January 13, 2020

Everette S. Newton, Mayor
Town of Beaufort
701 Front St.
Beaufort, NC 28516

CERTIFIED MAIL RETURN RECEIPT
REQUESTED and electronically:
e.newton@beaufortnc.org

John Day, Town Manager
Town of Beaufort
701 Front St.
Beaufort, NC 28516

CERTIFIED MAIL RETURN RECEIPT
REQUESTED and electronically:
j.day@beaufortnc.org

Re: Certification of Amendment to the Town of Beaufort’s Core Land Use Plan

Dear Mayor Newton and Mr. Day:

Please find enclosed the written Final Agency Decision granting the Town of Beaufort’s request for certification of a sixth amendment to its Core Land Use Plan. Let me know if you have any questions.

Very truly yours,

[Signature]
Braxton C. Davis, Director
NC Division of Coastal Management

cc via email: M. Renee Cahoon, Chair
Mary L. Lucasse, Commission Counsel
Rachel Love-Adrick, Morehead City District Planner
Kyle Garner, Town of Beaufort, Planning Director
FACTS

1. The Town of Beaufort (hereinafter the "Town") is located in eastern North Carolina in Carteret County and is bounded by unincorporated areas of Carteret County to the north, the North River to the east, Back Sound to the south, and the Newport River to the west.

2. The Core Land Use Plan was certified by the Coastal Resources Commission (CRC) on January 26, 2007. There have been five amendments to the Town's Core Land Use Plan; the first was certified by the CRC on July 11, 2017. The second, third, fourth, and fifth amendments were certified by the Division Director on March 5, 2018; June 19, 2018; February 1, 2019; and July 18, 2019 respectively.

3. The Town is requesting certification of a sixth amendment to the Core Land Use Plan to make two rezoning requests consistent with the Future Land Use Map. The first rezoning is to three parcels: 1107 Live Oak St, 1111 Live Oak Street, and 101 Loftin Lane (PIN 7306195167090000, 7306195157230000, 730619515910000). The properties were rezoned from R-8 Residential Medium Density to RS-5 Residential Single-Family 5. The requested amendment will change the designation on the Future Land Use Map from Medium Density Residential to High Density Residential. The second rezoning is to one parcel: 1809 Live Oak (PIN 730612962791000). The property was rezoned from B-1 General Commercial to PUD. The requested amendment will change the designation on the Future Land Use Map from General Commercial to Mixed Use.

4. The Town of Beaufort Board of Commissioners held a duly advertised public hearing to consider the proposed amendment to the Core Land Use Plan and voted, by resolution to adopt the amendment on July 8, 2019. The public had the opportunity to provide written comments on the plan up to thirty (30) calendar days after local adoption. No comments were received.
CONCLUSIONS OF LAW

1. This amendment to the Town of Beaufort Core Land Use Plan has met the substantive requirements outlined within the 2017 Land Use Plan Guidelines.

2. There are no conflicts evident in the sixth amendment to the Town of Beaufort Core Land Use Plan with either state or federal law or the State’s Coastal Management Program.

3. The elected body of The Town of Beaufort made a final decision on the contents of the Amended Core Land Use Plan and provided opportunity for the public to provide written comment following local adoption of the plan, as required by N.C.G.S. § 113A-110 and 15A NCAC 7B .0801 and .0802, and The Town of Beaufort Amended Core Land Use Plan Land Use Plan was submitted to the NC Division of Coastal Management without written objection or comment from the public.

4. During its regularly scheduled meeting on November 7-8, 2017, the North Carolina Coastal Resources Commission delegated to the Director of the North Carolina Division of Coastal Management, Department of Environmental Quality, its authority to approve Land Use Plans pursuant to N.C.G.S. §113A-110(f). The conditions under which the delegation was made are included in the November 20, 2017 letter to Braxton Davis, Director from Commission Chair Renee Cahoone. Pursuant to that delegation, the undersigned makes the following decision.

DECISION

For the reasons stated herein, the Town of Beaufort’s request for certification of the amendment to its Core Land Use Plan is GRANTED.

This the 13TH day of January 2020.

Braxton C. Davis, Director
N.C. Division of Coastal Management
CERTIFICATE OF SERVICE

This is to certify that I have served a copy of the attached Final Agency Decision on the Town of Beaufort and the North Carolina Coastal Resources Commission by the means specified below:

John Day, Town Manager
Town of Beaufort
701 Front St.
Beaufort, NC 28516

Method of Service
CERTIFIED MAIL RETURN RECEIPT REQUESTED
and electronically j.day@beaufort.nc.org

Everette S. Newton, Mayor
Town of Beaufort
701 Front St.
Beaufort, NC 28516

CERTIFIED MAIL RETURN RECEIPT REQUESTED
and electronically e.newton@beaufortnc.org

Kyle Garner, Planning Director
Town of Beaufort
701 Front St.
Beaufort, NC 28516

U.S. Mail and electronically:
k.garner@beaufortnc.org

M. Renee Cahoon, Chair
Coastal Resources Commission

Electronically: Renee.Cahoon@ncdenr.gov

Mary L. Lucasse
Commission Counsel
NC Coastal Resources Commission
PO Box 629
Raleigh, NC 27602

Electronically: mlucasse@ncdoj.gov

Rachel Love-Adrick, District Planner
Division of Coastal Management
400 Commerce Ave.
Morehead City, NC 28557-3421

Electronically: rachel.love-adrick@ncdenr.gov

This is the 13th day of January, 2020.

Angela Willis, Assistant to the Director
RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE TOWN OF BEAUFORT, NORTH CAROLINA, AUTHORIZING AN AMENDMENT TO THE CAMA LAND USE PLAN

WHEREAS, the Town of Beaufort desires to amend its CAMA Land Use Plan, specifically the map related to Future Land Use, and

WHEREAS, the CAMA Land Use Plan currently shows Medium Density Residential at 1107 Live Oak Street, 1111 Live Oak Street and 101 Loftin Lane (PIN 730619516709000, 730619515723000, 730619515910000); and,

WHEREAS, the Town of Beaufort desires to amend the CAMA Land Use Plan to High Density Residential for the aforementioned areas; and

WHEREAS, on May 9, 2019 the Planning Board recommended approval of the draft amendment to the CAMA Land Use Plan; and

WHEREAS, the Town of Beaufort conducted a duly advertised public hearing on the draft amendment to the CAMA Land Use Plan at the Regular Meeting of the Board of Commissioners on July 8, 2019; and

WHEREAS, at the Regular Meeting on July 8, 2019 the Board of Commissioners of The Town of Beaufort, North Carolina found the draft amendment to be consistent with the Town of Beaufort’s desired vision for the future and approved to adopt the draft amendment; and

WHEREAS, the adopted Plan will be submitted as required by state law to the District Planner for the Division of Coastal Management under the North Carolina Department of Environmental Quality and forwarded to the Division Director; and

WHEREAS, a review of the adopted draft amendment by the Director of the NC Division of Coastal Management will be undertaken; and the Director will then certify the Town’s land use plan amendment;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Beaufort, North Carolina, that the Future Land Use Map in the CAMA Land Use Plan be amended as follows:

1107 Live Oak Street, 1111 Live Oak Street and 101 Loftin Lane identified as High Density Residential on the CAMA Land Use Plan Future Land Use Map

BE IT FURTHER RESOLVED that the Board of Commissioners of Beaufort, North Carolina, has adopted the draft amendment; and

BE IT FURTHER RESOLVED that the Planning Director of the Town of Beaufort is hereby authorized to submit the adopted CAMA Land Use Plan draft amendment to the State for certification as described above.

Adopted this 12th day of August 2019.

Michele Davis, Town Clerk

[Signature]

Everette Newton, Mayor

RECEIVED

OCT 17 2019

DCM-MHD CITY
RESOLUTION TO AMEND THE CORE LAND USE PLAN

WHEREAS, the Town of Beaufort desires to amend its CAMA Land Use Plan, specifically the Future Land Use Map; and

WHEREAS, the CAMA Land Use Plan currently shows PIN 730612962791000 (1809 Live Oak) General Commercial; and

WHEREAS, the Town of Beaufort desires to amend the CAMA Land Use Plan Future Land Use Map to show PIN 730612962791000 (1809 Live Oak) to Mixed Use; and

WHEREAS, on May 9, 2019, the Planning Board recommended approval of the draft amendment to the CAMA Land Use Plan; and

WHEREAS, the Town of Beaufort conducted a duly advertised public hearing on the draft amendment to the CAMA Land Use Plan at the Regular Meeting of the Board of Commissioners on July 8, 2019; and

WHEREAS, at the Regular Meeting on July 8, 2019 the Board of Commissioners of the Town of Beaufort, North Carolina found the draft amendment to be consistent with the Town of Beaufort’s desired vision for the future and approved to adopt the draft amendment; and

WHEREAS, the adopted draft amendment will be submitted as required by State law to the District Planner for the Division of Coastal Management under the North Carolina Department of Environmental Quality for review; and

WHEREAS, a review of the adopted draft will be scheduled and certified by the Division of Coastal Management; and

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Town of Beaufort, North Carolina that the Future Land Use Map of the CAMA Land Use Plan be amended; and

BE IT FURTHER RESOLVED that the Board of Commissioners of the Town of Beaufort, North Carolina, has adopted the draft amendment; and

BE IT FURTHER RESOLVED that the Planning Director of the Town of Beaufort is hereby authorized to submit the adopted CAMA Land Use Plan draft amendment to the State as described above.

Adopted this 8th day of July 2019.

[Signature]
S. (Rett) Newton, Mayor

[Signature]
Michele Davis, Town Clerk

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OCT 17 2019
DCM-MHD CITY
CARTERET COUNTY,
NORTH CAROLINA

AFFIDAVIT OF PUBLICATION

Before the undersigned, a notary public of said County and State, duly commissioned, qualified, and authorized by law to administer oaths, personally appeared

Rebecca Keeter

who being first duly sworn, deposes and says that he (she) is Clerk

(Owner, partner, publisher or other officer or employee authorized to make this affidavit)

of THE CARTERET PUBLISHING CO., INC., engaged in the publication of a newspaper known as CARTERET COUNTY NEWS-TIMES, published, issued, and entered as second class mail in the Town of Morehead City, in said County and State; that he (she) is authorized to make this affidavit and sworn statement; that the notice or other legal advertisement, a true copy of which is attached hereeto, was published in CARTERET COUNTY NEWS-TIMES on the following dates: 06/05/2019

and that the said newspaper in which such notice, paper, document, or legal advertisement was published was, at the time of each and every such publication, a newspaper meeting all of the requirements and qualifications of Section 1-597 of the General Statutes of North Carolina and was a qualified newspaper within the meaning of Section 1-597 of the General Statutes of North Carolina.

This 5th day of June, 2019

Rebecca Keeter

(Signature of person making affidavit)

Sworn and subscribed to before me, this:

5th day of June, 2019

Melodie B. Hall

Notary Public

The notary public (Melodie B. Hall) has a commission that expires on April 25, 2024.
Figure 8: Future Land Use

Legend
- Proposed Roads*
- Beaufort Historic District
- Beaufort City Limits
- Beaufort ETJ

Future Land Use
- Conservation & Open Space
- Public & Institutional
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Mixed Use
- General Commercial
- Downtown Commercial
- Light Industrial

*Proposed road alignments are conceptual only