

TOWN OF BATH
CAMA WORKBOOK LAND USE PLAN

2006

certified 7/27/2007

**PREPARED IN ACCORDANCE WITH CAMA
WORKBOOK GUIDELINES TO
ASSIST TOWN OFFICIALS IN
DIRECTING FUTURE DEVELOPMENT AND
PROTECTING VALUABLE NATURAL RESOURCES**

The preparation of this document was financed by Town funds. The NC Department of Commerce, Division of Community Assistance, Washington Regional Office, provided mapping assistance. Typist Linda Roberts provided excellent support services. The Division of Coastal Management, provided the Land Suitability Analysis and Map. The Mid-East Commission assisted in population data matters.

Prepared by the Planning Board

2004 - 2005 members:

**Rob Jenner, Chairman
Jackie Collins
Ellen Hardin
Jimmy Latham
Thomas Peele
Jack Piland
Buck Sitterson**

2005 - 2006 members:

**Buck Sitterson, Chairman
Ike Baldree
Jackie Collins
Chuck Maguire
Jack Piland
Jim Smith**

FOR THE TOWN COMMISSIONERS 2004 - 2005:

**Barbara Modlin, Mayor
George Mohorn
Barbara Morphet
John Taylor
Bazelle Womick**

TOWN COMMISSIONERS 2005 - 2006:

**Jimmy Latham, Mayor
Rob Jenner
George Mohorn
Barbara Morphet
John Taylor**

And Town staff

**M. E. "Bubs" Carson, Town Administrator
Marty Fulton, Town Clerk
Wayland Sermons, Town Attorney**

With assistance from

**John Crew
Coastal Consortium Consulting Planners
116 Spruce Street
Washington, North Carolina 27889
252/946-4319**

Table of Contents

Forward, Acknowledgments	ii
	<u>Page</u>
I. Land Planning Background Information	1
II. Plan Development Process	2
III. Community Description	3
IV. Population	5
V. Age	5
VI. Income	6
VII. Housing	6
VIII. Changes	6
IX. Table I. Population Patterns	7
X. Table II. Income	8
XI. Recent Housing Construction Activities	9
XII. Table III. New Construction and Value – Bath Town Limit	10
XIII. Table IV. New Construction and Value – Bath ETJ	11
XIV. Table V. All Construction Town of Bath and ETJ: April 1997-April 2006	12
XV. Non Residential Land Uses	13
XVI. Table VI. Commercial, Office, Industrial and other Non Residential Land Uses	14
XVII. Description of Public Access Sites and Facilities	15
XVIII. Existing Water Quality Conditions	17
XIX. Community Services	18
XX. Regulations, Plans, Ordinances	22
XXI. Land Suitability and Maps	23
XXII. Growth and Management Policies, Management Topics and Management Goals	29
XXIII. Community Concerns, Vision and Planning Goals	30
XXIV. CAMA Land Use Plan Management Topics, Policies and Implementation	31
1. Management Topic – Public Access to Public Trust Waters	31
2. Management Topic – Water Quality	33
3. Management Topic – Natural and Manmade Hazards	36
4. Management Topic – Local Areas of Concern	38
5. Management Topic – Infrastructure Carrying Capacity	39
6. Management Topic – Land Use Compatibility	41
XXV. MAPS	43
• Existing Land Use	
• Land Suitability	
• Future Land Use	
XXVI. APPENDIX	44
• Citizen Participation	

FORWARD/ACKNOWLEDGEMENTS

This Town of Bath's Coastal Area Management Act (CAMA) Workbook Land Use Plan Update is the fifth effort in meeting the intent of the Coastal Resources Commission's (CRC) land use planning guidelines. The Town previously completed independent plans in 1980, 1986, 1991, and 1997. (In 1974, the first year of CAMA Land Planning, the Town was included as a small part, a few paragraphs of the Beaufort County Plan due to rules in place at that time.) the 1980, 1986, and 1991 Town plans were "full" land use plans complying with rules at that time.

In 1997 the Town prepared a "Sketch" Land Use Plan. Then, according to the CRC Planning Guidelines, small municipalities not experiencing rapid or significant change or growth could prepare a plan of lesser volume and intensity than a full land use plan as typically prepared by larger towns and counties.

Now in 2006, the CRC's 2000 Updated Planning Guidelines again encourage, as was so in 1974, small municipalities to be a part of the county land use plan. Optionally a small municipality could develop a "Workbook" Plan. Bath choose this independent plan action as opposed to being a few paragraphs within the Beaufort County Land Use Plan and not receiving the attention the Town deems necessary to guide its future. Unlike previous years, the Town received no planning grant from the state to undertake this effort. This Plan was financed totally by the Town. Assistance from several entities occurred. First, the NC Department of Commerce, Division of Community Assistance (DCM), Northeast

Regional Office in Washington provided mapping assistance at only a material supply cost. Terria Baynor, DCM's cartographer did yeoman mapping work for the Town. The NC Division of Coastal Management, Washington Office, provided base data for environmental resources and land suitability within the Town's planning authority. The Town staff, Bubs Carson, Marty Fulton, and Town Attorney Wayland Sermons spent time generating information and ideas for the project. The Planning Board devoted numerous hours deliberating various goals and objectives for the Town's future direction and was the primary contributor to the plan. Of course, Town elected officials ultimately adopted the plan, which pushed the document to fruition.

This plan was produced in the public arena with due notice and adequate opportunity for public involvement to ensure the democratic process was followed.

I. Land Planning Background Information

The Town of Bath has been heavily involved in the CAMA LUP process since 1974. Now in 2006, the Town will continue this involvement by shaping its own future as much as it can.

The CRC's most recent LUP guidelines update provides for a workbook LUP; the intent being a shorter, more concise document for smaller local governments that are not experiencing the whole range of coastal management issues such as ocean shoreline erosion, inlet migration, high density residential development, etc.

The CRC has developed a Manual to assist local governments in this process. Information in the introduction to the Manual notes that it serves as a template to guide local governments through the process of preparing a plan that meets the CRC guidelines requirements. (The specific required elements of the Workbook Plan are contained in the CRC's 2002 land use planning rules [TB.0701(s)]). Thus the Manual is a guide, not a standard for measurement or a regulation to be followed rigidly. The Manual does provide a suggested outline for workbook plans. The outline is as follows:

1. A brief introduction that identifies the community, the members of the steering committee, and generally what was done to prepare the plan.
2. Background information
 - a. Existing land use map and description
 - b. Description of community growth areas
 - c. Land suitability analysis and map – comparison of land suitability with projected growth areas
 - d. Description of public access sites and facilities
 - e. Description of existing water quality conditions

3. Community Concerns, Vision, and Aspirations
 - a. Summary of Community Concerns (worksheet)
 - b. Community Vision
 - c. Community Growth and Development Goals (worksheet)
4. Growth and Development Policies (worksheet)
5. Future Land Use Map

The Town of Bath interprets the language in the Manual and the suggested outline as exactly that; guidelines and suggestions and has proceeded on its plan update with that in mind. It has not interpreted these suggestions to be mandatory nor standards. Bath has approached this LUP Update, as it has in the past, expecting wide latitude in how the plan was developed, what it contains, its conclusions and fully believes it has now, as in the past, met and usually exceeded the CRC's intent for LUPs.

II. Plan Development Process

This Workbook Plan is the most recent in a series of plans developed by the Town as noted earlier. One significant difference is in the past the Town received grant assistance from the state in preparing its CAMA required plan. No assistance was granted for this update; it is financed totally by Town resources, no small effort by a community with limited resources. This is evidence as to how sincere and serious the Town is in directing its future.

The Town Planning Board served as the entity preparing the plan. The Board meets monthly. The Town staff, other state agencies, the Town Board and others noted in the credit page and acknowledgments were also involved.

At the beginning of this update a Citizen Participation Plan was prepared and carried out throughout the process to ensure the adequate provision for public input and

involvement. Citizens were given many opportunities to partner in the process. As in all of its matters, the Town believes strongly in the democratic process and is confident it has occurred during this LUP Update. The Citizen Participation Plan is contained in the Appendix.

Throughout the process much lively discussions and fresh perspectives were provided.

III. Community Description

Bath, located on the north side of the Pamlico River at the confluence of Bath and Bath Creek is almost exactly in the center of the county. The municipal area covers 2.5 sq. miles, the extraterritorial area extends one mile from corporate boundaries.

Compared to other Beaufort County towns, Bath enjoys a relatively high elevation throughout much of its planning area. Road access both east and west of the Town is provided by NC 92 and US 264; access to the south is more problematic due to the Pamlico River. Ferry service near Bayview is available or a longer road route through Washington, then Chocowinity, then east on NC 33 allows visits to access Aurora and further, Pamlico County. The Town's USGS map coordinates are 35° 28' 37.0" north latitude, 76 ° 48' 51.3" west longitudes.

Climate in the central North Carolina coastal plain is hot with wet summers and mild, dryer winters. Area annual temperature is 61.9°F, average rainfall is 52.8", snowfall ±2.3". Bath enjoys these weather features. This region also experiences many hurricanes and tropical storms; Bath is no exception. The 1990's were particularly active with Bertha, Fran, Dennis, and Floyd being of note. So far during the 2000's, several

occurred that affected Bath, but fortunately during both decades, the town suffered relatively little damage.

Bath is well known locally, throughout the region, the state, nationally and internationally for its long and colorful history. It was the first incorporated town in North Carolina and served as one of the important ports in colonial North Carolina. The first North Carolina General Assembly met here. As many know, Blackbeard the Pirate resided in Bath occasionally. The Town holds and/or participates in many local historical events and celebrated its 300th Anniversary in 2005. A revival of the play Blackbeard, Knight of the Black Flag occurred during 2005.

Significant land in the Town's planning area is agricultural, forested or vacant. A very small percentage is used for manmade purposes, primarily housing, roads, institutional, businesses and one industry. Except along the waterways, few constraints to develop exist, thus much land is suitable for future development.

Bath continues today to be a small rural community that values its history and abundant natural resources. The Town wants to continue its low density, predominately single-family residential character. A 2004 zoning ordinance amendment to prohibit multi-family units is a clear message. Revision to subdivision regulations occurred during 2006. It's historic character is well established and will continue through the Town's historic district provisions and a large state presence at the Historic Visitor Center. Emphasis on maintaining water quality and modest economic development hopefully will contribute to a quiet and tranquil historic and residential community; the essence of the Town's desires.

IV. Population

The U.S. Bureau of the Census, the NC Office of State Planning, the State Demographer and other various agencies prepare census information so all levels of government have a consistent knowledge of numbers of people. This data includes characteristics in various topics such as age, ethnic origin, people per household, income, etc. For municipal planning purposes for Bath's Workbook Plan, selected data was used to present a "snapshot" over time of forces affecting the Town.

Unfortunately, methods of data collection, including the data categories themselves, change over time so as to be confusing to the casual user. Nonetheless, census data can be useful and information in the following tables attempts to provide some insight.

The Town's population continues to increase. In 1995, the Town had 190 people living within its borders, in 2003 that number was estimated at 265. The Town's state required water supply plan discussed later estimates 300 people in 2010 with subsequent increases over the ensuing decades. Since the 1997 Plan, the Town's population has steadily increased as has that of Beaufort County. Other county municipalities' populations have vacillated both up and down, but Bath continues to grow.

V. Age

Age of population can be used as indices of overall vitality. In 1990, persons 55 and over in Bath were estimated to be 43; in 1994 that number was 50. The year 2000 US Census data shows 105 persons in that category compared to 12,326 for Beaufort County. The Town's population is aging presumably due to natural aging processes as

well as older people migrating into the area for retirement, etc. and perhaps younger people leaving the area for employment, etc.

VI. Income

Income, closely related to buying power and prosperity, has also changed in the county, Bath and the state. Bath's median family income and per capita income has risen since 1990. However, in 1990 town figures rivaled or exceeded both the county and state. The following income table represents this data.

VII. Housing

Local housing data which follows, compared with population growth, business, etc. shows the Town continues to be a growing desirable community in which to live and predications are for that trend to continue.

VIII. Changes

The data above and in the following tables illustrate a recent "picture" of Bath and environs and shows a small, dynamic, historic and predominately single-family housing community.

IX. Table I

Population Patterns³
Beaufort County and Municipalities⁴
1995 – 2003

Locality	1995 ¹	1996	1997	1998	1999	2000 ²	2001 ²	2002 ²	2003 ²
Beaufort Co.	43,645	43,567	43,918	44,083	44,755	44,958	45,287	45,481	45,566
Aurora	640	654	650	649	677	583	581	581	580
Bath	190	185	183	196	185	275	281	280	265
Belhaven	2,212	2,244	2,240	2,261	2,289	1,968	1,961	1,957	1,929
Chocowinity	809	801	795	790	798	733	729	728	724
Pantego	170	169	169	168	173	170	171	171	No data
Washington	9,421	9,298	9,943	9,959	10,109	9,619	9,658	9,730	9,677
Washington Park	482	478	477	475	492	440	440	440	440

- 1) Source LINC, Office of State Planning, 1995-1999 Data
- 2) US Census Site, 2000-2003 Data
- 3) LINC Definitions note, in part, the following data definitions:

IMPORTANT: The municipal estimates for any year are generated independently from those of other years. This practice allows flexibility for improvement in data sources and methods from year to year. Furthermore, changes in municipal populations are heavily influenced by annexations. For these reasons, population should not be used to track year-to-year trends for municipalities. Instead, its value for the year of interest should be compared with values of census counts to show growth. However, population can be used at the county level to show year-to-year trends.

- 4) Population (Census/Estimate/Projection) (501): Depending on the year, this is the corrected census count (April 1 census year), or the estimate or projection from the State Demographer (April 1 census years, July 1 all other years). A projection differs from an estimate in that it relies on certain assumptions about long-term trends in data, which are not yet available, while, an estimate is based on data from predictor variables that are available for the estimate year.

X. Table II

INCOME

Beaufort County, Bath, The State

1990 - 2000

	Total Families	Less Than 5k	Less Than 10 k	10- 14.9k	15- 24.9k	25- 49.9k	50k+	Median Fm. Income	Mean Fm. Income	Median Hshd Income	Per Capita Income
Beaufort Co.											
1990	11,885	724	1,101	1,158	2,686	4,230	1,986	26,010	31,765	21,738	19,722
2000	12, 994		1,339	938	1,872	4,212	4,633	37,893	42,293	31,066	16,722
Bath											
1990	36	3	2	8	5	5	13	31,250	49,237	13,000	17,042
2000	88		7	0	7	20	60	58,125	62,468	50,625	23,029
The State											
1990		7,942	113,149	154,241	343,889	720,567	420,692	31,548	38,064	26,647	12,885
2000	2,173,336		128,836	99,830	255,706	692,083	496,891	46,335		39,184	20,307

Source: Federal Agency Data: Bureau of Census - Census of Population and Housing;
Mid-East Commission.

XI. Recent Construction Activities

New construction activities, or building starts, are good indicators of a community's growth and vitality. Obviously new construction typically bring more people, even if only seasonally, who in turn bring new needs for goods and services. These needs typically stimulate the economy in positive ways so that municipal life can proceed in a comfortable manner.

As shown in the Town's 1997 Plan, 25 building permits were issued for new housing construction within the Town Limits and 14 permits were issued for construction within the ETJ totaling thirty-nine (39) permits issued between November 1991 and November 1996. The Beaufort County Planning and Inspection Department provides this service for several some towns and throughout unincorporated Beaufort County. That construction indicates the attractiveness of the Town and environment as a place to live.

Records obtained from the County Inspections office show new development since April of 1997 through April 2006. Within the Town limits, 29 permits were issued for the time period and the stated building value totaled over seven million dollars.

Records for the Town's ETJ for the same time period showed 47 permits were issued totaling \$7,579,148 in value.

Clearly development since 1997 exceeded that of the five years prior to 1997, and again demonstrated the Town and ETJ as a desirable place to live. The following tables illustrate this data and the reader will also note the geographic distribution pattern: a strong desire of people wanting to live along the water within Town Limits or the ETJ. Total development within the planning area is shown on Table V.

Total new development since 1997 for which 76 permits were issued totaling \$14,792,158 is significantly more development than that shown in the 1997 Plan.

XII. Table III

New Construction and Value
Bath Town Limits
1997 – April 2006

<u>Month</u> <u>Day</u> <u>Year</u>	<u>Location</u>	<u>Value</u>	<u>Use</u>
4-30-97	Lot 9 Back Creek Estates	\$135,000	Dwelling
12-30-97	203 Main Street	\$175,000	Dwelling
4-15-98	Craven Street	\$180,000	Dwelling
10-9-98	116 Main Street	\$160,000	Dwelling
2-1-99	202 Main Street	\$120,000	Dwelling
3-17-99	Springdale Village	\$94,000	Dwelling
6-2-99	101 Carteret Street	\$200,000	Dwelling
6-14-00	Hardy Point	\$400,000	Dwelling
2-22-00	Lot 9 Village at Bath	Not Listed	Dwelling
2-12-01	112 Heron Lane	\$151,000	Dwelling
2-12-01	105 Heron Lane	\$201,900	Dwelling
5-23-01	108 Heron Lane	\$220,000	Dwelling
7-11-01	Springdale Village	\$119,300	Dwelling
6-18-02	1 Heron Lane	\$172,000	Dwelling
7-3-02	16 Fenwick Drive	\$160,000	Dwelling
1-6-04	Lot 7 Fenwick	\$112,000	Dwelling
1-6-04	Lot 1 Fenwick	\$112,000	Dwelling
9-20-04	103 Fenwick	\$150,000	Dwelling
10-12-04	114 Main Street	\$130,000	Dwelling
6-2-05	424 Carteret Street	\$30,000	Storage
6-12-05	107 Shore Drive	\$12,000	Accessory
10-24-05	426 Craven Street	\$18,000	Addition
12-15-05	423 Carteret Street	\$81,000	Addition
1-10-06	110 S. King Street	\$36,724	Concession
1-24-06	114 S. Main Street	\$30,000	Addition
3-23-06	124 S. King Street	\$15,000	Elevation
3-24-06	103 S. Main Street	\$40,000	Dwelling
3-24-06	116 Waterside	\$9,000	Addition
4-12-06	110 S. King Street	\$3,949,086	New Building
29 Permits Issued		\$7,213,010	Various

Source: Beaufort County Planning and Inspection Department Data

XIV. Table IV

New Construction and Value
Town of Bath Extraterritorial Jurisdiction
1997 - April 2006

<u>Month</u> <u>Day</u> <u>Year</u>	<u>Location</u>	<u>Value</u>	<u>Use</u>
5-6-97	101 Teach's Point Road	\$50,000	Dwelling
9-3-97	Lot 24 Teach's Cove	\$290,000	Dwelling
11-4-97	Lot 22 Kirby Grange Road	\$85,000	Dwelling
11-18-97	Lot 16 Catnip Point	\$225,000	Dwelling
1-4-98	Brook Road	\$130,000	Dwelling
2-23-98	228 Kirby Grange Road	\$290,000	Dwelling
6-23-98	Lot 7 Catnip Point	\$350,000	Dwelling
7-30-98	Lot 1 Blackbeard View	\$145,000	Dwelling
8-19-98	Lot 19 Teach's Cove	\$120,000	Dwelling
4-26-99	Lot 24 Catnip Point	\$232,000	Dwelling
5-7-99	Lot 11 Teach's Cove	\$240,000	Dwelling
5-21-99	Lot 22 Teach's Cove	\$108,000	Dwelling
8-9-99	Lot 26 Teach's Cove	\$239,000	Dwelling
11-16-99	Blackbeard's View	\$150,000	Dwelling
12-10-99	Lot 25 Teach's Cove	\$160,000	Dwelling
3-21-00	178 Catnip Point	\$186,000	Dwelling
4-2-00	Springdale Village	\$20,000	Dwelling
4-26-00	Lot 23 Teach's Cove	\$124,000	Dwelling
6-22-00	Lot 7 Catnip Point	\$248,500	Dwelling
1-03-01	134 Catnip Point	\$266,763	Dwelling
2-7-01	264 Teach's Cove	\$150,000	Dwelling
3-12-01	110 Teach's Point	\$250,000	Dwelling
5-18-01	64 Cool Point Road	\$350,000	Dwelling
5-23-01	293 Teach's Cove	\$280,000	Dwelling
9-2-01	114 Catnip Point	\$275,000	Dwelling
10-4-01	144 Catnip Point	\$263,164	Dwelling
11-29-01	Lot 12 Teach's Cove	\$150,000	Dwelling
4-29-02	155 Teach's Cove	\$230,000	Dwelling
10-20-03	3 N Teach's Point Road	\$150,000	Dwelling
11-6-03	402 Kirby Grange	\$106,000	Dwelling
12-12-03	86 Glebe Creek	\$70,000	Dwelling
4-15-04	Lot 24 Kirby Grange	\$142,000	Dwelling
9-24-04	1365 Teach's Point	\$198,000	Dwelling
12-15-04	154 Catnip	\$25,000	Garage
12-28-04	5160 NC 92E	\$60,000	Building
2-06-05	168 Catnip	\$238,800	Dwelling
2-06-05	5221 Jackson Swamp	\$180,000	Dwelling
8-15-05	1347 Teach's Pt.	\$118,699	Dwelling
9-26-05	767 Cool Pt.	\$40,000	Remodel

XIV. Table IV Continued

<u>Month</u> <u>Day</u> <u>Year</u>	<u>Location</u>	<u>Value</u>	<u>Use</u>
10-24-05	674 Brooks Rd.	\$25,000	Addition
11-9-05	764 Brooks Rd.	\$117,222	Dwelling
1-6-06	127 N. Teach's Pt.	\$35,000	Storage
1-12-06	24 Teach's Cove	\$170,000	Dwelling
2-26-06	1163 Teach's Pt. Rd.	\$140,000	Dwelling
3-9-06	32 S. Teach's Pt.	\$20,000	Addition
3-24-06	400 Kirby Grange	\$200,000	Dwelling
47 Permits Issued		\$7,579,148	Various

Source: Beaufort County Planning and Inspection Dept. data

XVI. Table V

All Construction Town of Bath
and Extraterritorial Jurisdiction
April 1997 – April 2006

	<u>Permits</u>	<u>Value</u>
Town of Bath	29	\$7,213,010
ETJ	47	\$7,579,148
TOTALS	76	\$14,792,158

Source: Beaufort County Planning and Inspection Dept. data, Coastal Consortium

XV. Non Residential Land Uses: 2006

As was the situation shown in the last plan, non-residential land uses in the Town's planning area consists of services, tourism and water oriented business. In 1997 there were 43 non-residential uses available and recently, 41 non-residential uses were noted. Three new uses were added between 1997 and 2006; however, several of the uses in place in 1997 are no longer in existence, so the overall number of changes has been modest.

The distribution pattern of non-residential uses remain similar to that of 1997; most service businesses located along Carteret Street (Highway 92) include groceries, craft, clothing, marine services, a restaurant, banking, etc. Other non-residential uses are more dispersed and are noted on Main Street, Harding Street, King Street, and Craven Street.

Non-residential land uses typically are dynamic, changing from time to time based on market forces, individual decisions, and other factors. Suffice it to say that since the last plan, non-residential uses in Town have been fairly stable, indicating the local economy can support those uses in healthy ways. The Town should continue to expect some modest changes in non-residential land uses within the Town's planning area in the future, and short of extraordinary stimulus, such as a major new industry, future changes will likely be similar to those seen in the last two decades.

In land use planning jargon, "conflicting land uses" exist when one land use provides a negative social or economic action on its neighbor. The Town's Zoning Ordinance provides strong compatibility among uses and no serious conflicting land uses were noted.

A list of commercial, office and institutional, industrial and other uses within the Town and extraterritorial area are noted in the following table.

XVI. Table VI

Commercial, Office, Industrial, Institutional and Other
Non-Residential Land Uses
Bath Planning Area
June, 2006

- | | |
|---|--|
| 1. Church of God | 31. St. Thomas Church Noe Building |
| 2. Harbour Motel and Marina | 32. Blackbeard Deli |
| 3. Bath Community Library | 33. Van Der Veer House |
| 4. Historic Bath Visitor Center | 34. Town Office |
| 5. BHS (vacant) | 35. Star Properties Real Estate |
| 6. USPO | 36. Palmer-Marsh House |
| 7. ABC Store | 37. Swindell's Cash Grocery (Vacant) |
| 8. Southern Bank | 38. Wooden Store (Historic Site Owns) vacant |
| 9. Rich Company Real Estate | |
| 10. BVFD | |
| 11. Old Town Country Kitchen | |
| 12. Brooks | New |
| 13. Landlocked Storage (Quarter Deck) | |
| 14. Ruritan Building | 1a. My Sisters Antique |
| 15. Crystal Clean Car Wash | 1b. Inn on Bath Creek (Bed and Breakfast) |
| 16. Quarterdeck | 1c. Mini Storage (Barrett & Associates) |
| 17. Charcoal Service Corp. (CSC) | 1d. Beth Niser Photography |
| 18. Gateway Church of Christ | |
| 19. BUMC | |
| 20. Glebe House | |
| 21. Pirates Treasurer Novelty & Gift Shop | |
| 22. Ed Teach Cottage | |
| 23. Bonner House | |
| 24. Bath Elementary School | |
| 25. BWM Trucking | |
| 26. Bath Christian Church | |
| 27. Old BVFD (vacant) | |
| 28. The Hair Shoppe | |
| 29. Barrett Construction/Old Country Realty | |
| 30. Telephone Switch/Substation | |

Source: Town of Bath Staff survey.

XVII. Description of Public Access Sites and Facilities

The NC Coastal Management program has historically been involved in helping provide non waterfront property owners with access to the coastal public trust waters to which the public has rights of access. Grant funds are available annually for local governments to purchase and improve property for that reason, or to improve already publicly owned waterfront property. Historically, the emphasis has been on the ocean shoreline, but during the past two decades local governments with non-ocean shorelines have also been eligible for assistance.

Within the Town of Bath, the Town owned public waterfront property is along south Main Street where the Town office is located and a small parcel on Craven Street. The Town received one grant from the Coastal Management Public Access program for improvements to the property on Main Street. Improvements included a bulkhead, gazebo, landscaping and handicapped access facilities. Limited on-street parking is available.

However, there are other public access facilities available within the Town. The State of North Carolina owns a public temporary boat-docking pier immediately adjacent to the Town office building, affording access opportunities. Limited on street parking is available. The State also owns significant waterfront property at the south end of Main Street, along Front Street and at Bonner's Point. While contact with the water is prohibited here, the public can stroll the shoreline, picnic, and conduct other recreational activities. Events such as weddings are not uncommon on this site with prior approval by the State through the local Historic Site Visitor Center. Designated parking is available and approximately 10-15 vehicles may park here and along the Bonner's Point area.

No public restroom facilities are available at any public site. All sites can, however, accommodate bicycle parking. All serve the immediate Town and environs, but the state site at Bonner's Point frequently has numerous out of area visitors. All public sites in the Town support urban development and provide access to urban waterfronts.

Visitorship to the Historic Bath Visitor Center can give some indication of the level of activities here. Note the following figures:

<u>Year</u>	<u>Number of Visitors</u>
1998	23,084
1999	21,443
2000	20,776
2001	21,726
2002	22,276
2003	18,900
2004	14,609 (Through October)

The Center has 10-15 parking spaces.

Source: Historic Bath Visitor Center Staff

While not "public access" in the technical sense of the term, access to public trust waters is also provided by two private marinas in Town. The Harbor Motel and Marina on Bath Creek and the Quarterdeck on Back Creek do, for a fee, provide boat docking and launching facilities. The public at large may for a fee obtain access to public trust waters at both sites. Users do have parking and bathroom facilities. Some limited products and services are available: ship store, boat launching and docking, etc. These

facilities serve that segment of the public that chooses to use them and do provide limited urban waterfront access opportunities.

XVIII. Existing Water Quality Conditions

Workbook guidelines emphasize two criteria for water quality condition: use support designations provided by the State's Department of Environment and Natural Resources (DENR), Division of Water Quality (DWQ) and shellfish harvest waters classification. The latter does not apply to Bath.

DWQ provides some information for those surface waters within the Town's authority as follows:

State data on the quality of surface water in watersheds notes the types of uses which should be or are being supported in each water body. Each of the four categories of surface water is Full, Threatened, Partial and Non-supporting. Surface waters with tidal influence (i.e. having salinity) have the prefix of "S". Several use classes for these surface waters include SB and SC. Use class indicates the type use a water body is or should be supporting. For example, class SB waters primarily support recreational uses including swimming while SC waters should support aquatic life propagation and survival, agriculture, secondary recreation including infrequent swimming and non-food related uses. Additional supplemental classes also may apply. For example "outstanding Resource Waters" (ORW) is used to identify a particularly high quality water for natural resource production. Also "Nutrient Sensitive" notes additional nutrients may result in depleted oxygen or other reactions. ORW's do not exist in Bath.

Bath Creek and Back Creek are both classed SB except in the upper reaches where SC applies. All tributaries within the planning area are SC according to data

Bath Creek and Back Creek are both classed SB except in the upper reaches where SC applies. All tributaries within the planning area are SC according to data supplied by the state. Both creeks and tributaries are also classed as "Partially Supporting" and "Nutrient Sensitive".

Bath has a long, consistent history of concern of water use and quality issues. Policies in the Town's previous Land Use Plans and Updates consistently support high quality water. The Town's zoning pattern reflects this concern as only two small areas along the Town's shoreline permit commercial uses. The recent rezoning to prohibit multi-family housing, thus reducing density also supports water quality principals. The Town's Subdivision Ordinance ensures some level of site review that can be said to have positive water quality implications. The Town's participation in the minor CAMA permit program continues to shows this commitment.

XIX. Community Services

In modern times, the provision of several municipal services necessary to protect the health, welfare and well being of citizens residing in towns. The most essential of those services are briefly discussed below.

Water System

The Town's original independent water system was expanded in the late 1990's with Community Development Block Grant (CDBG) funds to connect to the Beaufort County water system. This addition provides Bath with added supply for emergencies such as fire protection, hurricanes, etc. It also allows the Town to perform scheduled maintenance at the pumping facility without service interruptions.

The Town's two wells that draw groundwater from the Castle Hayne aquifer are alternated monthly. Average daily use in 2002 was .024 mgd (million gallons daily) and maximum use was 0.30 in May of that year. Residential use accounts for 69.5% of water use; institutional uses total 11.5% while commercial use number 13%. Only about 6% is unaccounted.

The Town's current Water Supply Plan required by the state, includes the following population and water use estimates.

<u>Year</u>	<u>Population</u>	<u>Use</u>
2010	300	.026
2020	315	.027
2030	331	.029

Wastewater System

In the late 1990's, the Town was successful in obtaining grants and loans to fund a one million dollar expansion of its 1987 collection and treatment system. Included in the project were a new lagoon, new chlorination system and a solid set spray system on property acquired for that purpose. (The Town has a non-discharge system, which means discharges are treated, settled then sprayed on land resulting in no direct discharge into surface water.)

Due to various site concerns, the new state discharge permit was issued at .022 mgd. The Town is presently operating slightly below the permitted capacity and efforts are underway to increase discharge capacity. Purchasing additional spray sites and investigating regional wastewater systems are being considered. The present conditions would prohibit any large scale development taking place and wastewater services would

be necessary. Currently as noted, the Town may consider on a case by case basis private treatment systems only for large-scale development beyond the Town's treatment ability.

Solid Waste

David's Sanitation Services provides solid waste disposal for the Town. Collection is made on Thursdays of each week and recycling is also provided. Bath continues to participate with Beaufort County's use of regional disposal facilities outside the county. The Town continues to provide a Solid Waste Management Plan as required by the state.

Fire Protection

The Town continues to be served by its volunteer department located on Carteret Street. During the day 25-30 volunteers are available to respond, with more available at night. Bath continues its mutual aid agreement with other departments if necessary. Recent improvements in equipment include: in 1998 a 1000 gal pumper/tanker, 2001 a 1000 gal pumper/tanker, and 2003 1800 gallon tanker. These equipment improvements and added water supply have improved the Town's insurance ratings since 1997. The Town's rating is nine and within 1000 feet of a hydrant outside the Town the rating is seven. The NC Department of Insurance rates fire protection systems on a 1-10 scale with one being the highest. The City of Washington rates a five, Belhaven a six.

Police Protection

The Town continues to rely on the Beaufort County Sheriff's Department for police protection. Since the 1998 Plan, the Sheriff's Department has added additional personnel and continues to provide 24 hour, seven day a week services throughout the county.

Roads

The NC Department of Transportation provides maintenance to roads on the state highway system and the Town does routine maintenance on all public streets within Town limits. No specific problems were noted with roads or streets within the Town. All new public streets continue to be built to DOT standards.

Recreation

While the Town has no formal organized recreation program, opportunities do exist locally. During summer months a volunteer program is conducted at the elementary school, sponsored by the county and a small user fee is charged.

Bath and Back Creeks continue to be heavily used for water oriented recreation during warmer months. Concern for safety, noise, water quality and aesthetics are now, as in 1998, expressed by Town officials.

Libraries

Brown Library and Beaufort-Hyde-Martin Regional Library in Washington are available for Town residents as is the Community Library on Carteret Street.

Schools

Beaufort County continues to provide public education functions in Bath. Area students attend Northside High School or Bath Elementary School depending on grade level.

Town Administration

Changes to the Town's office on Main Street have occurred since the 1998 Plan. Building façade improvements, landscaping and handicapped access have improved the building and grounds and provide access to public waters. Office hours are still 9-12

Wednesdays and Fridays. Town staff still consists of an administrator and deputy clerk. Building permits and inspections are conducted by county employees. Local minor CAMA development permits and zoning interpretations are provided by Town staff and the Town Attorney. The Mayor-Council form of government, with elections every two years has not changed since the 1998 Plan.

XX. Regulations, Plans, Ordinances

Land use planning practice necessitates a review of activities carried on at the local, county, state and federal level that in some way affect the community that is preparing a plan.

Thus, the Town's Subdivision Regulations administered by Town staff ensures the division of a larger parcel of land into smaller parcels for sale will provide adequate lot size, access, drainage, and other matters so a buyer will have assurance the property can be used for its intended residential purposes.

The Town's Zoning Ordinance ensures compatibility of adjacent land uses, adequate setbacks from property lines, reasonable height of structures, etc. This gives property owners some amount of certainty their investments will be protected.

The Town's Historic District Ordinance likewise protects the integrity of historic features so that new construction, additions, etc. are appropriate within the district.

The Water Supply Plan and the Wastewater Disposal Plan required by the state, assists the Town in providing these services over time as the Town population changes.

County septic tank regulations, building, electric and plumbing codes ensure these services are provided in ways that protect property owners and the community from unsafe or unhealthy building practices.

State rules such as sedimentation and erosion controls also protect the public interest in these matters. CAMA major permits regulations ensure some level of consistency in shoreline development so private actions do not interfere with the integrity of the public's right to use public trust resources.

US Army Corps of Engineers regulations for 404 and other wetlands also reflect the national interest in maintaining the open, unrestricted navigability of Public Trust Waters.

Bath's participation directly and indirectly in the above and other similar processes helps to protect the public's rights and interests in matters affecting public health, safety, and welfare.

XXI. Land Suitability and Maps

Subchapter 7B of the North Carolina Administrative Code (NCAC 15A) is the source that determines the contents of land use plans. This Code makes a distinction between a Core Plan and a Workbook Plan as discussed earlier in this document. Bath meets the criteria for a Workbook Plan.

As previously noted Workbook Plans are simplified plans that address community development since the Town's last plan, an evaluation of community facilities and their adequacy and goals for the future.

All land use plans, both Core and Workbook, must contain a land suitability analysis, LSA, and a Land Suitability Map. The purpose of this requirement is for the Town to acknowledge and evaluate natural characteristics and manmade facilities that make certain areas of the community more suitable for development than other areas. It also notes natural resources that because of their coastal importance should be avoided for development. This principal has also been discussed previously.

The Division of Coastal Management (DCM) has developed a sophisticated computerized program to assist in this process. It is based on the state's Geographic Information System (GIS). This GIS is becoming standardized throughout North Carolina's 100 counties. DCM's computer program is thus prepared on a county basis.

Additionally, and unfortunately, when this county generated data is reduced to the Town level, it has very serious technical limitations for the information to be used in meaningful ways as intended. For these and other reasons, DCM will supply this data and mapping for towns preparing Workbook Plans and is included here.

The following table and data notes describe the LSA for Bath. Often some or many of the natural systems or manmade systems overlap. For example, an area within a flood zone may also include manmade features such as state lands or significant natural heritage areas. Each of the areas to be considered, titled "Layer Name" in the table is weighted. The intent here is to assign a value on each data layer item based on its perceived importance.

Overlaying this information produces varying degrees of opaqueness as shown in the DCM supplied Land Suitability Map. For example areas shown as having "no suitability", light pink, have resources or features so important, fragile or valuable that they have no suitability for development. Areas with "low suitability", light orange, have more than "no suitability" but not as much as "low-medium suitability," dark orange for development and so on.

Even with the LSA limitations for municipal application, it is evident that much of the Town's planning area is suitable for development, and important natural resources can be targeted for protection. As discussed earlier various federal, state, county and local

regulations concerning development can and are valuable tools to ensure Bath's continued productive management of its natural and manmade resources and the LSA and map can be considered as part of this process.

Layer Name	----Criteria and Rating----				Assigned Weight	Percent Weight	Multiplier
	Least Suitable	Low Suitability	Medium Suitability	High Suitability			
	0	-2	1	2			
Coastal Wetlands	Inside		Outside				
Exceptional and Substantial Noncoastal Wetlands	Inside		Outside				
Estuarine Waters	Inside		Outside				
Protected Lands	Inside		Outside				
Federal Lands	Inside		Outside				
State Lands	Inside		Outside				
Beneficial Noncoastal Wetlands		Inside		Outside	1	4.167	0.04167
High Quality Waters		Inside		Outside	1	4.167	0.04167
Storm Surge Areas		Inside		Outside	2	8.333	0.08333
Soils with septic limitations		Severe	Moderate	Slight	1	4.167	0.04167
Flood Zones		Inside		Outside	2	8.333	0.08333
Significant Natural Heritage Sites		<500'		>500'	2	8.333	0.08333
Land Application Sites		<500'		>500'	1	4.167	0.04167
Hazardous Substance Disposal Sites		<500'		>500'	1	4.167	0.04167
NPDES Sites		<500'		>500'	1	4.167	0.04167
Wastewater Treatment Plants		<500'		>500'	1	4.167	0.04167
Municipal Sewer Discharge Points		<500'		>500'	1	4.167	0.04167
Airports		<500'		>500'	1	4.167	0.04167
Developed Land		>1 mi	.5-1 mi	<.5 mi	1	4.167	0.04167
Primary Roads		>1 mi	.5-1 mi	<.5 mi	2	8.333	0.08333
Water Pipes		>.5 mi	.25-.5 mi	<.25 mi	3	12.500	0.12500
Sewer Pipes		>.5 mi	.25-.5 mi	<.25 mi	3	12.500	0.12500
Total					24	100.000	1.00000

Assigned weight: 1 = Important 2 = Very important 3 = Most important for development

Sources: William B. Farris, Frederick Steiner, *The Living Landscape*; Beaufort County Land Suitability Analysis; Kaiser et al, *Urban Land Use Planning*; review by Onslow County Planning Department.

Layers Not Used in Carteret County:

Land Application Sites

Water supply watersheds

DCM Land Suitability Analysis

Appendix 1 Data Notes

The following notes describe data (1) used in the draft map and (2) not used in the draft map.

1. Data used in the draft land suitability map

Coastal wetlands - Salt/brackish marshes (wetland type 1 from the Division of Coastal Management's coastal wetlands data) and freshwater marshes (wetland type 2).

Non-coastal wetlands - Wetlands, excluding coastal wetlands, that have exceptional or substantial functional significance; data are classified in DCM's Coastal Region Evaluation of Wetland Significance (NC CREWS) database.

Non-coastal beneficial wetlands - Using the non-coastal wetlands layer created above, the data were queried for "OWR = 1 or OWR = -1 ". The value 1 represents beneficial wetlands, and -1 represents wetlands that were unable to be rated, but are still regulated by DCM.

Estuarine waters - Salt waters classified as "SA", "SB" or "SC" by the Division of Water Quality. The land suitability model uses water polygons (and intersecting 1-acre grid cells) as a proxy for the concept expressed in the coastal management rules-estuarine waters with a shoreline buffer of 75 feet.

Protected lands - lands managed for conservation and open space (CGIA 2001) include federal, state, local and nonprofit property and easements that permanently preclude private development; does not include military lands, private forests, and incidental open space around public facilities.

Other areas currently not suitable for development- large holdings of lands not likely to be developed including military lands, university campuses, and other public properties not permanently protected as open space.

Storm surge areas - hurricane storm surge inundation areas, fast moving storm, from 1993 study, all hurricane categories.

Soils (septic limitations) - detailed county soil surveys with septic limitation identified by soil type.

Flood zones - all 100-year (A) and velocity (V) zones in Digital Flood Insurance Rate Map data (NC Dept. of Emergency Management - NC Floodplain Mapping Program), with the exception of those areas lying within the Cape Fear River Basin where FEMA Q3 flood zone data is used.

HQW/ORW Watersheds - High Quality Water/Outstanding Resource Water watersheds from Division of Water Quality (DWQ).

Water supply watersheds - Among coastal counties, water supply watersheds apply to Camden, Pasquotank, and New Hanover counties only.

Natural heritage areas - Significant natural heritage areas from NC's Natural Heritage Program.

Hazardous Substance Disposal Sites - Formerly called Superfund sites.

Historic property - State-owned historic sites are available as a selection from state owned property.

NPDES sites - Major and minor NPDES sites from the Division of Water Quality.

Wastewater treatment plants - Point locations from public water and sewer data (Rural Economic Development Center (REDC) program in late 1990s); may overlap with NPDES sites.

Discharge points - Wastewater treatment plant discharge points (REDC); may overlap with NPDES sites.

Land application sites - Point locations where wastewater is applied to land by a public system from (REDC) data.

Airports - Airport boundaries from CGIA.

Developed land - Land cover classified as developed based on percent impervious surface in satellite imagery, 1996 land cover; high intensity plus low intensity developed.

Roads - Primary roads from CGIA; street centerlines are too dense for analysis.

Water pipes - Water pipes from REDC data, not available in Tyrrell, Pamlico and New Hanover counties.

Sewer pipes - Sewer pipes from REDC data, not available in Tyrrell, Pamlico and New Hanover counties.

Community facilities and supplemental data - Data were furnished by the Division of Coastal Management (not converted to grids) to be used in conjunction with the land suitability map: public schools, hospitals, community colleges, public universities, hurricane evacuation routes, railroads, primary nursery areas, and marinas; county data may be added such as fire stations and fire districts.

2. Data considered for land suitability, but not used in draft map

Public trust waters - Not mapped in digital format, but are adequately represented by estuarine waters for the land suitability model.

Ocean hazard areas/ocean erodible areas - Not available in digital format, but the areas are covered by hurricane storm surge inundation areas and velocity zones in the floodplain layer.

Inlet hazard areas - Not available in digital format, but the areas are covered by hurricane storm surge inundation areas and velocity zones in the floodplain layer.

Historic districts - The only current data in digital format are state-owned historic sites, of which there is only one in the coastal region: the former US Coast Guard station on Hatteras Island; this area was not included in the model but could be added for Dare County if desired.

Archeological sites - Current digital data not available; requires site-specific consultation.

Maritime forests - Included in exceptional non-coastal wetlands in CREWS data.

Mineral resources - Data not available in digital format.

Shellfish areas - Most areas suitable for commercial harvest are included in HQW/ORW.

Areas of Environmental Concern - Site-specific areas that are not mapped in digital format; areas are likely covered by other coastal environmental layers in the land suitability model.

Soils with erosion hazards - Available in woodland management and productivity table in detailed soil survey; would require extra processing for those selected soil types.

Un-vegetated beach area - Coincident with hurricane storm surge inundation areas and velocity zones in floodplain data.

Wellhead protection areas - Data creation in process by Source Water Assessment Program; future use possible.

XXII. Growth and Management Policies, Management Topics and Management Goals

The State's Administrative Rules for CAMA Land Use Plans, 15NCAC 7B, include the requirement that plans contain policies in certain categories to help achieve the local government's goals and aspirations. Policies are loosely defined as a set of guiding principles to be used to this end. They differ from regulations in that policies cannot be measured, while regulations (zonings, subdivisions, etc.) do include specific dimensions to be followed in land development. This policy requirement has been in each evolution of plans and updates since 1974 when CAMA was enacted into the law of the land.

In this evolution of plan updates, the administrative rules have taken a slightly different approach to policy development than in previous years, especially for the new Workbook plans.

Now there are six management topics that are to be included in each workbook plan. Each topic has three parts: a management goal, planning objectives, and plan requirements. The following summary attempts to explain each management topic.

Summary of Land Use Plan Management Topics and Management Goals

Public Access – to maximize community access to public trust waters.

Land Use Compatibility – to minimize the direct and secondary impacts of land use and development on natural and manmade features.

Infrastructure Carrying Capacity – to insure that water, sewer and roads are appropriately sized, located and managed so that quality and productivity of AECs and other fragile resources are protected or restored.

Natural Hazard Areas – to conserve the storm protection functions of flood plains and other coastal features in a manner that reduces the community's vulnerability to natural hazards.

Water Quality – to maintain, protect and enhance water quality in coastal rivers, streams and estuaries.

Local Areas of Concern – to integrate local land use planning and development concerns and goals with overall goals of CAMA.

Management topics, goals, community concerns, vision planning goals, and policies are all inextricably entwined.

XXIII. Community Concerns, Vision and Planning Goals

The current Manual for Developing a CAMA Workbook Plan calls for a section that provides a summary of planning concerns, a vision statement, and growth and development goals.

The later subject, being very important to Bath, will be incorporated later in the Growth and Management Policies section, as they are the real essence of the Town's desires.

Community Concerns – In an effort to assist in this exercise a “worksheet” approach is suggested to address each of the management topic categories. However the reader must understand that in its 1998 plan, Bath noted within six general policy categories, 40 separate issues the Town felt important and ultimately developed 160 specific policies to address them. Currently many of those issues still are valid and many previous policies are still relevant.

Vision Statement – This requirement “depicts in words and images what the community is striving to become through the land use planning process.”

A similar requirement existed in 1998 as a prelude to the then policy sections and proved no easy task. Now, as before, the Town has many visions for its future and articulating only one is not an easy task.

Nonetheless, the Town of Bath wants to maintain its low density predominately single-family residential character, preserve its historic character, attract economic activities that provide for the local community and achieve all of those activities in ways that conserve the greatly valued water and other natural resources within the Town's planning area.

XXIV. CAMA Land Use Plan Management Topics, Policies and Implementation - This section of the Workbook Plan intends to be reflective of and support Bath's vision statement as stated earlier.

1. Management Topic - Public access to public trust waters.

(a) Management Goal – Bath continues to support access to public trust waters within its planning jurisdiction.

(b) Planning Objective – Bath recognizes and supports CAMA's access rules as included in NCAC Chapter 15A Subchapter 7M. The Town will continue to ensure public access in ways that will meet or exceed state and federal environmental regulations insofar as it is authorized.

1. Policies and Implementation – All policies are *continuing activities*; some enforced locally, some by state and federal regulations.

(a) Bath continues to be alert to opportunities and will continue to support and provide public access to waters within its planning jurisdiction for a range of users including recreational boaters, fishing, swimming, local residents, and tourists.

- Schedule for Implementation: Continuing and ongoing
- Implementation: Bath will use local subdivision and zoning ordinance for enforcement and also rely on state and federal enforcement where applicable.

(b) All public access ways must meet or exceed applicable standards for site location, design, facilities, parking, handicapped features, refuge collection and disposal, and environmental considerations.

- Schedule for Implementation: Continuing activity
- Implementation: Bath will use local subdivision and zoning ordinance for enforcement and also rely on state and federal enforcement where applicable.

- (c) Bath supports safe recreational uses of public trust waters within its jurisdiction and will maintain a balance between the need for water safety, water quality and environmental protection for access sites.
- Schedule for Implementation: Continuing activity
 - Implementation: Bath will use local subdivision and zoning ordinance for enforcement and also rely on state and federal enforcement where applicable particularly the N. C. Wildlife Resources Commission and N. C. Marine Resource Commission for boater safety.
- (d) Bath supports CAMA Access Rules as noted in 15A NCAC 7M Section .0300, Shore Front Access Policies:
- Schedule for Implementation: Continuing activity
 - Implementation: Bath will continue applying for CAMA public access funds as sites can be identified, become available, and secured. Bath will continue to rely on CAMA officials to advise as to when funds are available.
- (e) Bath does not permit new commercial marinas within its jurisdictional area.
- Schedule for Implementation: Continuing activity
 - Implementation: Local zoning authority assures compliance.
- (f) Bath supports waterfront property subdivision in accordance with local regulations and in accordance with state and federal regulations as applicable.
- Schedule of Implementation: Continuing activity
 - Implementation: As waterfront property is subdivided, an access site is typically provided for those future property owners purchasing lots in the interior of the subdivision. Bath encourages this process. Bath relies on applicable state and federal agencies for their enforcement.
- (g) Bath agrees with and supports the Canoe and Kayak Trail System coordinated by the N. C. Division of Parks and Recreation.
- Schedule of Implementation: Assumed continuing activity
 - Implementation: Bath will rely on N. C. Parks and Recreation and other external entities.

- Implementation: Local ordinance primarily but occasionally state and federal intervention.
- d) No development will be allowed which would result in degradation of groundwater levels. County, state and federal regulations must be upheld.
- Schedule for Implementation: Continuing
 - Implementation: Bath relies on local regulation and county, state, and federal wisdom.
- e) Use of septic tanks for existing and future development projects in identified areas of potential septic difficulty shall be discouraged.
- Schedule of Implementation: Ongoing
 - Implementation: Bath's local zoning and primarily county septic permits regulates this activity.
- f) Development in areas identified with a relatively high water table or other limitations upon housing foundations or road construction should be restricted to large-lot single family units consistent with local zoning.
- Schedule for Implementation: Continuing
 - Implementation: Bath enforces local zoning but also relies on county and state assistance.
- g) Small-scale development in areas identified as areas of potential septic difficulty where hook-up to the Bath wastewater treatment system is not available shall be large-lot single family units and consistent with county septic requirements.
- Schedule of Implementation: Ongoing
 - Implementation: Local ordinance and county regulations.
- h) Where hook-up to the Bath wastewater system is available, small-scale development projects shall be required to hook-up consistent with existing Town waste treatment capacity.
- Schedule for Implementation: Continuing
 - Implementation: Local practice.
- i) Bath encourages the voluntary filling of unused septic tanks.
- Schedule of Implementation: Ongoing
 - Implementation: Individual action and wisdom of county authority.

3. Management Topic – Natural and Manmade Disaster

- a) Management Goal – Develop location, use, density and other criteria for both new development and redevelopment so as to withstand or avoid hazards. Existing and planned public services provided in ways that both direct development out of harm's way while also providing adequate evacuation if needed.
- b) Planning Objective – Bath will continue to enforce local regulation and support state and federal actions that result in mitigating development location in harms way. Bath will also continue to enforce local regulation that affect important natural resources which serve as buffers for hazardous ways along and adjacent to waterways. Bath will also continue to support other agencies, which do the same.
- 1) Policies and Implementation – All policies are *continuing activities*, some enforced locally, some at county, state or federal level.

Natural Hazards

- a) Bath supports the County Hazard Mitigation Plan of which it is a part.
 - Schedule for Implementation: Continuing activity
 - Implementation: Rely on county direction as related to Bath.
- b) Bath supports the County's Emergency Operation Plan as the Town participated in that document's policy development, which among other items identified using the Northside High School as a primary shelter and the elementary school as a secondary shelter.
 - Schedule for Implementation: Ongoing
 - Implementation: Continued coordination with county personnel in times of peril.
- c) Bath supports the NC Building Code and National Flood Insurance Program.
 - Schedule for Implementation: Continuing
 - Implementation: County code enforcement, adhere to Flood Insurance Program requirements.
- d) Bath requires development needing a sedimentation and erosion control plan strictly adheres to NC Division of Environment and Natural Resources standards.
 - Schedule for Implementation: Ongoing
 - Implementation: Local requirements, state agency enforcement.

- e) Bath supports all development with AEC's in strict accordance with standards set forth in 15A NCAC 7H, except where local regulations and policy are more stringent.
 - Schedule for Implementation: Continuing
 - Implementation: Local regulations, CAMA officials.
- f) Bath supports the prohibition of commercial structures (hotels, motels, restaurants, etc.) in erosion prone areas.
 - Schedule for Implementation: Ongoing
 - Implementation: Local and CAMA regulations
- g) Bath encourages public acquisition of the most hazardous areas to 1) prevent inappropriate development and 2) use for public access.
 - Schedule for Implementation: Continuing
 - Implementation: Local codes, state, federal regulation and state acquisition funds.
- h) Bath supports, during reconstruction, encouraging site location for both private and public redevelopment in ways that would minimize future damage.
 - Schedule for Implementation: Continuing
 - Implementation: Local regulation, local setting of priorities, state and possibly federal assistance.
- i) Bath supports county, state and federal efforts to educate the public concerning storm hazards, mitigation, and reconstruction.
 - Schedule for Implementation: Ongoing
 - Implementation: Rely on county, state, and federal agencies.

Manmade Hazards

- a) Bath objects to both expansion of existing MOA's and any inappropriately sited OLF.
 - Schedule for Implementation: Ongoing and continuing
 - Implementation: Rely on sound judgment from Congress, military and special interest groups for this very important matter.

4. Management Topic – Local Areas of Concern

- a) Management Goal – To enhance the natural, historic and cultural, economic and built environment, and quality of life in ways that maintain and ensure the desired pleasant small town atmosphere held dear by Bath.
- b) Planning Objective – Implement policies that address local concerns in positive, proactive ways.
 - 1) Policies and Implementation – All policies are *continuing activities*, enforced jointly at the local, county, state or federal level.

Natural Environment

- a) Bath will enforce local land management tools in ways that ensure public trust areas and adjacent shorelines meet or exceed standards as contained in 15A NCAC 7H and Corps of Engineers 404 Standards.

- Schedule for Implementation: Ongoing
- Implementation: Local requirements, state and federal agency standards.

Historic and Cultural Environment

- a) Bath continues to support local historic commission standards and the great state historic presence within Town. Bath also supports private efforts to enhance historic activities such as the Ormond Amphitheater.

- Schedule for Implementation: Continuing
- Implementation: A combination of local, state and private actions.

- b) Developers and builders are cautioned that excavation can uncover archaeological sites and that, if found, excavation must stop and the site preserved until the Bath Historic Director can determine significance and plan of action.

- Schedule for Implementation: Ongoing
- Implementation: Developers and builders, Bath Historic personnel.

Economic and the Built Environment

- a) Bath will continue to manage permitted land uses, site and location requirements for residential, commercial and industrial uses to ensure land compatibility in ways that enhance local economic health.

- Schedule for Implementation: Ongoing
- Implementation: Local land use regulations, proactive interaction with private sector.

Quality of Life

- a) Bath will continue to monitor matters such as noise from autos, houses, boats, civilian and military aircraft and other sources that disrupt the desired quiet town atmosphere and may consider either 1) developing a local ordinance or 2) negotiating with Beaufort County for enforcement of the county noise ordinance.

- Schedule for Implementation: Continuing
- Implementation: As needed in the future.

5. Management Topic – Infrastructure Carrying Capacity

- a) Management Goal – To ensure that water, sewer and roads are appropriately located, sized and managed so as to adequately support desired development while also protecting valuable natural resources.
- b) Planning Objective – To ensure local policies are consistent with local growth and development needs while also being sensitive to important natural areas.
- 1) Policies and Implementation – All are *continuing activities*, with local, county, state or federal actions.

Land Development

- a) Bath will continue to carry out its zoning ordinances; subdivision regulations and historic district ordinance to ensure proper land uses, site design, road and drainage design is adequate for future growth needs.

- Schedule for Implementation: Ongoing
- Implementation: Local, county, perhaps state and federal actions.

- b) Bath will continue to use both the Town's and Beaufort County's water system to serve the planning area.

- Schedule for Implementation: Ongoing
- Implementation: Local, county, perhaps state and federal actions.

- c) Bath will continue to seek financial resources to improve the capacity of its sewer collection, treatment and disposal system.

- Schedule for Implementation: Ongoing
- Implementation: Local, county, perhaps state and federal actions.

- d) Bath will continue to rely on Beaufort County's authority for septic tank permits in areas not served municipally.
 - Schedule for Implementation: Ongoing
 - Implementation: Local, county, perhaps state and federal actions.
- e) Bath will continue to rely on NCDOT for major road improvements to ensure subdivisions are designed consistent with their standards.
 - Schedule for Implementation: Ongoing
 - Implementation: Local, county, perhaps state and federal actions.
- f) Bath will continue to rely on NCDOT to advise on adequate ingress, egress and drainage on individual lot development consistent with other policies in this section.
 - Schedule for Implementation: Ongoing
 - Implementation: Local, county, perhaps state and federal actions.
- g) Bath will support NCDOT road improvements that ensure future development impacts will not burden existing transportation facilities.
 - Schedule for Implementation: Ongoing
 - Implementation: A combination of local, county, state and possibly federal actions.

Natural Resources

- a) Bath will continue to require proper and adequate drainage for subdivisions and, as much as possible, insure important waterways or other drainage receiving areas are impacted as little as possible.
 - Schedule for Implementation: Ongoing
 - Implementation: A combination of local, state, and possibility federal actions.
- b) Bath endorses the provision of services necessary to support anticipated development within its planning jurisdiction. Bath supports the provisions of such services through AEC's and other sensitive areas only when 1) essential and 2) in strict conformance with applicable state and federal rules.
 - Schedule for Implementation: Ongoing
 - Implementation: A combination of local, state, and possibly federal actions.

- c) Bath will continue to consider cumulative impacts of each project proposal itself, as well as the proposal's impact on pre-existing development to ensure no long-term negative impacts occur on water and allied resources.

- Schedule for Implementation: Ongoing
- Implementation: A combination of local, state, and possibly federal actions.

- d) Bath will use its future land use map when considering development proposals.

- Schedule for Implementation: Ongoing
- Implementation: A combination of local, state, and possibly federal actions.

6. Management Topic – Land Use Compatibility

- a) Management Goal – Ensure that inconsistent or incompatible land uses do not occur so that the public health, safety, welfare and well being will be upheld. Land compatibility decisions must also be made consistent with policies elsewhere that deal with natural resource protection.
- b) Planning Objective – Bath will continue to enforce local regulations and support state and other actions that ensure land use capability.
- 1) Policies and Implementation – All policies are *continuing activities* requiring local, county, state or federal level.

Residential, Commercial Industrial Land Uses

- a) Bath's local zoning, subdivision and historic district code, the state building code, NCDOT road standards and so on will result in land use compatibility as best as practicable for a small town.
- Schedule for Implementation: Continuing and ongoing
 - Implementation: A variety of local, state and federal enforcement.

Resource Protection

- a) Bath's local ordinances, state and federal actions and policies elsewhere in the Management Topic section of this document will guarantee, as much as practicable, that land use compatibility decisions will always consider wise use and management of the abundant and very important natural resources Bath holds dear.

- Schedule for Implementation: Continuing
- Implementation: Local, county, state and federal regulations.

- b) Bath will continue to seek financial resources to improve the capacity of its sewer collection, treatment and disposal system.
 - Schedule for Implementation: Ongoing
 - Implementation: Local, county, perhaps state and federal actions.
- c) Bath will continue to rely on Beaufort County's authority for septic tank permits in areas not served municipally.
 - Schedule for Implementation: Ongoing
 - Implementation: Local, county, perhaps state and federal actions.
- d) Bath will continue to rely on NCDOT for major road improvements and ensure subdivisions are designed consistent with their standards.
 - Schedule for Implementation: Ongoing
 - Implementation: Local, county, perhaps state and federal actions.
- e) The Town of Bath acknowledges and supports existing North Carolina laws concerning the use of unlicensed motorized vehicles on public streets: i.e., ATV's, golf carts, mopeds, go-carts, etc.
 - Schedule for Implementation: Ongoing
 - Implementation: NC Highway Patrol, County Sheriff Department.

MAPS

Existing Land Use

Land Suitability

Future Land Use

APPENDIX

Town of Bath
Citizen Participation Plan
CAMA Workbook Land Use Plan Update

The Town Council has adopted by resolution this Citizen Participation Plan to provide adequate opportunities to town residents, property owners and other interested parties to participate in the Town's CAMA Workbook Land Use Plan Update (LUP Update).

1. The Planning Board is responsible for the CAMA Workbook Plan Update. The Planning Board will supervise and guide this update in accordance with state guidelines and will make recommendations to the Town Council regarding the final Plan Update and adoption.
2. The Planning Board meets the second Wednesday of each month at 7:00 pm in the Noe Building following the Town Council meeting on the second Monday of each month. These meetings are advertised and open to the public. Interested parties are invited and encouraged to attend.
3. Following each Planning Board meeting, a newsletter concerning the LUP Update will be available to all interested parties.
4. News items concerning the LUP Update will be periodically submitted to the Washington Daily News to advise of the status of the Plan Update.
5. All local governments in Beaufort County will be advised of the Town of Bath's LUP Update. All are welcome to attend Planning Board meetings.
6. Other special participation opportunities will be provided if necessary. (To include, but not limited to interests groups, civic groups, etc.)
7. When the final Workbook LUP Update is completed, the Town Council will hold a public hearing to consider adoption of the Plan Update. Advertising for, and holding the public hearing shall be in accordance with the CRC's Land Use Planning Guidelines. All interested parties shall be given the opportunity to be heard on the Workbook Plan Update.

This Resolution is adopted on this ____ day of _____, 2004.

(SEAL)

Mayor