February 1, 2019

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@beaufort.nc.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 fourth 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
STATE OF NORTH CAROLINA  
COUNTY OF CARTERET  

COASTAL RESOURCES COMMISSION  
DIVISION OF COASTAL MANAGEMENT  

IN THE MATTER OF THE TOWN OF  
BEAUFORT’S REQUEST FOR  
CERTIFICATION OF THE FOURTH  
AMENDMENT TO CORE LAND USE PLAN  

FINAL AGENCY DECISION  

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 three amendments to the Town’s Core Land Use Plan; the first was certified by the CRC on July 11, 2017. The second and third amendment were certified by the Division Director on March 5, 2018 and June 19, 2018, respectively.  

3. The Town is requesting certification of a fourth amendment to the Core Land Use Plan to make an annexation and subsequent rezoning request consistent with the Future Land Use Map. The rezoning request is to rezone the annexed 13.43-acre property located at 2415 Highway 70, Beaufort, NC (PIN 73170313701300) from the county zoning R-15 to the town zoning R-20 Low Density Residential. The map amendment is to add the property to the Future Land Use Map and classify it as Low Density Residential.  

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 unanimously, by resolution to adopt the amendment on October 8, 2018. 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 fourth 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 Cahoon. 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 1st day of February 2019.

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 1st day of Feb. 2019.

Angela Willis, Assistant to the Director
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

Judy F. Allred 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:

09/05/2018

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 September, 2018

[Signature]

(Signature of person making affidavit)

Sworn and subscribed to before me, this:

5th day of September, 2018

[Signature]

MELodie B. Hall

Notary Public

April 25, 2019

Notice of Public Hearing

Amendment of the Town of Beaufort CAMA Land Use Plan

Notice is hereby given that the Town of Beaufort will conduct a public hearing on October 8, 2018 at 6:00 p.m. to review an amendment to the Town of Beaufort Coastal Area Management Act (CAMA) Core Land Use Plan. The meeting will be held at the Train Depot (610 Broad Street, Beaufort, NC). All interested citizens are encouraged to attend.

Following the public hearing, the Town of Beaufort Board of Commissioners will consider adoption of the Land Use Plan amendment. Once adopted, the amended plan will be submitted to the Coastal Resources Division of Coastal Management for certification.

Written objections, comments, or statements of support shall be submitted to the Division of Coastal Management's District Planner, Rachel Love-Aldrich at 400 Commerce Avenue, Morehead City, NC 28557 no more than 30 days after local adoption of the amendment. Further information can be obtained by contacting the District Planner at (252) 806-2806 ext. 205.

Copies of the Land Use Plan amendment are available for review by the public at the Beaufort Town Hall during normal office hours. The public is encouraged to review the Land Use Plan amendment and to attend the public hearing. For additional information, please contact the Town Planner, Kate Allen at 866-792-2142 or k.allen@beaufortnc.org.

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BEAUFORT TOWN COUNCIL
AN ORDINANCE TO REZONE PROPERTY
LOacted on US 70/LIVE OAK (UNADDRESSED)
FROM R-15 (COUNTRY) TO R-20

Applicant: Town of Beaufort
Location: US 70/Live Oak Unaddressed
Parcel ID: 731703137013000
Lot Size: 13.43 acres
Existing District: R-15 – Carteret County Zoning
Meeting Date: October 8, 2018
Request: Initial Zoning from R-15 (County) to R-20 Low Density Residential

WHEREAS, Town of Beaufort Staff has submitted a request to rezone the above referenced property to R-20 (Low Density Residential District): and

WHEREAS, the Beaufort Board of Commissioners has convened to consider and prepare a recommendation on the request at their regular meeting on October 8, 2018 at which time applicant and/or applicant’s representative was given the opportunity to present arguments, and town staff was given the opportunity to comment on the application; and

WHEREAS, the Town Council has made the following findings and conclusions:
1. The request is consistent with the actual use.
2. The Core Land Use Plan will also be amended to include this parcel as Low Density Residential.
3. The request would reflect the surrounding and land use pattern of the area.

NOW THEREFORE, on the basis of the foregoing findings and conclusions, IT IS HEREBY ORDAINED BY THE Board of Commissioners of the Town of Beaufort that the request for rezoning is approved and the Town’s zoning map is amended accordingly.

[Signature]
Mayor, Town of Beaufort Date
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