While the ordinance itself may provide evidence that zoning is being conducted "in accordance with a plan", the existence of a separate planning document ensures that the government is developing regulations and ordinances that are consistent with the overall goals of the community.

Wilson County

Wilson County has adopted a growth plan that sets guidelines for future development within the county. At the next update, the scope of the plan will be expanded to more directly address hazard mitigation strategies.

Zoning

Zoning is the traditional and nearly universal tool available to local governments to control the use of land. Broad enabling authority for municipalities in North Carolina to engage in zoning is granted in NCGS 160A-381; and for counties in NCGS 153A-340. (Counties may also regulate inside a municipal jurisdiction at the request of a municipality (NCGS 160A-360(d)). The statutory purpose for the grant of power is to promote health, safety, morals or the general welfare of the community. Land uses controlled by zoning include the type of use (residential, commercial, industrial) as well as minimum specifications such as lot size, building height and set backs, density of population, etc.

Local governments are authorized to divide their territorial jurisdictions into districts, and to regulate and restrict the erection, construction, reconstruction, alteration, repair, or use of buildings, structures or land within those districts. Districts may include general use districts, overlay districts, and special use or conditional use districts. Zoning ordinances consist of maps and written text.

Wilson County

The Wilson County Zoning Ordinance establishes zoning districts and development standards for land within the County planning jurisdiction. The County's planning jurisdiction consists of that land outside corporate municipal limits and extraterritorial jurisdictions (ETJs). The current ordinance could be updated to more fully address development standards that would reduce stormwater runoff and the potential for flooding.

Subdivision Regulations

Subdivision regulations control the division of land into parcels for the purpose of building development or sale. Flood-related subdivision controls typically require that subdividers install adequate drainage facilities and design water and sewer systems to minimize flood damage and contamination. Subdivision regulations prohibit the subdivision of land subject to flooding unless flood hazards are overcome through filling or other measures. Subdivision regulations are a more limited tool than zoning and only indirectly affect the type of use made of land or the minimum specifications for structures.

Broad subdivision control enabling authority for municipalities is granted in NCGS 160-371, and in 15C-330 for counties outside of municipalities and municipal extraterritorial planning jurisdictions. Subdivision is defined as all divisions of a tract or parcel of land into two or more lots and all divisions involving a new street (NCGS 160A-376). The definition of subdivision does not include the division of land into parcels greater than 10 acres where no street right-of-way dedication is involved (NCGS 160A-376(2)).

Wilson County

Wilson County Subdivision Ordinance establishes standards for land division and development. Article 11 of the Subdivision Ordinance states "The subdivider shall provide an adequate drainage system for erosion control and prevention of siltation of all surface water in order to protect the proposed development from water damage".

Floodplain Regulation

In the summer of 2000, the North Carolina General Assembly adopted an act entitled "An Act to Prevent Inappropriate Development in the One Hundred-Year Floodplain and to Reduce Flood Hazards". By this act, the North Carolina statutes regulating development within floodways were rewritten to include floodplain regulation (NCGS 14C-314.51-214.61). The purpose of the new law is to:

1. Minimize the extent of floods by preventing obstructions that inhibit water flow and increase flood height and damage.
2. Prevent and minimize loss of life, injuries, property damage and other losses in flood hazard areas.

3. Promote the public health, safety and welfare of citizens of North Carolina in flood hazard areas.

The new statute authorizes local governments to adopt a flood hazard prevention ordinance to regulate uses in flood hazard areas and to grant permits for the use of flood hazard areas that are consistent with the requirements of the statute. The statute provides for certain uses within flood hazard areas without a permit consistent with local land use ordinances (NCGS 14C-315.54).

The statute establishes minimum standards for local ordinances and provides for variances for prohibited uses as follows:

- a. A flood hazard prevention ordinance adopted by a county or city pursuant to this Part shall, at a minimum:
 - (1) Meet the requirements for participation in the National Flood Insurance Program and of this section.
 - (2) Prohibit new solid waste disposal facilities, hazardous waste management facilities, salvage yards, and chemical storage facilities in the 100-year floodplain except as noted in section (b) below.
 - (3) Provide that a structure or tank for chemical or fuel storage incidental to a use that is allowed under this section or to the operation of a water treatment plant or wastewater treatment facility may be located in a 100-year floodplain only if the structure or tank is either elevated above base flood elevation or designed to be watertight with walls substantially impermeable to the passage of water and with structural components capable of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy.
- b. A flood hazard prevention ordinance may include a procedure for granting variances for uses prohibited under G.S. 14C-315.54(c). A county or city shall notify the Secretary (of Crime Control and Public Safety) of its intention to grant a variance at least 30 days prior to granting the variance. A county or city may grant a variance upon finding that all of the following apply:
 - (1) The use serves a critical need in the community.
 - (2) No feasible location exists for the location of the use outside the 100-year floodplain.
 - (3) The lowest floor of any structure is elevated above the base flood elevation or is designed to be watertight with walls substantially impermeable to the passage of water and with structural components capable of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy.
 - (4) The use complies with all other applicable laws and regulations.

The statute authorizes priority ratings for local government applications for revolving loans or grants based on adoption of a local comprehensive land use plan, a zoning ordinance, or other measures that significantly contribute to the implementation of the comprehensive land use plan and the flood hazard prevention ordinance.

The Floodplain Act also instructed the Environmental Review Commission to study and report its findings to the 2001 General Assembly on the need to:

- (1) Increase the minimum elevation requirement.
- (2) Increase the authority of the Secretary of Crime Control and Public Safety to enforce the new statute.

- (3) Increase protection against the potential recurrence of damage to public and private property that resulted from the hurricanes of 1999, and other measures to reduce the likelihood that public assistance will be needed in response to future hurricanes and other storm events.

Wilson County

Wilson County has been progressive in addressing a number of environmental issues that relate to flood damage prevention. Wilson County has in place several provisions for addressing flood prevention including a Watershed Ordinance and a Flood Damage Prevention Ordinance.

Acquisition

The power of acquisition can be a useful tool for pursuing mitigation goals. Local governments may find the most effective method for completely “hazard-proofing” a particular piece of property is to acquire the property (either in fee simple or a lesser interest, such as an easement). Public acquisition removes the property from the private market and eliminates or reduces the possibility of inappropriate development. North Carolina legislation empowers cities and counties to acquire property for public purpose by gift, grant, devise, bequest, exchange, purchase, lease or eminent domain (NCGS 153A. Art. 8;160A. Art. 11).

Wilson County

Following Hurricane Floyd in September 1999, Wilson County received over \$6 million in Federal and State grants to purchase and/or repair properties that were damaged by flooding (Table C-11). The County purchased 79 residential properties where families were relocated to other housing outside of flood hazard areas. Although participation in the program was voluntary, those properties that were included in the buyout portion of the program were purchased in fee simple and placed in public ownership thereby reducing or eliminating the potential for inappropriate floodplain development. Deed restrictions on the properties significantly limit future use and construction on the buyout properties.

Table C-68: Summary of Federal and State Grants Received by Wilson County

Funding Source/Program	Amount	Number of Properties Treated
HMGP Buyout (HFPAR-4292-0048)	\$1,357,438	18
HMGP Buyout (HFPAR-4292-0080)	\$557,800	7
HMGP Buyout (HFPAR-4292-0041)	\$1,388,475	3
HMGP Buyout (9 rentals/2 owner) (1312-0004)	\$837,389	11
Repair & Replacement ¹ D-121-4950	\$1,893,344	40
Total Grant Funds	\$6,034,446	79

¹Original grant amount for 28 home repairs and 12 home replacements. Actual number will probably be 10 repairs and 7 replacements due to eligibility of owners/properties.
Source: Wilson County Planning and Inspections Department.

Taxation

The power to levy taxes and special assessments is an important tool delegated to local governments by North Carolina law. The power of taxation extends beyond merely the collection of revenue and can have a profound impact on the pattern of development in a community. Communities can set preferential tax rates for areas, which are unsuitable for development (e.g., agricultural land, wetlands, and floodplains) to discourage development in hazardous areas.

Because the usual methods of apportionment seem mechanical and arbitrary, and because the tax burden on a particular piece of property is often quite large, the major constraint in using special assessments is political. Special assessments seem to offer little in terms of control over land use in developing areas. Assessments can, however, be used to finance the provision of necessary services within city or county boundaries. In addition, they are useful in distributing to new property owners the costs of the infrastructure required by new development.

Spending

The fourth major power that has been delegated by the North Carolina General Assembly to local governments is the power to make expenditures in the public interest. Hazard mitigation principles should be made a routine part of all spending decisions made by a local government, including adoption of annual budgets and a capital improvement plan (CIP).

A CIP is a schedule for the provision of city or county services over a specified period of time. Capital programming, by itself, can be used as a growth management technique, with a view to hazard mitigation. By tentatively committing itself to a timetable for the provision of capital to extend services, a community can control growth to some extent especially in areas where the provision of on-site sewage disposal and water supply are unusually expensive.

In addition to formulating a timetable for the provision of services, a local community can regulate the extension of and access to services. A CIP that is coordinated with extension and access policies can provide a significant degree of control over the location and timing of growth. These tools can also influence the cost of growth. If the CIP is effective in directing growth away from environmentally sensitive or high hazard areas, for example, it can reduce public costs associated with degradation of the environment and damages to properties caused by natural hazards.

E. Fiscal Capability

Beyond legal authority and political willpower, fiscal capability is a key component to effectively developing and implementing a hazard mitigation plan. In addition to local tax funds, non-profits and other non-governmental organizations are often interested in helping to implement hazard mitigation projects. Local governments can also apply for State and Federal funds to implement hazard mitigation initiatives. Appendix D lists state and federal sources for information and funding of hazard mitigation initiatives. The NC Emergency Management website at http://www.ncem.org/Mitigation/additional_funding.htm includes a more exhaustive list of over 300 state and federal funding sources.

In North Carolina, property taxes provide the primary source of revenue for counties and municipalities. These taxes are typically used primarily to finance services that must be available and delivered on a daily basis, such as police and fire emergency services, solid waste collection and disposal, street maintenance, etc. and, leaving very little, if any, for additional services and projects. Fortunately, State and Federal funds are available to local governments for the development and implementation of hazard mitigation programs. More detail about State and Federal programs and funds is included in Section III Plan Implementation.

Ability to Pay

In recognition of the disparate economic prosperity of the State's one hundred counties, the North Carolina Department of Commerce ranks counties in an economic tier system. The impetus for this system was the William S. Lee Quality Jobs and Business Expansion Act of 1996 (Lee Act) which provides for a sliding scale of state tax credits for economic investment. The Lee Act has become the State's main development tool in an effort to help smaller rural counties be more economically competitive. The tier ranking is also used by the State as a measure of an individual county's ability to pay when applying for state and federal grants.

The most economically distressed counties are ranked in Tier 1 and the most economically prosperous in Tier 5. The rankings are evaluated annually using three factors – population growth, unemployment rate, and per capita income. The 2004 NC Department of Commerce ranking places Wilson County in Tier 4.

F. Technical Capability

Effective hazard mitigation initiatives depend largely on a community's technical capability. Wilson County has a wide variety of technical capabilities available to aid in hazard mitigation efforts. The most valuable technological resource is the wealth of knowledge accumulated by County staff through years of experience. Staff technical capabilities include planning, building inspections, code compliance, information management, emergency services, and Geographic Information System mapping of hazard areas (primarily floodplains). Together these technical capabilities help build a more resilient community by better planning before the occurrence of a natural hazard, as well as by better response during the event and during the recovery period.

Planning and Development Department

The Wilson County Planning and Inspections Department are responsible for the review of site plans, variances, special use permits, zoning permits, construction plans and final plats. The staff is also responsible for the development of long range plans and other planning efforts undertaken by the County. The building inspectors review all proposed construction plans, issue permits and perform inspections prior to issuing a certificate of occupancy.

Geographic Information System (GIS)

Wilson County has a Geographic Information Services (GIS) division that is responsible for the development and maintenance of County maps. The GIS staff provides technical assistance with information and databases that assist with hazard mitigation planning. The system provides fast access to and processing of detailed data that can be used to assist in deployment of resources before, during, and after a natural disaster. The system also permits data and visual analysis of the impacts of past storm events thereby assisting in planning for mitigation of future natural disasters. The division is currently working with new digital flood mapping being developed by the State.

Emergency Services

Emergency services are provided by the Wilson County Emergency Services Department. Wilson County Department of EMS is the primary ambulance and paramedic level emergency provider for Wilson County. EMS has 45 technicians responding to an average of 23 calls per day. The EMS system is also supported by several other organizations that backup, provide, and augment emergency medical care. Wilson County Emergency Management also responds to hazardous materials spills, large fires, and any unusual emergency event that occurs in the County. Our role is to obtain and provide specialized resources such as Hazardous Materials Clean-up Teams, Hazardous Materials Response Teams, Specialized Search and Rescue Resources and any other specialized resource that may be needed on an incident. Also playing a key role in emergency response is the 911 Emergency Communication Division, whose responsibility includes becoming a lifeline between the citizens needing assistance and the proper emergency agency being dispatched to render professional services.

Law Enforcement

The Sheriffs' Office consists of 136 employees divided into three major divisions: Criminal, Civil and Detention. Sub-divisions include: Administrative Staff, Patrol Officers, Mounted Patrol, Motorcycle Units, Detectives, Narcotic Officers, School Resource Officers, Civil Process Officers, Judicial Coordinator, Detention Officers, Clerical Personnel, Cooks, Medical Staff, Court Officers and Custodians. Within each of these divisions, specially trained personnel perform designated tasks to ensure the efficient operation of the Sheriffs' Office.

The Criminal Division is responsible for patrol duties as well as serving all criminal papers within the county. They are also responsible for duties such as traffic and crowd control at special events. The Investigative of Detective Division is responsible for investigating all serious misdemeanors and felonies committed in Wilson County. Narcotics and Vice Division investigate complaints of illegal substance abuse and prostitution. The Civil Division serves over ten thousand civil processes each year as well as insuring that security is provided in all courts being operated in Wilson County. Within the Civil Division there are nine school resource officers that are assigned to each high school and middle school. The Wilson County Detention Center houses 284 local, state and federal inmates.

With regards to hazard mitigation, the Sheriff's Office is instrumental in traffic management before, during and after the occurrence of a natural hazard event. This would include the coordination of any evacuation procedures prior to the event and assisting other departments in rescue and response efforts. The communication system enables direct communication with other public safety agencies, provides better area coverage, avoids overcrowding of channels and eliminates channel interference. The Sheriff's Office works in conjunction with Emergency Services to insure a safe and effective response to a natural hazard event.

G. Political Climate

The elected officials of Wilson County are in agreement that implementation of the Hazard Mitigation Plan is a necessary step to help minimize damages from natural hazards. The Board of Commissioners supports the need for hazard mitigation to reduce future loss of life and property. The Board of Commissioners will support the hazard mitigation efforts while acknowledging the limited resources both monetarily and physically at the County's disposal.