

# PROTECT OUR WETLANDS!

## Some appear poised to sacrifice our wetlands!

In our coastal community, one of the most precious natural resources is our wetlands. In fact, our Land Use Plan (LUP) stresses preservation of our town's wetlands, with emphasis on their importance; not only for the crucial role they play in our fragile coastal ecosystem, but also for their scenic beauty.

**Unfortunately, in an effort to address complaints from a small group of residents, some members of Town Council appear poised to sacrifice portions of our town's wetlands.**

At their September 12th meeting, Council will be voting on a proposed text amendment for Planned Unit Developments (PUD) that stands to substantially impact some of our wetland areas. The amendments, if adopted, will effectively force some owners of wetland properties to destroy those wetland areas in an effort to exercise their legal right to utilize their properties.

**The LUP addresses the importance of our wetlands as follows;**

Section 8.1.2 A – Coastal Wetlands AEC's:  
“...*Unacceptable uses may include, but would not be limited to, restaurants, businesses, residences, apartments,...*”

Section 8.1.4 Freshwater Wetlands: “*The Town shall avoid undertaking any activity or approving of any activity which would result in the destruction or removal of remaining “404” wetlands within the Town’s jurisdiction, whether fresh or saltwater.*”

Section 8.3.17 A – Scenic Vistas and Views: “...*The Scenic and visual qualities of coastal areas shall be protected as a resource of public importance. The Town shall promote development that protects existing scenic vistas and view....*”

### **How important are the LUP statements?**

When the 97 LUP was drafted there was substantial community involvement. Citizens met with town officials and voiced their concerns for our community, including their concern for our wetland areas. As a result, the LUP includes four sections dedicated to our wetlands and natural resources. Two points are apparent when reading the LUP. One, the plan is clear and unambiguous regarding protection of our wetland areas, and two, the

LUP language regarding wetlands is some of the most forceful in the entire plan, and thus should not be ignored.

Considering the extent of citizen involvement and the strength of the LUP statements, we should expect our town leaders to understand the intent, as well as, the importance of protecting our wetland areas. However, given recent actions, such an understanding appears questionable.

### **Here's the issue.**

While our LUP recognizes and stresses the importance of protecting wetlands, it also recognizes that under the Federal 404 wetlands program, properties with wetlands are allowed to be filled and built upon. In fact, the USACE website states that less than 3% of 404 fill permits are denied. Therefore, 97% of the requests they receive to fill and build on wetland areas are approved.

A recent memo to Town Council from the Planning Director states: “*The current PUD language allows for productive use of the upland areas of properties containing wetlands without damaging the wetlands, whereas, the proposed*

*amendment has the potential to encourage property owners to fill in the wetlands to get the same productivity from their property.*”

Department was asked to draft ordinance changes that would eliminate anything other than single family homes in that area.

Homes already built - destroying wetlands and views!



If adopted, the changes would eliminate duplex construction, along with most other creative and viable alternatives to these issues, and in the process, remove Council's future ability to consider unique projects and hardship situations on a case-by-case basis, thereby effectively sealing the fate of these wetland areas.

### **So why is this amendment under consideration?**

This issue came about as a result of complaints from some North End residents regarding construction of duplexes in their neighborhood. Their neighborhood is one of the areas that has building lots along the wetlands stacked two deep. All of these properties have wetland areas, but are also legal lots of record deemed buildable.

One property owner recently attempted to preserve those wetlands by proposing construction of a duplex on his front lot, leaving his rear lot and 100% of the related wetland areas untouched. That proposal would also have left his combined properties with 89% green space. That proposal was denied by Town Council.

Apparently, as a result of concerns raised over that proposal, the Planning

### **What should be done?**

Our wetland areas and scenic vistas benefit the entire community, not just a select few in any given neighborhood. Our town should avoid using tactics designed to derail these projects, and instead, work with these property owners to create solutions of mutual benefit that also preserve our natural resources.

If Council feels inclined to approve these changes, in the process they should exclude any properties with wetlands from such restrictions. This could most likely be done by including an exception in the ordinance for properties affected by wetlands or scenic vistas, or providing a separate zoning designation.

**There is no greater quality in an elected official than common sense.** Protect our wetlands!

**CITIZENS FOR CAROLINA BEACH**

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For reference: [www.carolinabeach.org](http://www.carolinabeach.org) and <http://www.usace.army.mil/>