

Appendix C: Community Capability Assessment - Farmville

A. Introduction

This section of the Plan is a detailed assessment of the Town of Farmville'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 Town 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 Town's use of local operating budget and capital improvement program funds to mitigate the effects of hazards.
5. Technical – A review of the Town'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

The Town of Farmville is a local government body with a board-manager form of government. The elected Town Board is the decision making body for the Town. A Planning Board serves as an advisory panel to the Town Board on specific matters, including planning and land use. The Town employs professional staff to carry out day-to-day administrative activities.

Departments and Agencies with Direct/Indirect Impact on Hazard Mitigation

Table C-1(a): Departments with Direct Impact on Hazard Mitigation

Department/Agency	Function
Town Manager	The town manager is responsible for implementing town polices and regulations and overseeing day-to-day activities
Buildings and Grounds	This department is responsible for the maintenance and up keep of all town-owned property including debris removal.
Code Enforcement/ Inspections/Planning	This department provides planning code enforcement services within the planning jurisdiction.
Garage	This department is responsible for the maintenance and up keep of all town-owned vehicles and equipment.
Police	Police are responsible for enforcing NC State laws as well as ensuring the safety of all residents within the Town of Farmville.
Public Works	Public works is responsible for maintaining public water and sewer utility services.
Utility	This department is responsible for the maintenance and up keep of all town-owned utilities.

Source: Town of Farmville

Table C-1(b): Departments with Indirect Impact on Hazard Mitigation

Department/Agency	Function
Town Clerk	The town clerk gives notice of Town Board meetings, prepares the agenda and records proceedings. The clerk is custodian of all permanent Town records and keeps track of appointments and terms for boards and commissions.
Finance	The responsibility of this department is to maintain all financial records as well as prepare the budget.
Housing Development	This department is responsible for maintaining the minimum housing standards within the Town of Farmville.
Parks and Recreation	This department provides for and maintains recreation programs and park facilities.
Attorney	The town attorney is responsible for providing counsel to the Town Board and town employees regarding legal issues.

Source: Town of Farmville

Other Departments/Agencies

Pitt County Public School System

The Pitt County Public School System provides public educational programming and facilities. The school system is responsible for constructing and maintaining schools 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)

The NC Department of Transportation is responsible for construction and maintenance of state-owned roads and highways, including the construction and 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 (staff and equipment) can also increase the likelihood of system failure and stormwater damage to system elements, e.g., culverts, during flooding.

C. Existing Polices, Programs and Ordinances

The Town of Farmville has the statutory authority to plan for growth and development including the power to make studies of the Town, 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 Town Board 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 municipality, be made in accordance with a comprehensive land use plan. The existence of a comprehensive plan ensures that town boards and staff are developing regulations and ordinances that are consistent with the overall goals of the community.

The Town of Farmville 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 Town 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 Town policies and ordinances include:

- Comprehensive Land Use Plan
- Zoning Ordinance
- Subdivision Ordinance
- Flood Damage Prevention Ordinance
- Pitt County Addressing Ordinance
- Manufactured Home Park Ordinance
- Building Code Enforcement
- Wellhead Protection Plan
- Hazard Mitigation Plan

Comprehensive Land Use Plan

The Town of Farmville has adopted a Comprehensive Land Use Plan with long-range growth and development policies for the Town and its extraterritorial jurisdiction (ETJ). The Plan delineates areas of “resource conservation” which consist of areas located within the regulatory floodplains of major streams. Recommended uses most suitable for this area include open space, recreational, agriculture and low density residential development. The promotion of these types of land uses is a local mitigation initiative.

Growth and development in and around the Town of Farmville is constantly changing as are the conditions throughout the County. These changes affect the impact natural hazards have on the people and properties of the town. In most cases, growth and development result in the alteration of natural topographic features that, in turn, affect the extent of flooding and the boundary of the flood plain.

Zoning Ordinance (amended 1999)

The Town of Farmville has adopted a Zoning Ordinance. This ordinance is designed to encourage well-planned growth for the Town of Farmville and its environs, to help insure wise, productive, and harmonious uses of land, to guide the use of land in a manner which gives appropriate consideration to the economic, social, cultural, aesthetic, and environmental values of citizens of the community, to preserve and enhance the quality of life for community residents, and to assist in implementing elements of the comprehensive plan.

The ordinance seeks to regulate land and structures in a manner that will secure safety from fire, flooding, panic, and other dangers, provide adequate light, air, and sanitation, prevent population and traffic congestion and the overcrowding of land, facilitate the adequate provision of public facilities and utilities, conserve the value of land, buildings, and natural resources, and preserve and protect the community's natural resources and its sensitive natural area. The established zoning districts are outlined in Table C-2.

Table C-2: Town of Farmville Zoning Districts

District	Function
RA-20 - Residential-Agricultural	The RA district is designed for residential and agricultural purposes, in a rural or near-rural setting, and is intended to insure that residential development with or without access to public water and/or sewers take place in a manner which provides a healthful environment. This district is designed to primarily govern land use in areas of the zoning jurisdiction least developed for urban purposes. This district also permits certain services and public uses which are common to a more rural setting, have large land area requirements, or benefit from a low-density setting.
R-15 - Residential	The R-15 district is intended to be a quiet low density neighborhood of single-family residences along with limited private and public community uses. This district is designed for areas with access to public water or sewer.
R-12 - Residential	The R-12 district is designed to create and maintain a medium density residential neighborhood composed primarily of single-family dwellings and some public and community uses which will not detract from the character of the district as healthful, quiet, and aesthetically pleasing residential area. This district is designed for areas with access to public water or sewer.
R-8 Residential	The R-8 district is designed for medium to high-density single-family and multi-family development.
R-5 - Residential	The R-5 district is designed for high-density residential purpose, including small lot single-family dwellings and multi-family dwellings.
R-MH - Residential and Manufactured Housing	The R-MH district is designed for high-density residential purposes for manufactured housing located on individual lots and in manufactured home parks, and such other uses which would not be detrimental to the residential nature of the district.
R-MF - Residential Multi-Family	The R-MF district is designed for high density, multi-family residential uses and such other uses which would not be detrimental to the residential nature of the district.
RB - Rural Business	The RB district is designed for low density wholesale and retail purposes outside the city limits located on secondary and/or minor thoroughfares.
NB - Neighborhood Business	The NB district is designed to provide basic goods and personal services for a residential neighborhood. The district allows convenient, compatible, low-intensity commercial services for residents of immediately adjacent areas without adversely affecting enjoyment of residential districts. NB areas should ordinarily be relative in area, consist of a cluster of several uses, be carefully located to avoid conflict with nearby areas, be limited to one quadrant of a street intersection, and not be permitted in mid-block areas.)
CBD - Central Business	The CBD district is designed to provide for a central, pedestrian-oriented concentration of retailing, personal services, public uses, and office uses. The district provides for compact development of a wide variety of medium intensity, public-oriented uses to create a convenient and varied shopping area for citizens and a focal point of activity for the community. The regulations of the district are also designed to protect the historic character of the central business area and protect its historic value.
GB - General Business	The GB district provides an area for conduct of a wide range of commercial activities, most of which are normally enclosed within a building but some of which are more intense than central business uses and involve some outdoor sales or storage. The GB district shall normally be used for shopping areas and shopping centers subordinate to the CBD district or incorporating a vehicle-oriented range of services.

District	Function
HB - Highway Business	The HB district is intended to provide for commercial areas to be located on highways and major thoroughfares. The uses allowed in this district are primarily retail trade or service establishments dependent on the traffic volume or transportation access characteristics of highways and major thoroughfares or high intensity commercial uses located on high traffic routes to avoid conflict with less intense land uses. Although this district is expressly designed for location along major thoroughfares it is intended that these uses should be clustered in nodes as much as possible to limit the number of highway access points and prevent undesirable strip development.
ID - Industrial District	The ID district is designed to provide areas primarily for manufacturing and processing industries and their accessory uses, for supporting or related storage, transportation and distribution activities, for commercial activities with high intensity characteristics, and for certain supporting service activities for the convenience of the concentrated employee population. These areas shall normally be located on planned sites with good access to major transportation arteries and to appropriate utilities capacities. The regulations of this district are intended to minimize conflicts with proximate land uses by controlling noise, odor, glare, smoke, dust, wastes, and other adverse environmental effects. Industrial classifications shall normally apply to large tracts of land located in a manner that the uses permitted in the district will not detract from the appropriate development or enjoyment of nearby properties. Residential uses and most retail trade activities are prohibited in this district.
OI - Office and Intuitional	The purpose of the OI district is to create and protect areas in which residential, business, and professional uses may be and are compatibly mixed, achieving a healthful living environment for the residents of the district and at the same time preventing the development of blight and slum conditions. The district is limited to those sections of the community in which the mixing of such uses is necessary and desirable for the buffering between

Source: Town of Farmville Zoning Ordinance.

Subdivision Ordinance

The Town of Farmville Subdivision Ordinance controls the division of land into parcels for the purpose of building development or sale. The regulations require that subdivision plan be approved prior to the sale of the land. 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 control typically require that the developers install adequate drainage facilities, and design water and sewer systems to minimize flood damage and contamination. They prohibit the subdivision of land subject to flooding unless flood hazards are overcome through filling or other measures and prohibit filling of floodway areas.

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

Flood Damage Prevention Ordinance (2003)

The Town of Farmville Flood Damage Prevention Ordinance sets regulatory standards for development within flood hazard areas. The Town of Farmville has initiated a Freeboard elevation of 4 feet above base floor elevation and increased the stream buffer to 100', rather than the 50' required by NC. The purpose of the ordinance is to protect the health, safety and general welfare of the public to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

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 or in flood heights or velocities;
2. Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
3. Control the alteration of natural flood plains, stream channels, and natural protective barriers which are involved in the accommodation of flood waters;
4. Control filling, grading, dredging and other development which may increase erosion or flood damage; and
5. Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands.

Other objectives that are covered with this ordinance include:

- to protect human life and health;
- to minimize expenditure of public money for costly flood control projects;
- to minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- to minimize prolonged business interruptions;
- to minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in flood plains;
- 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 flood blight areas; and,
- to insure that potential home buyers are notified that property is in a flood area.

General standards are set to regulate construction in 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 structure;
- 2) Manufactured homes shall be anchored to prevent flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This standard shall be in addition to and consistent with applicable state requirements for resisting wind forces;
- 3) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage;
- 4) All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damages;
- 5) 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.
- 6) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
- 7) 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;
- 8) On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding;
- 9) 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.
- 10) Non-conforming Buildings or Uses. Non-conforming buildings or uses may not be enlarged, replaced, or rebuilt unless such enlargement or reconstruction is accomplished in conformance with the provisions of this 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 Zone, provided that the bulk of the building or structure below the base flood elevation in the Floodway Zone is not increased and provided that such repair, reconstruction, or replacement meets all of the other requirements of this ordinance.

For all structures that the base flood elevation has been established, the following provisions are required:

Residential Construction. New construction or substantial improvement of any residential structure shall have the lowest floor, including basement, elevated no lower than four feet above the base flood elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate the unimpeded movements of flood waters shall be provided.

Non-Residential Construction. New construction or substantial improvement of any commercial, industrial, or non-residential structure shall have the lowest floor, including basement, elevated no lower than four feet above the level of the base flood elevation. Structures located in A-zones may be flood-proofed in lieu of elevation provided that all areas of the structure below the required elevation are water tight with walls substantially impermeable to the passage of water, using structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered

professional engineer or architect shall certify that the standards of this subsection are satisfied. Such certification shall be provided to the official as set forth in Section 3.2.5.

Elevated Buildings. New construction or substantial improvements of elevated buildings that include fully enclosed areas that are used solely for the parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to preclude finished living space and be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwater.

- Designs for complying with this requirement must either be certified by a professional engineer or architect or meet the following minimum criteria:
- Provide a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;
- The bottom of all openings shall be no higher than one foot above grade; and,
- Openings may be equipped with screens, louvers, valves or other covering or devices provided they permit the automatic flow of floodwaters in both directions.
- 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.
- Access to the enclosed area shall be the minimum necessary to allow for parking of vehicles (garage door) or limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the living area (stairway or elevator).
- The interior portion of such enclosed area shall not be partitioned or finished into separate rooms, except to enclose storage areas

Floodways. Located within areas of special flood hazard established in Section 2.2, are areas designated as floodways. The floodway is an extremely hazardous area due to the velocity of flood waters which carry debris and potential projectiles and has erosion potential. The following provisions shall apply within such areas:

- No encroachments, including fill, new construction, substantial improvements and other developments shall be permitted unless certification (with supporting technical data) by a registered professional engineer is provided demonstrating that such encroachments shall not result in any increase in flood levels during occurrence of the base flood discharge.
- If Section 4.2.4.1 is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of Section 4.
- No manufactured homes shall be permitted, except in an existing manufactured homes park or subdivision. A replacement manufactured home may be placed on a lot in an existing manufactured home park or subdivision provided the anchoring standards of Section 4.1.2 and the elevation standards of Section 4.2.1 are met.

Manufactured Homes

- Manufactured homes that are placed or substantially improved on sites: (i) Outside a manufactured home park or subdivision, (ii) in a new manufactured home park or subdivision, (iii) in an expansion to an existing manufactured home park or subdivision, or, (iv) in an existing manufactured home park or subdivision on which a manufactured home has incurred “substantial damage” as the result of a flood; must be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated no lower than four feet above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral

movement.

- Manufactured homes that are to be placed or substantially improved on sites in a existing manufactured home park or subdivision that are not subject to the provisions of Section 4.2.5.1 of this ordinance must be elevated so that the lowest floor of the manufactured home is elevated no lower than four feet above base flood elevation, and be securely anchored to an adequate anchored foundation to resist flotation, collapse, and lateral movement.
- Manufactured homes shall be anchored to prevent flotation, collapse, or lateral movement. For the purpose of this requirement, manufactured must be anchored to resist flotation, collapse, or lateral movement in accordance with Regulations for Manufactured and Modular Homes pursuant to NCGS 143.143.15. Additionally, when the elevation would be met by an elevation of the chassis at least 36 inches or less above the grade at the site, the chassis shall be supported by reinforced piers or other foundation elements of at least equivalent strength. When the elevation of the chassis is above 36 inches in height, an engineering certificate is required.
- An evacuation plan must be developed for evacuation of all residents of all new, substantially improved or substantially damaged manufactured home parks or subdivisions located within flood prone areas. This plan shall be filed with, and approved by the local administrator and the Emergency Management Coordinator.

Recreation vehicles. A recreational vehicle is ready for highway use if it is on wheels or a jacking system, is attached to the site only by quick-disconnect type utilities and security devices. And has no permanently attached additions. Recreational vehicles placed on sites shall either: (i) be on site for fewer than 180 consecutive days, (ii) be fully licensed and ready for highway use, (iii) meet the requirements of Section 3.2, Section 4.1, and Section 4.2.5.

Temporary Structures. Prior to issuance of a development permit, for a temporary structure, the following requirements must be met:

- All applicants must submit to the local administrator prior to the issuance of the development permit a plan for the removal of such structure(s) in the event of a hurricane or flash flood warning notification. The plan must include the following: (i) a specified time period for which the temporary use will be permitted; (ii) the name, address and phone number of the individual responsible for the removal of the temporary structure; (iii) the time frame prior to the event at which a structure will be removed (i.e. a minimum of 72 hours before the landfall of a hurricane or immediately upon flood warning notification); (iv) a copy of the contract or other suitable instrument with a trucking company to insure the availability of removal equipment when needed; and (v) designation, accompanied by documentation, of a location outside the floodplain to which the temporary structure will be moved.
- The above information shall be submitted in writing to the local administrator for review and written approval.

Accessory Structure(s). When accessory structures (sheds, detached garages, etc.) with a value of \$3,000 or less are to be placed in the floodplain the following criteria shall be met:

- Accessory structures shall not be used for human habitation (including work, sleeping, living, cooking, or rostrum area);
- Accessory structures shall be designed to have low flood damage potential;
- Accessory structures shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwater;

- Accessory structures shall be firmly anchored in accordance with Section 4.1.1;
- Service facilities such as electrical and heating equipment shall be elevated in accordance with Section 4.1.5; and
- Openings to relieve hydrostatic pressure during a flood shall be provided below base flood elevation in conformance with Section 4.2.3.

Pitt County Addressing Ordinance

The Pitt County Addressing Ordinance was established to ensure that emergency services could be dispatched quickly and accurately when needed. To ensure this purpose, the ordinance provides for a logical addressing system that includes an official process by which roads are named and signed and property addresses are assigned. The ordinance also requires that addresses be displayed such that each structure can be easily, legibly and uniquely identified from the road right-of-way. Pitt County provides addressing services for the all areas within the County with the exception of the City of Greenville. Through an interlocal agreement, Pitt County enforces the Addressing Ordinance within the Town of Farmville.

Manufactured Home Park Ordinance

The Town of Farmville Manufactured Home Park Ordinance was enacted to provide for more orderly growth and development of parks. The 1998 ordinance set new standards for development by establishing minimum space size requirements for individual spaces, review fees, and improved design and construction standards, and construction plan submittal requirements.

Building Code Enforcement

The Town of Farmville has adopted a local ordinance that incorporates the North Carolina State Building Code. The ordinance provides that any revision, amendments, or additions to the State code are automatically included in the Town's ordinance. The Town enforces the ordinance within the corporate limits and extraterritorial jurisdiction.

Wellhead Protection Plan

The Town of Farmville Wellhead Protection Plan was established to identify groundwater systems that supply drinking water to communities and then to manage those systems to prevent adverse affects on human health. The plan identifies the town's Wellhead Protection Areas (areas where contaminants are reasonably likely to affect well water); potential sources of contamination in the town, and includes recommendations for improved wellhead protection and public education on contamination issues.

Hazard Mitigation Plan

The Town of Farmville Hazard Mitigation Plan outlines specific measures to reduce the vulnerability of the Town of Farmville and its citizens by implementing mitigation actions to increase the community's resiliency to the effects of natural disasters. The plan considered and evaluated the potential impact of the natural hazards that could occur in North Carolina. The adopted plan includes hazard reduction strategies.

Community Capability Assessment Summary

The overall assessment of Town of Farmville community capability to address hazard mitigation through existing policies and ordinances is summarized in Table C-3.

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 Town will create a process to incorporate requirements in the Hazard Mitigation Plan into existing community plans and ordinances. The Town Manager will be responsible for providing a copy of the Hazard Mitigation Plan to each Town department and for ensuring that the responsible department (see Table C-3) 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-3, 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.

Table C-3: Community Capability Assessment – Town of Farmville

Policies and Programs	Policy/Program Status	Effectiveness for Mitigation	Rationale for Effectiveness	Recommendations for Incorporating Hazard Mitigation into Existing Plans and Mechanisms
Comprehensive Land Use Plan	Existing	Moderate	The Plan promotes orderly and efficient land use development patterns, allows for a variety of land uses and addresses need to be sensitive to environmental and social concerns.	When updated, revise goals and strategies to more specifically address hazard mitigation through environmental conservation, stormwater management, and flood damage prevention. The Code Enforcement/Inspections/Planning Department is responsible for plan updates.
Zoning Ordinance	Existing	Moderate	This ordinance sets standards for growth and guides the use of land in a productive manner.	Continue to investigate ways to improve zoning standards to address issues that are identified through specific studies within the Town of Farmville. The Code Enforcement/Inspections/Planning Department is responsible for enforcement and ordinance revisions.
Subdivision Ordinance	Existing	Moderate	This ordinance provides for orderly growth and development by setting standards for street construction, interconnecting street systems, and for other improvements that ensure the appropriate design and layout of new development.	Continue to enforce and enhance subdivision standards, particularly in regards to stormwater management. The Code Enforcement/Inspections/Planning Department is responsible for enforcement and ordinance revisions.
Flood Damage Prevention Ordinance	Existing	High	This ordinance regulates development within floodplains by providing for issuance of development permits for construction, and for periodic inspections to ensure compliance with the permit	Continue to enforce and enhance flood hazard control standards to reduce the exposure of the built environment and the population of the Town to the perils of natural hazards. The Code Enforcement/Inspections/Planning Department is responsible for enforcement and ordinance revisions.
Pitt County Addressing Ordinance	Existing	High	This ordinance was established to ensure that emergency services could be dispatched quickly and accurately when needed.	Continue to implement and enforce the ordinance to ensure that accurate addressing plays a key role in delivery of emergency services. Pitt County is responsible for enforcing and revising the Addressing Ordinance.

	Policy/Program Status	Effectiveness for Mitigation	Rationale for Effectiveness	Recommendations for Incorporating Hazard Mitigation into Existing Plans and Mechanisms
Manufactured Home Park Ordinance	Existing	Moderate	This ordinance set establishes minimum space size requirements, improved design and construction standards, and plan submittal requirements.	Continue to monitor and enforce the ordinance and revise as necessary to reduce exposure to natural hazards. The Code Enforcement/Inspections/Planning Department is responsible enforcement and ordinance revisions.
Building Code Enforcement	Existing	High	This ordinance incorporates the requirements and provision set forth in the NC Building Code.	Continue to incorporate revisions to the State code and to vigorously enforce minimum building standards. The Code Enforcement/Inspections/Planning Department is responsible for plan updates.
Wellhead Protection Plan	Existing	Moderate	This plan was established to identify groundwater systems that supply drinking water to communities and then to manage those systems to prevent adverse affects on human health.	Continue to identify, monitor, and protect areas to prevent contamination. The Code Enforcement/Inspections/Planning Department is responsible for enforcing and updating the plan.
Hazard Mitigation Plan	Existing	High	The plan considers and evaluates the potential impact of natural hazards and includes mitigation strategies that will, when implemented, reduce community vulnerability to natural hazards.	In cooperation with Pitt County and other participating municipalities, update the plan to include the new DMA2K requirements for hazard mitigation planning. The Code Enforcement/Inspections/Planning Department, in cooperation with Pitt County, is responsible for plan updates.

Source: Town of Farmville

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.) These powers fall into four broad categories: regulation, acquisition, taxation, and spending. The Town of Farmville has made limited use of these powers.

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), towns, 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 Towns); 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 143-338(c)). However, municipalities and counties may adopt codes for their respective areas if approved by the state as providing “adequate minimum standards” (NCGS 143-338(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.

Town of Farmville

The Town of Farmville enforces the North Carolina Building Code within the planning jurisdiction.

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 Towns); 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 160A-3 87). 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 (NCGS 160A-361).

The importance of the planning powers of local governments is emphasized in NCGS 160A-383, 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.

Town of Farmville

The Town of Farmville has adopted a Comprehensive Land Use Plan that sets guidelines for future development. When the Plan is updated, hazard mitigation planning will be included as a key component for future growth, as well as the availability of an existing Land Use Map.

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 (NCGS 160A-382). Districts may include general use districts, overlay districts, and special use or conditional use districts. Zoning ordinances consist of maps and written text.

The Town of Farmville has adopted (2000) a zoning ordinance that establishes zoning districts and minimal development regulations. The ordinance needs to be updated to more fully address development standards that would reduce stormwater runoff and the potential for flooding. The Town currently encompasses minimal flood hazard areas within the planning jurisdiction and potential for development in flood prone areas as development expands into the Town's ETJ.

Town of Farmville

The Town of Farmville has a zoning ordinance. The Town will be considering revisions to the ordinance that could assist with hazard mitigation efforts.

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 153-330 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)).

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

Town of Farmville

The Town of Farmville has a subdivision ordinance. The Town will be considering revisions to the ordinance that could contribute to hazard mitigation efforts.

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 143-314.51-214.61). 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 143-315.54).

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. 143-315.54(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.

Town of Farmville

The Town of Farmville enforces a Flood Damage Prevention Ordinance within the town planning jurisdiction. Revisions to the ordinance will be considered as part of local hazard mitigation efforts.

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).

The Town of Farmville has not used local police power to acquire land for hazard mitigation purposes. Taking of private property for public purposes can be both extensive and controversial as land owners are often uncooperative. Funds for acquisition would have to come from local revenues which are almost always limited or from federal or state grants.

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.

The Town of Farmville uses general revenues from primarily local property taxes as annual operating funds. The Town has not set any preferential tax rates for areas that are not suitable for 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.

Town of Farmville

The Town of Farmville uses capital to allot funds to specific projects.

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 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.

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 Pitt County in Tier 4.

F. Technical Capability – Staff Resources

Effective hazard mitigation initiatives depend largely on a community's technical capability. Many smaller governments in North Carolina have only limited technical capabilities due to size and budget restrictions and must depend on larger government units for technical assistance. However, the most valuable technological resource is the wealth of knowledge accumulated by county and town staff members through years of experience.

The Town of Farmville depends largely on the assistance of Pitt County and the resources county staff provide for emergency management services, information management, and Geographic Information Systems mapping. 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.

G. Political Climate

The elected officials of the Town of Farmville are in agreement that implementation of the Hazard Mitigation Plan is necessary to minimize damages from natural hazards. The Town Board supports hazard mitigation planning to reduce future loss of life and property. Town Commissioners intend to vigorously support the hazard mitigation efforts while acknowledging the limited resources both monetarily and physically at the Town's disposal. The Town Board and town employees will continue to strive to make the Town of Farmville a safer community and see implementation of the Hazard Mitigation Plan as a means to help achieve that goal.