



Appearance Commission Agenda

Town of Swansboro

Thursday, July 16, 2026

I. Call to Order

II. Approval of Minutes

- [a.](#) June 18, 2026, Regular Meeting Minutes

III. Business

[a.](#) **Amendment of Regular Meeting Schedule**

Presenter: Alissa Fender, MMC – Town Clerk

An amendment to the Appearance Commission's meeting schedule will be considered to move meetings to evening hours in accordance with direction from the Board of Commissioners, allowing greater opportunity for Commissioner attendance and improved accessibility for working residents.

Recommended Action: Motion to approve the amendment to the current meeting schedule establishing regular evening meeting times, selecting either Schedule A (5:30 pm) or Schedule B (6:00 pm).

[b.](#) **Appearance Project Program Proposed Schedule**

Presenter: Cynthia LaCorte – Chair

A proposed schedule for the Appearance Project Program will be reviewed, and discussion will be held related to ideas for the project's beautification/clean-up endeavor.

Recommended Action: Approve the Appearance Project Program Schedule as proposed or amended.

[c.](#) **Projects of Interest Discussion**

A roundtable discussion and/or update will be provided on the following projects of interest.

- Waterfront Plan Review (Larry)
- Fundraising Options and Details (Staff)

Recommended Action: Discuss and/or provide further direction.

IV. Chairman/Board Thoughts/Staff Comments

V. Public Comments

VI. Adjournment

Town of Swansboro
Appearance Commission
June 18, 2026, Regular Meeting Minutes

Item II - a.

In attendance: Cynthia LaCorte, Kim Kingrey, Claire Cole, Larry Philpott, and Doug Rogers. Linda Thornley and Nancy Palbicke were absent.

Call to Order

The meeting was called to order at 9:00 am.

Approval of Minutes

On a motion by Mr. Philpott, seconded by Mr. Rogers, the May 21, 2026, Regular Meeting Minutes were unanimously approved.

Business

Final Bi-Laws

Town Clerk Alissa Fender reviewed that at the Appearance Commission's special meeting on May 21, 2026, the draft by-laws were reviewed and approved as presented. The by-laws were provided in final format for the Commission's consideration and formal vote to recommend approval and forward them to the Board of Commissioners for final adoption.

On a motion by Mrs. Kingrey, seconded by Vice-Chair Rogers, approval was unanimously given to recommend the Appearance Commission Bi-Laws to the Board of Commissioners for final approval.

Diagonal Parking on Front Street Consideration

Town Clerk Fender reviewed the staff findings on the feasibility of diagonal parking on Front Street as requested at the special meeting on May 21, 2026. She clarified a detail from the previous meeting, noting that the reason diagonal parking was not feasible due to the width of Front Street being only 27 feet, not just a loss of parking spaces as originally recalled. A minimum of 18 feet was required for a diagonal parking space, which would not leave enough room to accommodate the required 10-foot travel lane. She noted that the existing parallel parking is grandfathered in under older standards, and that Front Street falls approximately two feet short of current state requirements.

In response to inquiries from the Board, Town Clerk Fender or Town Manager Jon Barlow clarified the following:

- The angle of the diagonal spaces made no difference in the ability to meet state parking requirements and travel lane size
- Parking standards were state-regulated and could not be bypassed by a Historic District code or waiver

- Emergency vehicle access would be considerably affected if the travel lane were any smaller than it was at that time.

Potential Future Projects Discussion

The Commission held a roundtable discussion on several potential future projects.

- Saltwater Grill Landscape Enhancement

Vice-Chair Rogers led discussion on a landscape enhancement project in the area near Saltwater Grill. He noted that the property in question was privately owned by Melissa Anderson, but that the space was used by the public in a manner similar to town property. He shared that he had reached out and received a positive initial response, but no further discussion had occurred. Mr. Rogers mentioned practical considerations about the type of materials to be used, including concerns about flooding in the waterfront area, salt water exposure, and the need to consider pervious versus impervious surfaces and stormwater runoff. He indicated his intent to engage one other commission member to speak directly with the property owner about her ideas and to obtain some preliminary pricing, so that when the commission moved toward fundraising, they would have a defined scope and cost.

Manager Barlow noted that if the commission wished to pursue work on private property, a formal agreement, release, or waiver from the owner would be needed. He also indicated that any funds raised for such a project would need to flow through the town's finance department, as the commission was a public body.

Mrs. Kingrey shared, based on prior experience, that when the Historic Preservation Commission had previously researched fundraising for similar purposes, they were advised that funds could not flow directly through the town and instead had to be channeled through a nonprofit organization. She indicated that an arrangement had previously been made with the local historical association to serve that function. Town Clerk Fender requested that Kingrey share whatever documentation existed from that prior research so the commission could understand what had already been explored. Manager Barlow agreed to research the specific question of whether enabling legislation for appearance commissions might prohibit or restrict fundraising activities.

Mr. Philpott raised the importance of considering flood and storm resilience for any waterfront improvements, noting that materials would need to be able to withstand high water events. He also emphasized the need for a coordinated streetscape plan to ensure that any enhancements were consistent in appearance with future improvements across the waterfront, covering elements such as lighting, signage, and paving materials. He

observed that past waterfront improvements had been somewhat inconsistent due to a lack of a unified design framework.

- Holiday Lights, Solar Lights, & Signs for display on completed projects
- These items were noted as future agenda topics assigned to specific commission members for follow-up at a future meeting.

Future Meeting Agenda Item Discussion

Chair LaCorte recommended that the Commission apply a structured approach to its future planning efforts. She proposed that Commission members identify their goals for the next two years, prioritize those objectives, and develop corresponding cost estimates. She noted that this approach would enable more focused and effective planning.

Mr. Philpott highlighted several unimplemented town plans, including the gateway corridor and waterfront enhancement plans, which had been affected by staff changes and shifting priorities. He suggested a series of workshops to establish target areas, align Commission activities with those existing plans, and support the Board of Commissioners through informed recommendations. Philpott also addressed the incomplete wayfinding and signage initiative, which had been aimed at creating a consistent sense of place in Swansboro through street and waterfront signage. He proposed revitalizing that effort to ensure coherence in community signage.

Discussion among the board resulted in the following future agenda topics being identified, along with assignments to individual members or staff members for gathering further details.

1. Saltwater Grill Landscape Enhancement (Doug)
2. Holiday Lights (Linda)
3. Solar Lights (Nancy)
4. Signs for Display on completed projects (further discussion)
5. Appearance Project Program (Cynthia)
6. Property of the Month or Quarter (Kim)
7. Streetscapes (further discussion)
8. Fundraising options/details (Town Staff)
9. Gardening Club (Claire)

Adjournment

On a motion by Mrs. Kingrey, seconded by Vice-Chair Rogers, the meeting adjourned at 10:18 am.



Appearance Commission Meeting Agenda Item Submittal

Item To Be Considered: **Amendment of Regular Meeting Schedule**

Board Meeting Date: **July 16, 2026**

Prepared By: **Alissa Fender, MMC – Town Clerk**

Overview: An amendment to the Appearance Commission’s meeting schedule will be considered to move meetings to evening hours in accordance with direction from the Board of Commissioners, allowing greater opportunity for Commissioner attendance and improved accessibility for working residents.

Two meeting start times have been provided for consideration, with the meeting day remaining the same as the 3rd Thursday of each month starting at 5:30 pm or 6:00 pm.

Background Attachment(s):

1. Schedule A – 5:30 pm start time
2. Schedule B – 6:00 pm start time

Recommended Action: Motion to approve the amendment to the current meeting schedule establishing regular evening meeting times, selecting either Schedule A (5:30 pm) or Schedule B (6:00 pm).

Action: _____

SCHEDULE A



TOWN OF SWANSBORO Appearance Commission Regular Meeting Schedule

All meetings are held at 5:30 pm in the Community Room at Town Hall
601 W. Corbett Avenue – Swansboro, NC 28584

June 18, 2026

July 16, 2026

August 20, 2026

September 17, 2026

October 15, 2026

November 19, 2026

December 17, 2026

January 21, 2027

February 18, 2027

March 18, 2027

April 15, 2027

May 20, 2027

SCHEDULE B



TOWN OF SWANSBORO Appearance Commission Regular Meeting Schedule

All meetings are held at 6:00 pm in the Community Room at Town Hall
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April 15, 2027

May 20, 2027



Appearance Commission Meeting Agenda Item Submittal

Item To Be Considered: **Appearance Project Program Proposed Schedule**

Board Meeting Date: **July 16, 2026**

Prepared By: **Cynthia LaCorte – Chair**

Overview: A proposed schedule for the Appearance Project Program will be reviewed, and discussion will be held related to ideas for the project’s beautification/clean-up endeavor.

Background Attachment(s): Proposed Schedule

Recommended Action: Approve the Appearance Project Program Schedule as proposed or amended.

Action: _____

APPEARANCE COMMISSION

Appearance Project Program Proposed Annual Schedule

2026

OCTOBER 17, SATURDAY @ WARD CEMETARY

NOVEMBER 14, SATURDAY @ TBD

2027

MARCH 13, SATURDAY @ TBD

APRIL 10, SATURDAY @ WARD CEMETARY

OCTOBER 16, SATURDAY @ TBD

NOVEMBER 13, SATURDAY @ TBD



Appearance Commission Meeting Agenda Item Submittal

Item To Be Considered: **Projects of Interest Discussion**

Board Meeting Date: **July 16, 2026**

Prepared By: **Alissa Fender MMC – Town Clerk**

Overview: A roundtable discussion and/or update will be provided on the following projects of interest.

- Waterfront Plan Review (Larry)
- Fundraising Options and Details (Staff)

Background Attachment(s):

1. Swansboro Waterfront records
2. UNC School of Government Coats Canon blogpost related to fundraising/donations

Recommended Action: Discuss and/or provide further direction.

Action: _____



Swansboro's Waterfront

Swansboro, NC

Agenda

Creating a Great Place
Implementing the Waterfront Access
and Development Plan
 Current waterfront plan
 Other planning efforts
 Look for connections
Existing Palette
Unified Palette
Concepts for four Waterfront
 Access Points
Discussion



Creating a Great Place

Focus on Placemaking

Connectivity

Framed views

Public and green space

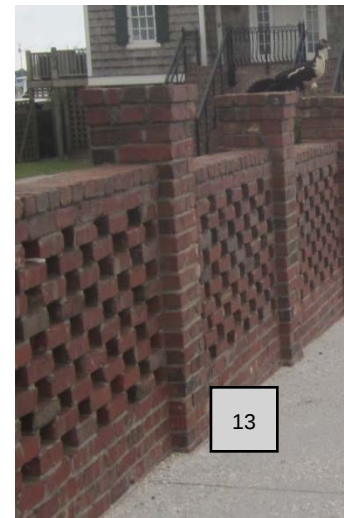
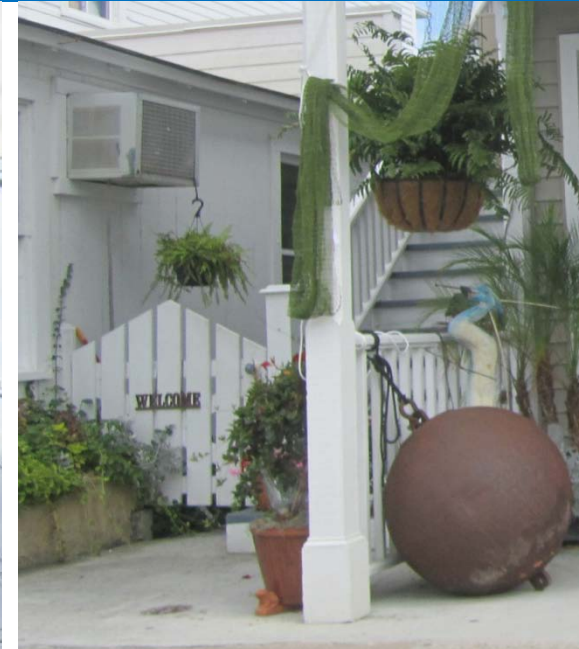
Wayfinding

Detail – fences, pots, paving, etc.

Delight and whimsy

Geometry, texture, color, pattern,
scale

Unified palette of site amenities and
materials



Our Project Focus

Investigate Current Waterfront Plans and other planning efforts

- Waterfront Access and Development Plan
- Swansboro Bike Plan
- Historic Walking Trail

Investigate potential pedestrian route from parking areas

- Church Street and Main Street
- Crossing busy HWY 24
- Pedestrian attractions
- Tight ROW



Waterfront Access and Development Plan



Making Connections

Connections: physical, visual, or cultural

- Pedestrian routes
- Bike routes, bike rentals
- Paddle trails, kayak rentals
- Shopping
- Festivals
- Restaurants
- Churches
- Historic buildings, Town history
- Boat docks and ship building
- Parks and Recreation



Making Connections

Different users are looking for different experiences

“Trail” can be enjoyed by pedestrians, bicyclists, and somewhat by vehicles

Self guided tour of unique and special historic buildings, parks, cemeteries, docks, and shops

Repeat an iconic symbol located along the trail that is instantly recognizable that “connects” important sites

Audio tour podcasts and downloadable information on smart phones can inform visitors

Capitalize on the beautiful and scenic corridors

Emphasize the special qualities of the environmental resources – the river, streams, creeks, and wetlands

Economic development is improved with streetscape improvements

Tap into new technology – GPS triggered audio tours, podcasts, and other innovations



Making Connections

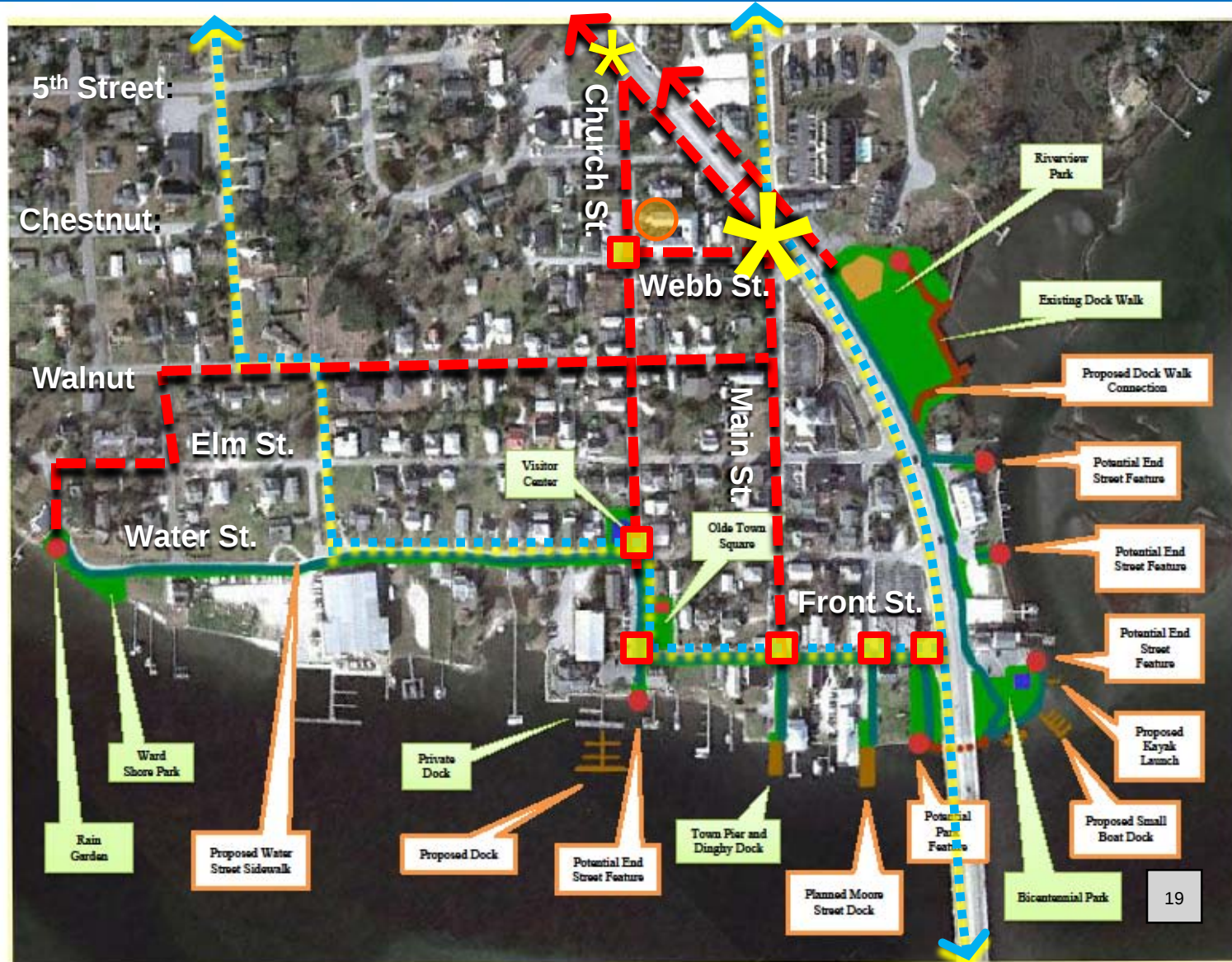
- Sign panels
- Brochures
- Maps
- Kiosks
- Public art
- Paving
- Site amenities
- Rubbings & etchings
- Geocaching/letterboxing
- QR Codes
- Possible interpretive themes:
 - Historic Properties
 - Riparian ecosystem of the White Oak River
 - Huggins Island Fort
 - Shipbuilding history
 - Sustainability



Making Connections

LEGEND:

-  Pedestrian Route
-  Bike Route
-  Museum
-  Pedestrian Crossing
-  Important Intersections



Pedestrian to Parking Link - Church Street

Pedestrian crossing at HWY 24
can be difficult (no light)

Tight right of way along street

Historic buildings, Visitor Center
and Museum connections

Primarily residential
neighborhood

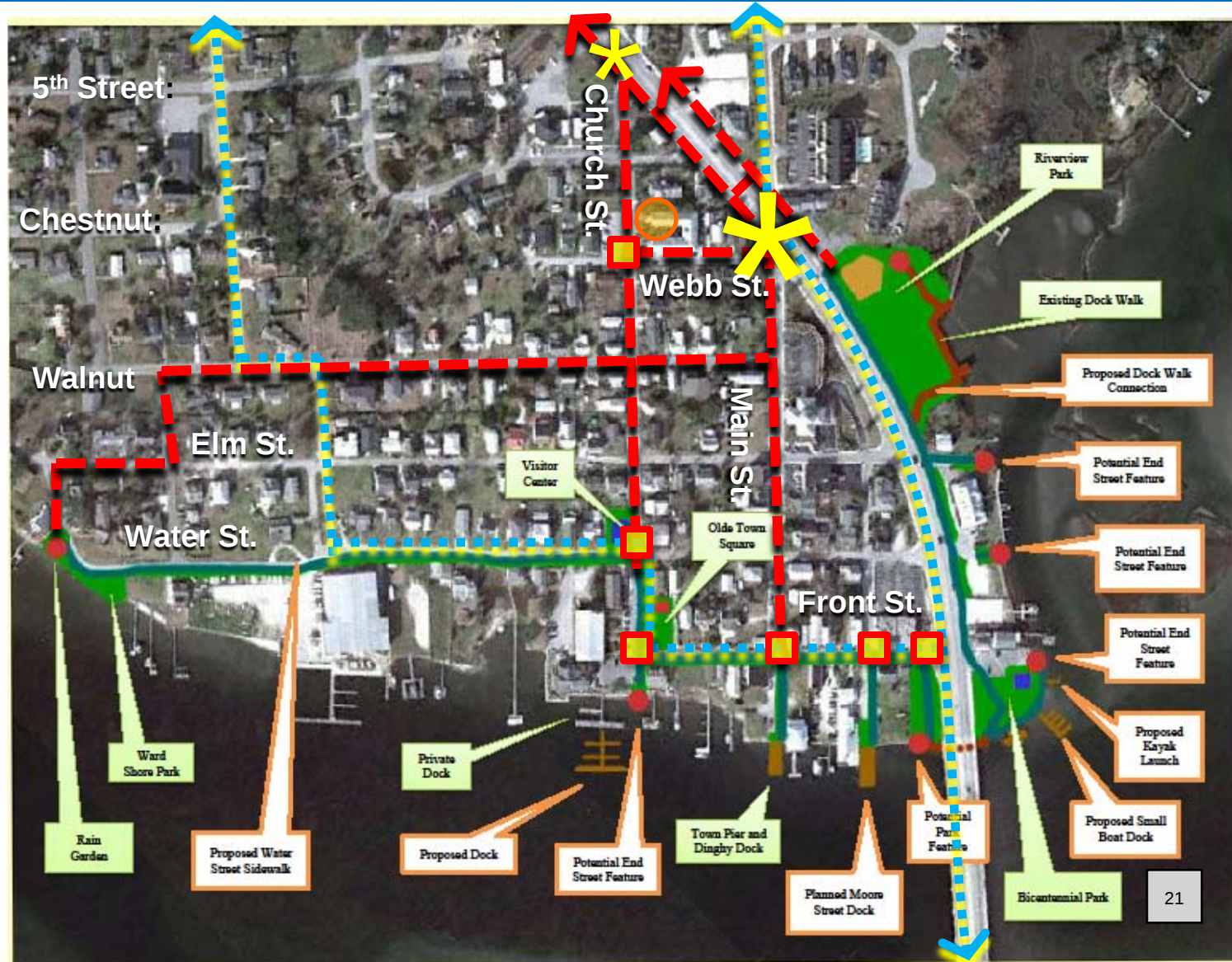
Direct link to the waterfront at
Church Street



Making Connections

LEGEND:

-  Pedestrian Route
-  Bike Route
-  Museum
-  Pedestrian Crossing
-  Important Intersections



Pedestrian to Parking link - Main Street

Pedestrians could cross at light at HWY
24 with an improved intersection
Along current bike route
Historic structures
Residential/commercial mix
Opportunity to team with business
owners to improve streetscape?
Direct link to the Town Dinghy Dock



Streetscape Improvements

New pedestrian pavement, lighting and bollards
– visual clues

Improved intersection(s) at HWY 24

Seating and other site amenities where room
exists – work with neighbors

Signage at historic district gateways

Directional signage to waterfront, cemetery,
parks, shopping and parking

Public art along route – gates, seats, lights,
planters and pots, pavement can all
incorporate public art

Bike racks, bike parking

Historic route, fitness route, “treasure hunt”

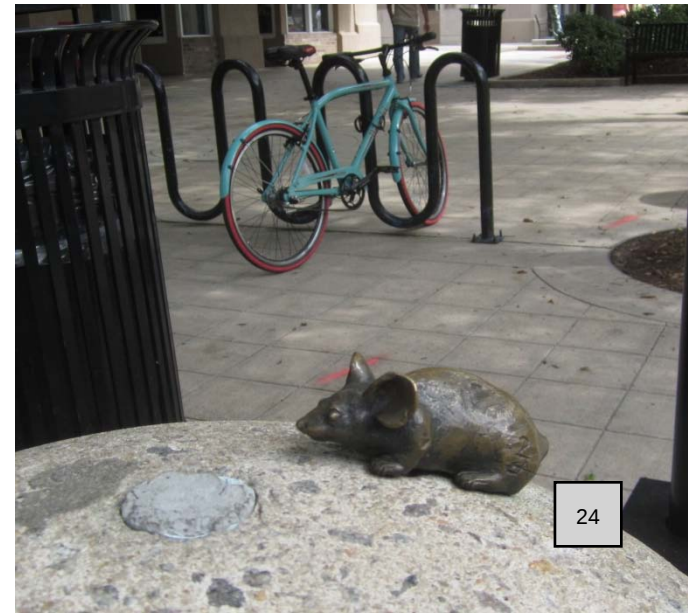


Streetscape Improvements

Historic routes
Fitness route
“Treasure Hunt” - letterboxing
Art Walks



Susan Hatchell
Landscape Architecture



Existing Palette

Seating/Tables
Trash/recycling receptacles
Lighting
Paving
Banners
Signs



Creating a Unified Palette

Shade Structures
Paving
Lighting
Seating and other amenities
Flags and banners
Public art
Signs/wayfinding



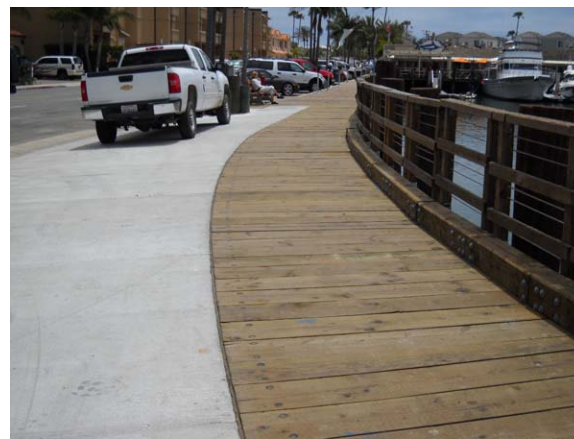
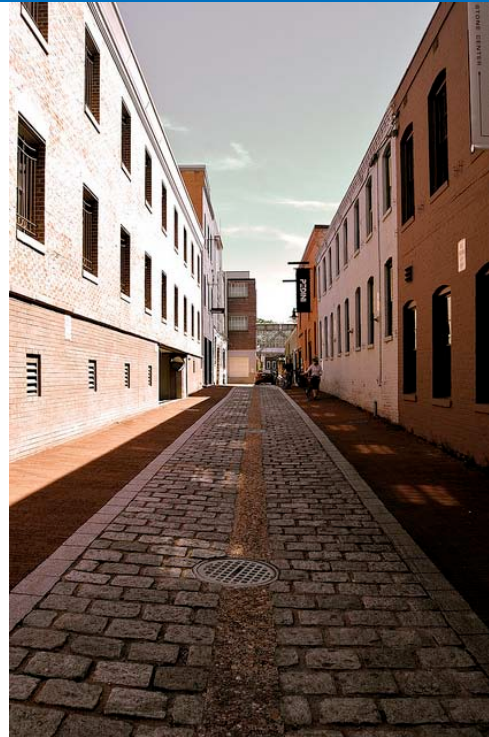
Shade Structures



Shade Structures

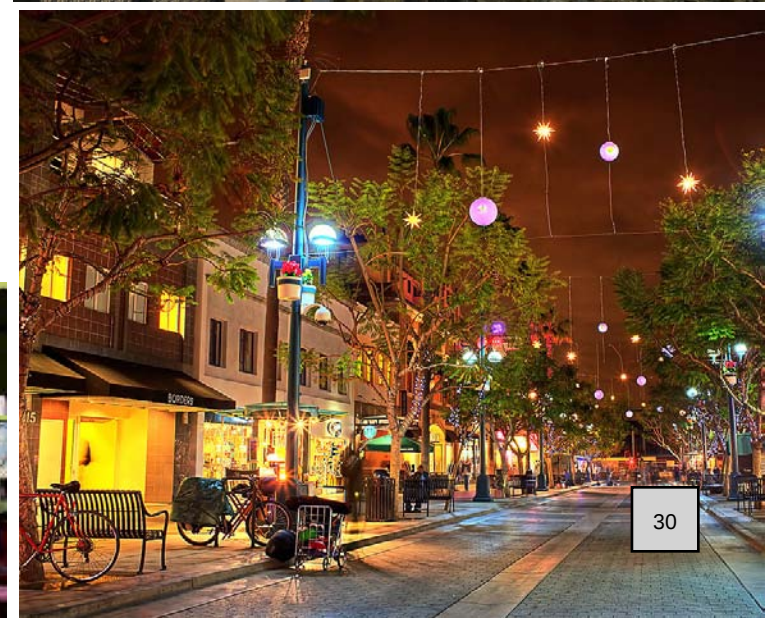


Paving

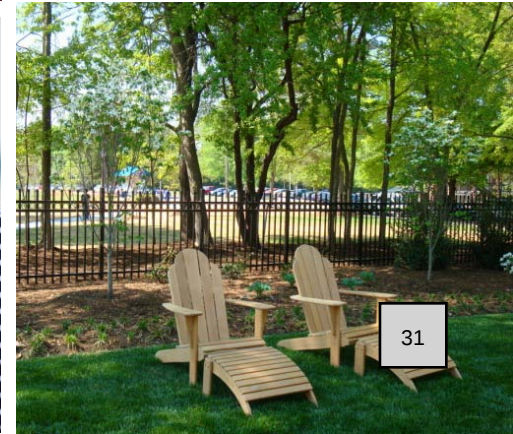
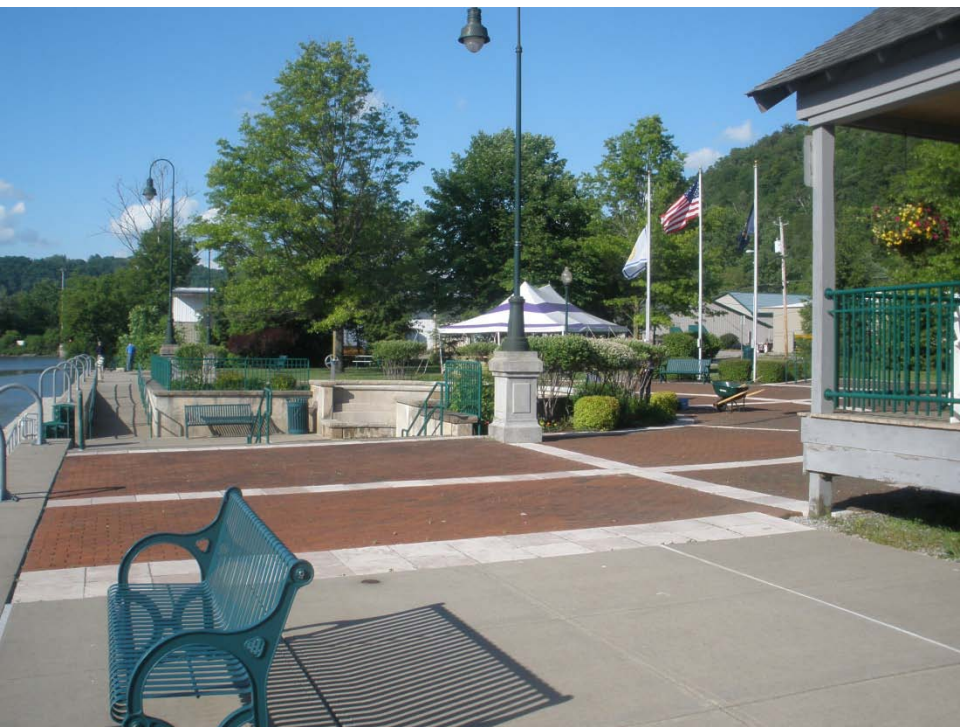


Lighting

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Seating and Other Amenities



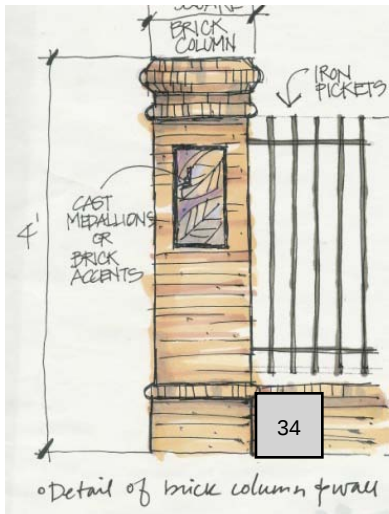
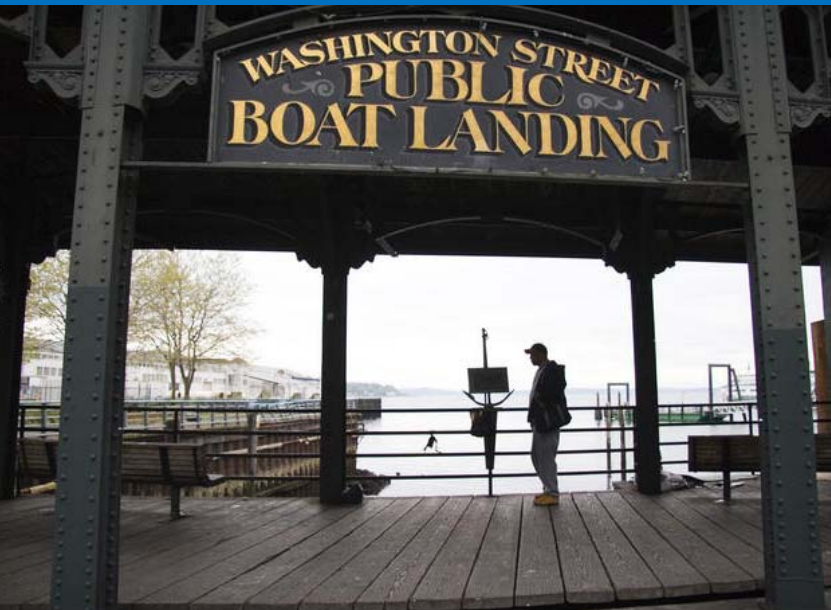
Flags and Banners



Public Art



Signs/Wayfinding



Waterfront Access Points

Conceptual plans for:

1. Church Street
2. Main Street Town Pier and Dinghy Dock
3. Moore Street Dock
4. West Bicentennial Park



Church Street – Existing Conditions

Terminus of Church Street
 Great existing connection to Olde Town Square
 “Fulcrum” of two important streets
 Adjacent to shopping, restaurants and residential
 Parking configuration is somewhat confusing
 Narrow space available for pedestrian walk
 Nice vegetation on either side of access



Church Street Concept

Olde Towne Square
Waterfront

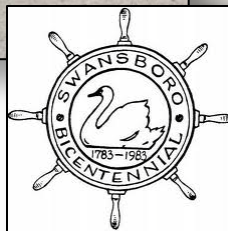
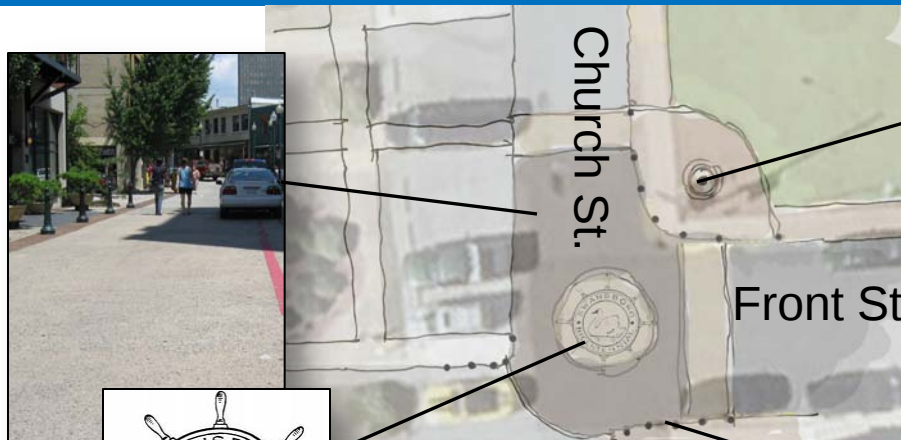
Pedestrian crossings

Special paving, bollards, inset
logo

Public art

Seating, lights and banners
Gazebo/shade structure that
mimics the architecture of
the existing structure

Cupola and weathervane



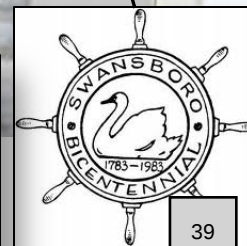
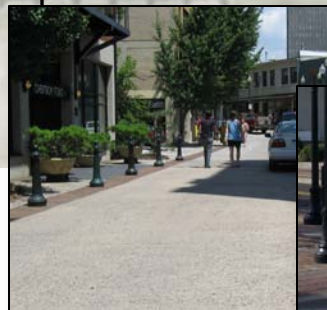
Main Street – Existing Conditions

Terminus of Main Street
Great potential for historic interpretation
Location of Town Dinghy Dock
Important gateway into Town for boaters
Existing concrete sidewalk
Very sunny, little shade provided



Main Street Landing Concept

“Gateway” to Swansboro
 Pedestrian crossings at intersection
 Special paving, bollards, inset logo
 Information kiosk with maps and history
 Trellis with swing, bike racks
 Seating, lights, banners, telescope
 Two entry arches



Main Street

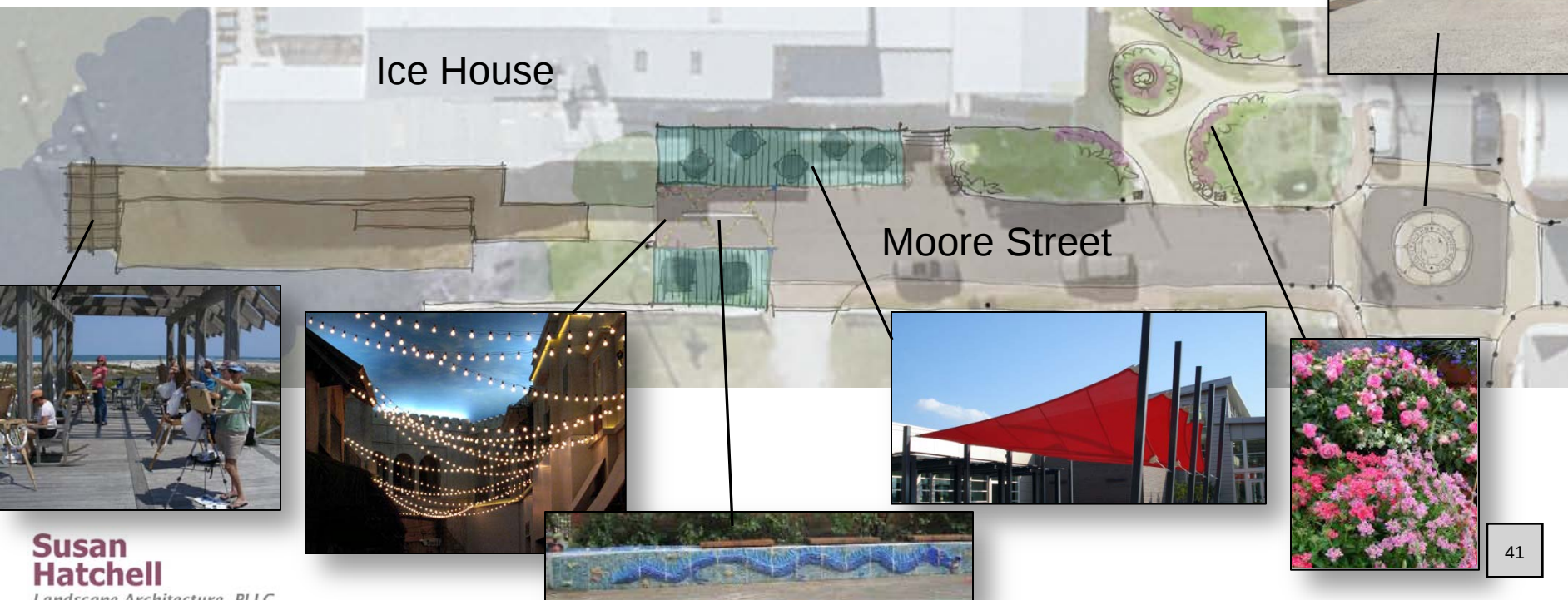
Moore Street – Existing Conditions

Terminus of Moore Street
New dock and observation area
Busy location next to the Ice House
Utility poles and manholes
Great views of the causeway



Moore Street Concept

- Pedestrian crossings at intersection
- Special paving, bollards, inset logo
- Garden entrance for the restaurant
- Vibrant waterfront access with shade structures and picnicking
- Outdoor seating area for restaurant with strung lights and mosaic seat wall, bike racks
- Wood shade structure at end of pier



West Bicentennial Park – Existing Conditions

Bisected by HWY 24 ROW

Great existing connection to Bicentennial Park
Entrance/Gateway to Front Street/downtown
area

Very visible from the causeway

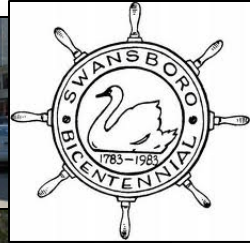
Some utility poles, drainage structures



West Bicentennial Park Concept

Pedestrian crossings at intersection
 Special paving, bollards, inset logo
 Pathway through lawn and garden
 Picnicking areas, bike racks
 Gazebo/Shade structure
 overlooking water
 Could be used for small
 performances, weddings, other
 gatherings
 Flags and banners
 Swings

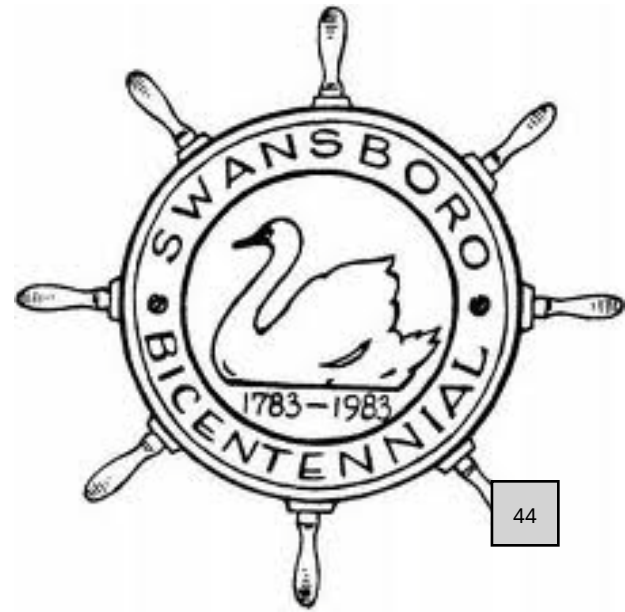
Front St.



To East Bicentennial Park



Discussion...



SWANSBORO

Item III - c.

WATERFRONT ACCESS AND DEVELOPMENT PLAN

SPRING 2012



Project Origin



- ☀ **A Master Plan was last developed in 1993.**
- ☀ **The 2010 Downtown Renaissance Committee reported a need for more waterfront access.**
- ☀ **The Board of Commissioners' goals for FY12 included an updated waterfront plan.**
- ☀ **The Board of Commissioners appointed an 11-member committee to formulate recommendations.**

Committee Duties and Planning Process



- ☀️ Identify key issues and concerns that affect development.
- ☀️ Discuss concepts used in other communities.
- ☀️ Provide opportunities for public comment and input.
- ☀️ Develop a future vision.
- ☀️ Identify factors that would help implement the vision.
- ☀️ Submit recommendations to the Board of Commissioners.

Development History

Item III - c.



Completed Projects

- ☼ Bicentennial Park
- ☼ Ward's Shore Park
- ☼ Town Dinghy Dock
- ☼ Riverview Park Phases I and II
- ☼ Two waterfront properties from NCDOT
- ☼ Olde Towne Square



Proposed Projects

- ☼ 2009 CRFL Grant effort for a boat landing facility
- ☼ 2010 CAMA Grant effort to build docking facilities at Bicentennial Park
- ☼ Moore Street dock is in progress
- ☼ A Port O Swansborough docking facility is being considered

Waterfront Models

Item III - c.

- ☀ Charleston, SC
- ☀ Oriental
- ☀ Southport
- ☀ Beaufort – North and South Carolina
- ☀ Wrightsville Beach
- ☀ Murrells Inlet, SC



Oriental, NC

Committee members observed that few communities had to traverse as many small parcels as Swansboro.



Beaufort, SC



Southport, NC

Waterfront Regulations

- 🚢 **Riparian Rights**
- 🚢 **Coastal Management Rules**
- 🚢 **Urban Waterfront Designation**
- 🚢 **Federal Channel Issues**
- 🚢 **Flood Zone Restrictions**



Waterfront Analysis



Strengths

Item III - c.



Restaurants and End Streets



Visitor Center



Historic District and Merchants



Commercial Marina and Charter Boat

Weaknesses

Item III - c.



Lack of Public Boat Docks



Limited Access to Shoreline



Underused End Streets (Elm St.)



Marginal Parking for Visitors

Opportunities

Item III - c.



Pedestrian Route Designation



End Street Development



Formal Connection of Waterfront Features



Front Street and Historic District

Challenges

Item III - c.



Linear Dock-walk Concept



Maintaining Village Atmosphere



Facilitating Boaters



Parking and Pedestrian Crosswalks

Conclusions

Item III - c.

Waterfront Access Needs:

- ☼ For pedestrians and boaters
- ☼ Parking to support merchants and pedestrian waterfront access

Plan Needs to:

- ☼ Guide waterfront development
- ☼ Help qualify the Town for grants

Public Comment:

- ☼ Public comment suggests a *continuous* public dock-walk is not feasible
- ☼ At best, limited sections of waterfront walkways may be achievable

Riparian Rights:

- ☼ Any substantial waterfront improvement will require riparian rights

Funding

- ☼ Little local funding has been set aside for waterfront property acquisition and grant sources have become more limited.

Street Ends:

- ☼ Provide basic public access, but the potential for structural improvements is limited

Pier Head Line:

- ☼ The Town has the ability to adopt a municipal pier head line

Urban Waterfront:

- ☼ The existing urban waterfront designation can be extended to the causeway area

Federal Channel:

- ☼ De-authorization could be a lengthy process, but would not change the existence of a strong tidal current

Amenities:

- ☼ Downtown has an array of conveniences for tourists, shoppers, local boaters, and transient boaters

Concerns

-  **Parking limitations**
-  **Scarce public docking**
-  **State and Federal regulations**
-  **Lack of awareness by beach visitors**
-  **Appearance issues**
-  **Resistance to public waterfront improvements**
-  **Funding Improvements**

Vision and Recommendations

The vision for the Swansboro downtown waterfront should be to create a continuous waterfront trail from Riverview Park to Ward Shore Park – consisting of segments that are either on the water, adjacent to the water, or near the water – and to create multiple significant points of interest and access to the waterfront, for both pedestrians and boaters, along the waterfront trail.

Waterfront Trail

Item III - c.

Continuous Route

- ☼ Use a combination of existing dock walks, sidewalks, and publicly-owned properties to create a designated pedestrian route from Riverview Park to Ward Shore Park.

Improvements

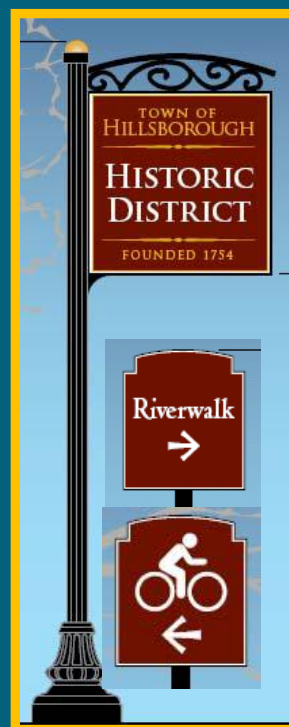
- ☼ Should seek easements, construct dock walks or waterside walks where feasible.
- ☼ Construct sidewalks along Water Street if feasible.
- ☼ Install lighting underneath the Corbett Ave. bridge.

Wayfinding

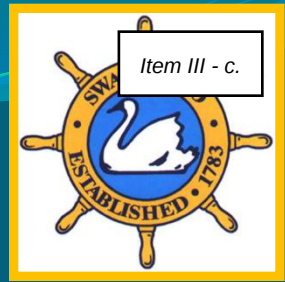
- ☼ Should devise a way-finding system to clearly designate the trail and its features.



Wayfinding Concepts



Funding



Riparian Rights

- ☀ Set aside and seek funds for acquisition of waterfront properties and/or riparian easements.

Local Funding

- ☀ Establish a capital reserve for waterfront property rights acquisition.

Grants

- ☀ Seek grants to help fund waterfront property and riparian rights acquisition.

Tourism Funding

- ☀ Work with the Swansboro Tourism Development Authority to identify projects for tourism-related funding.

County Funding

- ☀ Pursue County tourism funding to help construct facility improvements.

Partnerships

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The Town should work to develop cooperative projects with private property owners. Examples of possible partnerships are:

Boat Dock

- ⚙️ Negotiate an agreement with the Port O Swansborough to construct a transient boat docking facility.

Riverside Walkway

- ⚙️ Work with the owner of the White Oak Bistro to acquire a public walkway easement.
- ⚙️ A related consideration is to acquire the Valente property. It would provide additional downtown parking, and an alternate site for a public boat dock and/or kayak launch.
- ⚙️ The two actions would provide a shoreline connection at the end of Elm Street to the public sidewalk near Trattoria Restaurant and Bicentennial Park.



Port O Swansborough



White Oak Bistro

Facilities Improvements

Item III - c.

Riverview Dock Walk Extension:

- ☀ A dock walk connection should be constructed from the large covered deck at Riverview Park back up towards and connecting to the Corbett Avenue sidewalk.



Riverview Dock Walk

Bicentennial Park Pier, Dock, and Kayak Launch:

- ☀ Construct an additional (non-fishing) pier, small boat dock and kayak launch at Bicentennial Park. Other potential kayak launch sites could also be explored.



Bicentennial Park and Front Street

Facilities Improvements

Boat Docking Facility

- ☀ Work with the property owners at the Port O Swansborough to construct an extension from their existing dock facility.
- ☀ Facility could also provide a docking facility, in the heart of the downtown waterfront, for tour and cruise boats.



Port O Swansborough

Sidewalk Extensions

- ☀ Construct sidewalks along the southeast side of Water Street to provide a continuous wayfinding connection, from Church Street and the Visitor Center to Ward Shore Park, forming the southwestern section of the Trail.
- ☀ Explore the potential for a wayfinding sidewalk on the north side of Moore and Main Streets, from Front St. to the water.



Water Street

Supporting Amenities

- ☼ ***Additional public parking***
- ☼ ***No Wake Zone***
- ☼ ***Shade Shelters at end streets***
- ☼ ***Benches along walks and end streets***
- ☼ ***Decks/Kayak Launches at end streets***
- ☼ ***Building Maintenance***
- ☼ ***Museum***
- ☼ ***Historic Info & Wayfinding Kiosks***
- ☼ ***Marketing***
- ☼ ***Access Signage***



End Street and Kiosk Concepts



Swansboro Waterfront Trail

Item III - c.



Policy Action



- ☼ **Urban Waterfront Designation:** The Town should extend its urban waterfront area designation to include the causeway business area.
- ☼ **CBRA Zone:** The Town should remain vigilant regarding efforts to extend Coastal Barrier Resource Areas into the Swansboro harbor area.
- ☼ **Pier Head Line:** The Town should, if it appears necessary to accomplish access facility projects, adopt a municipal pier head line that maximizes the potential lengths of piers.
- ☼ **Federal Channel De-Authorization:** The Town should initiate a process to seek de-authorization of that portion of the federal channel and turning basin that is adjacent to the Swansboro waterfront.
- ☼ **Fishing Areas:** The Town should designate specific areas for fishing and should limit fishing in other areas of municipally-controlled waterfront access.
- ☼ **Plan Coordination** Waterfront-area improvements should keep in mind and be consistent with the recommendations of the Downtown Renaissance Report.

Summary

- ☀ **The proposed linear concept incorporating end streets would *formally* link waterfront parks, restaurants, retail shops, overnight accommodations, public access areas and public/commercial docking facilities.**
- ☀ **In an effort to attract more boaters, the committee recommends constructing a dock for small boats and a kayak launch at Bicentennial Park; and identified the Port of Swansborough as the best location for expanding public dock facilities along Front Street.**
- ☀ **The committee recommends implementing a consistent Swansboro themed design scheme that would not detract from the town's historic seaside character, but showcase it.**
- ☀ **Intended for the enjoyment of its local citizens and as a tourist attraction, the “walk” could easily be promoted as The White Oak River Walk of Swansboro, or some other unique tag line.**
- ☀ **With the exception of Port O Swansborough, the concept does not require the use of any private property.**

Swansboro

Item III - c.

Waterfront Advisory Committee

Larry Philpott, Chair, Town Commissioner

Junior Freeman, Vice-Chair, Town Commissioner

W. T. Casper, Waterfront property owner

Hal Silver, Waterfront property owner

Kathy Zuccarelli, Downtown business operator

Jerry Stevenson, Downtown property owner

Cirilla Cothran, Real estate broker

Lee Manning, Waterfront property owner

Joe Rhue, Waterfront property owner

John Freshwater, Hawkins Creek property owner

Town Staff:

Patrick Thomas, Former Town Manager

Jennifer Holland, Town Planner

Consultants:

Kathy Vinson, Coastal Planning Services, Inc.

Joann Carter, Coastal Carolina Comm. College



SWANSBORO WATERFRONT ACCESS AND DEVELOPMENT PLAN



Spring 2012

Swansboro Waterfront Access and Development Plan Spring 2012

Executive Summary

The Board of Commissioners' goals for FY 2011-2012 included continued implementation of the Downtown Renaissance Initiative, including the development and adoption of an updated waterfront development and access plan for the downtown area. In August 2011, the Board of Commissioners adopted a resolution initiating the development of a new, up-to-date Waterfront Access Plan and appointed an 11-member committee to assist in development of the plan. The committee's first meeting was held on December 5, 2011.

Through discussion and public comment, the committee moved away from the 1993 downtown dock walk recommendations citing the improbability of full property owner participation. In assessing limitations and opportunities, a continuous linear "walking" concept evolved. The walk would meander through the waterfront district from Riverside Park to Ward Shore Park. Utilizing mostly completed dock walks and public sidewalks, the concept would require improvements for the purpose of continuity, aesthetics, identification and wayfinding. Enhancement features could be: landscaping, shade shelters, benches, waterside decks and informational kiosks. The concept would require a wayfinding strategy and plan.

Additional shoreline "walking easements" would improve the quality of the proposal, but the concept does not require property acquisition, user agreements or additional easements. However, acquisition, agreements and/or easements are recommended and would provide for additional parking, expand water views and increase shoreline boater/pedestrian access.

The plan recommends making improvements to end streets. Street end improvements could be boat docks, kayak launches or involve the construction of covered waterside decks which the latter providing passive opportunities for viewing the river and sound. The concept calls for all street ends to be linked to the project's linear "walking" element.

In an effort to attract more boaters, the committee recommends constructing a dock for small boats and a kayak launch at Bicentennial Park. A grant application for this improvement was denied by CAMA in 2010, but the plan is consistent with committee recommendations and could be resubmitted. Centered in the heart of the historic business district, the committee also identified the Port of Swansborough as the best location for expanding public dock facilities along the Front Street portion of the waterfront. The current BIG grant opportunity made possible by owners of the Port of Swansborough would satisfy the committee's Front Street dock recommendations.

The proposed linear concept would formally link waterfront parks, restaurants, retail shops, overnight accommodations, public access areas and public/commercial docking facilities. From public comment and other surveys, the planning process took into consideration that the people of Swansboro desire to maintain the town's quaint, seaside village atmosphere - a reflection of its historic maritime past. Therefore, the committee recommends establishing a consistent Swansboro themed design scheme that would not detract from the town's character, but showcase it. Intended for the enjoyment of its local citizens and as a tourist attraction, the Swansboro waterfront trail could easily be promoted as The White Oak River Walk of Swansboro, or some other unique tag line. Including end streets, the walking element would be approximately nine-tenths of a mile.

-Larry Philpott, Chairman, Waterfront Plan Advisory Committee

SWANSBORO WATERFRONT ACCESS AND DEVELOPMENT PLAN
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- Waterfront Models

SWANSBORO WATERFRONT ACCESS AND DEVELOPMENT PLAN

I. PROJECT GENESIS

“Heritage, Prosperity, and Vitality”, the March 2010 report of the Downtown Renaissance Committee, found that the weaknesses of Swansboro’s historic downtown district included (a) insufficient public pedestrian access to the waterfront and (b) lack of waterfront facilities for boater access (such as docking and launching sites).

The Downtown Renaissance report recommended that the Town continue its efforts to obtain riparian rights in order to facilitate development of dock walks and of docking facilities for transient boaters, that the Town pursue every opportunity to construct dock walk and pier facilities to provide greater public access to the Swansboro waterfront, and that the Town pursue every opportunity to construct dock facilities for greater access by transient boaters.

The Town’s last effort to create a waterfront access and development plan occurred almost twenty years ago, in 1993, so there has been no recent, up-to-date plan to help guide municipal efforts to improve waterfront access. The availability of an up-to-date plan is also important to the funding of public access facilities on the waterfront, since most grant programs from which the Town might wish to seek funding normally request evidence that the proposed waterfront projects and proposals are based on officially-adopted plans.



The Board of Commissioners’ goals for FY 2011-2012 included continued implementation of the Downtown Renaissance Initiative, including the development and adoption of an updated waterfront development and access plan for the downtown area. In August 2011, the Board of Commissioners adopted a resolution initiating the development of a new, up-to-date Waterfront Access Plan and appointed an 11-member committee to assist in development of the plan.

II. PLAN DEVELOPMENT CHARGE

The Board of Commissioners indicated that an updated Waterfront Access and Development Plan should be prepared and that the plan should include (a) a vision and (b) a plan – including

specific recommendations – regarding public pedestrian and boater access to the Swansboro downtown waterfront area.

Development of the plan was to be coordinated by the town manager or his designee, with the assistance of any consulting resources that he might employ and with the assistance of the ad hoc advisory committee appointed by the Board of Commissioners.

The Waterfront Plan Advisory Committee's duties and responsibilities included the following:

- Identifying key issues and concerns that affect access to- and development of the waterfront in the public interest;
- Helping to identify approaches, projects, and resources that have helped improve public and boater access and public interest development in other waterfront communities;
- Helping to create and provide opportunities for public input and participation in the development of a plan for the future of the Swansboro waterfront;
- Developing a specific vision for the future of Swansboro waterfront;
- Helping to identify concepts, programs, ideas, improvements, and regulatory changes that would help implement the vision for the future of the Swansboro waterfront.
- Report its findings and recommendations, in writing and including any conceptual plans for proposed improvements, to the Board of Commissioners.



III. PLAN DEVELOPMENT PROCESS

The Waterfront Plan Advisory Committee began meeting in early December and met monthly thereafter. During its meetings, the advisory committee undertook the following studies and activities in pursuit of its responsibilities.

A. Previous Waterfront-Related Plans and Studies

The committee reviewed previous plans and studies affecting the Swansboro waterfront, summaries of which had been previously provided to the committee. These included:

- The 1993 Waterfront Development Plan;
- The 2001 Waterfront Enhancement Project concept by Quible & Associates;
- The 2001 Waterfront Transportation Plan;
- The waterfront-related provisions of the 2009 CAMA Land Use Plan; and
- The 2010 Downtown Renaissance Report (waterfront-related excerpts).

B. Recent, Planned, and Proposed Projects

The town manager outlined for the committee a number of previous, attempted, and planned waterfront improvement projects, for which the committee had been provided with descriptions.

1. Previous Improvements. The town manager outlined for the committee previously-completed waterfront access projects, including Bicentennial Park, Ward's Shore Park, the Town Dinghy Dock, Riverview Park phases I and II, the acquisition of two waterfront properties from NCDOT, and the recent acquisition and development of Olde Towne Square.

2. Attempted Projects. Proposed but initially unsuccessful initiatives included attempts in 2010 to secure public waterfront access rights from the owners of the Port O' Swannsborough and from Georgia Maness, an effort in 2009 to obtain \$400,000 in Coastal Recreational Fishing License funding for a boat landing facility, and an unsuccessful application in 2010 for a \$165,000 CAMA grant to build additional pier, boat docking, and kayak launching facilities at Bicentennial Park.



3. Planned Projects. Planned and pending projects reported to the committee included a \$100,000 dock and pier at the end of Moore Street (for which the Town had secured a \$71,100 CAMA grant and was trying to resolve issues with an adjacent property owner), and well as a docking facility for transient boaters at Wards Shore (for which NC Marine Fisheries had recommended award of a \$100,000 grant to the Town). Subsequent to the committee's briefing, the Town Board of Commissioners voted to abandon the transient docking facility project.

C. Public and Stakeholder Input

The committee discussed ways and means of obtaining input from waterfront stakeholders and the public, which all agreed was important to development of a realistic plan. The committee agreed by consensus (1) to invite waterfront property holders to the January 9 meeting of the committee, at which a presentation on parameters of waterfront development was made, (2) to seek written input from stakeholders who did not attend the January 9 meeting, (3) to invite public comment and discuss stakeholder concerns at subsequent meetings, and (4) to advise stakeholders when committee meetings would be held. Invitations were issued to all waterfront property owners regarding the January 9 meeting, and letters were also sent to all property owners regarding the schedule of following planned meetings.

Waterfront property owners (45) were invited to the January meeting at which a presentation on waterfront development parameters and opportunities was provided. Following the presentation, those property owners who attended were asked to respond to a brief, six-question survey about waterfront access for the public.



Georgetown, SC Waterfront Walkway

The 13 property owners who responded indicated that they or their families had owned their properties for varying lengths of time, ranging from two years to 102 years, but the average length of ownership was significant – over 37 years. Asked if they felt that improved waterfront access for pedestrians (residents, visitors, shoppers) in the downtown Swansboro area was a desirable objective, nine responded “yes”, and four said “no”. Asked if they felt that improved boat docking facilities was a desirable objective for downtown Swansboro, nine said “yes”, three said “no”, and one said that it was “questionable”. When the property owners were asked if they would support establishment of a continuous pedestrian walkway (which could include sections on both water and land) along the Swansboro waterfront – a concept that was at the heart of the town’s previous waterfront access plan – the responses weakened further. Six said that they would support the walkway, five said they did not support it, and two gave uncertain responses.

The property owners were then asked two “bottom line” questions: (a) would they be open to providing, with proper compensation, riparian rights on the waterfront side of their property for the purpose of improving public access to the water, and (b) if they owned waterfront property that was adjacent to a Town-owned waterfront parcel or street end, would they be willing to grant a waiver of the CAMA 15-foot setback from their property in order to facilitate the construction of public waterfront access facilities.

On the riparian rights question, only three of the thirteen said that they would be open to providing riparian rights, while six just said “no” and four answered with a question mark or a

“maybe”. On the setback waivers question, four respondents said they did not own property adjacent to a Town property or street. Among the remaining nine, only two said they would be willing to grant a waiver, five said “no”, and two gave question-mark responses.

The answers provided by the 13 property-owning respondents to these questions indicate that the Town probably faces significant obstacles to securing support or cooperation from property owners if it needs riparian easements or setback waivers in order to construct access facilities. The responses also illustrate the apparent infeasibility of a continuous dock walk along the waterfront.

D. Waterfront Improvement Parameters

The most important parameters and opportunities relating to the development of waterfront access and waterfront facilities were outlined in a presentation to the committee, public, and property owners on January 9, 2012, by Kathy B. Vinson of Coastal Planning Services, Inc.

She discussed five types of issues affecting waterfront development, including (1) riparian rights, (2) Coastal Area Management Act (CAMA) regulations, (3) urban waterfront designations, (4) federal channel issues, and (5) flood zone restrictions.

1. Riparian Rights

Riparian rights are the legal rights of owners of land bordering on a river or other body of water. Such rights are not ownership rights, but rights of access to the water, such as for construction of docks and piers. *Riparian rights are very critical to waterfront access and waterfront development in Swansboro and to the recommendations of this plan, because no form of improvements over the water – dock walks, piers, boat docks, mooring fields, or other improvements – can take place unless the entity that wishes to undertake the improvements has secured riparian rights.*

The area in which a waterfront property owner has riparian rights or riparian access is also known as a riparian corridor. It is determined based on the channel in front of the property, which may have a different alignment from the shoreline. To determine the boundaries of a property owner’s riparian rights, first draw a line (a tangent) along the channel or deep water in front of properties. Then, draw a line perpendicular to the line of the channel so that it intersects with the shore at the point where the upland property line meets the water’s edge. CAMA field representatives from the Division of Coastal Management will assist in determining the riparian property lines where the shoreline is irregular, such as the end of a canal, and will make the final determination of the area of riparian access.



2. CAMA Regulations

A number of regulations enacted by the North Carolina Coastal Resources Commission, under the authority of the Coastal Area Management Act (CAMA), have a significant bearing on the potential for improved waterfront access in Swansboro. The presentation of CAMA rules provided at the January 9, 2012 meeting and summarized below is limited to those regulations determined to be applicable to the Town of Swansboro Waterfront Redevelopment study. The summary does not address the entirety of CAMA regulations. The CAMA permitting program is administered by the North Carolina Division of Coastal Management (DCM). The full set of CAMA regulations and other relevant information can be found on the Division of Coastal Management website at <http://dcm2enr.state.nc.us>.

- (a) *Riparian Access*. Riparian access is always required to obtain CAMA permits to build docks, piers, moorings, or similar water-dependent structures.
- (b) *Riparian Corridor Setbacks*. Unless written waivers are provided by adjoining property owners or the adjoining property owners are co-applicants, all portions of a structure within a riparian corridor must be set back at least 15 feet from adjoining riparian corridors.

- (c) *Pier Limitations*. Multiple guidelines apply to pier and dock construction:

- CAMA rules regulate the number of boat slips that may be constructed with each dock or pier, and additional rules apply to facilities with more than 10 slips, which are regarded as marinas.
- Piers greater than 100 feet in length (measured from the edge of marsh vegetation or the shoreline) cannot normally extend beyond the length of existing piers used for similar purposes along the same shoreline, and piers may not normally extend more than one-fourth the width of the water body. An exception applies where there is a federal or municipal pier head line or if a pier is located between longer piers within 200 feet of the property. For either exception, the pier cannot be longer than adjacent piers or extend more than one-third the width of the water body.
- Piers must not extend into the channel portion of the water body.
- Piers along federally maintained channels must comply with U.S. Army Corps of Engineers guidelines available from the Corps District Office in Wilmington.



- The width of piers (not including platforms) is normally limited to six feet, unless a greater width is necessary to insure safe use, for public access, or to support a water-dependent use that could not otherwise occur.
- The combined area of finger piers, T-heads, platforms, decks, and platforms is limited by a formula related to the property's shoreline length and the type of permit received. Exemptions may be approved if necessary for safety, to improve public access, or to support a water-dependent use that cannot otherwise occur.
- Docks, piers, and T-heads must be elevated at least three feet above any coastal wetland (marsh) substrate as measured from the bottom of the decking.
- The location of docks and piers must avoid shellfish beds and submerged aquatic vegetation (SAVs).

(d) *Fill Restrictions in Water and Marsh Areas.*

- The placement of fill is generally not allowed for purpose of extending high ground or to "even-out" shorelines (aesthetics).
- Fill *may* be allowed if based on urgent need, safety issues, or overall public benefit, but permission is very difficult to obtain.
- There are some very limited (minor, extremely restricted) opportunities to conduct fill activities in association with bulkhead construction.

(e) *Mooring Fields.* From time to time, suggestions have been made that the establishment of a mooring field in the Swansboro harbor be considered. However, establishment of such fields is not a simple matter.

- Free-standing moorings and mooring fields are subject to both CAMA and Corps of Engineers rules.
- Control of a riparian corridor is required to install free-standing moorings and is normally required to establish a mooring field, and the 15-foot riparian corridor setback applies (including the arc of swing of any moored vessels).
- Moorings cannot interfere with navigation or restrict federal channels.
- Moorings may normally be located no more than 400 feet from the normal high water line and no more than one-third of the width of the water body.
- Mooring fields must be consistent with any local zoning regulations and land use plan.
- Owner of mooring fields must provide suitable access to moorings including wastewater pump-out, trash disposal, and parking. The associated land-based facilities must meet all applicable stormwater requirements.
- In the absence of riparian access, CAMA permitting of a public mooring field could possibly occur if consistent with a detailed water use plan contained in the zoning ordinance or certified land use plan. One component of a comprehensive water use plan is the designation of appropriate locations for a range of water uses, with a goal being to minimize user conflicts. Any designated mooring area must be within the Town's municipal boundaries and outside the area associated with the riparian corridor of any non-Town owned property, unless property owners consent. (A water use plan does not give the local government authority to seize riparian access associated with other properties for use as a mooring field.) A mooring field permitted on the basis of a water use plan must meet all CAMA and federal permitting criteria, including the provision of required land-based facilities.

- Public service mooring fields are evaluated on a case-by-case basis.

(f) *Coastal Shoreline Buffer.* A 30-foot coastal shoreline buffer, measured landward from the normal high water level, applies to most new high-ground development adjacent to estuarine and public trust shorelines. Development within the buffer is extremely limited, although some uses are allowed. Development that is allowed *within* the buffer includes:

- Water-dependent uses, such as docks and piers, pilings, bridges, and utility crossings
- Pile-supported signs that comply with local regulations
- Post- or pile-supported fences
- Elevated, slatted boardwalks exclusively for pedestrian use and six feet in width or less (greater width may be allowed to serve a public use or need)
- Development over existing built-upon (or impervious) areas, not to exceed existing area
- Decks and observation decks limited to slatted, wooden, elevated and unroofed decks, not to exceed 200 square feet
- Grading, excavation, and landscaping, not to include filling of wetland areas



There are some exceptions to the shoreline buffer requirement for residential lots platted prior to June 1, 1999, and for designated urban waterfront areas (see discussion below).

CAMA permits or authorization are required for construction of allowed development within the buffer, and to construct exceptions to the buffer requirements.

- (g) *Municipal Pier Head Lines.* Local governing boards may establish a municipal pier head line that exceeds the “one-quarter” rule; however, they are usually limited to one-third of the water body width. Municipal pier head line designations require concurrence by the US Army Corps of Engineers, which reviews on a case-by-case basis. If the Corps concurs, the municipal pier head line will be recognized by CAMA.
- (h) *NC Environmental Policy Act (NCEPA).* State law requires environmental assessments and/or environmental impact statements when projects meet certain thresholds or impacts. Session Law 2011-398 *currently* exempts projects requiring major CAMA permits from NCEPA requirements.
- (i) *Rule Interpretations.* Every project is reviewed based on existing site conditions, as well as applicable rules. Therefore application of CAMA regulations may vary depending upon individual circumstances, as determined by the Division of Coastal Management permit officer assigned to the project. If a permit is denied the applicant has the right to appeal the

denial or to request a variance from the Coastal Resources Commission. Questions regarding the CAMA regulations should be addressed to the CAMA field representative serving the Swansboro area.

3. Urban Waterfront Designation

Local governments may designate certain portions of shorelines as “urban waterfront” areas. In order to qualify for urban waterfront designation, areas must meet the following criteria:

- The area must be entirely within town or city limits.
- The area must have central business district or similar commercial zoning or be in an area with an industrial or similar zoning classification adjacent to a central business district.
- There must be minimal undeveloped land and mixed land uses within the area.
- Urban services, such as water, sewer, streets, and police and fire protection must be available in the area.

Urban waterfront areas have cultural, historical, and economic significance for many coastal communities, including the Town of Swansboro. CAMA regulations recognize that maritime traditions and long existing development patterns make urban waterfront areas appropriate for continuing or promoting dense development along the shoreline. By supporting efficient use of these areas, and with proper planning, local governments can preserve local values while enhancing the economy.

CAMA regulations provide the following benefits specifically for areas designated as urban waterfront areas:

- The 30-foot CAMA shoreline buffer is encouraged where practical, but not required, provided the following standards are met:
 - The development is consistent with the local Land Use Plan.
 - Impervious surfaces do not exceed 30% of the CAMA AEC (Area of Environmental Concern) portion of the lot, except with a stormwater management design system that is equal to or exceeds the water quality protection of the 30% limitation. Redevelopment of areas exceeding 30% impervious may be allowed if the impervious areas are not increased and the project design meets the intent of this rule to the maximum extent possible.
 - The development meets all applicable state stormwater requirements.
- Certain non-water dependent uses are allowed over estuarine waters, public trust waters, and wetlands:
 - Commercial uses are allowed in existing structures, provided the structure promotes, fosters, enhances, or accommodates a public benefit. Allowed uses are limited to restaurants and retail services.
 - Existing enclosed structures may be replaced or expanded vertically if not prohibited by local or FEMA flood zone requirements. The vertical expansion may not exceed the original footprint of the structure and is limited to one story.
 - New pile-supported, single-story, unenclosed decks and boardwalks for non-water dependent uses are allowed if the proposed development provides for enhanced

public access to the shoreline and meets the following specific requirements contained in the CAMA guidelines for urban waterfronts:

1. May be roofed but not enclosed and shall be limited to a single story
2. Requires no filling of coastal wetlands, estuarine waters, or public trust areas
3. Structures may not extend more than 20 feet waterward of the normal high water level
4. Must be elevated at least three feet over the wetland substrate as measured from bottom of decking
5. No more than six feet of any dimension may extend over coastal wetlands
6. Structures may not interfere with access to any riparian property and shall meet the 15 foot minimum setback between any part of the structure and adjacent riparian owners' area of access, unless a written waiver is provided or owners apply for permits as co-applicants
7. Structures must meet US Army Corps of Engineers setbacks along federally authorized waterways
8. Structures shall have no significant adverse impacts on fishery resources, water quality, or adjacent wetlands and there must be no reasonable alternative that would avoid wetlands
9. Structures shall not degrade waters classified as SA or High Quality Waters or Outstanding Resource Waters as defined by the NC Environmental Management Commission
10. Structures shall not degrade Critical Habitat Areas or Primary Nursery Areas as defined by the NC Marine Fisheries Commission
11. Structures shall not pose a threat to navigation

It is important to note that an urban waterfront designation does not create exemptions from flood elevation or FEMA requirements.

4. Federal Channel Issues

The designated federal channel in the Swansboro area includes a turning basin and side channel area. The existence of the channel and the channel setback area (as well as the current in the channel) limits water-dependent development in the Swansboro harbor area. In addition to applicable CAMA regulations, federal channel setbacks limit the length of piers and the location of moorings.



The U.S. Army Corps of Engineers regulates development in federal channel setbacks on a case-by-case basis. During recent discussions on behalf of the Town of Swansboro with Kathy Vinson of Coastal Planning Services, Inc., the Corps of Engineers staff suggested that floating docks *might possibly* be allowed within the setbacks in Swansboro, but that permanent attachments or anchors for the floating components (such as pilings) would have to be *outside* the setback and the channel. Floating structures in setback areas would require Coast Guard concurrence and final plan approval by the Corps.

Staff of the Wilmington District of the Corps of Engineers indicated that the potential de-authorization of the federal channel and associated setbacks is likely to be a lengthy and uncertain process, with no recent memory of success in similar de-authorization efforts. Corps staff stressed that the federal policy regarding federal channel setbacks continues to evolve and is subject to further change or refinement.

5. Flood Zone Restrictions

National Flood Insurance Program (NFIP) standards require the elevation of structures in special flood hazard areas. This includes all of the downtown area. A local Flood Appeals Board can consider variance requests from flood zone requirements, but standards for such variances are very stringent. As noted above, Urban Waterfront designation has no effect on NFIP rules.

E. Strengths, Weaknesses, Opportunities, and Challenges Analysis



The committee developed a list of strengths, weaknesses, opportunities, and challenges for the Swansboro waterfront. These were developed in discussion among the committee members and with input from interested residents and property owners who attended the January 9 meeting. The inventory included the following comments by the participants:

1. Swansboro Waterfront Strengths

- Close proximity to the Intracoastal Waterway
- “Curb appeal” of waterfront
- Deep water available on waterfront
- Dead end streets provide access to water
- Good draw/access to water from land
- Availability of nearby accommodations
- Presence of historic district
- Deep water access
- Marinas/service facilities for boaters
- Availability of customer-friendly restaurants



Harbor hosts and transportation services
 Availability of Visitors Center
 Previous public improvements (parks, dock)
 Swansboro is a good stopping point for boats that are being moved to another location
 Urban Waterfront designation allows development without waterfront setbacks
 Idyllic, unique community in its current status; has not lost its charm
 Charter boat services

2. Swansboro Waterfront Weaknesses

Lack of publicly-owned waterfront property
 Federal channel and channel setbacks
 Lack of vehicle parking
 Lack of boat docking facilities
 Existing facilities impede dock walk concept
 No “no wake” zone
 Coast Guard enforcement level high (training)
 Apparent resistance by property owners to grants of riparian rights and setback waivers
 Beach visitors not familiar with Swansboro
 Building at the end of Main Street, at waterfront, is not being used.
 “Garbage dump” to side of bridge on Cedar Point side negatively affects river appearance
 Limitations on use of street ends
 Floodplain regulations require elevation of buildings

3. Swansboro Waterfront Opportunities

Generation of more business for downtown
 Public access at street ends
 Tourism
 Designation of pedestrian routes
 Creation of gateway view from water
 Opportunity for job creation (dock master)
 Incentivizing private waterfront improvements
 Tour/cruise boat visits
 Continuation of the dock walk
 Access for kayakers in locations where parking is available nearby
 Provision of more information about the history of Swansboro in the downtown area (in an environmentally-controlled space)
 Maintain Front Street as primary access (to downtown shops), with points of access to water
 Encourage even more exposure in the area media
 One way traffic circulation in downtown area (others did not support)
 Parking at Town Hall Annex with continuous shuttles into downtown



4. Swansboro Waterfront Challenges and Threats

Federal proposal to extend CBRA zone into Swansboro harbor



Lack of available funding for development
 Property owners
 CAMA restrictions
 Property acquisition difficulties, including cost
 Lack of riparian rights
 Corps of Engineers regulations/restrictions
 Concern by property owners about the effects of public access projects on their properties
 Need to further improve “curb appeal” of waterfront from NC 24 by attracting boaters
 Maintaining the village atmosphere of Swansboro
 Difficulty in continuing the dock walk
 Pedestrian crossing at NC 24 and Main Street
 Vehicle traffic and circulation, as well as parking, in the downtown area
 Merchants and employees using prime customer parking spaces

IV. CONCLUSIONS

The principal conclusions that were reached from the investigations described above include:

- A. Access Need.** Previous planning initiatives, as well as recent plans and surveys, indicate that there is a significant need for additional access to the Swansboro waterfront for pedestrians, local boaters, and transient boaters. Additional parking is also needed to support pedestrian access.
- B. Plan Need.** The Town needs an up-to-date Waterfront Access and Development Plan in order to guide waterfront access development and to help qualify the Town for any available grant funding.
- C. Property Owner Views.** Property owner feedback suggests that the previous waterfront access plan, which was significantly based on the concept of a *continuous* public dock walk along the waterfront, is not feasible. At best, limited sections of waterfront walkways may be achievable.
- D. Riparian Rights.** Any substantial improvement of public access to the waterfront will require acquisition of riparian rights – in most cases through the acquisition of waterfront property. CAMA regulations require the availability of riparian rights to construct walkways, piers, docks, and decks over the water.
- E. Street Ends.** While multiple street rights-of-way extend to the water’s edge, providing basic public access to the water, the potential for structural improvements at these street ends is limited. Narrow street widths, CAMA setback requirements, and the unwillingness of some



property owners to provide setback waivers significantly restricts the potential for the development of water-dependent public access at street ends that are adjacent to the waterfront.

F. Pier Head Line. If construction of longer piers is desirable, the Town has the ability to address the issue by adopting a municipal pier head line.

G. Urban Waterfront. The existing urban waterfront designation, which can also be extended to the causeway area, provides relief from CAMA shoreline buffer requirements and the opportunity for businesses along the waterfront to build closer to the water than would otherwise be possible. More information about the designation and the related advantages could be distributed to property owners who may not be aware of the opportunity.

H. Federal Channel. Pursuit of federal channel de-authorization could potentially remove some barriers to harbor development in the channel and its associated setbacks. However, the de-authorization process could be very lengthy, has an uncertain outcome, and would not change the fact that a strong tidal current exists in the channel area.

I. Amenities. As detailed in the Town's application to the Boating Infrastructure Grant program, the Swansboro downtown area has a very significant array of attractions, amenities, and conveniences for tourists, shoppers, local boaters, and transient boaters.

J. Concerns. There are a number of issues that limit full enjoyment and appreciation of the Swansboro waterfront, ranging from parking limitations, scarce docking, and state and federal regulations to lack of awareness by beach visitors, appearance issues, and property owner resistance to public waterfront improvements.

K. Funding. Little local funding has been set aside for waterfront property acquisition and development, and funding from grant sources has become more limited and much more competitive due to budget crises in state and federal government.

V. VISION FOR THE FUTURE

The following vision statement is based on the premise that any proposed vision for the future of the Swansboro waterfront should be practical, realistic, and achievable.

The vision for the Swansboro downtown waterfront should be to create a continuous waterfront trail from Riverview Park to Wards Shore Park – consisting of segments that are either on the water, adjacent to the water, or near the water – and to create multiple significant points of interest and access to the waterfront, for both pedestrians and boaters, along the waterfront trail.



VI. RECOMMENDATIONS

A. Waterfront Trail. The Town should work to create a continuous White Oak River Trail by undertaking the following efforts:

1. Continuous Route. The Town should use a combination of existing dock walks, sidewalks, and publicly-owned properties to create a continuous and designated pedestrian route from Riverview Park to Wards Shore Park.
2. Improvements. The Town should pursue improvement of the trail route by seeking easements, constructing dock walks or waterside walks where feasible, and constructing sidewalks along Water Street if feasible. Lighting should be installed on the dock walk underneath the bridge.



3. Wayfinding. The Town should devise a system to clearly designate and mark the White Oak River Trail to help guide local users and visitors. This should include way-finding signage, where needed, to attractions along the trail.

B. Property Acquisition

1. Riparian Rights. The key to public access improvements along the Swansboro waterfront is riparian rights. The Town should consistently set aside and seek funds for acquisition of waterfront properties and/or riparian easements in order to make construction of facilities feasible.
2. Local Funding. The Town should establish a capital reserve for waterfront property rights acquisition and should regularly budget funds to this reserve.
3. Grants. The Town should aggressively seek grant funding from the CAMA Public Beach and Coastal Waterfront Access Program, from the Boating Infrastructure Grants Program, the Water Resources Development



Project Grant Program, and other available state and federal programs to help fund waterfront property and riparian rights acquisition and facility improvements.

4. Tourism Funding. The Town should work with the Tourism Development Authority to identify worthwhile projects for tourism-related funding assistance from the authority.
5. County Funding. The Town should also pursue County tourism funding to help construct the facilities improvements recommended in this report.
6. Partnerships. The Town should work to develop cooperative projects with private property owners. Desirable examples of such partnerships include:
 - a. *Transient Boater Dock*. An agreement with the owners of the Port O' Swannsborough to lease riparian rights to build transient boater docking facilities as an extension of their existing dock would allow the Town to salvage its \$100,000 Boating Infrastructure Grant and would locate the transient boater dock in a highly desirable location at the heart of the harbor and downtown Swansboro.
 - b. *Riverside Walkway*. The White Oak Bistro has already constructed a riverside walkway adjacent to a portion of its parking lot, and the rear portion of a bulkhead on the remaining portion of its waterfront forms a narrow, sloped walking area. The Town could work with the owners of this property to secure a public walkway easement along this shoreline and could improve the western portion to provide a more level walkway and a connection to Elm Street. The walkway could continue through the Valente property and back out to the sidewalk near Bicentennial Park if that property was acquired. The Town could consider abandoning the portion of the Water Street street end that separates the Bistro from its parking lot as a trade off for the walkway easement.

C. Facilities Improvements. The Town should pursue the following facilities improvements along the Swansboro waterfront.

1. Riverview Dock Walk Extension. A dock walk connection should be constructed from the large covered deck at Riverview Park back up to the sidewalk along Corbett Avenue that connects to Bicentennial Park.
2. Bicentennial Park Pier, Dock, and Kayak Launch. An additional (non-fishing) pier and small boat dock facility should be constructed at Bicentennial Park, together with a kayak launch facility.



3. Transient Boat Docking Facility. The Town should work with the property owners at the Port O' Swannsborough to construct an extension from their existing dock facility to

accommodate large transient boats. This facility could also provide a docking facility, in the heart of the downtown waterfront, for tour and cruise boats.

4. Sidewalk Extensions. Sidewalks should be installed along the south side of Water Street to provide a continuous pedestrian connection from Church Street and the Visitor Center to Ward Shore Park to form the southwestern section of the White Oak River Trail. The potential for a sidewalk on the north side of Moore Street, from Front to the water, should be explored.

5. Supporting Amenities.

- a. *Parking.* The Town should look for opportunities to expand parking opportunities in the downtown area.

- b. *No Wake Zone.* The Town should continue its existing effort to place “no wake” buoys in the harbor to slow down boat traffic and reduce shoreline erosion.



- c. *Shade Shelters.* Additional shaded swing shelters should be installed in publicly-owned waterfront locations, including Bicentennial Park and, potentially, at street ends such as Elm Street and Church Street.
- d. *Benches.* Street end areas should be considered for installation of amenities such as benches or landscaping.
- e. *Decks.* A high ground access deck should be considered for the end of Church Street to make the availability of public access more obvious.
- f. *Building Maintenance.* The Town should apply its Non-Residential Building Maintenance Ordinance and work with property owners to explore funding opportunities for rehabilitation and maintenance of downtown properties.
- g. *Museum.* The Town should consider acquiring a suitable structure, such as the former schoolhouse owned by Norman Wells, and locating the structure in the downtown area to serve as a historical museum.
- h. *History Information.* The Town should work with the Historical Association to install information plaques on downtown buildings that provide historical information (not just a name and date) about each structure.
- i. *Marketing.* The Town should work with the Chamber of Commerce and the Tourism Development Authority to expand efforts to familiarize Bogue Banks beachgoers with the tourism opportunities available in Swansboro.

6. Access Signage. Signage should be installed at each waterfront street end advising the public that waterfront access is available at that location, even if no facilities have been installed over the water.

D. Policy Action

1. Urban Waterfront Designation. The Town should extend its urban waterfront area designation to include the causeway business area.
2. CBRA Zone. The Town should remain vigilant regarding efforts to extend Coastal Barrier Resource Areas into the Swansboro harbor area and should vigorously resist any proposals to do so.
3. Pier Head Line. The Town should, if it appears necessary to accomplish access facility projects, adopt a municipal pier head line that maximizes the potential lengths of piers.
4. Federal Channel De-Authorization. The Town should initiate a process to seek de-authorization of that portion of the federal channel and turning basin that is adjacent to the Swansboro waterfront.
5. Fishing Areas. The Town should designate specific areas for fishing and should limit fishing in other areas of municipally-controlled waterfront access.

E. Plan Coordination

Waterfront-area improvements should keep in mind and be consistent with the recommendations of the Downtown Renaissance Report.

VII. ADDITIONAL INFORMATION

Governing Board Members during Plan Development

2011	2012
Mayor Scott Chadwick	Mayor Scott Chadwick
Mayor Pro Tem Tina Siegel	Mayor Pro Tem Jim Allen
Commissioner Larry Philpott	Commissioner Larry Philpott
Commissioner Junior Freeman	Commissioner Junior Freeman
Commissioner John Freshwater	Commissioner John Lister
	Commissioner Gery Boucher

Waterfront Advisory Plan Members

Larry Philpott, Chair	Town commissioner
W.T. Casper	Waterfront property owner and marina operator
Hal Silver	Waterfront property owner and downtown business operator
Kathy Zuccarelli	Downtown business operator
Jerry Stevenson	Downtown property owner

Cirila Cothran	Real estate broker
Lee Manning	Waterfront property owner and charter boat operator
Joe Rhue	Waterfront property owner
John Freshwater	Hawkins Creek property owner and engineer
Junior Freeman	Town commissioner

Plan Development Support Staff

Patrick A. Thomas, Town Manager	(agenda support and plan preparation)
Jennifer Holland, Town Planner	(research, data preparation, and plan preparation)

Consulting Assistance – Regulatory Issues

Kathy B. Vinson, Coastal Planning Services, Inc.

Item III - c.



RESOLUTION 2011-R9
A RESOLUTION INITIATING DEVELOPMENT
OF A WATERFRONT ACCESS PLAN

WHEREAS "Heritage, Prosperity, and Vitality", the report of the Downtown Renaissance Committee, found that the weaknesses of Swansboro's historic downtown district included the lack of waterfront facilities (such as docking and launching sites) for boater access and insufficient public (pedestrian) access to the waterfront; and

WHEREAS the Downtown Renaissance report recommended that the Town continue its efforts to obtain riparian rights in order to facilitate development of dock walks and of docking facilities for transient boaters, that the Town pursue every opportunity to construct dock walk and pier facilities to provide greater public access to the Swansboro waterfront, and that the Town pursue every opportunity to construct dock facilities for greater access by transient boaters; and

WHEREAS the Town's last effort to create a waterfront access and development plan occurred almost twenty years ago, in 1993; and

WHEREAS most grant programs from which the Town may wish to seek funding normally request evidence that the proposed waterfront projects and proposals are based on officially-adopted plans; and

WHEREAS the Board of Commissioners' goals for FY 2011-2012 include continued implementation of the Downtown Renaissance Initiative, including the development and adoption of an updated waterfront development and access plan for the downtown area;

BE IT RESOLVED by the Board of Commissioners of the Town of Swansboro:

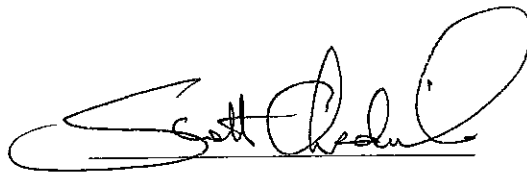
1. Waterfront Plan Preparation. An updated Waterfront Access and Development Plan shall be prepared to provide a vision and a plan, including specific recommendations, regarding public pedestrian and boater access to the Swansboro downtown waterfront area;
2. Plan Development. Development of the plan shall be coordinated by the town manager or his designee, with the assistance of any consulting resources that he may employ and with the assistance of an ad hoc advisory committee appointed by the Board of Commissioners.
3. Advisory Committee Creation. An ad hoc Waterfront Plan Advisory Committee is established to assist in development of the plan. The committee's duties and responsibilities will include:
 - a. To identify key issues and concerns that affect access to- and development of the waterfront in the public interest;

- b. To help identify approaches, projects, and resources that have helped improve public and boater access and public interest development in other waterfront communities;
- c. To help create and provide opportunities for public input and participation in the development of a plan for the future of the Swansboro waterfront;
- d. To develop a specific vision for the future of Swansboro waterfront.
- e. To help identify concepts, programs, ideas, improvements, and regulatory changes that would help implement the vision for the future of the Swansboro waterfront.
- f. To report its findings and recommendations, in writing and including any conceptual plans for proposed improvements, to the Board of Commissioners.

4. Advisory Committee Membership and Organization

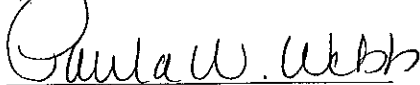
- a. The Waterfront Plan Advisory Committee shall consist of nine members appointed by the Board of Commissioners.
- b. The committee shall be an ad hoc committee, and its members shall serve at the pleasure of the Board. All members of the committee shall be expected to attend at least 75 percent of the committee meetings to remain members in good standing.
- c. The following persons shall serve as additional, ex-officio, non-voting members of the committee: an appointed member of the Town Board, the town manager, and the town planner.
- d. The leadership of the committee shall consist of a chair appointed by the Board of Commissioners and a vice chair and secretary elected from among the membership of the committee.

Adopted by the Swansboro Board of Commissioners in regular session August 16, 2011.



Scott Chadwick, Mayor

Attest:



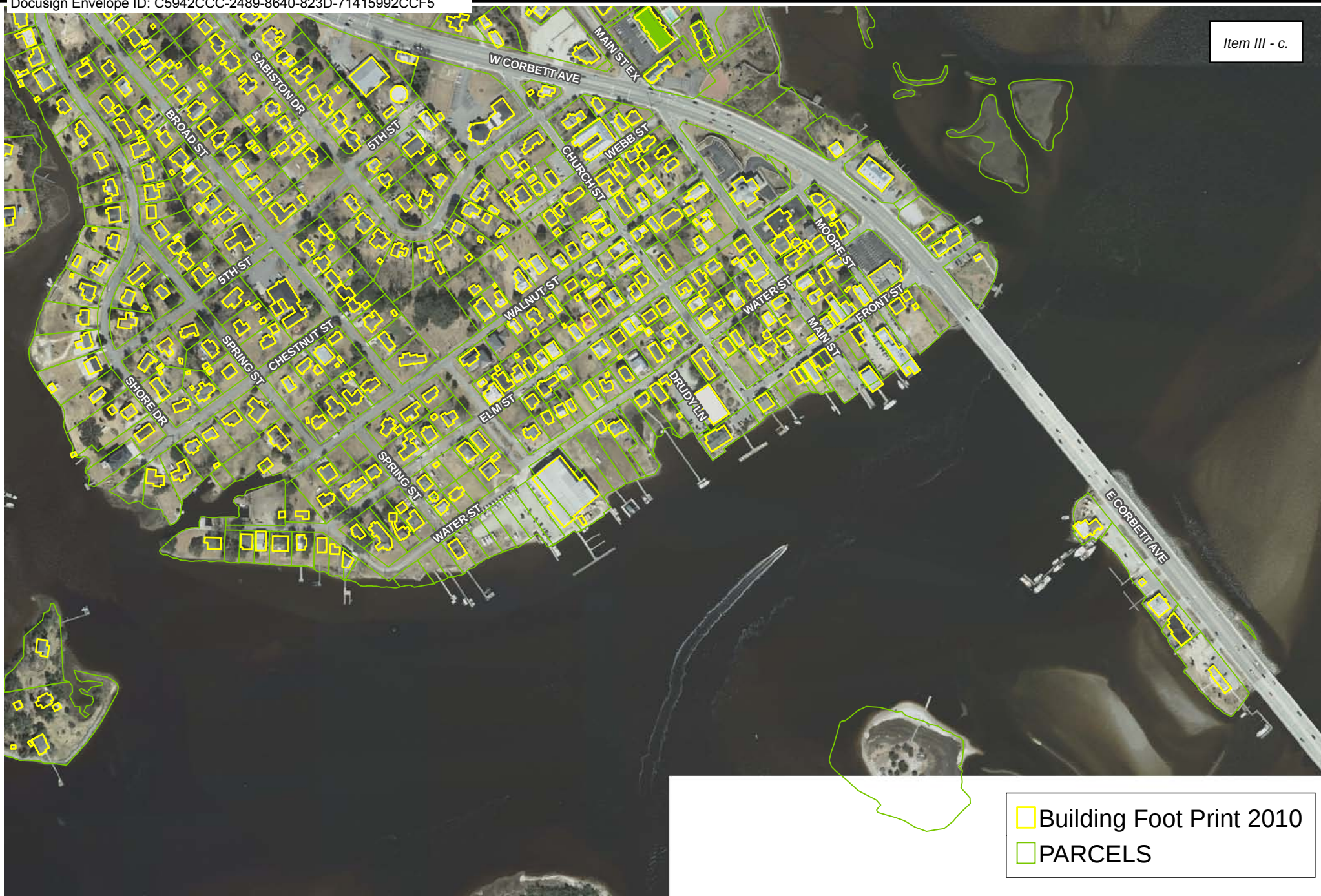
Paula Webb, Town Clerk



9-20-11
Motion made to
revise R9 to amend
number of committee
members to 11.
Larry Philpott
Chairman

WATERFRONT DEVELOPMENT PLAN STUDY AREA





MAP OF DOWNTOWN SWANSBORO

Map Produced by Onslow County GIS

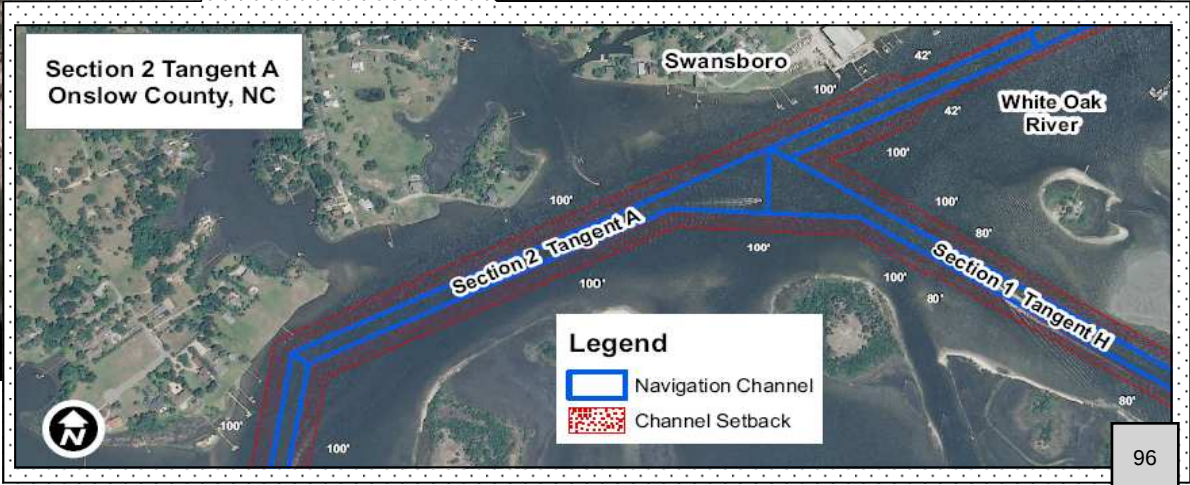
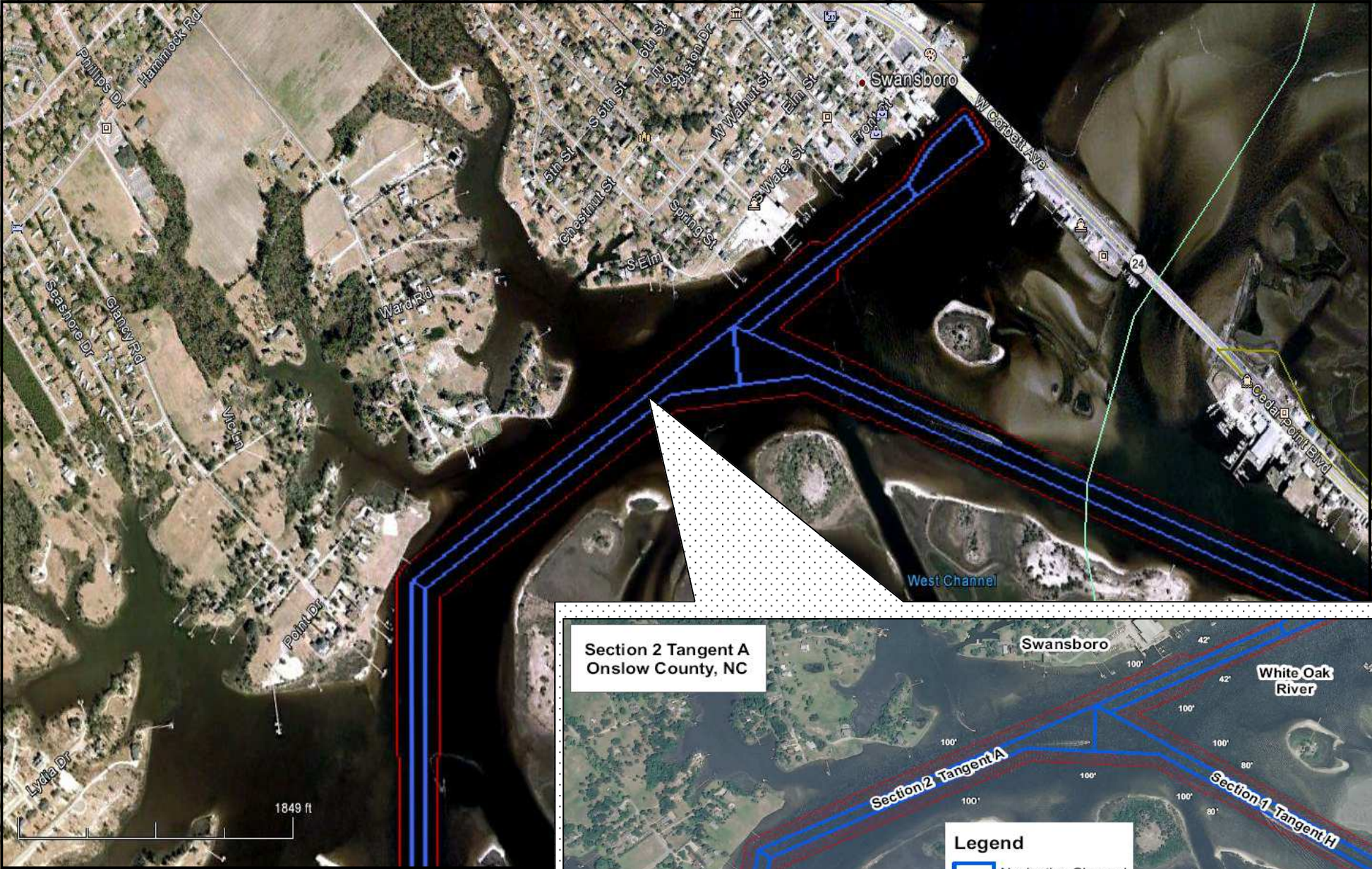
1 inch = 416.67 feet

printed:

OCTOBER 27, 2011

This map is intended for reference purposes only. All dimensions are approximate. As per NCGS 132-10, this map in no way creates a legal interest in land and is not to be used for any other purposes.

FEDERAL NAVIGATION CHANNEL – SWANSBORO AREA





STUDY AREA WATERFRONT PROPERTY INFORMATION							
	TAX PARCEL ID	OWNER(S)	PHYSICAL ADDRESS	MAILING ADDRESS	PROPERTY SIZE	PROPERTY VALUE	ZONING
1	1405-121.1	GARDNER ROBERT F & MARY K	CHESTNUT ST	PO BOX 458, SWANSBORO NC 28584	0.2	\$75,000.00	R-6 SF
3	1405-121	GARDNER ROBERT F & MARY K	415 CHESTNUT ST	PO BOX 458, SWANSBORO NC 28584	0.41	\$326,660.00	R-6 SF
4	1405-119	SIMPSON ROSS J JR & CHRISTINE B	413 CHESTNUT ST	102 FOXRIDGE RD, CHAPEL HILL NC 27514	0.31	\$325,240.00	R-6 SF
5	1405-118	ENNETT SARAH L	411 CHESTNUT ST	411 CHESTNUT ST, SWANSBORO NC 28584	0.28	\$191,920.00	R-6 SF
6	1405-118.1	WILMOTH ANDREA ENNETT	CHESTNUT ST	1180 CEDAR POINT BLVD, SWANSBORO NC 28584	0.1	\$25,000.00	R-6 SF
7	1405-114	ODUM SHERWOOD B & LORI M	403 SPRING ST	403 SPRING ST, SWANSBORO NC 28584	0.65	\$452,420.00	R-6 SF
8	1405-79	DUDLEY JOHN WILLARD	ELM ST	PO BOX 1148, SWANSBORO NC 28584	0.39	\$232,260.00	R-6 SF
9	1405-71	ROUSE BROTHERS LLC	425 ELM ST	PO BOX 10249, GOLDSBORO NC 27534	0.36	\$707,900.00	R-6 SF
10	1405-70	PURSER DAVID C & DEBRAH M	ELM ST	4700 REMBERT DR, RALEIGH NC 27612	0.13	\$277,380.00	R-6 SF
11	1405-69	KIETZMAN MARY	421 ELM ST	421 S ELM ST, SWANSBORO NC 28584	0.13	\$363,350.00	R-6 SF
12	1405-68	FRAZELLE R D & ARLINE K	419 ELM ST	PO BOX 638, SWANSBORO NC 28584	0.13	\$382,110.00	R-6 SF
13	1405-67	DUDLEY JOHN WILLARD	417 ELM ST	PO BOX 1148, SWANSBORO NC 28584	0.1946	\$478,650.00	R-6 SF
14	1405-66	PURSER SWANSBORO LLC	413 ELM ST	1514 ED COOK RD, DURHAM NC 27703	0.2049	\$368,440.00	R-6 SF
15	1405-65	GASKILL ALBERT R & GOLDA B	411 ELM ST	209 PELHAM ST, SELMA NC 27576	0.15	\$327,920.00	R-6 SF
16	1405-64	STRICKLAND GERALD W & DONNA	415 WATER ST	410 S ELM ST, SWANSBORO NC 28584	0.13	\$277,860.00	R-6 SF
17	1405-63	JOHNSON C MAURICE & PENNY H	WATER ST	PO BOX 5887, PINEHURST NC 28374	0.12	\$499,080.00	R-6 SF
18	1405-170	TOWN OF SWANSBORO	WATER ST	502 CHURCH ST, SWANSBORO NC 28584	0.19	\$239,500.00	R-6 SF
19	1405-62.1	TOWN OF SWANSBORO	WATER ST	502 CHURCH ST, SWANSBORO NC 28584	0.17	\$103,820.00	R-6 SF
20	1405-62	HAMILTON HARRY V	WATER ST	PO BOX 608, SWANSBORO NC 28584	0.11	\$26,790.00	R-6 SF
21	1405-61	MILSTED MARY ANN	WATER ST	402 S WATER ST, SWANSBORO NC 28584	0.14	\$36,530.00	R-6 SF
22	1405-60	PETTEWAY JOHN P & BRENDA M	313 S WATER ST	104 COVENTRY CT, JACKSONVILLE NC 28540	0.1527	\$484,870.00	R-6 SF
23	1405-59	SIMPSON BILLIE JEAN C & HARMON W	WATER ST	8324 COUNTY DOWNS LN, CHARLOTTE NC 28270	0.1527	\$450,000.00	B-2
24	1405-58	SIMPSON BILLIE JEAN C & HARMON W	WATER ST	8324 COUNTY DOWNS LN, CHARLOTTE NC 28270	0.1607	\$450,000.00	B-2
25	1405-57	SIMPSON BILLIE JEAN C & HARMON W	WATER ST	8324 COUNTY DOWNS LN, CHARLOTTE NC 28270	0.18	\$450,000.00	B-2
26	1405-56	WHALE ENTERPRISES LLC	WATER ST	PO BOX 749, SWANSBORO NC 28584	0.1928	\$450,000.00	B-2
27	1405-55	WHALE ENTERPRISES LLC	WATER ST	PO BOX 749, SWANSBORO NC 28584	0.2	\$450,000.00	B-2
28	1405-54	WHALE ENTERPRISES LLC	WATER ST	PO BOX 749, SWANSBORO NC 28584	0.26	\$450,000.00	B-2
29	1405-53	WHALE ENTERPRISES LLC	WATER ST	PO BOX 749, SWANSBORO NC 28584	0.24	\$450,000.00	B-2
30	1405-52	WHALE ENTERPRISES LLC	WATER ST	PO BOX 749, SWANSBORO NC 28584	0.82	\$1,585,350.00	B-2
31	1405-51	TOWN OF SWANSBORO	WATER ST	502 CHURCH ST, SWANSBORO NC 28584	0.02	\$200,000.00	B-2
32	1405-49	LANIER CHARLES S & CAROL P	WATER ST	224 S WATER ST, SWANSBORO NC 28584	0.22	\$299,850.00	B-2HDO
33	1405-48	LANIER CHARLES S & CAROL P	219 WATER ST	224 S WATER ST, SWANSBORO NC 28584	0.24	\$357,640.00	B-2HDO
34	1405-47	LAZZARA MICHAEL A & CARATINA M	217 WATER ST	105 DOVER LN, JACKSONVILLE NC 28540	0.29	\$513,000.00	B-2HDO
35	1405-46	DARMO LOUIS JAMES	215 WATER ST	PO BOX 415, SWANSBORO NC 28584	0.21	\$504,040.00	B-2HDO
36	1405-45	DARMO LOUIS JAMES	WATER ST	PO BOX 415, SWANSBORO NC 28584	0.2	\$274,500.00	B-2HDO
37	1405-44	HILL DANIEL E JR	WATER ST	103 UNIVERSITY DR, JACKSONVILLE NC 28546	0.2	\$45,000.00	B-2HDO
38	1405-43	HOWARD LARRY J & LUCY A	211 WATER ST	3003 HARRIMAN AVE, DURHAM NC 27705	0.24	\$509,220.00	B-2HDO
39	1407-25	KOWALSKI ANTHONY J & FLORA B	209 WATER ST	209 S WATER ST, SWANSBORO NC 28584	0.23	\$522,010.00	B-2HDO
40	1407-23	SCHINDELAR HENRY O ET AL	WATER ST	PO BOX 120, SWANSBORO NC 28584	0.16	\$343,090.00	B-2HDO

STUDY AREA WATERFRONT PROPERTY INFORMATION							
	TAX PARCEL ID	OWNER(S)	PHYSICAL ADDRESS	MAILING ADDRESS	PROPERTY SIZE	PROPERTY VALUE	ZONING
41	1407-25.1	PORT O SWANNSBOROUGH LLC	WATER ST	PO BOX 120, SWANSBORO NC 28584	0.01	\$9,900.00	B-2HDO
42	1407-22	PORT O SWANNSBOROUGH	99 CHURCH ST	PO BOX 120, SWANSBORO NC 28584	0.38	\$1,715,430.00	B-2HDO
43	1407-19	TOWN OF SWANSBORO	FRONT CHURCH ST	502 CHURCH ST, SWANSBORO NC 28584	0.05	\$203,600.00	B-2HDO
44	1407-18	SUGGS DONALD W & DEBORAH L	147 FRONT ST	147 FRONT ST, SWANSBORO NC 28584	0.1	\$597,410.00	B-2HDO
45	1407-17	SINKS ROBIN HIOTT	FRONT ST	213 SEACREST DR, WRIGHTSVILLE BEACH NC 28480	0.05	\$139,920.00	B-2HDO
46	1407-16	SHULLER ANNE C	FRONT ST	140 FRONT ST, SWANSBORO NC 28584	0.05	\$135,000.00	B-2HDO
47	1407-15	SHULER ANN C	137 FRONT ST	PO BOX 56, SWANSBORO NC 28584	0.12	\$425,460.00	B-2HDO
48	1407-14	HAWKINS THOMAS E & KENNETH	135 FRONT ST	409 FIRETOWER RD, LA GRANGE NC 28551	0.06	\$241,230.00	B-2HDO
49	1407-13	RHUE JOSEPH W & SPEIGHT ESTHER	131 FRONT ST	PO BOX 1032, SWANSBORO NC 28584	0.11	\$519,730.00	B-2HDO
50	1407-12	MANESS GEORGIANNA	127 FRONT ST	PO BOX 475, SWANSBORO NC 28584	0.07	\$213,250.00	B-2 HDO
51	1407-10	MANESS GEORGIA H	MAIN ST	PO BOX 475, SWANSBORO NC 28584	0.1	\$250,930.00	B-2HDO
52	1407-9	WOODARD CHARLES & PHYLLIS	MAIN FRONT ST	PO BOX 10273, GOLDSBORO NC 27530	0.2	\$685,830.00	B-2 HDO
53	1407-6	WEBB H J & CATHERINE	119 FRONT ST	PO BOX 86, SWANSBORO NC 28584	0.31	\$630,330.00	B-2HDO
54	1407-5	MOORECOASTAL INVESTMENTS LLC	FRONT MOORE ST	203 N HOLLAND POINT RD, STELLA NC 28582	0.23	\$758,740.00	B-2 HDO
55	1407-4	HADLEY SCOTT W & TRICIA J	107 FRONT ST	3104 BRADDOCK DR, RALEIGH NC 27612	0.4	\$795,990.00	B-2HDO
56	1407-3	TOWN OF SWANSBORO	FRONT ST	502 CHURCH ST, SWANSBORO NC 28584	0.19	\$443,760.00	B-2HDO
57	1324-51.1	PHILLIPS JAMES C & GERALDINE	104 CORBETT AVE	PO BOX 891, SWANSBORO NC 28584	0.33	\$299,540.00	B-1
58	1324-55	HYNES LAURIE	114 E CORBETT AVE	906 BELHAVEN RD, CARY NC 27513	0.54	\$621,380.00	B-1
59	1324-51	LUTHERAN DREW J	126 E CORBETT AVE	PO BOX 1797, SWANSBORO NC 28584	0.21	\$383,960.00	B-1
60	1324-50	MANNING LEE O JR & NANCY K	128 E CORBETT AVE	PO BOX 64, SWANSBORO NC 28584	0.62	\$809,070.00	B-1
61	1407-2	SWANSBORO COMMUNITY CENTER	FRONT ST	SWANSBORO NC 28584	0.56	\$632,280.00	B-2
62	1407-1	MORTON NANCY D	108 W CORBETT ST	PO BOX 863, SWANSBORO NC 28584	0.16	\$414,800.00	B-2
63	1406-16	VALENTE ROBERT J	110 W CORBETT AVE	PO BOX 4607, EMERALD ISLE NC 28594	0.188	\$291,240.00	B-2
64	1406-15	RIVER VISION LLC	114 W CORBETT AVE	10219 CORREE COVE DR, EMERALD ISLE NC 28594	0.23	\$55,800.00	B-2
65	1407-19.2	TOWN OF SWANSBORO	NC HIGHWAY 24	502 CHURCH ST, SWANSBORO NC 28584	0.06	\$121,180.00	B-2
66	1406-12	HEATH GENE R & JAYNE F	206 W CORBETT AVE	10219 CORREE COVE DR, EMERALD ISLE NC 28594	0.6	\$733,920.00	B-2
67	1406-11	MEADOWS ROBERT K TRUSTEE	103 ELM ST	210 ORANGE ST, BEAUFORT NC 28516	0.42	\$566,930.00	B-2
68	1406-8	TOWN OF SWANSBORO	310 W CORBETT AVE	502 CHURCH ST, SWANSBORO NC 28584	0.45	\$560,000.00	B-2
69	1406-7	TOWN OF SWANSBORO	NC HIGHWAY 24	502 CHURCH ST, SWANSBORO NC 28584	0.54	\$324,000.00	B-2
70	1406-7.1	TOWN OF SWANSBORO	NC HIGHWAY 24	502 CHURCH ST, SWANSBORO NC 28584	0.78	\$579,460.00	B-2
71	1324-52	SUGGS DONALD W & OTHERS	ISLAND IN WHT OAK RIV	147 FRONT ST, SWANSBORO NC 28584	3.02	\$45,200.00	CON
72	1324-54	N C DEPT OF TRANSPORTATION	129 CORBETT AVE	3113 N KERR AVE, WILMINGTON NC 28405	0.01	\$50.00	B-1

WATERFRONT PROJECTS

Previous, Proposed/Attempted, and Planned

A. PREVIOUS PROJECTS

1. Bicentennial Park

This park, the former site of the Swansboro USO, was obtained from the federal government after its use for the property had ended. The initial development of the park (Otway Burns statue, memorial bricks) apparently took place in the early- to mid-1990s. Later improvements included the fishing pier, the walkway under the bridge, and restrooms.

2. Ward's Shore Park

The Town formally accepted Wards Shore Park in 2002 after previously maintaining the park for some time (the Town spent, for example, nearly \$20,000 on construction of a 200-foot seawall in 1997). Since that time, the Town has constructed a rain garden at the site, installed shade swing shelters, performed significant maintenance on the seawall, and installed other amenities.

3. Town Dinghy Dock

The Main Street dinghy dock and fishing pier was apparently constructed 15-20 years ago. Significant repairs to the storm-damaged dinghy dock, totaling about \$14,000, were made in 2007.

4. Riverview Park – Phase I (Dock Walk)

A dock walk along the White Oak River was constructed, 2004-2007, on a .54 acre tract acquired from Thelma and Walker Rowe in 1992. The first phase of the dock walk (700 feet) was built at a cost of \$349,276, assisted by grant funding of \$173,538 from the Division of Coastal Management. The second phase (350 feet) cost \$89,364 and was assisted by a DCM grant of \$63,123. A pervious pavement parking lot was also constructed at the site, but the parking lot later had to be reconstructed, after failure, at a cost of \$33,000.

5. Riverview Park – Phase II (Multiple Improvements)

The Town used (and stretched) a CAMA Waterfront Access grant, originally intended to include only a single observation deck, to construct two observation decks, observation scopes, three picnic shelters, seating, landscaping, and interpretive signs at the site of the dock walk. The significantly upgraded park facility was then named Riverview Park. The project, which cost about \$90,000 and was assisted by a CAMA Waterfront Access grant of \$68,349, was completed in 2010.

6. Riverview Addition Acquisition

The Town acquired a .45 acre parcel, located immediately southeast of Riverview Park, from NCDOT in July, 2008, at a cost of only \$747. The property is valued at \$560,000 by the Onslow County tax assessor.

7. Bicentennial Addition Acquisition

The Town acquired a .22 acre parcel, which consists of the park area immediately south of the White Oak River Bridge, from NCDOT in March, 2010 at no cost. The property is valued at by the Onslow County tax assessor at \$443,760.

8. Olde Towne Square

The Town purchased, in June, 2009, at a cost of \$550,000, the former Hepsy Bishop property at the intersection of Church and Front streets to create Olde Towne Square. Although connected to the waterfront only by the extension of Church Street, the project is similar to the town square recommended in the 1993 waterfront plan. Following acquisition of the property, the Town has established a downtown market on the property May-October of each year and has constructed, at a cost of \$90,000, the H.C. (Pug) Pugliese Pavilion on the square.

B. PROPOSED/ATTEMPTED PROJECTS

1. Port O Swannsborough Property

The owners of the Port O Swannsborough property were approached by town officials in 2010 with an offer to assume maintenance of the waterfront edge of the property and the existing dock in return for public access and potential further development of the dock. The offer was not accepted.

2. Maness Property Lease

Mrs. Georgia Maness was approached by town officials in 2010 about the possibility of leasing the vacant portion of her waterfront property, adjacent to the town dinghy dock, for an annual amount that would off-set her property taxes. Mrs. Maness did not accept the offer.

3. Boat Landing Proposal

The Town prepared and submitted, in 2009, a proposal requesting \$400,000 in CRFL grant funding to purchase property and construct a boat launching and parking area on property adjacent to Casper's Marina. The total project cost was \$750,000. The project was not funded.

4. Bicentennial Enhancement Proposal

The Town prepared and submitted, in July 2010, a proposal requesting \$165,000 from the CAMA Waterfront Access grant program to help construct a \$224,700 project at Bicentennial Park that would have provided a pedestrian pier, docking for seven boats, and two docking/launching slips for kayaks and canoes. The project was not funded by Coastal Management.

C. PLANNED PROJECTS

1. Moore Street Dock and Pier

The Town successfully sought a \$71,100 grant from the Division of Coastal Management Waterfront Access program to help construct a pier and floating dock at the end of Moore Street. The Town is currently trying to resolve issues with the adjoining property owner so that the CAMA permit and the project, which is estimated to cost \$94,800, can proceed to bidding.

2. Ward Shore Transient Dock

The Town applied for a grant of \$100,000 from the Boating Infrastructure Grant program to help construct a docking facility for transient boaters in larger vessels (26+ feet) at Wards Shore. The total project cost is estimated to be \$145,000. The project has been recommended for funding by the NC Division of Marine Fisheries. The Board of Commissioners, however, voted not to construct the project at the Ward Shore Park location.

SURVEY – WATERFRONT PROPERTY OWNERS

1. How long have you and/or your family owned your waterfront property in Swansboro?

_____ years

2. Do you feel that improvement of waterfront access for pedestrians (residents, visitors, and shoppers) is a desirable objective for the Downtown Swansboro area?

_____ yes _____ no

3. Do you feel that the improved availability of docking facilities for visiting boaters is a desirable objective for the Downtown Swansboro area?

_____ yes _____ no

4. Would you support an effort to establish a continuous pedestrian walkway (which could include sections on both water and land) along the Swansboro waterfront?

_____ yes _____ no

5. Are you open to providing – with proper compensation – riparian rights on the waterfront side of your property for the purpose of improving public access to the water?

_____ yes _____ no

6. If you own waterfront property that is adjacent to a Town-owned waterfront parcel or street end, would you be willing to grant a waiver of the 15-foot setback from your property in order to facilitate the construction of facilities to improve public waterfront access?

_____ yes _____ no _____ not applicable (not adjacent to Town property)

Name (optional) _____

01-09-12

SURVEY – WATERFRONT PROPERTY OWNERS

1. How long have you and/or your family owned your waterfront property in Swansboro?

Average: 37.6+ years (actuals: 63, 58, 40, 6, 102, 60+, 7, 15, 8, 66, 38, 24, 2)

2. Do you feel that improvement of waterfront access for pedestrians (residents, visitors, and shoppers) is a desirable objective for the Downtown Swansboro area?

9 yes 4 no

3. Do you feel that the improved availability of docking facilities for visiting boaters is a desirable objective for the Downtown Swansboro area?

9 yes 1 ?? 3 no

4. Would you support an effort to establish a continuous pedestrian walkway (which could include sections on both water and land) along the Swansboro waterfront?

6 yes 2 ?? 5 no

5. Are you open to providing – with proper compensation – riparian rights on the waterfront side of your property for the purpose of improving public access to the water?

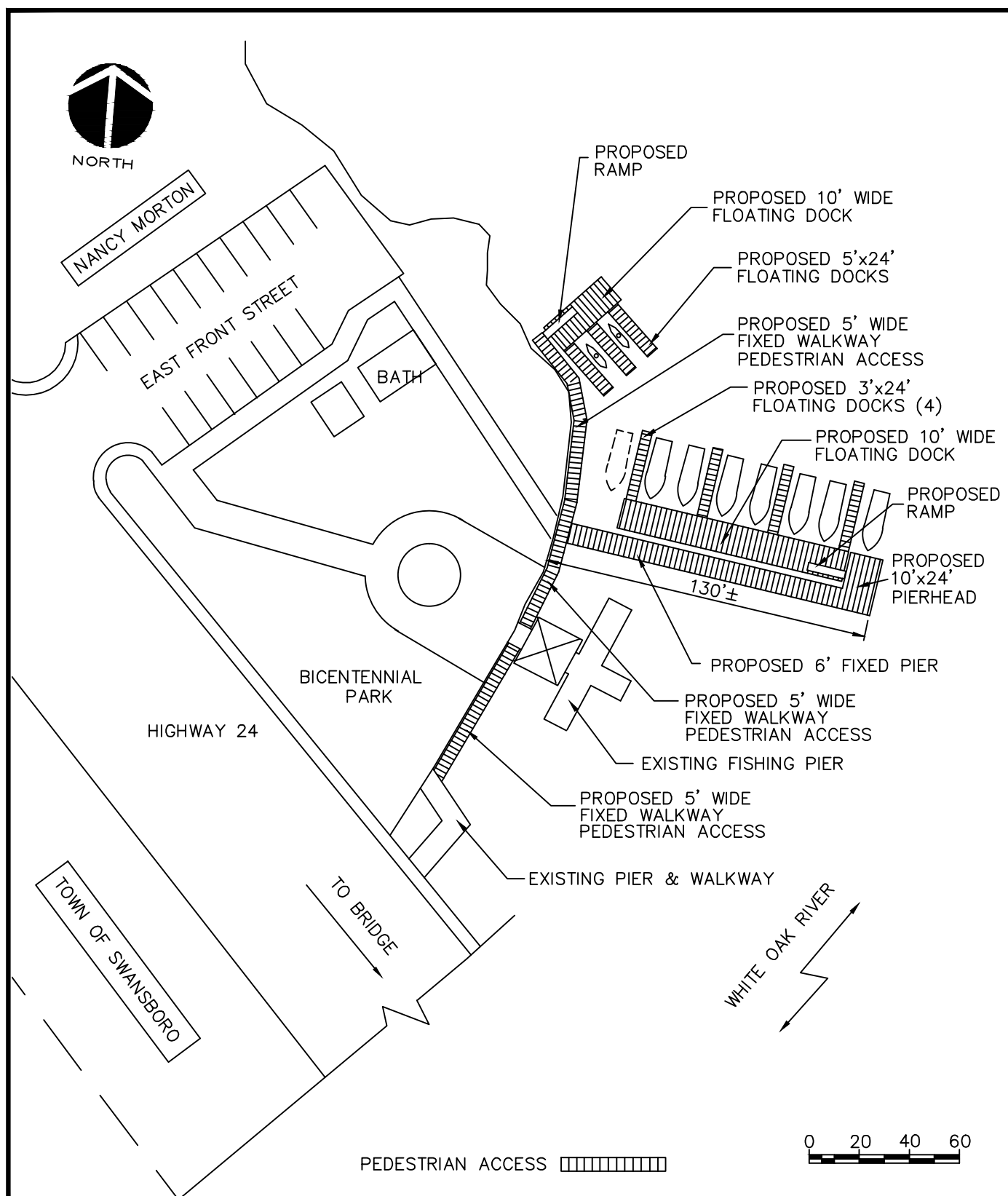
3 yes 4 ?? 6 no

6. If you own waterfront property that is adjacent to a Town-owned waterfront parcel or street end, would you be willing to grant a waiver of the 15-foot setback from your property in order to facilitate the construction of facilities to improve public waterfront access?

2 yes 2 ?? 5 no 4 not applicable (not adjacent to Town property)

13 Responses

01-09-12 updated 2-17-12



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WATER FRONT ACCESS PROJECT

TOWN OF SWANSBORO N.C.

PROPOSED
PEDESTRIAN, FISHING, KAYAK & BOATING ACCESS

DESIGN: MFW	DATE: 07.26.10
DRAWN: EAW	JOB NO: 6485.00

SHEET:
SK1

Wayfinding Concepts



End Street Concepts



Waterfront Models



Oriental, NC



Beaufort, SC



Southport, NC



Coates' Canons

NORTH CAROLINA LOCAL GOVERNMENT LAW BLOG

November 30, 2016

Donations to Local Governments

Kara Millonzi

For many this is the season of giving. In that spirit, this post addresses frequently asked questions about donations to local governments.

May a local government or public authority (collectively referred to as “local unit”) accept donations of real or personal property (including money and gift cards)?

Yes. A local unit may “acquire and hold any property and rights of property, real and personal, that may be devised, sold, or in any manner conveyed, dedicated to, or otherwise acquired by the [local unit.]” **G.S. 153A-11** (counties); **G.S. 160A-11** (municipalities). (The boards of other local governments and public authorities have similar authority.) As discussed below, however, the unit must have statutory authority to use/spend the donation for the purpose(s) that it is intended.

Who may accept a donation on behalf of a local unit?

A local unit’s governing board exercises the corporate powers of the unit, including the authority to accept donations of real or personal property. *See, e.g., G.S. 153A-12* (counties); **G.S. 160A-12** (municipalities). The governing board may delegate the authority to receive donations to one or more staff members, though. Some boards authorize the manager/ administrator, or other staff members, to accept any donations of personal property (including money) to the unit. Other boards give a more limited delegation of authority to specific staff members. For example, a board may allow the manager/administrator, or a department head, to accept donations of personal property only up to a certain maximum monetary value (requiring that donations of property over this value be formally accepted by the board). Similarly, a board may allow employees to accept donations for general purposes but mandate board approval of certain earmarked

donations. Although not legally required, most units require grants of real property to be formally accepted by the board. Dedications of real property interests, on the other hand, are often accepted informally, by the unit maintaining and/or otherwise exercising control over the property.

May a donor specify the particular program, project, or service to which the donation may be applied?

Yes, as long as the local unit has statutory authority to spend money for, or otherwise participate in, the purpose for which the donation is earmarked. A local unit may not receive a donation for a program, service, or project that the unit does not have authority engage in. For example, a city may accept a donation of cash, other personal property, or real property to support the city's senior center. Cities (and counties) have broad authority to establish programs "for the assistance and care of its senior citizens including but not limited to program for in-home services, food service, counseling, recreation and transportation, and may appropriate funds for such programs." **G.S. 160A-497**. A city, however, generally may not accept a donation (of any type) to support local public schools. That is because, with limited exception, cities do not have statutory authority to support public schools. A county could accept most donations for public school purposes because counties have broad statutory authority to support this function. Even a county, however, could not accept a donation to subsidize a particular school activity that the county does not have statutory authority to support.

Local units have to be particularly careful about accepting donations in a pass-through capacity. If the unit cannot support another entity directly, it may not do so indirectly by collecting donations on behalf of the entity.

Must a local unit accept a donation?

No. A local unit always has the right to reject an offered donation. It must reject the offer if the local unit does not have statutory authority to engage in the activity to which the donation is directed. A local unit may choose to reject a donation even if it has statutory authority to support the earmarked purpose. Some proposed donations come with too many "strings" attached. Other proposed donations might cause the local unit to deviate from its program or project priorities. Still others may impose significant administrative burdens. A unit may reject an offered donation for any of these reasons, or for no reason at all.

May a local government solicit donations for its own programs, projects, or services?

Item III - c.

Yes. A local unit likely has inherent authority to spend public funds to help solicit broader contributions to support its programs and projects. Solicitations can take many forms – from a simple call-to-action by a staff member to a formalized marketing effort. Local units are increasingly using social media platforms to encourage crowdfunding of particular government programs and projects.

A local unit also has specific authority to conduct a fundraising raffle, as long as the raffle complies with the provisions in **G.S. 14-309.15**. Specifically, the raffle is lawful if: (1) the maximum cash prize value is limited to \$125,000, or the real property value is limited to \$500,000; (2) the raffle is not held in conjunction with bingo; (3) at least 90% of the net proceeds of the raffle are used for local government purposes; and (4) none of the raffle proceeds are used to pay any person to conduct the raffle or to rent the space where tickets are received or sold or the drawing is conducted.

Local units are generally exempt from the requirements and prohibitions imposed by the state solicitation law (**G.S. Ch. 131F**). It is up to the unit's governing board to set the appropriate scope and degree of the unit's solicitation activities, which likely will vary on the nature of the program or project for which support is requested. A unit's employees are not empowered to solicit funds on behalf of the unit except as approved by the board.

Is a donation to a local unit tax deductible?

Maybe. The answer to this question depends on the type of taxpayer, the taxpayer's filing status, and whether or not the donation is used by the local unit for a public (governmental) purpose. In Publication **526**, the IRS lists local governments as among the types of organizations that qualify to receive deductible contributions, but only if the contributions are used for a public purpose. That means that donations to a local unit generally will be tax deductible if the donations are used for a governmental purpose and if the taxpayer otherwise qualifies to take the deduction.

A local unit should never guarantee that a particular donation will be tax deductible, though. Instead the unit may provide a written receipt of the donation. At a minimum, the receipt should include the following information:

- Name of local unit and legal status under state law (county, municipality, etc.).
- Amount donated (if cash or cash equivalent) or description of the property donated.
- Purpose to which donation will be used. (This is important because only donations to local governments for public purposes qualify for tax deduction.)
- Date the donation was received.
- Either a statement that “no goods or services were received in return for the donation” or, if the donation was \$75 or more, a good faith estimate of the value of goods/services provided in exchange for the donation (if the goods/services were more than insubstantial benefit).
- A statement indicating that the donor should consult with a tax professional about the tax implications of the donation under both state and federal law.

Are there restrictions on how monetary donations may be expended?

Yes. No monies may be expended by a local unit unless the unit has statutory authority to expend monies for the particular program, activity, or project. As indicated above, donors may place additional restrictions on how donated funds may be expended. A local unit must treat any donor restrictions in the same manner as it does statutory earmarks on the revenue.

It is also important to remember that the Local Government Budget and Fiscal Control Act (LGBFCA) applies to monetary donations to the same extent that applies to tax proceeds and other revenues. The daily deposit statute (**G.S. 159-32**) mandates that all monies, including any monetary donations, “collected or received by an officer or employee of a local government or public authority” be deposited daily “with the finance officer or in an official depository” or be submitted to a “properly licensed and recognized cash collection service.”

Similarly, the budgeting statutes prohibit the expenditure of any funds by a local unit, unless those funds are first recognized as revenue in the annual budget ordinance (or a project/grant ordinance) and appropriated by the governing board to a particular department, function, or project for expenditure. See **G.S. 159-8; G.S. 159-13**. This requirement applies to all monetary donations, including those earmarked for specific departments, programs or projects. And, of course, the **disbursement process** applies to the use of donated monies for specific expenditure items. See **G.S. 159-28**.

Are there restrictions on how (non-monetary) personal and/or real property donations may be used?

Maybe. The answer to this question likely depends on how the property is used/treated by the local unit. As discussed by Frayda Bluestein [here](#), most local units are required to follow specific statutory procedures for disposing of surplus government property. (Norma Houston provides step-by-step procedures for disposing of most types of government property [here](#).) These procedures apply to personal and real property that is owned, but no longer needed, by the local entity.

Sometimes, however, a local unit receives donations of personal property to support a particular program. For example, a county social services department might receive donations of clothing or household items to help support its foster program, or other community outreach efforts. Must the county follow one of the disposal of property procedures noted above before distributing the donated items to community members? The practical answer to this question is no. The legal answer likely is no, too. If a local unit has authority to undertake a particular program, and donations are intended to support that program, a unit likely can treat the distribution of the donations to community members as a “use” of the donated items, instead of a disposal of surplus property. If a local official has any questions about whether or not a disposal of property statute applies to a particular distribution, he/she should consult with the unit’s attorney.

May a unit treat donations of gift cards the same as monetary donations for purposes of the Local Government Budget and Fiscal Control Act (LGBFCA)?

Sometimes. In recent years, local units have reported receiving donations of gift cards—some that are vendor specific (such as Walmart or Amazon cards) and some that are general bank gift cards. The LGBFCA does not directly address gift cards. There are a few relevant provisions (daily deposit, budgeting, and

disbursement process), however, that may or may not apply, depending on how the unit treats/uses the gift card.

Daily Deposit Requirement

The daily deposit requirement applies to “monies” collected or received by a local unit. Gift cards generally are not included in the definition of money. Therefore, the daily deposit requirement does not apply, regardless of the type of gift card or how the unit uses it. This interpretation makes practical sense because it would be impossible to deposit most gift cards in an official depository account. Because of the nature of gift cards, though, a local unit should adopt internal control policies that include a clear chain of custody of the cards until they are used. And the cards should be kept in a safe or other locked space within the unit.

Budgeting Requirement

For purposes of the budgeting requirement, a local unit must handle a gift card that it treats as a cash equivalent differently than a gift card that it treats like other personal property.

If a local unit treats a gift card as a cash equivalent, such that the unit’s staff members use the gift card to purchase supplies or services, the unit must include the amount of the gift card as revenue in its budget ordinance. The governing board must then appropriate the amount of the gift card to a particular department, function, or project for expenditure. Note that the governing board may estimate the amount it expects to receive in donations, including “cash equivalent” gift card donations, and make commensurate appropriations to particular departments, functions, or projects, in the initial budget ordinance. If it did not do this, then the board will have to amend the budget ordinance at the time the gift cards (or other donations) are received.

If, instead, the unit treats a gift card as other personal property, such that it distributes the card, itself, to a program participant, the amount of the card does not have to be included in the budget ordinance. This type of gift card should be handled the same way as a donation of clothing, food, or other program-specific personal property.

Disbursement Requirement

For disbursement purposes, again, a local unit must handle a gift card that it treats as a cash equivalent differently than a gift card that it treats like other personal property.

If a local unit treats a gift card as a cash equivalent, it should consider it part of its petty cash fund. The LGBFCA allows a local unit to maintain a petty cash policy if the unit's governing board adopts an ordinance authoring such a policy. Treating the gift cards as a form of petty cash allows the gift cards as to be used as a lawful means of payment under G.S. 159-28(d). Gift card expenditures should be documented in the same manner as other petty cash transactions.

If a local unit treats a gift card as other personal property, it may simply distribute the card according to the particular program guidelines and the unit's internal control procedures.