July 15, 2019

Lynn Davis, Town Manager
Town of Belhaven
P.O. Box 220
Belhaven, NC 27810

Ricky Credle, Mayor
Town of Belhaven
P.O. Box 220
Belhaven, NC 27810

CERTIFIED MAIL RETURN RECEIPT REQUESTED and electronically:
ldavis@belhavencn.us

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Re: Certification of Amendment to the Beaufort County Joint CAMA Land Use Plan

Dear Mayor Credle and Ms. Davis:

Please find enclosed the written Final Agency Decision granting the Town of Belhaven’s request for certification of the first amendment to the Beaufort County Joint CAMA 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, CRC Chair
Mary L. Lucasse, Commission Counsel
Rachel Love-Adrick, DCM, Morehead City District Planner
Brain Alligood, Beaufort County Manager
STATE OF NORTH CAROLINA  
COUNTY OF CARTERET  

COASTAL RESOURCES COMMISSION  
DIVISION OF COASTAL MANAGEMENT  

IN THE MATTER OF THE TOWN OF  
BELHAVEN'S REQUEST FOR  
CERTIFICATION OF THE FIRST  
AMENDMENT TO THE BEAUFORT  
COUNTY JOINT CAMA LAND USE  
PLAN  

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FINAL AGENCY DECISION

FACTS

1. The Town of Belhaven (hereinafter the “Town”) is located in eastern North Carolina in Beaufort County and is bounded by unincorporated Beaufort County to the north, Pungo River to the east, the Pungo River and Pantego Creek to the south, and unincorporated Beaufort County and Pantego Creek to the west.

2. The Beaufort County Joint Land Use Plan is a joint plan between the county and the towns of Aurora, Belhaven, Chocowinity, Pantego, and Washington Park. The plan was certified by the Coastal Resources Commission (CRC) on January 13, 2010. There have been no amendments to the Joint Land Use Plan. Towns can propose and approve major plan amendments that amend less than ½ of the policies within their jurisdiction; these amendments do not require approval by the other municipalities or the county.

3. The town is requesting certification of a new policy specific to the Town of Belhaven. The policy defines building and intensity specifications for Planned Unit Developments in the Town and Community Center Future Land Use Map classification. The new policy allows single-family houses and multi-family buildings up to 12 units/acre (net) and non-residential buildings FAR (Floor Area Ratio) at 0.7 freestanding or clustered buildings.

4. The Town’s Board of Alderman held a duly advertised public hearing to consider the proposed amendment to the Joint Land Use Plan and voted, by resolution to adopt the
amendment on May 13, 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 county's Joint Land Use Plan has met the substantive requirements outlined within the 2017 Land Use Plan Guidelines.

2. There are no conflicts evident in the first amendment to the county's Joint Land Use Plan with either state or federal law or the State's Coastal Management Program.

3. The elected body of the town made a final decision on the contents of the county's Joint 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 county's amended Joint 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 Belhaven's request for certification of the amendment to the Beaufort County Joint Land Use Plan is GRANTED.

This the 19th day of July, 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 Indian Beach and the North Carolina Coastal Resources Commission by the means specified below:

Lynn Davis, Town Manager
Town of Belhaven
P.O. Box 220
Belhaven, NC 27810

Method of Service
CERTIFIED MAIL RETURN RECEIPT REQUESTED
and electronically ldavis@belhavennc.us

Ricky Credle, Mayor
Town of Belhaven
P.O. Box 220
Belhaven, NC 27810

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Brain Alligood, County Manager
Beaufort County
121 West 3rd Street
Washington, NC 27889

U.S. Mail and electronically:
brian.alligood@co.beaufort.nc.us

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@ncdoi.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 [9th] day of July, 2019.

Angela Willis, Assistant to the Director
Beaufort County Land Use Plan Proposed Amendment

SECTION 6.2.6 under SPECIAL BELHAVEN POLICIES

Definition: A planned unit development (PUD) is a large, integrated development adhering to a comprehensive plan and located on a single tract of land or on two or more tracts of land that may be separated only by a street of other right-of-way. Properly written and administered, PUD can offer a degree of flexibility that allows creativity in land planning, site design, and the protection of environmentally sensitive lands not possible with conventional subdivision and land development practices. Moreover, properly applied, PUD is capable of mixing residential and nonresidential land uses, providing broader housing choices, allowing more compact development, permanently preserving common open space, reducing vehicle trips, and providing pedestrian and bicycle facilities. In exchange for design flexibility, developers are better able to provide amenities and infrastructure improvements, and find it easier to accommodate environmental and scenic attributes.

The following building intensity and density guidelines are established for Planned Unit Developments in the Town and Community Center classification which include sidewalks and public open space and are permitted by the Town of Belhaven:

Single-family houses and multi-family buildings: up to 12 units / acre (net)
Specifically, density shall be calculated using gross parcel size less any area that exceeds 10% of the of gross tract size which includes (a) transmission easements (not to be confused with local utility distribution easements, (b) floodways and/or (c) wetland areas.

Non-residential buildings FAR: 0.7 freestanding or clustered buildings
Maximum lot coverage for non-residential buildings not to exceed 70% of the gross parcel area or the area allocated to the non-residential component. The gross parcel area is calculated as noted above and may include local utility distribution easements intended to serve the community, vehicular areas, newly created public or private streets and open spaces.
RESOLUTION OF THE BOARD OF ALDERMEN OF THE TOWN OF BELHAVEN,
NORTH CAROLINA,

AUTHORIZING AN AMENDMENT TO THE CAMA LAND USE PLAN

WHEREAS, the TOWN OF BELHAVEN desires to amend its CAMA Land Use
Plan, specifically Section 6.2.6 under SPECIAL BELHAVEN POLICIES, and

WHEREAS, the CAMA Land Use Plan currently states; and,

WHEREAS, the TOWN OF BELHAVEN desires to amend the CAMA Land Use
Plan to state; and

WHEREAS, on April 11, 2019, the Planning Board recommended
approval of the draft amendment to the CAMA Land Use Plan; and

WHEREAS, the TOWN OF BELHAVEN conducted a duly advertised
public hearing on the draft amendment to the CAMA Land Use Plan at the
Regular Meeting of the BOARD OF ALDERMEN on May 13, 2019; and

WHEREAS, at the Regular Meeting on May 13, 2019 the BOARD OF
ALDERMEN of the TOWN OF BELHAVEN, North Carolina found the draft
amendment to be consistent with the TOWN OF BELHAVEN’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
ALDERMEN OF THE TOWN OF BELHAVEN, North Carolina, that Section
6.2 in the CAMA Land Use Plan be amended as follows:

The following building intensity and density guidelines are established for Planned Unit Developments in
the Town and Community Center classification which include sidewalks and public open space and are
permitted by the Town of Belhaven:
Single-family houses and multi-family buildings: up to 12 units / acre (net)

Specifically, density shall be calculated using gross parcel size less any area that exceeds 10% of the gross tract size which includes (a) transmission easements (not to be confused with local utility distribution easements, (b) floodways and/or (c) wetland areas.

Non-residential buildings FAR: 0.7 freestanding or clustered buildings

Maximum lot coverage for non-residential buildings not to exceed 70% of the gross parcel area or the area allocated to the non-residential component. The gross parcel area is calculated as noted above and may include local utility distribution easements intended to serve the community, vehicular areas, newly created public or private streets and open spaces.

BE IT FURTHER RESOLVED that the BOARD OF ALDERMEN of the TOWN OF BELHAVEN, North Carolina, has adopted the draft amendment; and

BE IT FURTHER RESOLVED that the Town Manager of the TOWN OF BELHAVEN is hereby authorized to submit the adopted CAMA Land Use Plan draft amendment to the State for certification as described above.

Adopted this 10th day of June 2019.

Signed: Ricky Credle, Mayor

Attest: Gloria Rogers, Town Clerk

RECEIVED
JUN 12 2019
DCM-MHD CITY
Affidavit of Publication

STATE OF NORTH CAROLINA
COUNTY OF BEAUFORT

Ann Potter, being duly sworn, on oath says she is and during all times herein stated has been an employee of Washington Newsmedia, Inc. publisher and printer of the The Washington Daily News (the "Newspaper"), has full knowledge of the facts herein stated as follows:

1. The Newspaper printed the copy of the matter attached hereto (the "Notice") was copied from the columns of the Newspaper and was printed and published in the English language on the following days and dates:

05/09/19

2. The sum charged by the Newspaper for said publication is the actual lowest classified rate paid by commercial customer for an advertisement of similar size and frequency in the same newspaper in which the Notice was published.

3. There are no agreements between the Newspaper, publisher, manager or printer and the officer or attorney charged with the duty of placing the attached legal advertising notice whereby any advantage, gain or profit accrued to said officer or attorney SIGNED:

Ann Potter, Employee
Subscribed and sworn to before me this 9th Day of May, 2019

Amy M. Whitaker, Notary Public
Beaufort County, NC
My commission expires 08-25-2023

Account # WNL02133029
Ad # 801882

THE TOWN OF BELHAVEN
PO BOX 220
BELHAVEN NC 27810

Notice of Public Hearing

Amendment of Beaufort County Joint Coastal Area Management Act Land Use Plan

Notice is hereby given that the TOWN OF BELHAVEN will conduct a public hearing on June 10, 2019 at 7PM to review an amendment to Beaufort County Joint Coastal Area Management Act (CAMA) Land Use Plan. The meeting will be held at the Belhaven Civic Center, 257 W. Pungo Street, Belhaven. All interested citizens are encouraged to attend.

Following the public hearing, the TOWN OF BELHAVEN BOARD OF ALDERMEN will consider adoption of the Land Use Plan amendment. Once adopted, the amended plan will be submitted to the Director of the North Carolina 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-Adrick, 400 Commerce Avenue, Morehead City, NC 28557 no more than 30 calendar days after local adoption of the amendment. Further information can be obtained by contacting the District Planner at (252) 995-2908.