

## CHAPTER FOUR: LAND STEWARDSHIP

This Chapter provides information on existing land use and land use trends in Clay County. Long-range land use planning allows the county to guide development in a manner that maintains the community’s rural character, protects sensitive environmental features, and provides efficient county services. Land use planning also enables the county to identify lands well-suited for public purposes such as schools, parks, other county facilities, and roads.

### EXISTING LAND USE

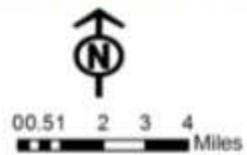
Before delving in to Clay County’s existing land use patterns, it is first necessary to look at land in Clay County over which the county does not have, or has limited, regulatory power. When Clay County’s governing body creates an ordinance, such as the *Clay County Subdivision Ordinance*, that ordinance applies only to land areas that fall under the county’s jurisdiction. The example, the *Subdivision Ordinance* does not apply to land owned by the Nantahala National Forest. While the Town of Hayesville technically is not within the county’s jurisdictional purview, this report treats it as such in for two reasons. First, the Town and the county have a number of arrangements whereby the county provides services to Town residents. For example, the *Clay County Subdivision Ordinance* applies to development activity in the Town of Hayesville. The second reason is that land in the Town of Hayesville represents less than 1% of the entire county. Subtracting Hayesville’s land area from each calculation has no real effect on overall trends. Of the 141,329 acres in Clay County, 73,120 (53%) lies beyond the county’s jurisdictional reach. This land cannot be developed or used for typical land use purposes. Subtracting publicly owned land, Lake Chatuge, and the other types of land in the from the county’s total acreage, approximately 68,209 acres, or 48% of the county, remain open for traditional land uses. Table \_\_\_ details these areas and Map \_\_\_ provides a visual representation. (→redo map to make roads more visible).

County	141,329	221	100%
<b>Federal Owned Land</b>	66,000	103	47%
<b>State Owned Land</b>	57	<1	<1%
<b>Lake Chatuge</b>	3,516	5.5	3%
<b>Roads</b>	2,711	4.2	2%
<b>TVA</b>	836	1.3	<1%
Total Out of County Jurisdiction	73,120	114	52%
Total In County Jurisdiction	68,208	107	48%
<b>Source: NC DCA</b>			

# Clay County, North Carolina Land Out of County Jurisdiction

## Legend

- Roads
- Highways
- River or Creek
- Lake Chatuge
- Hayesville
- Federally Owned Land
- State Owned Lands
- TVA



Data for the existing land use analysis and map is derived from a countywide land use windshield survey and data from Clay County's geographic information system (GIS). Other supplemental land use sources consulted include data from the Hiwassee River Watershed Coalition (HRWC), the Land Trust for the Little Tennessee (LTLT), North Carolina One Map, and the North Carolina Department of Transportation (NC DOT).

### Clay County Tax Records and Geographic Information System (GIS)

When developing comprehensive plans, planners typically rely on data generated through a community's electronic property records (tax data) and spatial data from the community's GIS. These two systems are typically integrated, however, this is not yet the case for Clay County. Clay's electronic tax system is older and does not have the ability to export the entire database for analysis purposes. Therefore, planners involved with the CCCP had to rely on available GIS data as the initial basis for the existing land use mapping process. The GIS data presented its own set of challenges—there were records without data and records with only partial information.

Planners conducted an extensive, countywide windshield survey to determine existing land use. Data from the windshield survey, Clay County's GIS data, and data from supplemental sources were collated in order to identify existing land uses and patterns. While the data presented here accurately depicts land use trends, there is a margin of error in the data. Therefore, the CCCP presents most figures as percentages rather than total numbers.

The CCCP recommends that Clay County work to modernize the tax record system and the GIS to have better information for analyzing land use changes over time.

Existing land use is a description of how the land is currently used. For example, if you were to walk down the street and see a house, a church, and a convenience store, the land uses noted in the in the database would be residential (house), social/cultural (church), and commercial (convenience store). Each parcel of land in the Clay County GIS database received one of the following land use codes:

- *Residential:* Parcels with a single-family, multi-family, or manufactured housing structure received a residential land use code.
- *Commercial:* Commercial parcels are those that had some type of general business, such as a retail establishment or a restaurant; or office, such as a bank or a doctor's office. Additionally, single-family residences that obviously doubled as a home-based business received a commercial code. An obvious home-based business is one that had noticeable signage or business activity.
- *Social/Cultural:* Social and cultural parcels are those that contain church, education, government, health care (such as nursing homes), or social service establishments.
- *Production:* The Production code applies to parcels with land uses such as manufacturing, warehousing, equipment sales, construction, or quarries.
- *Open Land:* Parcels with an Open Land code include parks, recreational facilities, golf courses, protected areas, agriculture, horticulture, and forestland.
- *Transportation:* Transportation parcels include roads and rights-of-way as well as parcels with utilities, such as cell towers or power sub-stations.
- *Undeveloped:* Land with no obvious activity, that was under construction, or that is unclassifiable received an undeveloped code.
- *Unknown:* Parcels with an unknown code have no obtainable information or require further information to determine use.

Table \_\_ lists the nine major categories of land use and the portion of the land in the corresponding category of use. Map \_\_\_ details the existing land use in Clay County

as of June 2009. Maps \_\_ and \_\_ break the county down by township to provide a better view of the land use in each section of the county. Please note that the townships are not to scale. →need to redo these two maps for appearance

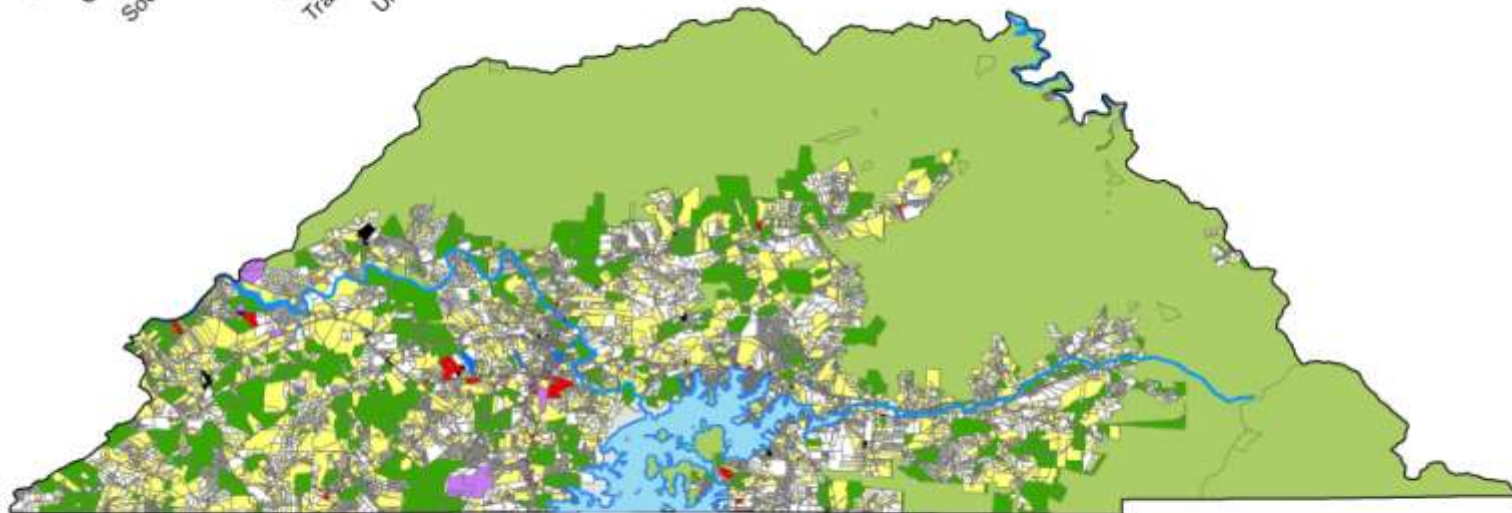
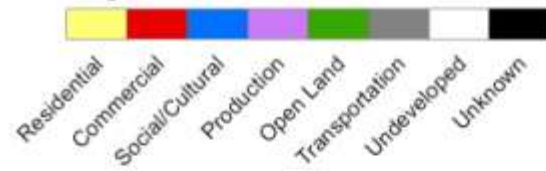
<b>Table 16: Existing Land Use</b>		
	<b>% of Entire County</b>	<b>% of Land in County Jurisdiction</b>
Land in County Jurisdiction	48%	--
Land Out of County Jurisdiction	52%	--
<b>Land Use Categories</b>		
Residential	18%	38%
Commercial	<1%	<1%
Social/Cultural	<1%	<1%
Production	<1%	1%
Open Land (Private)	11%	24%
Undeveloped	17%	35%
Unknown	<1%	<1%
Open Land (State and Federal)	47%	--
Transportation	<1%	--
Lake and TVA	4%	--
<b>Source: Clay County GIS, CCCP Land Use Windshield Survey, HRWC</b>		

# Clay County, North Carolina Existing Land Use

## Legend

- Rivers, Creeks and Streams
- Publically Owned Land
- Lake Chatuge

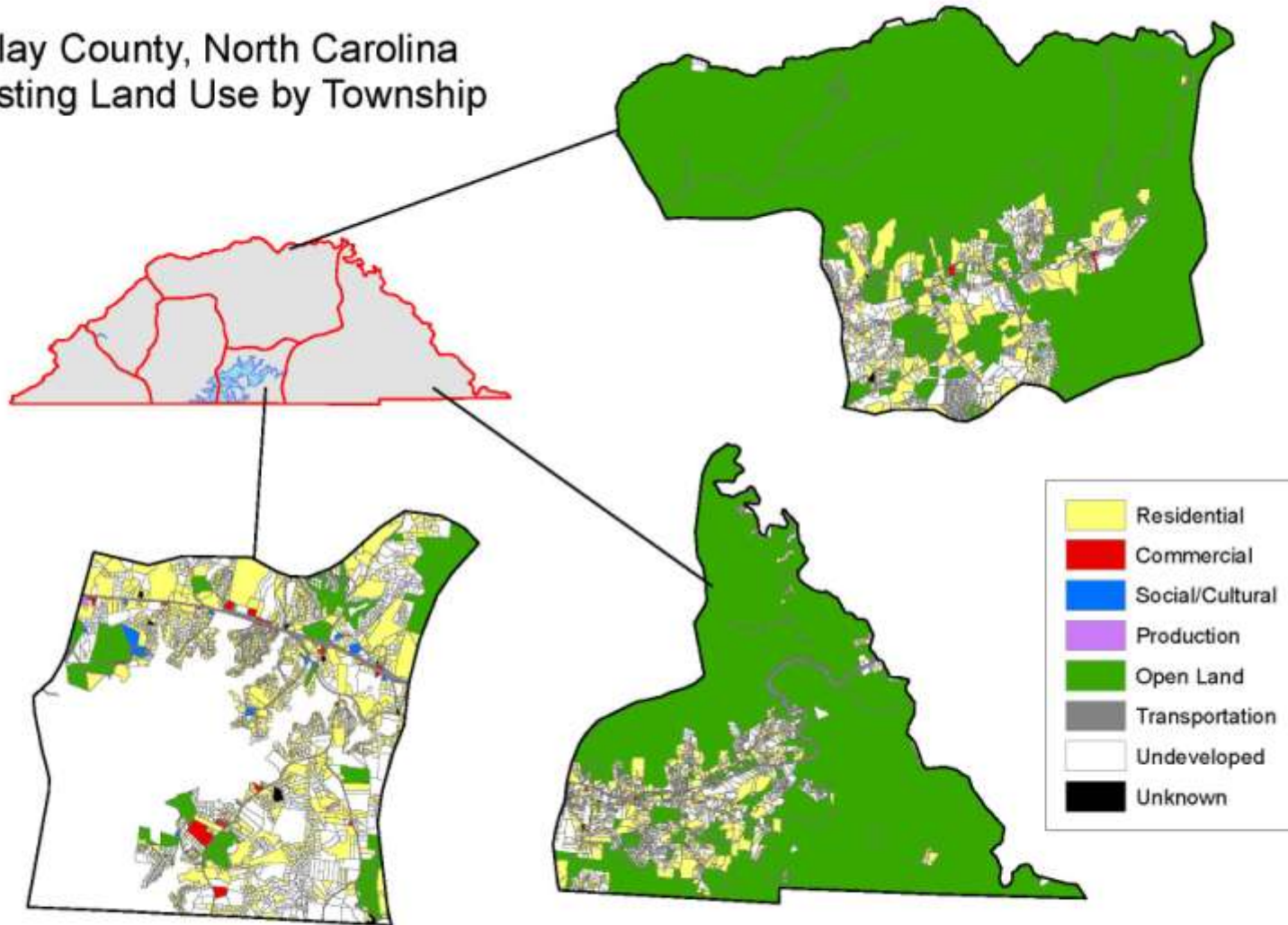
## Existing Land Use



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Miles

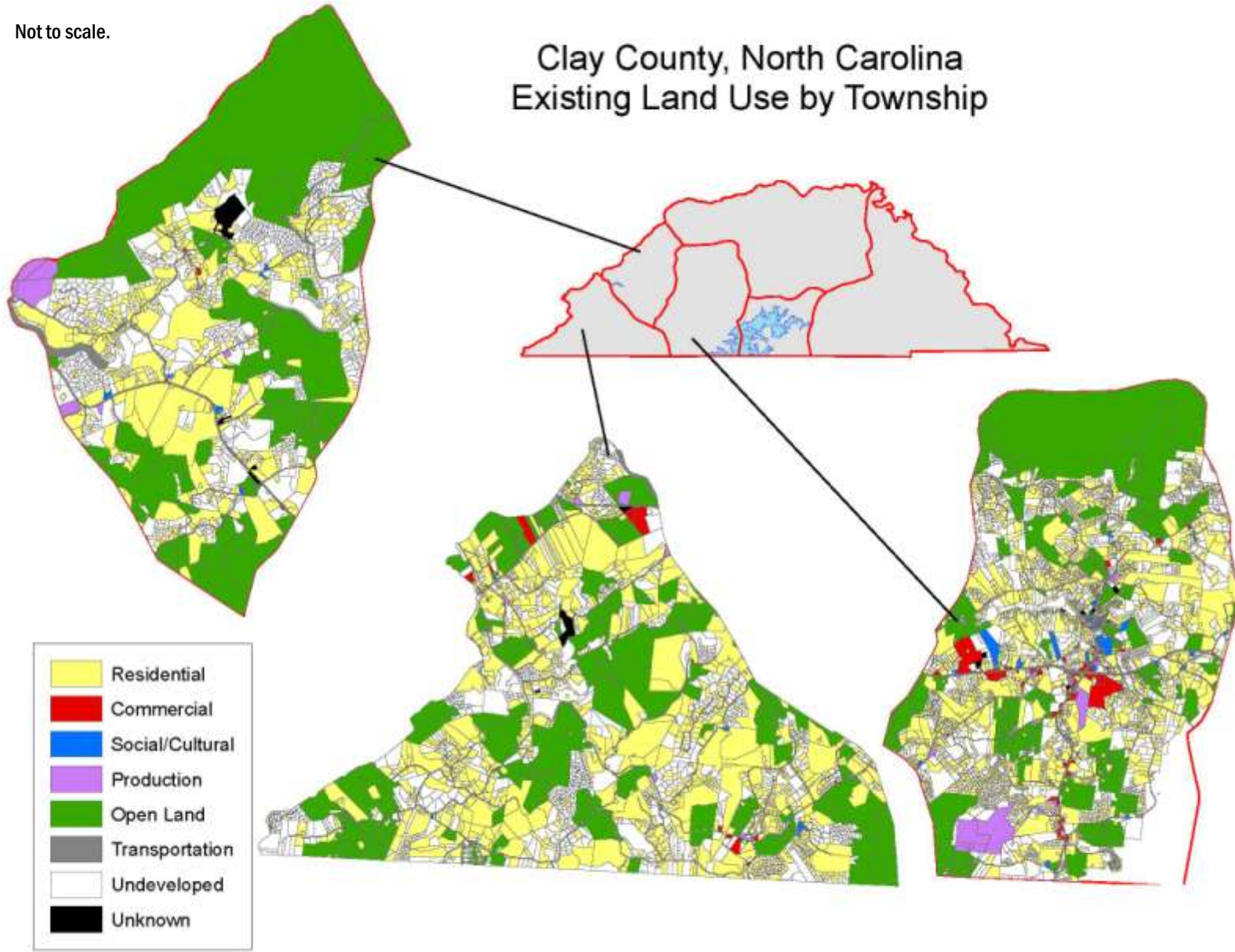
Not to scale.

### Clay County, North Carolina Existing Land Use by Township



Not to scale.

### Clay County, North Carolina Existing Land Use by Township



## LAND USE PATTERNS

The next sections contain summary details pertaining to each type of existing land use. Evaluated are residential, commercial, social/cultural, production, open land, and undeveloped land.

### RESIDENTIAL LAND USE PATTERNS

Residential is the most prevalent type of developed land use in the county. It comprises 18% of the entire County or 38% of the land in the county's jurisdiction. The typical historical residential land use pattern mimics that found in other rural WNC counties. Denser development is around the Town of Hayesville and key crossroads or established communities, such as Brasstown, Warne, Fires Creek, Tusquittee, and Shooting Creek. Outside of Hayesville and the rural crossroads, large lots, homesteads and farms, and clusters of homes typically established by members of the same extended family characterize the historic development pattern. Today's road names provide evidence to support this pattern--Carter Cove, Jarrett Road, and Roach Cove Road are just a few of the examples. Traditional subdivisions predominantly define today's residential development pattern. Most of the recent subdivisions, those designed in the last ten to fifteen years, are on land that was once open space or used for farming. A second more recent development pattern is mountainside and ridge-top development.

→Need to recalculate this based on parcels. A little over 25,000 acres of land are in active residential use meaning there is a residential structure— a single family home, multi family housing, or a manufactured home— on the property. Of the acreage used for residential purposes, 69% is the total of parcels with residential structures on parcels that are of five or more acres; 24% is the total acreage of parcels with residential structures on 1 to 4.99 acres of land, and 7% is land with residential structures on less than one acre of land.

### *Land Subdivision*

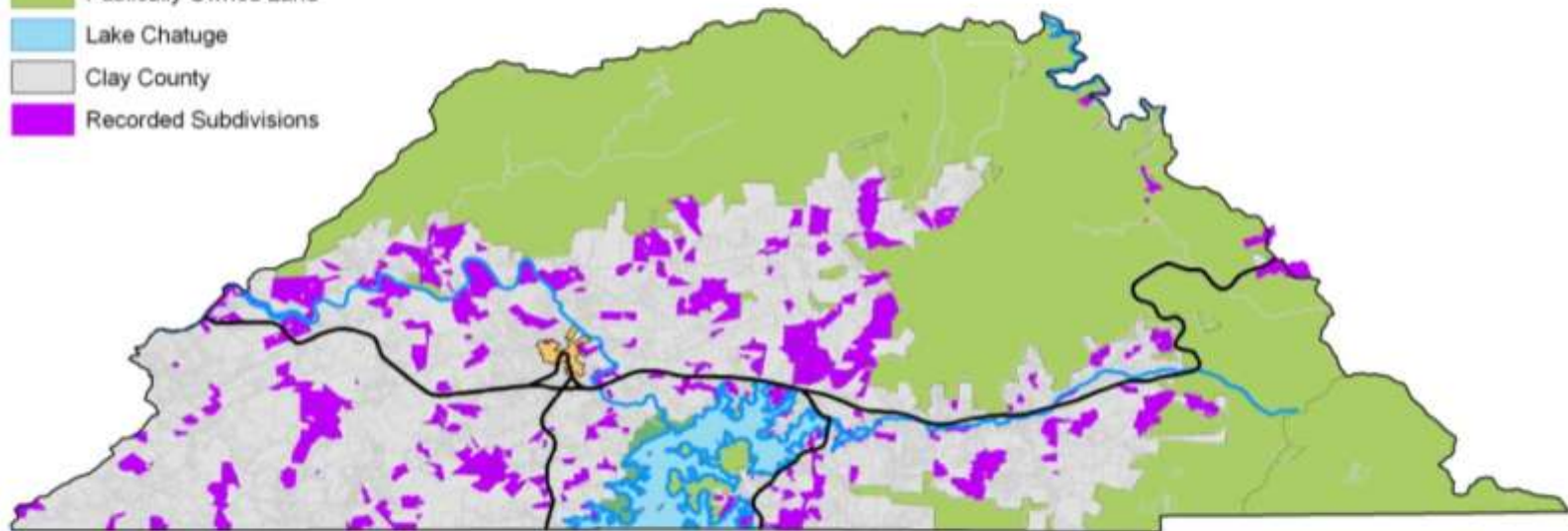
The *Clay County Subdivision Ordinance* (CCSO) is the main use tool used to regulate land development. The CCSO sets forth administrative procedures and requirements applicable to land subdivision and it is where flood, soil, safety, environmental, and other land development regulations and concerns come together. The CCSO also sets standards for roads, minimum lot sizes, utilities, and other requirements. The Clay County Board of Commissioners the authority for final subdivision plat approval.

***Land Subdivision Trends:*** Map\_\_\_ highlights parcels mapped as subdivisions by the Clay County GIS department. According to Bo Zimmerman, Clay County's GIS Coordinator, the GIS Department digitized (electronically maps) subdivision plats upon request of the person responsible for dividing the land. The GIS department does not generally map family subdivisions. While it helpful to see the location of major subdivisions, the available subdivision data has analysis limitations. These limitations prohibit identification of important land subdivision trends such and the rate of parcelization (the pace at which land is divided), the number of parcels created, and the number of parcels that are built upon versus those that are not.

# Clay County, North Carolina Recorded Subdivisions

## Legend

- Highways
- Rivers, Creeks and Streams
- Hayesville
- Parcels
- Publically Owned Land
- Lake Chatuge
- Clay County
- Recorded Subdivisions



0 0.5 1 2 3 4  
Miles

### *Suggested Subdivision Ordinance Improvements*

While the *Subdivision Ordinance* works fairly well, suggestions for improvement come from two sources. First is the county's hazard mitigation plan, which presents a set of recommendations that would lessen the effect of hazardous events on residential developments. The second set of suggestions, pertaining to road standards, was gleaned from the community input process during which some of the county's volunteer firefighters indicated a need for greater and safer emergency vehicle road access. The Comprehensive Planning Committee supports these improvements based on the data it received throughout the comprehensive planning process.

The Hazard Mitigation Plan has a specific set of recommendations for the *Subdivision Ordinance* that, if enacted, would lessen the effect of hazardous events on residential developments. Below is a list of recommended changes:

- The County's subdivision ordinance is vague in that it calls for "necessary measures to minimize flood damage." The Mitigation Plan calls for criteria that are more specific.
- Other suggestions to strengthen the *Subdivision Ordinance* include:
  - Limits on impervious surfaces
  - Setback requirements in hazard zones
  - Identified buildable zones on buildable lots in hazard areas
  - Standards to ensure that infrastructure improvements or additions are compatible with hazard risks
  - Developments in a hazard areas are developed in a resilient manner
  - Provisions to protect natural areas in hazardous areas

The recommendations for improved subdivision road standards were general, such as two emergency vehicles should have room to pass one another. Therefore, the CCCP includes road standard options were presented in the *Mountain Ridge and Steep Slope Protection Strategies* report. After careful study, the Clay County Planning Board can incorporate some, or all, of these standards to improve emergency vehicle access in the *Subdivision Ordinance*. Safe road recommendations include:

- Use interconnected and loop roads
- Keep roads open during construction
- Carefully consider access during the initial development process; developments should provide at least two points of access to all areas
- Gated communities should be required to have Siren Operated Sensors (or use a system approved by the county)
- Access to private driveways should be configured so emergency vehicles can safely turn into the drive without additional backing maneuvers
- Road grades should not exceed 15%
- Two-way roads should be a minimum of 20-foot wide to allow for safe passage of fire trucks, or an alternate strategy is used
- Alternative road width strategies include:
  - a. The use of one-way loops, as long as they are not too long
  - b. Adequate pullouts and turn-around areas are provided
  - c. Adequate water supplies are available (e.g., public water system, 20,000 gallon storage tank, residential sprinkler systems)

## RESIDENTIAL MARKET TRENDS

A community's housing stock is its most significant long-term capital asset. As is typical in most communities, housing is the largest single land use in Clay County. Housing costs are the single largest expenditure for most people, likewise, homes represent their most valuable asset and largest investment. Homes are not just an asset to the people who live in them, but housing plays a critical role in state and local economies. Companies are reluctant to located in areas which wages are incompatible with the cost of housing. In Clay County, like other communities in Western North Carolina, the construction and real estate industries and the other occupations that support the housing industry are a major portion of the economy. Housing is also a major source of revenue for local communities in the form of property taxes. Beyond the financial aspects of housing, there are also social effects that are not so easily measured. People develop a sense of pride in their homes, which in turn creates a sense of community.

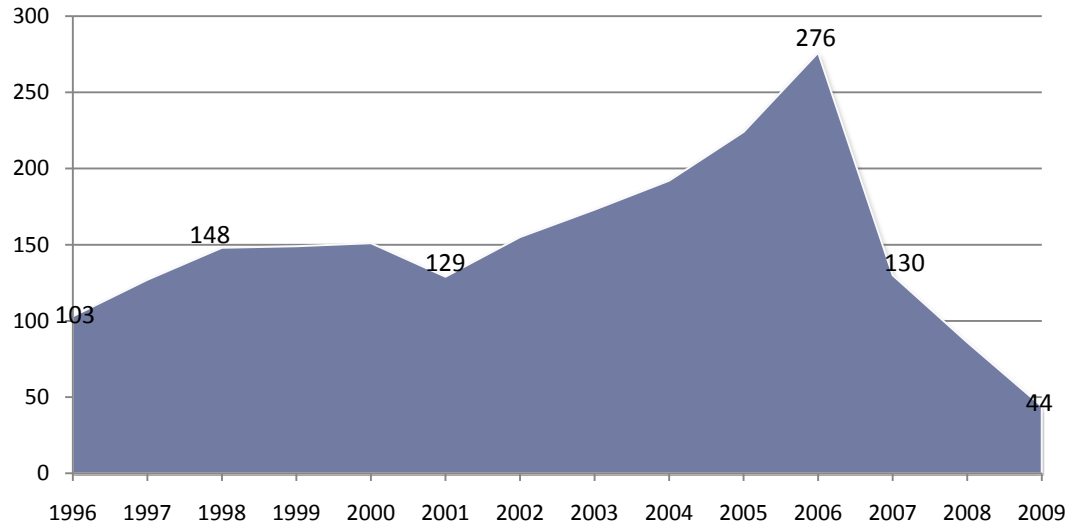
Economic forces at play prior to and after the 2007 housing market downturn guide this residential market trend discussion. From about 2001 to late 2006, residential market trends in Clay County, as well as the region, reflected the high demand for new residential development. In Clay County, increasing land values, conversion of open land to subdivision development, larger homes, and costly developments in remote or steep areas all point to the nationwide residential housing boom in progress prior to 2007. In late 2006-early 2007, thriving housing markets across the nation, Clay County included, went bust. The next set of tables and charts illustrate these trends.

### *New Construction Building Permit Activity*

Chart \_\_ summarizes new single-family residential development activity in Clay County from 1996 to 2009—these figures do not include manufactured homes. Building activity in Clay County increased, or was at least steady, between 1996 and 2000. The number of building permits issued increased by 10% per year during that time, which was a time of economic expansion across the United States. Building activity dropped by 15% between 2000 and 2001, coinciding with a countrywide recession in 2001. Activity immediately picked up in 2002 and began grow steadily until building activity peaked in 2006. During the four years between 2002 and 2006, the number of building permits was almost double the number of permits issued in the previous four years—an average 17% increase each year. Since late 2006/early 2007, permit activity in Clay County has been dismal. Coinciding with the national housing bust and recession, building permit activity decreased by 53% between 2006 and 2007. The numbers have continued to decline since that time—the county only issued 44 permits in 2009. This drop in activity has had a severe impact on the Clay County Government and Clay County residents, particularly those employed by the real estate and construction industries.

Chart 7: Single Family Residential Building Permit Activity

## Clay County New Single-Family Residential Building Permit Activity

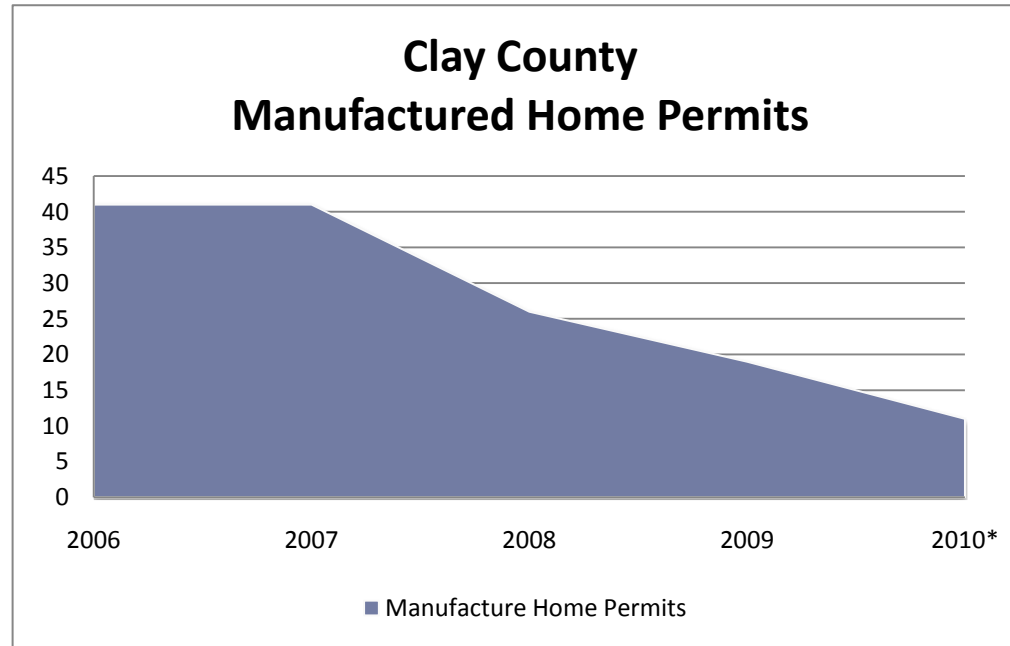


Source: US Census Bureau, Building Permits; Clay County Building Department

### *Manufactured Housing Permit Activity*

An exact count of manufactured homes in Clay County is not available. According to the existing land use survey, less than 1% of the county's housing stock are manufactured homes. This number seems incredibly low given manufactured home trends across Western North Carolina and the state. Conversely, the *Hazard Mitigation Plan*, estimates that 18% of the county's residential structures are manufactured homes. The permitting process for manufactured homes differs from stick built or modular homes. The following chart details the number of manufactured housing permits issued from 2006-June 2010. While the numbers of permitted manufactured homes has declined, the decline has not been as dramatic as with stick built homes. There was a 37% decrease in permits between 2007 and 2008 and a 27% decrease between 2008 and 2009.

Chart 8: Clay County Manufactured Home Permits

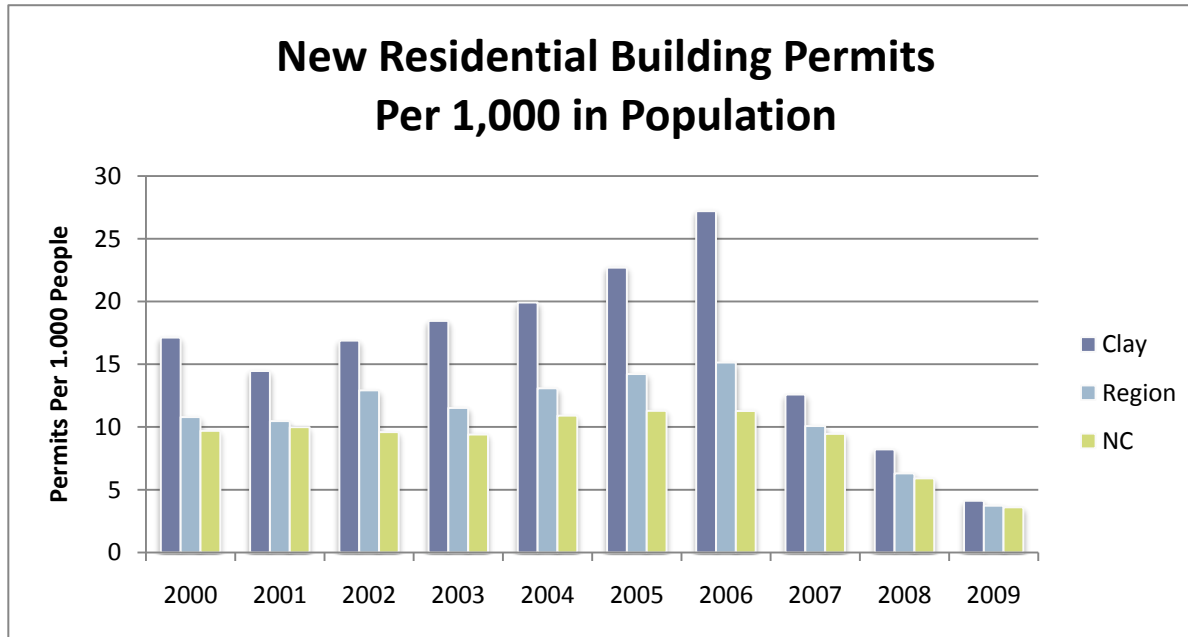


Source: Clay County Building Department; \* 2010 Permits through June 2010

### *Single-Family Building Permit Activity Compared to the Region*

The residential market's boom and bust cycles are not unique to Clay County. Clay County's rise and fall of building activity is mirrored across the region and state. Clay County, however, is unique in that the county's rate of activity is greater than that of the region or the state. Chart \_\_\_ looks at the number of single-family residential permits issued per 1,000 people in county population (does not include manufactured homes). For example, in 2000, 17 building permits were issued for every 1,000 county residents; whereas only 11 were issued for every 1,000 people in the region, and 10 for every 1,000 people in the state. Even in the economic downturn, Clay County continues to exceed the region's average and the state's rate.

Chart 9: New Residential Building Permits Per 1,000 in Population



Source: US Census Bureau, Building Permits, <http://www.census.gov/const/www/permitsindex.html>

## AFFORDABLE / WORK-FORCE HOUSING

→ finish this section

## CLAY COUNTY PROPERTY VALUES

Clay County is at the tail end of a property valuation process. As of June 2010, County Manager Paul Leek stated that 99% of revaluation appeals had been resolved. According to County Manager Leek, the market value of a single-family residence in Clay County increased by an average of 60%. Around Lake Chatuge, the value of properties increased by 100%. Homes constructed in the last three to four years saw a 30% increase. The following chart compares the real property value that was taxed during Clay County's Fiscal Year (FY) 2009 (July 1, 2009-June 30, 2010) with FY 2010 (July 1, 2010-June 30, 2011). FY 2009's assessed values are based on the previous valuation that occurred in 2004. FY 2011 figures are based on the new valuation. Table \_\_\_ documents the amount of fire taxes collected in FY 2008 and 2009 and the projected amount to be collected FY 2010. The differences in value difference between one part of the county compared to another. -> Re-clarify this one with Paul

<b>Table 17: Clay County Total Property Value</b>			
	FY 2009	FY 2010	Percent Change
Real Property Assessment	\$1,336,719,396	\$1,989,907,606	49%
Millage Rate	.43%	.3250%	
<p>Millage Rate: Millage rate is a way to express property taxation. It equals the tax per \$1,000 of assessed value. For example, a property valued at \$300,000 and a millage rate of .0325 will have a tax bill of \$975 (300,000 x .0325 = 975). The county decreased the millage rate between FY09 and FY10 to maintain a revenue neutral budget.</p>			
<b>Source: Clay County Manager</b>			

<b>Table 18: Clay County Fire Tax</b>			
	FY 2008	FY 2009	FY 2010
Brasstown			
Hayesville			
Shooting Creek			
Warne			
<b>Source: Clay County Manager</b>			

### *Clay County Property Values Compared to Other Counties*

Chart \_\_ compares Clay County's FY 2009 property tax rate with that of other counties in the comparison area. Clay County's FY 2009 tax rate is one penny above the regional average. It is important to note that comparing tax rates from one community to another is a bit difficult in that it does not speak to the type and variety of services county residents receive, nor does it speak to varying conditions that may account for large differences. For example, Highlands in Macon County and Cashiers in Jackson County each have a very high tax base. Because areas such as these generate a large amount of tax revenue, the county may adopt a lower millage rate to maintain a revenue neutral budget. Also, some of the larger counties, such as Jackson, Macon, and Haywood, have higher concentrations of commercial property compared to counties like Clay and Graham. Commercial property lowers the tax burden placed on residential property owners.

Chart 10: Clay County Property Tax Rate Compared to Other Counties

### FY 2009-2010 Property Tax Rate per \$1,000 Value



Source: NC EDIS

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## COMMERCIAL/OFFICE DEVELOPMENT

Clay County has limited commercial and office development. Only 1% of the land in the county is in commercial use. What commercial land is available is concentrated in Historic Hayesville and along the Highway 64 and Highway 69 commercial corridors. One can find minor concentrations of commercial land use scattered throughout the county, such as the business in Brasstown and Warne. The existing land use windshield survey revealed a number of home-based businesses. Although businesses in these structures are single-family homes, they are classified as commercial on the existing land use map (see p. \_\_). Commercial development growth is limited due to the narrow reach of public water and wastewater lines. The following table illustrates how few commercial building permits the county's building department has issued in recent years. [→Get 2008 Numbers](#)

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<b>Table 19: Commercial Building Permit Activity</b>						
	2007		2009		2010	
	New	Renovations or Additions	New	Renovations or Additions	New	Renovations or Additions
January			2	0	0	0
February			0	1	0	1
March			0	0	1	2
April			0	0		
May			0	4		
June	1	4	0	1		
July	0	1	0	5		
August	2	2	0	1		
September	1	2	1	2		
October	3	1	0	1		
November	2	0	0	1		
December	3	0	0	1		
Total	12	10	3	17	1	3
<b>Source: Clay County Building Department, March 2010</b>						
<b>Note: The County began recording the number of Commercial Building Permits in June 2007.</b>						

## INDUSTRIAL DEVELOPMENT

Industrial development in Clay County is extremely limited. There are two large active manufacturing facilities—Coleman Cable and Advanced Digital Cable--and a small number of manufacturing operations, such as Smoky Mountain Manufactured Stone Products on Qualla Road. Other types of industrial development includes a quarry and concrete plants. Map \_\_ highlights larger industrial developments.

Clay County owns an industrial park on McDonald Road off Highway 69 along the Towns County, GA line. In 2003, leaders from Clay and Towns counties created the 80-acre Clay-Towns Industrial Park. The county governments involved formed the Clay Towns Development Authority (CTDA), a cross-state legal entity, to own the Industrial Park's real property. Clay County dissolved their role with the CTDA in 2008. The Clay County Municipal Corporation now owns the 40-acres of prepared land that is suitable for five to seven light-industry businesses. A water line to the park should be complete by the time this plan is adopted. Clay County is currently working on a funding package to fully extended wastewater services to the site, a \$2.2 million project.

## LAND SUPPLY FOR DEVELOPMENT

Despite the phenomenal building boom throughout much of the 2000s, a large supply of land remains available for development. Some of the undeveloped land is approved for development but is not yet built-out. Some of it is vacant and is without development plans; and some may be appropriate for redevelopment. Because of the GIS limitations noted on page \_\_\_\_, an exact analysis of land supply is difficult to complete. However, the existing land use methodology indicates that at least 35% of the land in Clay County that can be developed is not (see Chart \_\_). This is a very conservative estimate, as it does not incorporate current residential or open space land that could easily be subdivided. ~~As stated on page \_\_\_\_, 69% of land in residential use is comprised of parcels greater than five acres. Parcels at this size are ripe for land subdivision; as are the large parcels of open space, which account for 35% of the land that can be developed.~~

A number of factors determine the actual supply of land available for development. Sensitive environmental corridors, such as floodplains, the watershed, and rare species combined with building limitations such as slope, soils, and hydrology all influence how much undeveloped land is appropriate for development. When a specific development proposal is considered, the developer and the county should carefully consider and plan for development limitations.

Technically, because Clay County does not regulate land through zoning, any land available for residential development is also available for commercial or industrial development. This does not mean that all vacant land is appropriate for or can support commercial or industrial development. In addition to the development constraints noted above, the infrastructure needs of commercial and industrial uses differ from residential. Thriving commercial and industrial developments need adequate road access, public water and wastewater, utilities, and broadband access. For example, Chad Plemmons, Clay County's Environmental Health Supervisor, reports that many business owners would like to expand or even locate their businesses to the Highway 69/Highway 64 corridors, but the limitations of onsite wastewater capacity prevents them from doing so. In other words, infrastructure limitations stunt business activity. Therefore, future planning efforts should direct commercial and industrial development to areas along existing and planned infrastructure pathways. Likewise, infrastructure planning should focus on areas that are suitable for commercial and industrial development. The Future Land Use Map notes the most appropriate locations for commercial and industrial facilities.

## CLAY COUNTY FUTURE LAND USE MAP

The Future Land Use Map (FLUM) suggests how to accommodate future land use demand within the confines of land that is potentially available for development. The proposed FLUM was developed in a manner that respects for property rights yet still aims to protect what people value—rural character, natural beauty, and environmental protection. To maintain this balance, the CCCP Committee makes its land use recommendations based on the following conditions:

- A. Clay County is primarily a residential community. Therefore, it is assumed that most land in Clay County will be used for residential development.
- B. Public water and wastewater expansions are expensive. While the Clay County Water and Sewer District is continually expanding its service area, years will pass before many areas of the county are within reach of these services. Therefore, Clay County should prioritize infrastructure expansion plans to match business and industry needs with infrastructure capacity.
- C. The natural environment and scenic beauty are important to Clay County residents; as is a diverse public recreation system. Therefore, Clay County can protect sensitive environmental areas and meet future recreation goals through a system of greenways and natural parks.

- D. Strict land use controls, excluding new safety regulations pertaining to roads and steep slopes, are not recommended. Therefore, future development goals should be advanced through a system of incentives and education programs; including efforts that encourage well planned development.
- E. It is desirable that some of the more rural areas of the county remain rural. Therefore, a system of rural pathways is proposed.
- F. Clay County's transportation system is fragmented and geared only to vehicle travelers. Therefore, the proposed system of rural pathways encourages connections between communities and paths for pedestrians and bicyclists.

## FUTURE LAND DEVELOPMENT CONCEPT

Building on the conditions stated in the previous section, the CCCP recommends adoption of the Clay County Future Land Use Map (FLUM), as illustrated in Map \_\_\_\_\_. The FLUM is a visual representation of recommendations for future growth patterns in the county. It depicts where different types of development should occur (e.g. residential, commercial, recreation) by color or symbol.

***Clay County is primarily a residential community and will most likely remain as such. Therefore, the FLUM plans that most land in Clay County will be used for residential development.***

As stated above, Clay County is and will most likely remain a residential community. Of concern in recent years is the rapid consumption of open space to feed the residential development market. While no one wants to hamper development, this pattern of development is not sustainable. Fortunately, there are opportunities for Clay County leaders to collaborate with the development community to encourage property developers to make best use of their property while still meeting the county's land development goals. These opportunities include:

## SITE RESOURCE ASSESSMENTS

A site resources assessment is a property specific assessment that thoroughly evaluates a tract of land that is being prepared for development. The Haywood Waterways Association (HWA) in Haywood County has a good model and a similar model is proposed in the *Mountain Landscapes Initiative's Region A Toolbox*. Using GIS data and an on-site survey, the HWA Site Resource Assessment identifies the most suitable areas for development, as well as the most limited uses or hazardous areas on any property. For example, HWA's assessment looks at soils, slope and terrain; the presence of streams, seeps and other water sources; the location of rock outcrops; the geology; and features of interest to identify the most suitable home sites and access road locations. With either model, those conducting the SRA provide the property owner with an assessment that pinpoints the places that are most suitable for development. While Clay County may not have the capacity to develop an extensive SRA program; it can implement a program that uses some of the basic SRA concepts, such as using GIS data, including, slope, soil, geology, natural resource, and other types of data that are free and easily accessible during the initial subdivision platting process. The first step to this process is improving the county's GIS. Other considerations in developing a program such as this include: working with other counties to develop a more extensive SRA program, educate developers on the benefits of the program, identify professional technical assistance providers who can assist with the process, and identify incentives that encourage developers to participate in the SRA program.

### Conservation Subdivision Developments

Conservation subdivisions, according to the *Mountain Landscapes Initiative Toolbox*, “favor the natural habitat over the human habitat and typically involve the permanent protection of a large majority of the site (more than 50%). The area selected for protection will generally have valuable environmental or ecological resources.” These types of developments often require less grading and site disturbance, maintain greater connectivity of existing vegetation and habitat, reduce the amount of impervious surface area, and may reduce the amount of infrastructure investment. Furthermore, according to *Mountain Ridge and Steep Slope Protection Strategies*, “statistics indicate that lots adjacent to open space garner a 10-15% premium over comparable lots.” In other words, a developer could potentially generate greater revenue from a conservation subdivision when compared to a traditional subdivision development. Clay County can encourage conservation developments through education materials, site resource assessments, mapping assistance, and other strategies that help developers recognize the benefits of this type of development. The *Farmland Preservation Plan* also encourages the use of conservation subdivisions as a tool to protect farmland.

→insert example from county.

### Development Goals and Incentives

The most suitable solution to balancing the objectives of promoting economic growth in Clay County while preserving agricultural land and open space is to encourage growth in urban areas and the in the areas identified as rural crossroads. Without zoning to push development to these areas through regulation, the incentives and encouragement practices adopted by the county need to be enticing to developers. Following is a list of goals and incentives to consider:

Suggested Development Goals	Suggested Incentives
<ul style="list-style-type: none"> <li>• Prevent urban-style development in rural areas by developing commercial used in established commercial areas, reusing or rehabilitating existing buildings and in-filling. Urbanized areas include the 64/69 Corridors, the Town of Hayesville), and the rural crossroads.</li> <li>• Preserve open space through compact or conservation subdivision development.</li> <li>• Protect mountain views by using good mountainside development design (e.g. earth tone colors, avoid mirrored windows) <i>[County would need to develop education materials.]</i></li> <li>• Complete a Clay County Site Assessment to identify context sensitive building placement.</li> <li>• Reduce the overall amount of land disturbance and vegetation removal; establish vegetative buffers that exceed minimum standards.</li> </ul>	<ul style="list-style-type: none"> <li>• Fast track or priority permitting</li> <li>• Reduced fees</li> <li>• Certified “Catchy Name” Development or recognition program when development best practices are used</li> <li>• Water and wastewater connection rebates; subdivision fee reductions, subdivision fast track reviews.</li> <li>• Develop the capacity of those who work in the building department to assist with conservation subdivision development and site resource assessments—offer their knowledge to developers</li> </ul>

- Incorporate soil erosion/sedimentation control and/or water quality best management practices [*Connect back to Lake Chatuge Action Plan recommendations*]
- Incorporate energy efficiency or green building techniques, [*Would need to define the standards*]
- When building along rural pathways, design the face, i.e. what is visible from the road, of the development to fit in with the rural character of the area.

***Public water and wastewater expansions are expensive. While the Clay County Water and Sewer District is continually expanding its service area, years will pass before many areas of the county are within reach of these services. Therefore, Clay County should prioritize infrastructure expansion plans to match business and industry needs with infrastructure capacity.***

#### **MATCHING COMMERCIAL DEVELOPMENT WITH INFRASTRUCTURE**

Adequate infrastructure and policies that make linkage to public infrastructure more profitable than wells and on-site waste water systems should be considered. Failure to accommodate growth in the urban corridors will have the net effect of consuming more open space by pushing develop to the non-developed areas.

#### **DEFINED RURAL PATHWAYS AND RURAL CROSSROADS**

As a way to preserve the rural character of the county, the FLUM has identified a network of rural pathways. The identified pathways offer some of the county’s most stunning scenery and link drivers to the more remote areas in the county. With targeted resources, planning, and time spent working with property owners and NC DOT, county leaders shape development along the network of rural pathways in a manner that protects the rural character of the community, allows for development, and adds to what the county has to offer visitors. The rural pathways development concept is

These pathways offer some of the county’s most stunning views and scenery. The land development concept behind the rural pathways seeks to protect the rural look and feel of these roads. The concept also aims to connect the rural pathways to tourism planning.

- The rural pathways can be marked with wayfinding makers that highlight historical sites, farm overlooks, and arts and crafts locations, to name just a few of the options.
- The pathways could also include road bump-outs/pullouts for scenic viewing and for picture taking, or picnic areas.
- The pathways also link one rural crossroad to the others.

Developers along these pathways would also be eligible for incentives if they visually develop in a way that fits in with the rural character. The process by which NC's Scenic Byway program could serve as a model for this process. Greenways and bike paths can also be developed around the rural pathway network.

- One way to accomplish this is through of this will be accomplished the, planned projects, access roads, bicycle and pedestrian planning, greenway planning (parks and recreation), areas of concern, industrial access to industrial sites (existing), commercial access along Highways 64 and Highway 69, recreational access around the lake.

## TOOLS TO PROTECT SENSITIVE ENVIRONMENTAL CORRIDORS

### *Increase Conservation Easements and Land Trust Properties*

A conservation easement (or agreement) is a legal tool that enables landowners to preserve and maintain ownership of their land while realizing significant tax and/or other financial benefits. Conservation easements are written agreements between landowners and a qualified conservation or public agency in which the landowner (grantor or donor) promises to keep the land in its natural condition without extensive disturbance, and the conservation organization or public agency (grantee) is granted the right to enforce the covenants of the agreement and to monitor the property. Conservation easements are “intended to preserve property in its natural, undeveloped condition providing a benefit to the public by conserving open lands, forests, farmland, stream banks, and significant natural resources.”<sup>18</sup>

The Land Trust for the Little Tennessee (LTLT) is the local organization serving is Clay County. LTLT works in the Upper Little Tennessee and Hiwassee River Valleys to conserve waters, forests, farms, and heritage. In Clay County, there 122 acres in conservation easement or owned by the LTLT. In addition to the properties already under conservation easement, LTLT, along with the Hiwassee River Watershed Coalition, recently completed a report titled, *A Plan to Conserve Prime Farmland and Protect Clean Water in the Hiwassee & Valley River Corridors in North Carolina*.<sup>19</sup> Using a detailed methodology, the writers of the report identified properties along the Hiwassee River that are a priority for conservation. With the properties identified, LTLT has begun to work with the identified property owners with the ultimate goal of an increased number of properties in conservation easement. The specific properties identified as prime conservation properties are not public. In Clay County, HRWC and LTLT were only able to complete this work for the area along the Hiwassee River. If funding were available to the organization, they could complete the work for the county's remaining land.

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<sup>18</sup> Conservation Trust for North Carolina. (2006). *Voluntary Conservation Agreements: An Introduction for North Carolina Land Owners*. Raleigh: Conservation Trust for North Carolina.

<sup>19</sup> Land Trust for the Little Tennessee (LTLT) & Hiwassee River Watershed Coalition (HRWC). (2009). *A Plan to Conserve Prime Farmland and Protect Clean Water in the Hiwassee and Valley River Corridors in North Carolina: Executive Summary*. LTLT and HRWC.

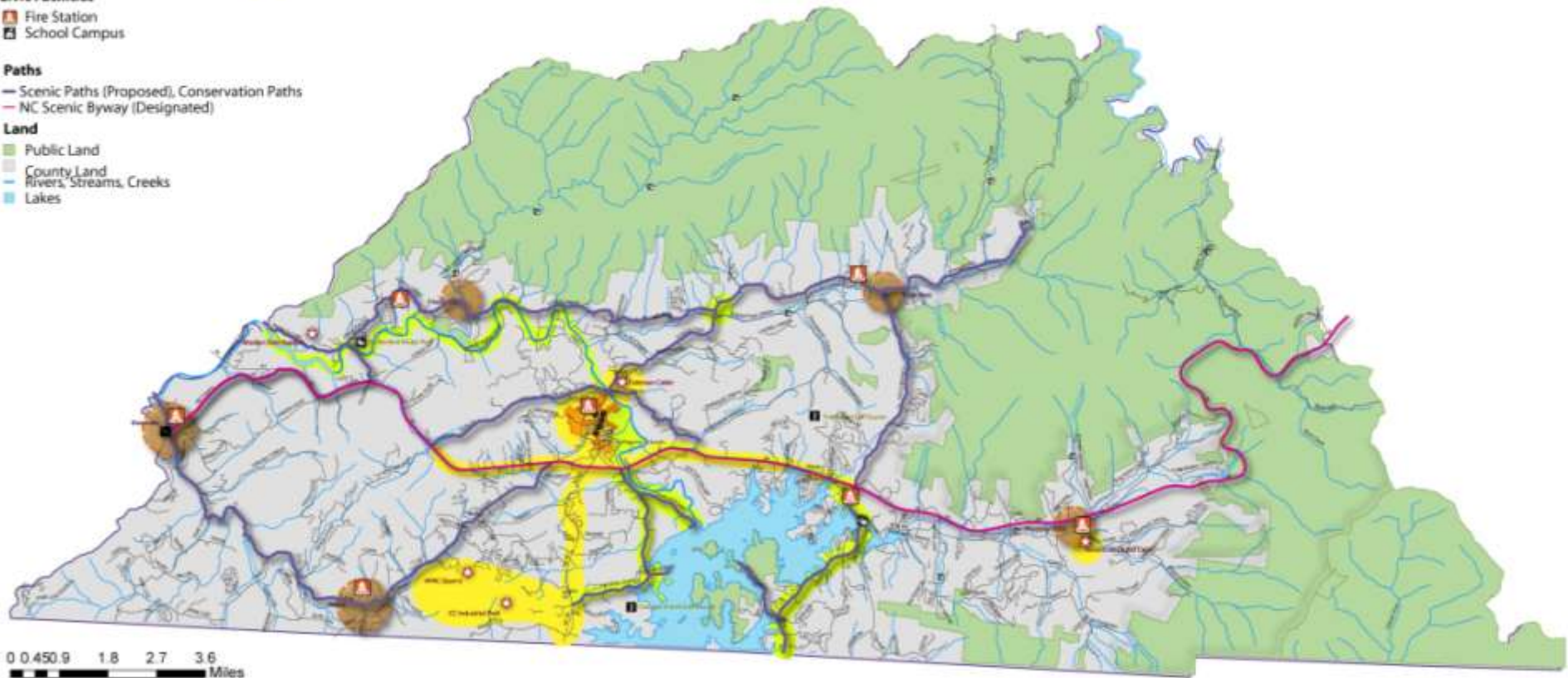


*A Tier 1 SRA showing basic analysis of existing conditions (aerial photography), streams, drainage ways, poor soils and an important ridgeline using information from a brief field visit and commonly available GIS data.*

# Clay County -- Future Land Use Map

## LEGEND

- |                                               |                                     |
|-----------------------------------------------|-------------------------------------|
| <b>Economic Development</b>                   | <b>Recreation, Arts and Culture</b> |
| ○ Industrial Site                             | ▣ Boat Ramp                         |
| ■ Economic Development Area                   | ▣ Bicycling                         |
| — Water                                       | ▣ Playground                        |
| — Sewer                                       | ▣ Golf                              |
| <b>Town and Community</b>                     | ▣ Trout Fishing                     |
| ○ Community / Rural Crossroad                 | ▣ Arts or Cultural Activity         |
| ● Hayesville                                  | ■ Future Recreation Areas           |
| <b>Civic Facilities</b>                       |                                     |
| ▣ Fire Station                                |                                     |
| ▣ School Campus                               |                                     |
| <b>Paths</b>                                  |                                     |
| — Scenic Paths (Proposed), Conservation Paths |                                     |
| — NC Scenic Byway (Designated)                |                                     |
| <b>Land</b>                                   |                                     |
| ■ Public Land                                 |                                     |
| ■ County Land                                 |                                     |
| — Rivers, Streams, Creeks                     |                                     |
| ■ Lakes                                       |                                     |



## KEY LAND STEWARDSHIP ISSUES AND OPPORTUNITIES

The following are some of the key issues and opportunities for the county identified in this Chapter and through public input in the planning process:

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## LAND STEWARDSHIP STRATEGY PLAN

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The Land Stewardship strategy presented in the CCCP offers goals and objectives to guide and encourage future development to occur in a manner respects property rights while balancing the county's needs to protect natural features and rural character.

1. **LS-1 Goal: Future growth and development in Clay County will be guided by policies, programs and incentives that encourage development while balancing the county's infrastructure, environmental and rural character preservation needs.**

### Policy Options

- 1.1. Adopt an official slate of development goals, that when one or more is met by a developer, enables to developer to access a County incentive(s).

Suggested development goals include:

- Prevent urban-style development in rural areas by developing commercial used in established commercial areas, reusing or rehabilitating existing buildings and in-filling. Urbanized areas include the 64/69 Corridors, the Town of Hayesville), and the rural crossroads.
- Preserve open space through compact or conservation subdivision development.
- Protect mountain views by using good mountainside development design (e.g. earth tone colors, avoid mirrored windows) [County would need to develop education materials.]
- Complete a Clay County Site Assessment to identify context sensitive building placement. [County would need to develop a site assessment program].
- Reduce the overall amount of land disturbance and vegetation removal; establish vegetative buffers that exceed minimum standards.
- Incorporate soil erosion/sedimentation control and/or water quality best management practices [Connect back to Lake Chatuge Action Plan recommendations]
- Incorporate energy efficiency or green building techniques. [Would need to define the standards]
- When building along rural pathways, design the face (what is visible from the road) of the development to fit in with the rural character of the area.

- 1.2. Adopt an official slate of incentives that are available to developers when one or more of the developments goal are incorporated into the development process.

Suggested incentives include:

- Fast track or priority permitting

- Reduced fees.
- Certified “Catchy Name” Development or Recognition program when development best practices are used.
- Water and wastewater connection rebates; subdivision fee reductions, subdivision fast track reviews.

- 1.2. Create a development goal/incentives matrix to match the level of incentive to the goals.
- 1.3. Evaluate the county’s building related fee schedule.
- 1.4. Work with the Town of Hayesville to align their zoning ordinance and potential Land Use Plan (if it completes one) with County development goals.

**2. LS-2 Goal: Improve the county’s capacity to incorporate technology and into land stewardship decision making.**

**Policy Options:**

- 2.1. Provide the Building Department, Tax Department, Environmental Health, the CCWSD, and others with the technology training and tools needed to incorporate technology into their programs and recordkeeping systems.
- 2.2. Convert to an web-based GIS and tax record system that is available to the public

**3. LS-3 Goal: Expand the county’s Planning and Development Capacity**

**Policy Options:**

- 3.1. Establish and train a Clay County Planning Board.
- 3.2. Identify resources to hire a County Planner [or explore options for a contract planner through a private planning firm].
- 3.3. Develop a commercial/industrial development checklist with preferred commercial/industrial development practices.

**4. LS-4 Goal: Update the *Clay County Land Subdivision Ordinance***

**Policy Options:**

- 4.1. Incorporate new hazard mitigation and road standard safety measures as defined on page \_\_ of the CCCP.
- 4.2. Review the *Ordinance* for technical corrections, clarifications, typographical errors, etc.
- 4.3. Align the *Ordinance* with the CCCP.

5. LS-5 Goal: Encourage continued investment, improvement, and maintenance in existing residential areas within the county.
6. LS-6 Goal: Encourage thoughtful neighborhood design principles and standards to ensure that new neighborhoods reflect the rural character of the county.

- 6.1. Offer guidelines to help developers determine appropriate locations for neighborhoods incorporating conservation design or traditional neighborhood design principles.
- 6.2. Encourage walkable housing development near Hayesville and in rural crossroads.
7. LS-7 Goal: Encourage new housing development, or housing rehabilitation, that accommodates the existing and emerging needs of the county
  - 7.1. Encourage use of age-in-place housing opportunities to accommodate the region's aging population.
  - 7.2. Encourage a developer to construct senior multi-family housing project to accommodate the needs of the aging population.
  - 7.3. Encourage housing for potential target groups such as young professionals and the 55+ age cohorts.
8. LS-8 Goal: Engage local, regional, State and Federal sources of assistance to maintain and improve residential structures.
  - 8.1. Continue to make available programs to provide assistance with housing maintenance and rehabilitation for targeted areas and groups through Community Development Block Grant (CDBG) and non-profit programs.
  - 8.2. Consider a study to identify concentrated areas in need of rehabilitation.
  - 8.3. Engage and support organizations working to strategies to promote home-ownership.

**Land Stewardship Miscellaneous Items:**

- Does the county have a technical review team/group for developments: environmental health, building, fire, CCWSD, DOT, etc. → if not then recommend
- Think about whether the planning board should have or technical approval or final approval of subdivision plats
- Develop a comprehensive development checklist that incorporates development goals;
- Digitize all development related ordinances; make them available in one place on the Clay County website