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SYNOPSIS

OF THE

TOWN OF TOPSAIL BEACH LAND USE PLAN

U.S. DEPARTMENT OF COMMERCE NOAA
COASTAL SERVICES CENTER
2234 SOUTH HOBSON AVENUE
CHARLESTON, SC 29405-2413

Submitted To

North Carolina Coastal Resources Commission

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LAND USE CONDITIONS AND TRENDS

Topsail Beach is part of a North Carolina barrier island composed of beaches, dunes, maritime forest, and estuarine marshes and waterways. The Town has been developed over the last 25 years as a family based ocean resort community for outdoor recreation vacations. The Town's population has been characterized from the outset by a small number of year-round residents, and a heavy influx of vacationers between May 1 and Labor Day. Both the year-round and vacation populations have increased dramatically since the Town's incorporation, causing sharp increases in the sale of lots and construction of residential housing. Commerce in the Town remains predominantly tourist based, providing little year-round employment and few shopping facilities. Occupations of permanent residents revolve primarily around real estate sales, home construction and maintenance, and vacation facilities such as fishing piers, restaurants and motels. There are now in addition a small retired population and some people commuting to jobs on the mainland.

The low permanent resident population and low property tax base limit the kinds of public services that can be economically offered in Topsail Beach. The difference between seasonal and permanent population sizes makes planning for service facilities which must serve both populations difficult. The location of the county health facilities over 40 miles away in the Pender County Seat of Burgaw has prompted the establishment of a community health clinic, in nearby Holly Ridege in Onslow County for which plans are being drawn by an architect. The feasibility of expanding the municipal water supply is under

study as is participation in development of a regional sewerage system. The fiscal policy under which the Town has been operating should allow the municipal share of cost of both of these facilities to be financed without tax increases or excessive burden on the General Fund.

Land use in Topsail Beach is entirely recreation-oriented residential and commercial, with the exception of public or institutional land used for municipal functions. Development intensity is highest along the oceanfront and Banks Channel as a result of the high demand placed on waterfront land. The major determinants of land use were the development of the major paved road immediately behind the frontal dune and the rapid subdivision of large parcels of land with subsequent sale of many small lots. In the southwestern part of the Town, a grid road system predominates, with rectangular lots dotting the landscape. The only large parcels of undeveloped land remaining are in the maritime forest in the northeast.

Topsail Beach now has subdivision regulations and a zoning ordinance to control growth and development. The concern of the Townspeople over the enforcement of these regulations is evidenced by their participation in public meetings called for amending them. Approximately 80 percent of the property owners, however, maintain permanent residences off the island; many are concerned that their opinions on land use issues may not be known since they are forced to be absent from decision-making meetings.

The Town of Topsail Beach is the southern end of a barrier island and, as such, its development is limited by particular physical

constraints. With the exception of some higher foredunes, the entire town is designated a Flood Prone Area, subject to inundation during severe hurricanes. The soils of the island limit the effectiveness of septic tanks because of drainage, and cause problems with foundations and road construction because of their instability. The natural foredune along most of the shoreline is solid and stable, affording at least temporary protection to property behind it. But as it approaches New Topsail Inlet, the dune line diminishes and is virtually non-existent along the southwestern I/2 mile of beach. The Topsail Beach side of the inlet has been accreting over the last 25 years, with residential development closely following the lateral extension of land. The natural tendency of inlets to migrate poses a severe threat to inlet area development, and to public facilities extended to service it. The natural tendency of beaches and dunes to erode over time has resulted in loss of property and damage to buildings and roads. Erosion of soundfronting lots is not as great a problem as on the ocean, but is accelerated by boating activities on Banks Channel. Siltation in the channel has reduced its navigability, necessitating dredging operations for access through the inlet.

The Town contains almost 5 miles of ocean beach shoreline and extensive acreage of estuarine waters and marshes. The beaches, dunes and surrounding waters constitute the major attractions of the area for their visual appeal and the recreational and economic activities they provide. The high demand for waterfront land, resulting in the development of numerous small lots, has already caused some degradation of these resources. Concern is voiced throughout the town that these

resources and the yet undeveloped maritime forest be afforded better protection in the future, and that future development enhance their value to the greatest extent feasible.

The primary limiting factors for future development on the island are water supply and sewage disposal systems. Water lines extend through most of the town, with water purchased from neighboring Surf City. The Surf City supply is now adequate for both towns, but may in the future need additional wells. The only sewage disposal method in operation is septic tanks, the continued use of which will endanger the quality of shallow aquifers and estuarine surface waters. The establishment of water and sewer lines with required connection throughout the town can allow for continued growth and, over time, alleviate any existing pollution problems that may already exist.

MAJOR LAND USE ISSUES AND PROBLEMS

The major land use issue facing the people of Topsail Beach has been the rate of growth in the town and the resultant density of development. In the last five years, permanent population increased by 746 percent, with a 98 percent increase in vacationers between 1963 and 1975. The general affluence of the country allowing for increased second home building, together with better transportation and public services, allowing for permanent location of commuting and retired populations, has been the major influence of the rapid growth incurred. With the current recession, new construction has slowed somewhat, but owners of yet undeveloped lots can be expected to build houses eventually and new lots are continually being sold.

As undeveloped acreage has become more scarce, the pressure for higher density development has increased. Most property owners in the town had seen high density development elsewhere and sought residence in Topsail Beach instead because of the open space it contained. There have been no amusement parks, pavillions, or high rise buildings constructed, as the desire for quiet family vacations has predominated through the years.

But as pressures for change arose, property owners were contacted and given the opportunity to voice opinions on future development. Two searching questionnaires (each answered by more than 30 percent of those addressed) were mailed to all property owners on record asking for an assessment of current problems and attributes of the town, and desired growth rates and methods of accommodating that growth. The overwhelming response of residents and non-residents alike to the questionnaires in a series of public meetings (in each of which 25 to 50 persons participated) was for slow growth in the future accommodated at low densities, with a limited number of motels for vacationers but no multi-family structures, trailer parks or camping areas. The major advantage of the town was said to be the lack of crowded living conditions and the major problem was beach erosion.

In order to evaluate what was meant by "slow growth," development alternatives were presented at public meetings. Five development models with associated densities and population levels were formulated; densities ranged from only 3 units per acre throughout the town to as much as 15 to 30 units per acre over 30 percent of the town. The associated peak summer populations ranged from about 7,000 to 12,600.

The choice made by the town government was for a mixture of low to medium-high density and an ultimate peak summer population of 10,500. All future planning for service facilities in the town and land use ordinances and regulations will be aimed at achieving that ultimate population near the year 1995, with a projected peak 1985 population of 7300.

The problem of greatest importance to the people of Topsail Beach is that of affording protection to the physical resources which drew them to the town, while allowing use and enjoyment of resources by townspeople and the public. The beaches, for instance, are the town's most valuable resource, on the basis of attracting tourists which sustain the economy. But public use of the beaches results in litter and traffic problems and access to the beaches involves cutting paths through the duneline. Banks Channel serves as a recreational waterway not necessarily for fishing and boating activities, but the wakes of motorboats using it can accelerate erosion of its shoreline. Boats need to be docked and able to reach the channel, but boat canal development involves not necessarily dredging and filling of valuable marshland. The beauty of the island's undeveloped maritime forest is unsurpassed on the North Carolina coast; but its subdivision into homesites in the usual rectangular open-lot fashion, would result in its destruction as a scenic and protective resource.

The gradual beach erosion that has been occurring throughout the town's history is a natural phenomenon which cannot be prevented. But the loss of property can be reduced by care taken to protect the duneline and damage to roads and structures reduced by their proper design and location. The visual quality of development can be enhanced by the

establishment of higher standards for site preparation and construction and by exercising more creativity in land subdivision and road alignment.

Public use and enjoyment of beaches and waterways can best be facilitated by the establishment of a municipal public recreation area. While the public holds the rights of access to and use of Public Trust areas, there are no sanitation or safety facilities to accommodate the public at present. Access to the ocean or channel without benefit of well-defined structural pathways can damage adjacent dunes and marshes and initiate further erosion of these features.

The people of Topsail Beach have established a Land Use Plan, including objectives and standards for future growth. Even so, there remains the problem of implementing the Plan and assuring adherence to its standards in the future. The town has a voluntary, unpaid Planning Board made up of active, competent citizens with professional and scientific training, but the Board lacks a permanent staff required to carry on planning functions. The Building Inspection Department lacks the financial resources to maintain full-time personnel, and operates separately from county and state permit-letting authorities. A single municipal body charged with coordination and implementation of future planning, permit issuance and ordinance enforcement could help assure realization of land use goals and simplify the procedures of land use and development.

GOALS AND STANDARDS

Goal: It is to be the policy of the Town of Topsail Beach to promote continued gradual development of the town as a family beach.

Standards:

1. Municipal services, including facilities for water supply and sewage treatment and road construction and maintenance, will be planned for an ultimate peak summer population of 10,500 and a year-round population of 800.
2. Efforts will be made in road construction and the establishments of easements to promote the safe and enjoyable utilization of transportation corridors by bicycles and pedestrians as well as motor vehicles.
3. The coastal inlet land will be designated as a conservation and recreation area to be used for public recreation purposes.

Goal: It is to be the policy of the Town of Topsail Beach to promote that quality of development that will utilize and enhance the natural resources of the town for the enjoyment of all residents and vacationers.

Standards:

1. Development in Topsail Beach will be permitted only on that land east of Banks Channel.
2. Land use regulations for that part of Topsail Beach covered by maritime forest will be enacted to encourage Planned Unit Development in order to maximize the value of the forest as a resource of the town.

Goal: It will be the policy of the Town of Topsail Beach to promote that quality of development that will offer the maximum reasonable protection for human life and property in a coastal area.

Standard:

Development and construction activities will adhere to the requirements of the North Carolina Sand Dune Protection Ordinance, the North Carolina State Building Code, the Federal Insurance Administration Criteria for Land Management and Use, and other relevant state and federal regulations.

Goal: It will be the policy of the Town of Topsail Beach to permit only those kinds of development appropriate for the various Areas of Environmental Concern located within its jurisdictional boundaries.

Standards:

1. Coastal wetlands will be designated Conservation areas, any development of which will be by permit only.
2. The development of piers, docks, or other water-related structures will be limited to the east of the center line of Banks Channel.
3. In order for development to avoid as nearly as possible the potential for degradation of the water table aquifer, provisions for a public sewerage system will be made. All sanitary facilities will be required to be connected to the sewerage within five years of the beginning of the system's operation. Provisions will also be made for the expansion of the municipal water system to serve all sanitary facilities. All sanitary

facilities will be required to be connected to the water system by July 1, 1978. (Connection to the water system, however, will not preclude the use of private water supplies for irrigation purposes provided they are not interconnected with the public system).

4. In those areas to be designated by the Coastal Resources Commission as Natural Hazard Areas, any development undertaken will conform with the standards of the Federal Insurance Administration for Coastal High-Hazard Areas.

5. In order to limit excessive erosion along Banks Channel, a "no wake" ordinance will be considered by the town.

AREAS OF ENVIRONMENTAL CONCERN

For further clarification of the Town's policy relative to Areas of Environmental Concern, specific standards for development in each category of these areas have been established and are summarized as follows:

The Estuarine System

(The estuarine waters, marshes and mudflats, as defined by G. S. 113-229 and G. S. 113-230)

The only kinds of new development that may be allowed in the estuarine system are those that require water access and cannot function anywhere else. Piers, docks and marinas east of the centerline of Banks Channel, for instance, connecting water oriented with upland activities, may be considered appropriate if their need in the area can be demonstrated and their specific location and design shown to be the most suitable alternative.

The Beach-Foredune System

Because of the dynamic nature of the beach-foredune complex, the construction or location of structures on it will not be permitted. Allowances will be made, however, for the provision of structural accessways across the dune provided that utmost care is exercised in their location and construction to prevent damage to the dune and the vegetation growing on it. Allowances will also be made for the erection of safety facilities such as lifeguard chairs, and for necessarily water-oriented recreational structures such as fishing piers.

Hazard Areas

Coastal inlet lands and oceanfront property with a high probability of incurring excessive erosion are unsuitable locations for the

placement of structures used for housing, institutional purposes, transportation or commerce, and are considered of too high a risk to warrant further public investments into roads, sewer and water lines and other such facilities. In these areas, as in coastal flood prone areas, any construction will be required to meet at least the minimum standards of the N. C. Building Code and conform to the standards of the Federal Insurance Administration for coastal high hazard areas.

Public Trust Areas

To the degree authorized by statute, the town will require some provision for public access in new developments in Public Trust Areas and will prohibit any development which unduly restricts public access to and use of these areas.

LAND USE PROGRAM

The growth goal for Topsail Beach calls for an ultimate peak summer population of 10,500, with approximately 800 persons remaining residents year-round. This population will be distributed at various densities throughout the town as defined by the zoning ordinance and subdivision regulations. Housing will be limited to single family units, duplexes, and specially licensed planned unit developments, with commercial lodging facilities supplied by a limited number of motels in the commercial districts. Plans for future recreation, transportation, sewer and water facilities and urban renewal will be based on the above town charateristics and projected peak seasonal populations of 5600 in 1980, 7300 in 1985 and 10,500 in 1995 and thereafter, with permanent populations of 460,600 and 800 respectively.

The land use program for future development in Topsail Beach can be divided into the following three components:

1. Land Classification

The Topsail Beach Land Classification map defines those areas of the Town suitable for development (Transitional) and those of a particularly hazardous nature or with special natural and scenic resource value where development would run contrary to the goals and objectives of the Town (Conservation). Public facilities including water and sewer lines and street maintenance operations will service only those areas of the jurisdiction within the Transitional area. The Land Classification map also defines those areas of Transitional land where particular kinds of development will be encouraged.

2. Public Service Provision

The municipal water system is being analyzed and its quality and

adequacy for future populations studied; plans are underway for a well within the Town limits to supplement the supply presently received from Surf City. The water distribution system will be upgraded as necessary to allow connection to the public system of all new and existing sanitary facilities. These and the planned establishment of a regional sewerage system are essential to accommodation of projected population growth.

The Town will seek development of a new public recreation area to include sanitary, safety and parking facilities necessary for public use and enjoyment. Assistance from the State Department of Archives and History and other agencies will be requested in determining the historic significance of old military rocket range installations and the feasibility of establishing a museum as a suitable component of the system.

3. Implementation

The Town of Topsail Beach will request permission from the Coastal Resources Commission (CRC) to be the permit-letting authority for minor development permits required in Areas of Environmental Concern. The Town will prepare a Local Management Program, as required by the CRC, describing the methods that will be used to coordinate existing municipal permit-letting procedures with those that will be necessary to implement the Land Use Plan. The Town recognizes the need for review of existing municipal ordinances and wider circulation of their requirements to the public. New ordinances will be established where necessary to implement the plan, assure better protection of natural resources, and reduce storm and erosion damage. In particular, protection of the esthetic and protective nature of sand dunes and the maritime forest,

safe and enjoyable public use of the beaches, and the quality of all construction in the Town will be subject to municipal regulation in the future. Zoning, strict enforcement of Federal Insurance Administration criteria for building in flood-prone areas, and strengthening of local building, sanitary, and subdivision regulations will establish restraints to protect this fragile land and its vulnerable homes and businesses.

In order to make land use planning in Topsail Beach an ongoing, effective process, the Town Planning Board, at its regularly scheduled monthly meetings and at special meetings as needed, will consider orderly and prompt upgrading and revision of the Land Use Plan. Each October, the Board will make an annual report of its studies and recommendations to the Mayor and Town Board of Commissioners.

The Topsail Beach Land Use Plan has been closely coordinated with provisions and policies of the Pender County Plan. Topsail Beach will continue to coordinate its planning efforts with the County, especially those concerning the establishment of new land use regulatory bodies, service facilities and economic development.

This Synopsis is being mailed to every recorded owner of property in Topsail Beach; additional copies of the Synopsis will be made available free of charge upon written request. Copies of the maps described in the Synopsis can be obtained from the Town Hall, at cost, upon written request.

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