

PROS AND CONS OF SPECIAL USE PERMIT

Pros

Opportunity for public review – A Special Use Permit would have to be issued before new intensive manufacturing uses could locate in the I-2 zoning district. Requiring a Special Use Permit hearing for intensive manufacturing facilities will allow the Commissioners and citizens to learn how these facilities will be constructed to minimize negative impacts on the population and natural environment. This process should provide important information and lessen the opportunity for public outcry based on invalid or inaccurate information.

Protect quality of life and public health – Intensive industrial uses have the potential to impact public health and natural resources. The process would give the Commissioners the ability to consider these impacts.

Consider impacts that state and federal reviewing agencies do not – Local governments are uniquely given the role of controlling compatibility between land uses. A Special Use Permit would give Commissioners the chance to consider if the proposed use is compatible with the surrounding existing or potential uses (i.e., a Coal fired power plant and an elementary school or residential community).

- **Streamlined table of permitted uses** – A new Table of Permitted Uses has been created that seeks to clarify the distinction between different industrial types.

Affects intensive industries only - Most industrial uses will not trigger the Special Use Permit process. The amendment provides an opportunity for Commissioners to review applications for the following intensive manufacturing activities in I-2 zoning districts: Chemicals and allied products, petroleum and related products, stone, clay, glass and concrete products, paper and allied products, primary metal, and mining and quarrying. (Outdoor shooting ranges, recycling facilities and sanitary landfills already require a SUP in an I-2 district under the current ordinance).

Creates new opportunities for some industries - Allows many industries that otherwise were unable to operate in an I-1 district to do so if a Special Use Permit is obtained

Helps County comply with CAMA Land Use Plan – Allows the County to comply with policies within the County's CAMA Land Use plan that are in place to ensure that heavy industrial areas are properly distanced from adjoining non-industrial areas to minimize the impacts on public health and the environment.

Cons

- Will add an additional step for intensive industries wishing to locate in the County. The average length of time required for a special use permit is 60-90 days.
- Will add an additional cost onto a new industrial project. The cost associated with a special use permit includes a \$400 application fee.
- Will place an additional responsibility for Special Use Permit review on the Commissioners.
- There will be an uncertain outcome of the hearing which could cause angst for the applicant.

Specifically, the existing ordinance as crafted in 1969 read as follows for our I-2 Heavy Industrial Zoning Districts: "The purpose of this district shall be to provide for uses that would produce excessive noise, odor, smoke, dust, air borne debris, or any other objectionable characteristics which might be detrimental to the health, safety, and welfare of surrounding neighborhoods and/or communities." Uses that fit this description are allowed without any local review process.

Because New Hanover County is the second smallest County in North Carolina and now is the second most densely populated, we do not have the advantage of many other counties to locate intensive industry far away from our citizens and fragile natural resources. In light of our current environmental challenges and growth of our small county, staff strongly believes that it is time to update our current industrial zoning regulations as many other communities across the state have already done.