



Town of Beaufort, NC

701 Front St. - P.O. Box 390 - Beaufort, N.C. 28516
252-728-2141 - 252-728-3982 fax - www.beaufortnc.org

Town of Beaufort Planning Board Regular Meeting

6:00 PM Monday, September 21, 2026 - Train Depot, 614 Broad Street, Beaufort, NC 28516
Monthly Meeting

Call to Order

Roll Call

Agenda Approval

Minutes Approval

1. PB Draft Minutes 081726

Public Comment

New Business

1. Case 26-10 – Rezoning 374 Highway 101 from R-20 to B-1 with LUP FLUM amendment from Suburban Residential to Village Commercial
2. Case 26-11 – Rezoning 404 Highway 101 from R-20 to B-1 with LUP FLUM amendment from Suburban Residential to Village Commercial
3. Case 26-20 – Rezoning the RC-5 portion of 125 Bunch Road and 472 Highway 101 (R-20) to B-1, with LUP FLUM amendments from Rural/Working Lands to Village Commercial
4. Case 26-24 – LDO Amendment – State Law Compliance for Off-Street Parking Minimums

Commission / Board Comments

Staff Comments

Adjourn



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Town of Beaufort Planning Board Regular Meeting
6:00 PM Monday, August 17th, 2026
Train Depot, 614 Broad Street
Minutes

Call to Order

Chair Neve called the August 17th, 2026 Planning Board meeting to order at 6:00 p.m.

Roll Call

The Secretary conducted the roll call for the meeting.

Members Present: Ryan Neve, Chair; Tammy Hunsucker, Vic Fasolino, Clark Patton, Jeff Vreugdenhil, Cameron White

Members Absent: George Stanziale, Vice-Chair

A quorum was declared with six members present.

Town Staff Present:

Kyle Garner, Planning Director
Charlie Rocci, Senior Planner
Michelle Eitner, Planner

Brad Fockler, Code Enforcement Officer
Arey Grady, Town Attorney
Laurel Anderson, Board Secretary

Agenda Approval

Member Patton made the motion to approve the agenda and Member White made the second. Chair Neve took a vote that was unanimously approved.

Voting yea: Chair Neve, Vic Fasolino, Tammy Hunsucker, Clark Patton, Jeff Vreugdenhil, Cameron White

Minutes Approval

1. PB Draft Minutes 072026

Member Patton made the motion to approve the minutes as presented and Member Fasolino made the second. Chair Neve took a vote that was unanimously approved.

Voting yea: Chair Neve, Vic Fasolino, Tammy Hunsucker, Clark Patton, Jeff Vreugdenhil, Cameron White

Public Comment

Chair Neve then asked if anyone would like to speak. There were no public comments.

New Business

1. Case #26-21 - Rezoning - 214 Elm Street from R-8 to RS-5

Mrs. Eitner presented the rezoning application for 214 Elm Street, located at the southeast corner of Broad and Elm Streets. The property, owned and applied for by Jerry Cox, is currently zoned Residential Medium (R-8). The applicant requested a rezoning to RS-5. She noted that the property is not within a special flood hazard area and that the surrounding future land use classification - Traditional Neighborhood Residential - encompasses both R-8 and RS-5 zoning districts, meaning no amendment to the Future Land Use Map (FLUM) would be required.

Key distinctions between the two zoning districts were summarized: RS-5 has shorter setbacks but introduces a 50% impervious surface coverage limitation not present under R-8, and RS-5 permits fewer uses, with single-family dwellings being the only permitted dwelling type (accessory dwelling units are allowed as a special use, but multifamily is not). A conceptual subdivision plat was included in the packet showing a possible three-lot configuration under RS-5 zoning, provided for reference only; such a subdivision would be statutorily exempt from board review.

The applicant, Jerry Cox, addressed the board and explained that following the death of his mother, who previously owned the property, he determined it was not financially feasible to retain it. He confirmed the rezoning request is contingent on interest from a potential buyer. Board members clarified that the property, which was originally four platted lots now merged into one, could support three conforming RS-5 lots under the proposed zoning - compared to two conforming R-8 lots under existing zoning.

Board discussion centered on the concern raised by Member Fasolino regarding the precedent of introducing RS-5 zoning into a predominantly R-8 block and noted that rezoning to RS-5 could create a precedent. Mr. Cox argued that the current R-8 was not consistent with the size of the other lots in the neighborhood. Other members and the Chair noted that similar rezonings had previously been approved, that the RS-5 district was envisioned for this type of application when it was created, and that the property is directly across the street from existing RS-5 zoning. A few board members agreed that the proposal was consistent with the character and development patterns of the surrounding neighborhood. Mrs. Eitner confirmed that the future land use designation does not distinguish between the two districts, supporting a finding of plan consistency.

Following discussion, the board voted to recommend approval and directed staff to draft a resolution of plan consistency stating that the amendment is in accordance with the Beaufort Comprehensive CAMA Land Use Plan and is reasonable and in the public interest because it is in the character of the nearby neighborhood. Mrs. Eitner explained the resolution would be prepared and signed by the Chair prior to transmittal to the Board of Commissioners, where a public hearing would be held following the required notice period.

Member Hunsucker made the motion to approve the application and Member Patton made the second. Chair Neve took a vote that was approved and motion carried 4-2.

Voting yea: Chair Neve, Tammy Hunsucker, Clark Patton, Cameron White

Voting nay: Vic Fasolino, Jeff Vreugdenhil

2. Case #26-22 – Special Use Permit – 1323 Front Street Accessory Dwelling Unit

Mrs. Eitner presented a special use permit application for an accessory dwelling unit (ADU) at 1323 Front Street. The property, owned by AER Commercial Properties, LLC, is located within the R-8 zoning district, which allows ADUs as a special use. The subject structure falls within the AE-8 Special Flood Hazard Area. The applicant, Blue Green Construction, is also serving as the contractor for a single-family home currently under construction on the site.

Mrs. Eitner explained that when the building permit was initially submitted, the contractor had included an ADU in the plans. Staff advised that an SUP was required and recommended removing the ADU from the permitted plans and proceeding with construction of the single-family home while the SUP was pursued. Under the current building permit, the space above the attached three-car garage - connected to the primary residence by an enclosed elevated skywalk - is designated as a bonus room. If the SUP is approved, the applicant would modify the building permit to add a bedroom, bathroom, and kitchenette to that space, thereby constituting an ADU.

Mrs. Eitner and the board confirmed that the presence of a kitchen is the defining characteristic that elevates use to an ADU under the Land Development Ordinance (LDO), as opposed to a simple bonus room or additional bedroom. No change to the approved building footprint, setbacks, exterior appearance, or site plan is proposed.

The applicant's representative, Bruce Brotzman of Blue Green Construction, presented the request and walked the board through each of the required findings under Section 20 of the LDO (findings A through G), addressing allowable use, application completeness, plan conformity, traffic and access adequacy, property value impact, compatibility, and public health and safety. He noted that the garage and ADU are accessible from an existing alley extending from Gerald Street, that a power pole obstructing the alley had already been relocated to the northwest corner of the lot, and that emergency vehicle access is available via that alley.

Board discussion touched on the nature and ownership of the alley. Mr. Garner clarified that the alleys in this area are dedicated recorded alleys of record that became part of the town through annexation but are not maintained by the town and are generally considered private rear-access alleys. Town Attorney Grady noted that the town retains ownership rights and does not lose them through adverse possession, and that adjoining property owners independently hold access rights in the nature of an easement.

The board noted that the lot is non-conforming in width, which reduces the required side yard setbacks to six feet per Section 11 of the LDO. No additional footprint, height increase, or exterior modification is proposed as part of this request. Emergency services had reviewed the application and returned no comments or concerns.

The board found the application to meet the required findings and voted to recommend approval to the Board of Commissioners.

Member White made the motion to recommend approval as presented and Member Fasolino made the second. Chair Neve took a vote that was unanimously approved.

Voting yea: Chair Neve, Vic Fasolino, Tammy Hunsucker, Clark Patton, Jeff Vreugdenhil, Cameron White

3. Case #26-23 – Special Use Permit – 102 Beaufort Walk Accessory Dwelling Unit

Mrs. Eitner presented a special use permit application for an ADU at 102 Beaufort Walk. The property is owned by Joseph and Anna Colucci; the applicant is their daughter, Christina Colucci. The property is located within the Transitional (TR) zoning district, which allows ADUs as special uses, and is not within a special flood hazard area. Mrs. Eitner noted that because the property is not in a residential district, the compatibility standards of Section 20 do not apply, and only required findings A through G are relevant.

The applicant, Christina Colucci, then presented the proposal. The ADU would be constructed as a second-story addition above the existing attached garage. The addition would include a small kitchenette, sleeping area, bathroom, and access to loft storage via a non-fixed ladder. A staircase on the side of the structure would provide private exterior access to the ADU, and a small balcony over the garage was also proposed. The exterior finish and architectural character would be designed to match the existing home seamlessly.

The applicant noted that the existing driveway would be widened to accommodate side-by-side parking for both the primary residence and the ADU, and that street parking is also available on the Beaufort Walk cul-de-sac. She confirmed that the addition would remain within all applicable setback requirements and height limitations, and that no change to the existing building footprint was proposed. The impervious surface increase from the widened driveway was calculated at approximately 14%, which falls below the 15% exemption threshold.

Board discussion clarified the somewhat unusual site configuration: 102 Beaufort Walk is physically attached to the adjacent property (7B) by a small garage-like connector structure, a characteristic common to several homes on the cul-de-sac. The proposed addition and all improvements are confined to the 102 Beaufort Walk parcel. The board confirmed that setback requirements were met even accounting for the new staircase, and that the proposal conforms to the applicable dimensional standards.

The board found the application to satisfy all required findings for a special use permit and voted to recommend approval to the Board of Commissioners.

Member Fasolino made the motion to recommend approval as the application meets the standards of required findings for a special use permit and Member Vreugdenhil made the second. Chair Neve took a vote that was unanimously approved.

Voting yea: Chair Neve, Vic Fasolino, Tammy Hunsucker, Clark Patton, Jeff Vreugdenhil, Cameron White

Commission/Board Comments

Member Vreugdenhil offered a substantive observation regarding non-conforming lot provisions under Section 11 of the LDO. He noted that the predetermined setback reductions afforded to non-conforming lots - particularly the reduction of the front setback from 25 feet to 15 feet - are more generous than what would typically be allowed through a variance process in many other ordinances, which commonly cap variances at no more than 10% of the applicable standard. He suggested this discrepancy, particularly in the front yard, warrants reconsideration as part of the Universal Development Ordinance (UDO) update.

Member Fasolino seconded this observation and noted it as a useful point to carry into the UDO process. He also inquired about the landscaping plans for the center of the new traffic circle on Highway 101. Mr. Garner confirmed that the center island is planned to feature grass and low shrubs for visibility.

Chair Neve thanked the applicants for their presentations and reminded board members of the upcoming joint Planning Board and Board of Commissioners session on the UDO, scheduled for the following Monday at 4:00 PM. He also shared that after an extensive road trip through areas with numerous roundabouts, he was confident the new traffic circle in Beaufort would function well. Chair Neve additionally acknowledged the broader policy discussion around whether non-conforming lot width should generate concessions in front and rear setbacks, and indicated this would be a worthy item for UDO review.

Staff Comments

Mrs. Eitner reinforced the importance of the joint UDO session, noting that both the Planning Board and the Board of Commissioners would be present. The session would include a presentation from the UDO consultant on Module 4 of the steering committee's work, followed by a community conversation with posters and open dialogue. She encouraged all board members to attend and emphasized the collaborative format of the session.

Chair Neve also used the occasion to formally acknowledge the retirement of Planning Director Mr. Garner, expressing appreciation for his years of service and guidance to both the board and the town.

Adjourn

Member Patton made the motion to adjourn and Member Vreugdenhil made the second. Chair Neve took a vote that was unanimously approved.

DRAFT

DRAFT

1.

Voting yea: Chair Neve, Vic Fasolino, Tammy Hunsucker, Clark Patton, Jeff Vreugdenhil, Cameron White

Chair Neve then declared the meeting adjourned at 7:20 p.m.

Ryan Neve, Chair

Laurel Anderson, Board Secretary



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Town of Beaufort Planning Board Regular Meeting 6:00 PM Monday, September 21, 2026 – Train Depot

AGENDA CATEGORY: New Business

SUBJECT: Case 26-10 – Rezoning 374 Highway 101 from R-20 to B-1 with LUP FLUM amendment from Suburban Residential to Village Commercial

BRIEF SUMMARY:

To consider a request to rezone 374 Highway 101 from R-20 to B-1 and amend the Future Land Use Map designation from Suburban Residential to Village Commercial, and to provide a recommendation to the Board of Commissioners.

REQUESTED ACTION:

Presentation and discussion of proposed rezoning

Recommendation to the Board of Commissioners to approve or deny the zoning map amendment and associated Future Land Use Map amendment

Decision on Resolution of Plan Consistency

EXPECTED LENGTH OF PRESENTATION:

15 Minutes

SUBMITTED BY:

Michelle Eitner

Town Planner



STAFF REPORT



To: Planning Board Members

From: Michelle Eitner, Town Planner

Date: September 21, 2026

Case No. 26-10 – Request to change the zoning district of 374 Highway 101 from R-20 to B-1 with Future Land Use Map classification change of Suburban Residential to Village Commercial

THE REQUEST: To consider a request to rezone 374 Highway 101 from R-20 to B-1 and amend the Future Land Use Map designation from Suburban Residential to Village Commercial, and to provide a recommendation to the Board of Commissioners.

INFORMATION:

Location: 374 Highway 101 (PIN 730611567208000)

Applicant: Josh Edmondson, Tidewater Associates Inc.

Property Owner: R & L of Beaufort LLC (via Lyle Gardner, Manager)

Town Limits: Extraterritorial Jurisdiction (current annexation request pending)

Current Zoning District: R-20 Residential Single-Family District

Requested Zoning District: B-1 General Business District

Current Future Land Use: Suburban Residential (no NIZ)

Requested Future Land Use: Village Commercial

Flood Zone: X zone in effective & preliminary FIRMs (not Special Flood Hazard Area)

Size: 0.33 acres

Existing Land Use: Vacant

OPTIONS:

1. Recommend approval of the zoning map amendment with FLUM change as presented
2. Recommend denial of the zoning map amendment with FLUM change
3. Table the recommendation pending additional information necessary to make a decision

ATTACHMENTS:

- Attachment A – Staff Report
- Attachment B – Vicinity Map
- Attachment C – Zoning Map
- Attachment D – Application Package
- Attachment E – LDO Section 7.A R-20 & Section 9.C B-1
- Attachment F – Comprehensive and CAMA Land Use Plan Future Land Use Map & Classifications
- Attachment G – Draft Resolution of Consistency

STAFF COMMENTS:

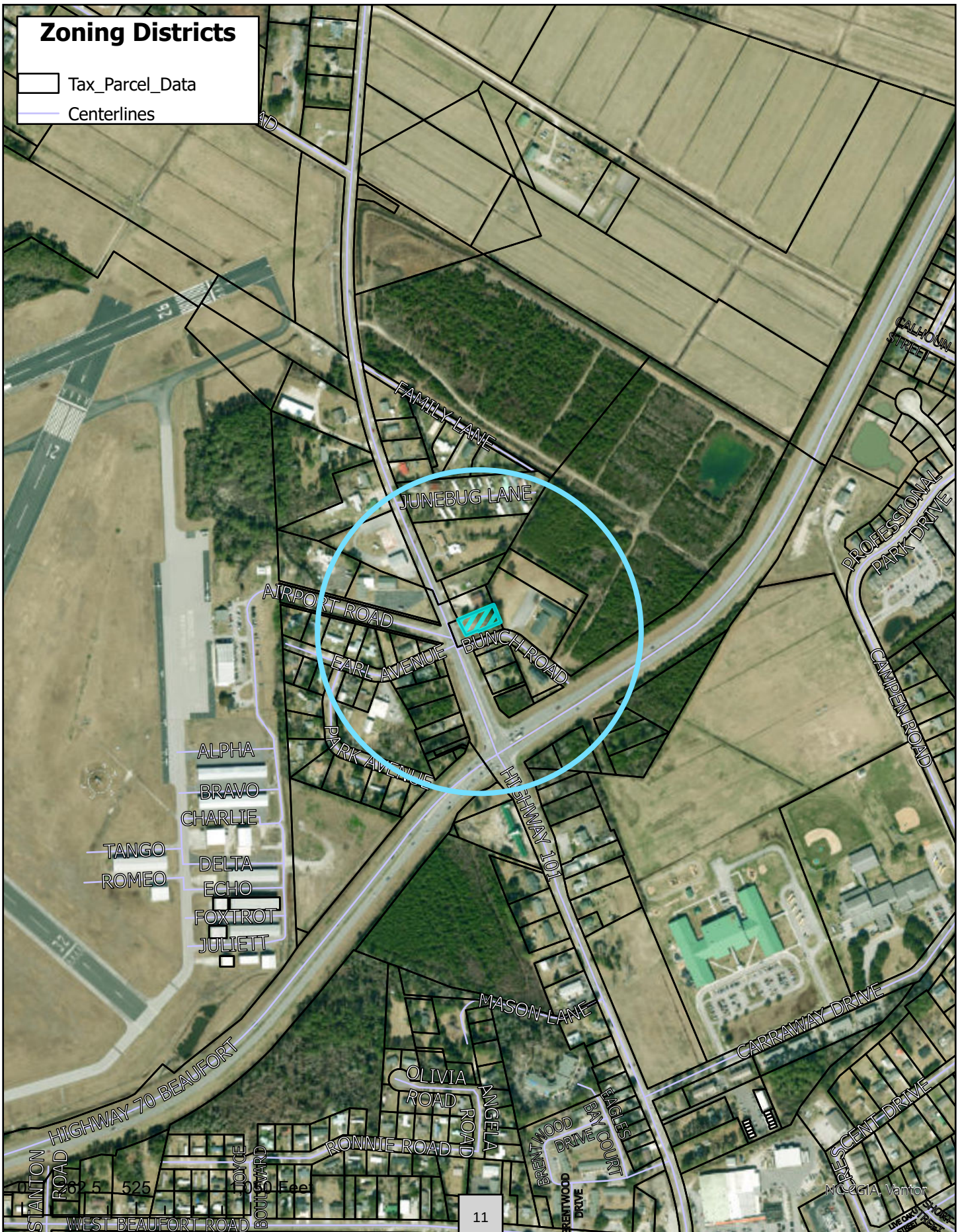
Josh Edmondson of Tidewater Associates, Inc., agent for property owner R & L of Beaufort, LLC, has requested a zoning map amendment for 374 Highway 101 from R-20 to B-1, with amendment to the Comprehensive and CAMA Land Use Plan Future Land Use Map (FLUM) classification from Suburban Residential to Village Commercial.

This is a general rezoning request and is not tied to a specific development proposal. In reviewing the request, the Planning Board should consider whether the B-1 district and the range of uses allowed within that district are appropriate for the property and surrounding area. The Board should also consider the relationship of the proposed zoning to nearby zoning and development, and whether the requested Village Commercial Future Land Use Map classification is appropriate for the property.

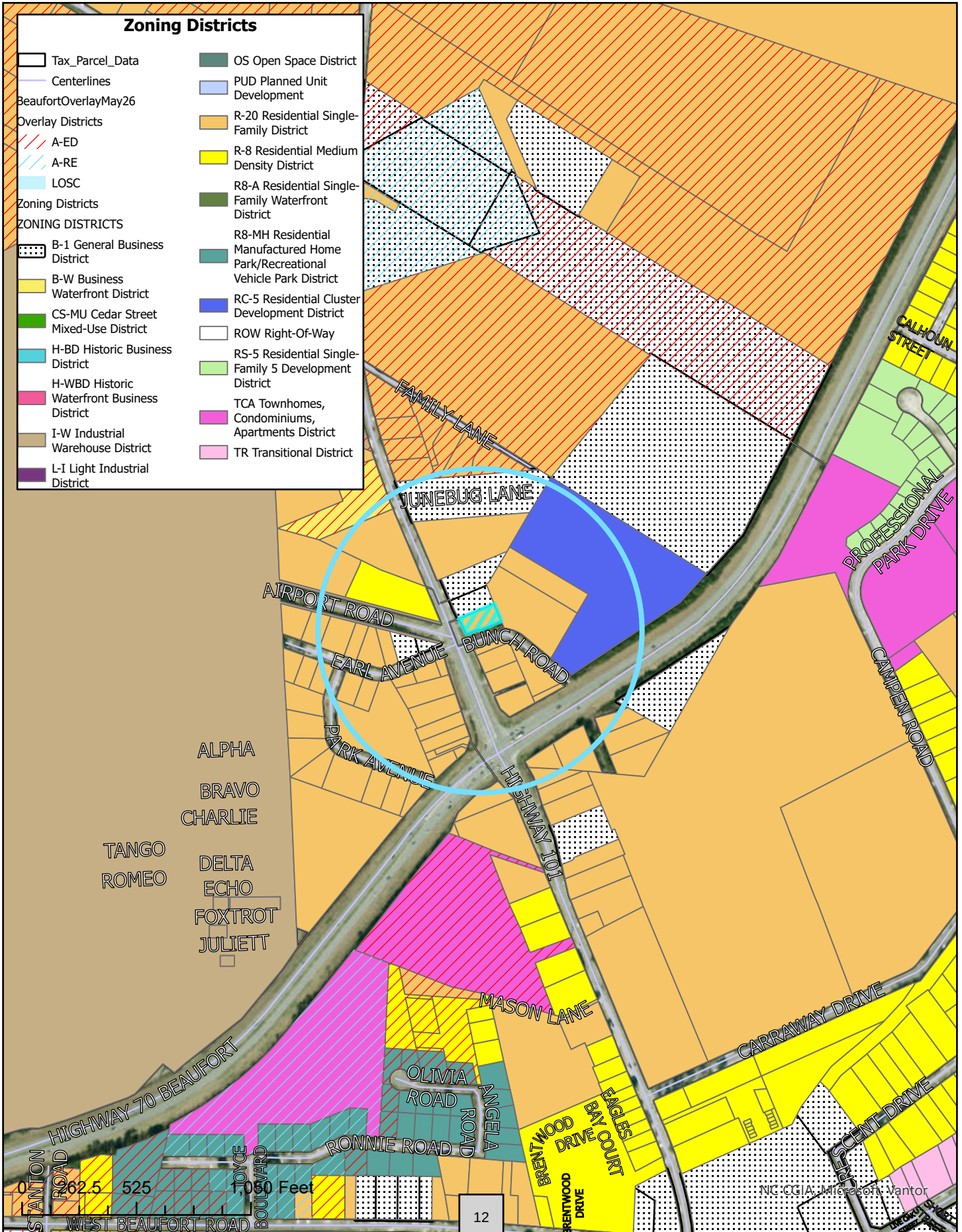
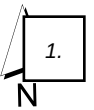
If approved by the Board of Commissioners, the Future Land Use Map amendment will also be subject to the applicable State review and certification process for amendments to the Town's certified CAMA Land Use Plan.

D) Proposed Amendments to be Submitted to Planning Board for Recommendation.

- 1) Zoning Amendments. - All proposed amendments to this Ordinance or Zoning Map shall be submitted to the Planning Board for review and comment. If no written report is received from the Planning Board within 30 days of referral of the amendment to that board, the BOC may act on the amendment without the Planning Board report. The BOC is not bound by the recommendations, if any, of the Planning Board.
- 2) Plan Consistency. - When conducting a review of proposed zoning text or map amendments pursuant to this section, the Planning Board shall advise and comment on whether the proposed action is consistent with the Town of Beaufort Comprehensive and CAMA Land Use Plan that has been adopted and any other officially adopted plan that is applicable. The Planning Board shall provide a written recommendation to the BOC that addresses plan consistency and other matters as deemed appropriate by the Planning Board, but a comment by the Planning Board that a proposed amendment is inconsistent with the Town of Beaufort Comprehensive and CAMA Land Use Plan shall not preclude consideration or approval of the proposed amendment by the BOC. If a Zoning Map amendment qualifies as a "large-scale rezoning" under Section (3) (G) (2), the Planning Board statement describing plan consistency may address the overall rezoning and describe how the analysis and policies in the relevant adopted plans were considered in the recommendation made.



Case 26-10 374 Highway 101 Rezoning R-20 to B-1 Zoning Map





Town of Beaufort
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252-728-2141 • 252-728-3982 fax
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**APPLICATION FOR AN AMENDMENT TO THE
BEAUFORT ZONING MAP**

Instructions:

Please complete the application below, include all the required attachments and the \$300.00 for Rezoning request with no Land Use Plan Change or \$400.00 for Rezoning Request with Land Use Plan Change and return to the Beaufort Town Hall, 701 Front Street or P.O. Box 390, Beaufort, N.C., 28516. Incomplete applications will not be processed and will be returned to the applicant. Please contact Planning and Inspections at 252-728-2142 if there are any questions.

APPLICANT INFORMATION

Applicant Name: Tidewater Associates Inc.

Applicant Address: 1069A Cedar Point Blvd, Cedar Point NC 28584

Phone Number: 252-393-6101 Email: [REDACTED]

Property Owner Name: R & L Of Beaufort LLC

Address of Property Owner: 5711 Six Forks Rd, Suite 300, Raleigh, NC 27609

Phone Number: 919-422-1201 Email: [REDACTED]

PROPERTY INFORMATION

Property Address: 374 Highway 101

15-Digit PIN: 730611567208000 Lot/Block Number: Lot NC 101 Beaufort

Size of Property (in square feet or acres): .33 acres

Current Zoning: R-20 Requested Zoning: B-1

Current Use of Property: ☐ Residential ☒ Vacant ☐ Commercial ☐ Other: _____

Applicant Signature: [Signature] Date of Applicant's Signature: 4-9-26

Property Owner Signature (if different than applicant): [Signature] Date of Owner's Signature: 4/10/26

An application fee of \$300.00 for Rezoning request with no Land Use Plan Change or \$400.00 for Rezoning Request with Land Use Plan Change, either in cash, money order, or check made payable to the "Town of Beaufort," should accompany this application. Payments can be made in person on the day of submittal and at such time, a credit card can be used to make the payment. Credit card payments are subject to a 3% extra fee.



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, Esri, NASA, NGA, USGS, NC CGIA, Microsoft, Vantor, Carteret County

374 HWY 101 Site Map

0 30 60 120 US Feet

Rezoning Justification

- 1. Will this proposal place all property similarly situated in the area in the same category, or in appropriate complementary categories?**

In review of the Town of Beaufort's Land Development Ordinance, the B-1 classification would be an appropriate and complementary category to those existing classifications in the area. The permitted uses are identical to those of the adjacently zoned B-1 property. Furthermore, the B-1 classification is established to provide for a variety of sales and service facilities to the general public. This is a benefit to those residentially zoned parcels in the area by providing access to goods and services.

Within this area there are various zoning classifications including R-20, R-8, RC-5 and B-1 that are situated in such a way to complement each other as existing development or future development.

- 2. Under this proposal, will all uses permitted under the proposed district classification be in the general public interest and not merely in the interest of an individual or small group?**

The uses permitted in the proposed zoning classification would allow commercial growth to serve the community by providing opportunity for additional retail, food and service industries to be established.

- 3. Are all uses permitted under the proposed new district classification appropriate for the area included in the proposed change?**

In reviewing the table of permitted uses and the existing B-1 district classifications of adjacent parcels, it can be found that uses are appropriate for the area. Those adjacent parcels with the identical classification allow the exact same uses. This is a benefit for the area that has residentially zoned properties.

- 4. Will the character of the neighborhood be materially or adversely affected by any use permitted in the proposed change?**

In review of the zoning classifications in this area of Beaufort and others similarly situated, it seems to be common for the B-1 district to be located adjacent to residentially zoned properties. As this development pattern is prevalent in Beaufort, there is precedence that the requested zoning change will not materially or adversely affect the character of the area. It seems to bolster these areas in a positive way.

- 5. Is the proposed change in accord with the Beaufort Comprehensive & CAMA Land Use Plan?**

According to the Beaufort Comprehensive & CAMA Land Use Plan, this area is designated as the Suburban Residential Future Land Use. The plan states “Typical uses, primarily single family detached residential, with an occasional mix of other highly compatible residential uses scattered throughout, including duplexes, accessory dwellings, and garage apartments. Sometimes, but more rarely, there may also be duplex neighborhoods.” The requested change in zoning to B-1 would not be consistent with this land use classification but the requested zoning change does appear to be consistent for this area. Therefore, a change to the Future Land Use classification is warranted.

The appropriate Future Land Use classification as supported by the goals, policies and actions stated in the Beaufort Comprehensive & CAMA Land Use Plan is Village Commercial. The plan states “Typical uses, smaller footprint, lower intensity, neighborhood serving commercial, retail, services, or offices. Pedestrian-serving uses (boutique shops or fitness studios, personal care, arts) are more appropriate than automobile-oriented uses (vehicle or machinery repair, rental and service, commercial nurseries or lumber yards, fast food restaurants, drive-thru banks, etc.) Upper story dwellings (aka live/work) are also appropriate. If context appropriate, institutional uses (churches, schools, hospitals, government buildings, etc.). On parcels directly adjacent to this area, multi-family residential may be appropriate, potentially providing customers for local businesses. Higher density residential development, whether as detached or low-impact attached residential is usually appropriate within a ¼ mile walking distance of these areas.”

This future land use category seems to support the change in zoning to B-1. The goals, policies and actions below support the change in future land use and zoning classifications:

Objective 2.1: Reduce vulnerability by utilizing guidance from the Future Land Use Map (FLUM) to focus growth and public infrastructure investments away from flood-prone areas toward higher ground.

Objective 3.1: Encourage efforts to make housing more diverse and affordable.

Action 3.1.2.2: Encourage or require multiple housing types within a single development.

Objective 3.3: Respect existing neighborhood fabric and encourage infill that fits its context.

Objective 3.4: Increase walkability in neighborhoods.

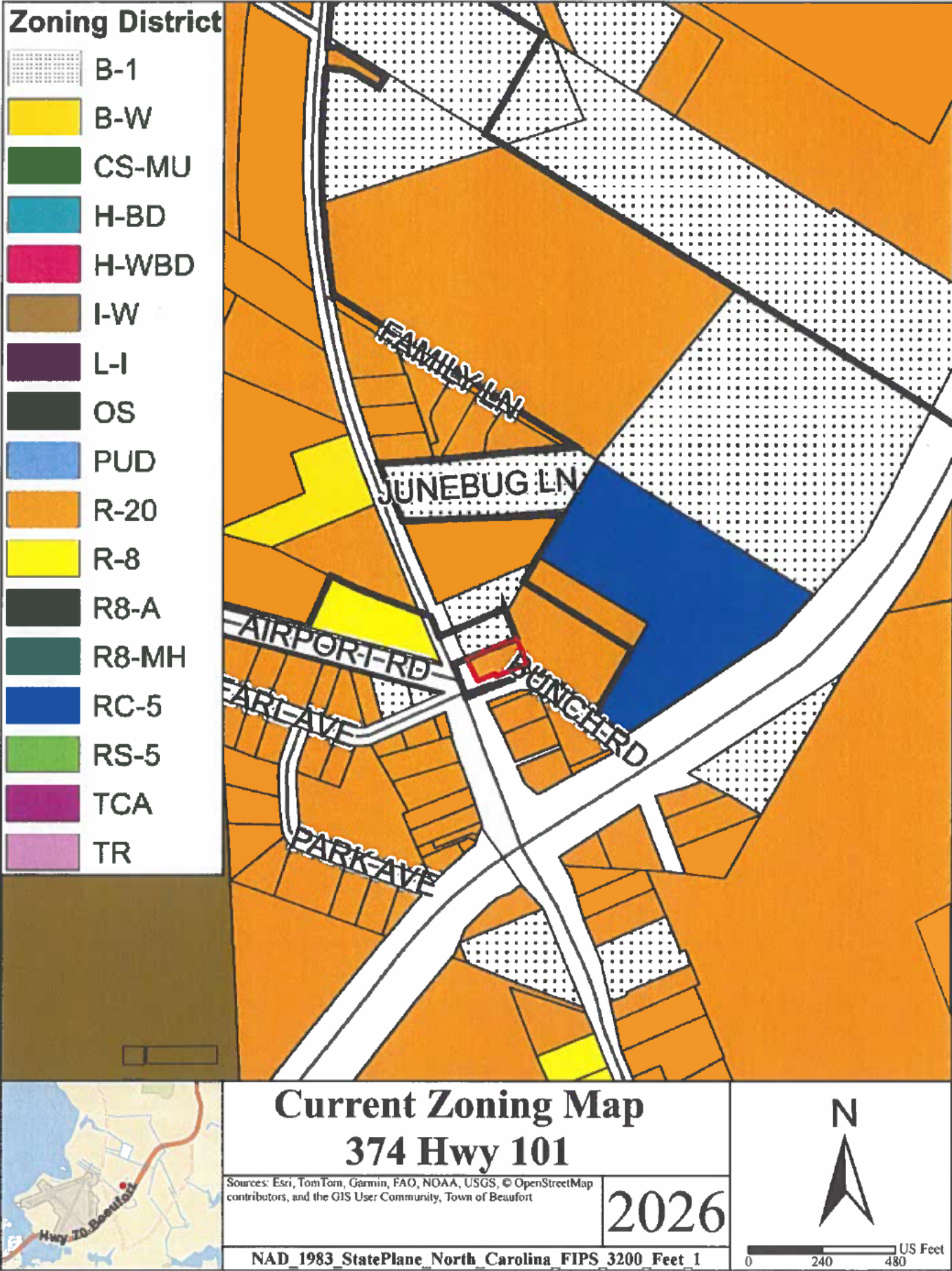
Objective 5.2: Continue to support existing small businesses and encourage new local businesses.

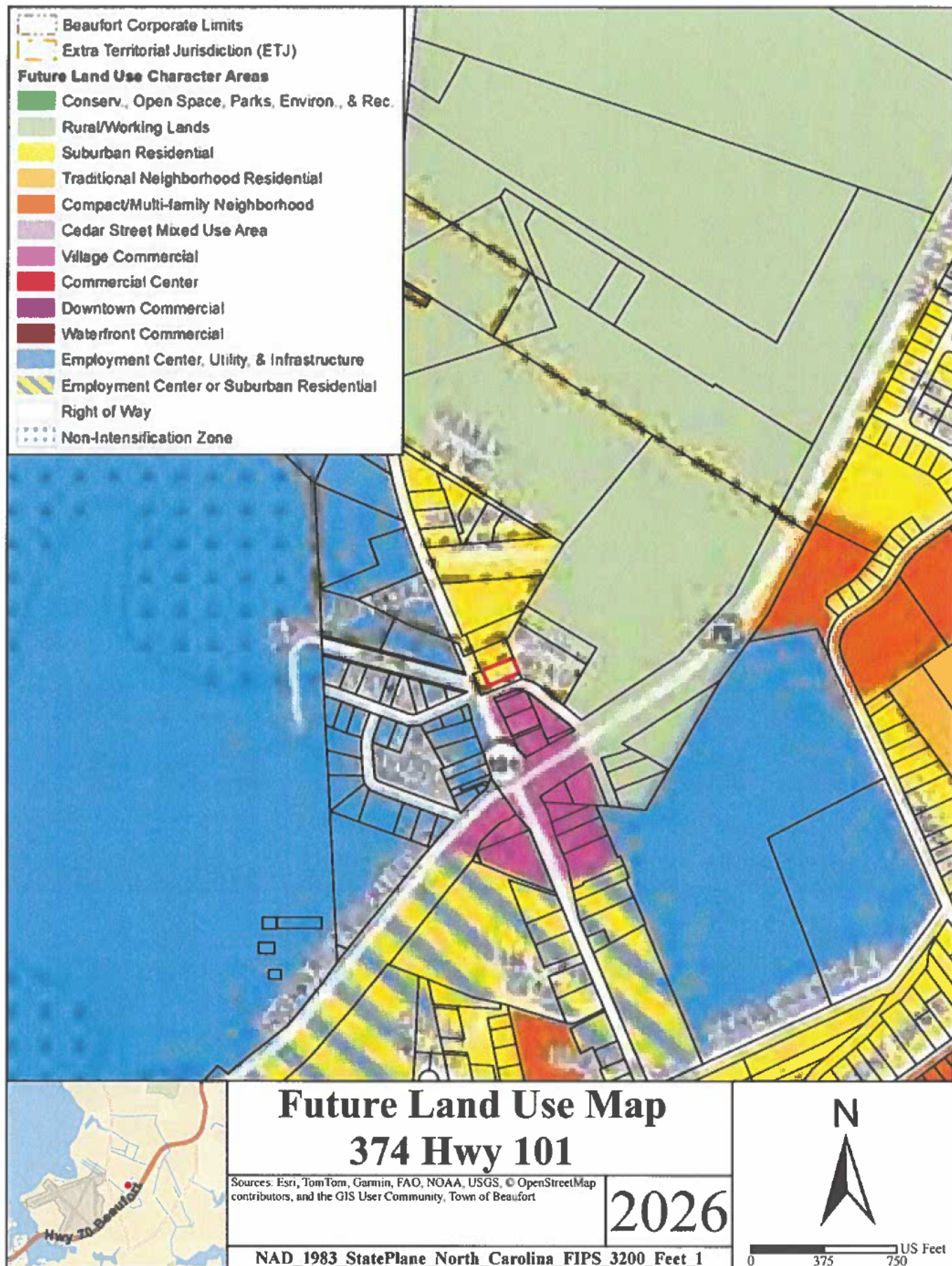
Objective 5.4: Continue to support the Michael J. Smith Airfield as an asset to Beaufort's economy.

Objective 5.7: Preserve spaces for commercial, retail, service and nonresidential businesses while also being responsive to the strong demand for conversion of these properties to residential use.

Objective 7.1: Preserve the character of Beaufort's built environment.

Objective 7.8: Continue to beautify Beaufort.







P/N15	OWNER	MAIL_ADD	MAIL_CITY	MAIL_STATE	MAIL_ZIP	PhysicalAd
730601267487000	MICHAEL SMITH AIRPORT	180 AIRPORT ROAD	BEAUFORT	NC	28516	180 AIRPORT RD
730611563480000	MARANATHA PENTECOSTAL HOLINESS	130 AIRPORT ROAD	BEAUFORT	NC	28516	130 AIRPORT RD
730611567182000	ROSE,JOSEPH LEE	358 HWY 101	BEAUFORT	NC	28516	358 HWY 101
730611569374000	CALVARY BAPTIST CHURCH	119 BUNCH ROAD	BEAUFORT	NC	28516	119 BUNCH RD
730611567147000	ROSE,JOSEPH LEE	358 HWY 101	BEAUFORT	NC	28516	0
730611566378000	SYCAMORE CREEK LLC	305 PENNSYLVANIA AVENUE	RALEIGH	NC	27609	380 HWY 101

Adjacent Property Owner List for 374 Hwy 101



FILE # 1630132

FOR REGISTRATION REGISTER OF DEEDS
 Karen S. Hardesty
 Carteret County, NC
 February 19, 2019 10:30:48 AM
 MARY DEED 3 P
 FEE \$26.00
 NC REVENUE STAMP \$160.00
 FILE # 1630132

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: \$ 160.00

Parcel Identifier No. 730611567208000 Verified by _____ County on the _____ day of _____, 20____

By: _____

✓ Mail/Box to: Richard L. Stanley, P.O. Box 150, Beaufort, NC 28516

This instrument was prepared by: Richard L. Stanley, 601 Cedar St., Ste F, Beaufort, NC 28516

Brief description for the Index: LOT lot east side Highway 101,

THIS DEED made this 8th day of February, 2019, by and between

GRANTOR

GRANTEE

Kenneth Wayne Willis and spouse,
 Deanna Willis
 298 Cape Lookout Drive
 Harkers Island, NC 28531
 subject to the life estate of Lydia Warren

R & L of Beaufort, LLC
 a North Carolina Limited Liability Company
 7706 Six Forks Road
 Raleigh, NC 27615

Enter in appropriate block for each Grantor and Grantee: name, mailing address, and, if appropriate, character of entity, e.g.
 corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular,
 plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by
 these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot, parcel of land or condominium unit
 situated in the City of Beaufort _____ Township, CARTERET _____ County,
 North Carolina and more particularly described as follows:

EXHIBITA

The property hereinabove described was acquired by Grantor by instrument recorded in Book _____ page _____
 All or a portion of the property herein conveyed _____ includes or X does not include the primary residence of a Grantor.

A map showing the above described property is recorded in Plat Book _____ page _____.

Page 1 of 2

NC Bar Association Form No. 3 © 1976, Revised © 1977, 2002, 2013
 Printed by Agreement with the NC Bar Association - 1981

This standard form has been approved by:
 North Carolina Bar Association - NC Bar Form No. 3

3

1630132

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions:
Easements and restrictions of record.

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

By: _____ (Entity Name) Kenneth Wayne Willis (SEAL)
Print/Type Name: Kenneth Wayne Willis

By: _____ Deanna Willis (SEAL)
Print/Type Name & Title: _____
Print/Type Name: Deanna Willis

By: _____ (SEAL)
Print/Type Name & Title: _____
Print/Type Name: _____

By: _____ (SEAL)
Print/Type Name & Title: _____
Print/Type Name: _____

State of North Carolina - County or City of CARTERET

I, the undersigned Notary Public of the County or City of CARTERET and State aforesaid, certify that Kenneth Wayne Willis and spouse, Deanna Willis personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this 8th day of February, 2019.

My Commission Expires: 7-10-22
(Affix Seal)



Amanda Jones
Notary's Printed or Typed Name

State of _____ - County or City of _____
I, the undersigned Notary Public of the County or City of _____ and State aforesaid, certify that _____ personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this _____ day of _____, 20____.

My Commission Expires: _____
(Affix Seal)

Notary's Printed or Typed Name

State of _____ - County or City of _____
I, the undersigned Notary Public of the County or City of _____ and State aforesaid, certify that _____ personally came before me this day and acknowledged that _____ of _____, a North Carolina or _____ corporation/limited liability company/general partnership/limited partnership (strike through the inapplicable), and that by authority duly given and as the act of such entity, _____ he signed the foregoing instrument in its name on its behalf as its act and deed. Witness my hand and Notarial stamp or seal, this _____ day of _____, 20____.

My Commission Expires: _____
(Affix Seal)

Notary's Printed or Typed Name

1630132

ATTACHMENT

Beginning at a stake on the east side of Highway 101, the southwest corner of the land formerly owned by Allen Stanley Taylor (later Gordon Hardesty and R. Neal Campen); thence North 74 East 200 feet to an iron stake; thence S 15-35 East 85 feet to an iron stake, the north side of a right of way belonging to R. Neal Campen; thence S 74 W with the said right of way 200 feet to the east side of Highway 101; thence N 15-35 W 85 feet to the point of beginning, and being the property conveyed in Book 958, page 343, Carteret County Registry.

A portion of the above lot on the east line of NC Highway 101 has been conveyed to the NC Department of Transportation in Book 1370, page 124, and the tract so conveyed is excepted herewith.

This property is subject to the life estate conveyed to Lydia Warren in the deed recorded in Book 958, page 343, Carteret County Registry. This deed is further conveyed subject to the rights of heirs of Lydia Warren to remove a shed and items of personal property from the property within a period of 2 weeks following the death of Lydia Warren.

In the deed in Book 958, page 343, the property was conveyed to Morris Mitchell, Joyce Oglesby, Kenneth Willis and Iva Joyce Stuck with the right of survivorship among the remainder grantees. Morris C. Mitchell died December 23, 2003, Joyce Oglesby died 3/19/2005, and Iva Joyce Stuck died April 2, 2008, leaving Kenneth Willis as the surviving Grantee.

03-3685

374 Highway 101, Beaufort, NC 28516

SECTION 7 Residential Zoning Districts

A) *R-20 Residential Single-Family District.*

This residential district is intended to maintain a compatible mixture of single-family residential and bona fide farm uses with a density of two families per acre in accordance with the North Carolina State Board of Health recommendations for residential areas without public water and public sewer, and to prevent the development of blight and slum conditions.

1) Minimum Lot Size.

All lots in this district shall be a minimum of twenty thousand square feet (20,000 ft²).

2) Minimum Lot Width.

All lots in the R-20 district shall have a minimum lot width of one hundred feet (100') at the minimum building line.

3) Building Setback and Building Height Requirements and Limitations.

Subject to the exceptions allowed in this Ordinance, each structure on a lot in this zoning district shall be set back from the boundary lines of the lot at least the distances provided in the tables set forth in this section. The building height limitation in this district is provided in the tables set forth in this section.

Table 7-1 Interior Lot Requirements

<i>District</i>	<i>Front Setback (Right-of-Way)</i>	<i>Rear Setback</i>	<i>Side Setback</i>	<i>Building Height Limitation</i>
R-20	30 feet	25 feet	15 feet	40 feet

Table 7-2 Corner Lot Requirements

<i>District</i>	<i>Designated Front (Right-of-Way) Setback</i>	<i>Designated Side (Right-of-Way) Setback</i>	<i>Rear Setback</i>	<i>Side Setback</i>	<i>Building Height Limitation</i>
R-20	30 feet	30 feet	25 feet	15 feet	40 feet

Table 7-3 Double Frontage Lot Requirements

<i>District</i>	<i>Designated Front (Right-of-Way) Setback</i>	<i>Designated Rear (Right-of-Way) Setback</i>	<i>Side Setback</i>	<i>Building Height Limitation</i>
R-20	30 feet	25 feet	15 feet	40 feet

4) Accessory Building Setback Requirements.

All accessory buildings shall comply with all setback provisions of this Ordinance, including but not limited to Section 2(F), Section 6 and Section 15 of this Ordinance.

5) Permitted Uses.

Agritourism	Home Occupation
Antenna Co-Location on Existing Tower	Manufactured Home
Aquaculture	Neighborhood Recreation Center
Assisted Living	Indoor/Outdoor, Private
Athletic Field, Public	Neighborhood Recreation Center, Public
Athletic Field, Private	Nursing Home
Carport	Park, Public
Club, Lodge, or Hall	Produce Stand/Farmers' Market
Community Garden	Public Utility Facility
Dock	Religious Institution
Dwelling, Single-Family	Resource Conservation Area
Family Care Homes	Satellite Dish Antenna
Farming, General	Shed
Forestry	Swimming Pool (Personal Use)
Garage, Private Detached	Temporary Construction Trailer
Government/Non-Profit Owned/Operated Facilities & Services	Utility Minor
Group Home	Vehicle Charging Station

6) Special Uses. (*Special Uses* requirements may be found in Section 20 of this Ordinance).

Accessory Dwelling Unit
Bed & Breakfast
Boat Sales/Rentals
Cemetery/Graveyard
Concealed (Stealth) Antennae & Towers
Day Care/Child Care Home
Dry Boat Storage
Golf Course, Privately Owned
Golf Driving Range
Kennel, Indoor Operation Only
Kennel, Indoor /Outdoor Operation
Marina
Museum
Office: Small Business
Other Free Standing Towers
Outdoor Amphitheater, Public
Preschool
Public Safety Station
School, K-12
School, Post-Secondary
Utility Facility

C) ***B-1 General Business District.***

The General Business District is established as the zoning district in which a wide variety of sales and service facilities may be provided to the general public. This district will be located throughout the Town's planning and development regulation jurisdiction.

1) Minimum Lot Size.

All lots in the B-1 district shall be a minimum of five thousand square feet (5,000 ft²).

2) Minimum Lot Width.

All lots in the B-1 district shall have a minimum lot width of sixty feet (60') at the minimum building line.

3) Building Setback and Building Height Requirements and Limitations.

Subject to the exceptions allowed in this Ordinance, each structure on a lot in this zoning district shall be set back from the boundary lines of the lot at least the distances provided in the tables set forth in this section. The building height limitation in this district is provided in the tables set forth in this section.

Table 9-5 Lot Requirements

<i>District</i>	<i>Front Setback (Right-of-Way)</i>	<i>Rear Setback</i>	<i>Side Setback</i>	<i>Building Height Limitation</i>
B-1	30 feet	15 feet	15 feet	40 feet

4) Accessory Building Setback Requirements.

All accessory buildings shall comply with all setback provisions of this Ordinance, including but not limited to Section 2(F), Section 6 and Section 15 of this Ordinance.

5) Permitted Uses.

Amusement Establishment	Liquor Store
Antenna Co-Location on Existing Tower	Moped/Golf Cart Sales/Rentals
Aquaculture	Mortuary/Funeral Home/Crematorium
Assisted Living	Motor Vehicle Sales/Rentals
Athletic Field, Public	Museum
Bed & Breakfast	
Boat Sales/Rentals	Neighborhood Recreation Center,
Car Wash	Public
Club, Lodge, or Hall	Nursing Home
Commercial Indoor Recreation Facility	Office: Business, Professional, or Medical
Community Garden	Other Building-Mounted Antennae &
Concealed (Stealth) Antennae & Towers	Towers
Convenience Store	Outdoor Retail Display/Sales
Day Care Center	Park, Public
Dock	Parking Lot
Dry Boat Storage	Parking Structure
Financial Institution	Personal Service Establishment
Government/Non-Profit Owned/ Operated Facilities & Services	Pool Hall or Billiard Hall
Hospital	Produce Stand/Farmers' Market
Hotel or Motel	Public Safety Station
Kennel, Indoor Operation Only	Public Utility Facility
Library	Religious Institution
	Resource Conservation Area

Restaurant with Drive-Thru Service
Restaurant with Indoor Operation
Retail Store
Satellite Dish Antenna
Signs, Commercial Free-Standing
Tavern/Bar/Pub with Indoor Operation

Temporary Construction Trailer
Theater, Small
Transportation Facility
Utility Minor
Vehicle Charging Station
Vehicle Service

6) Special Uses (*Special Uses* requirements may be found in Section 20 of this Ordinance).

Adult-Oriented Retail Establishment
Commercial Outdoor Amphitheater
Commercial Outdoor Recreation
Facility
Commercial Waterfront Facility
Gas/Service Station
Golf Driving Range
Hazardous Material Storage
Kennel, Indoor/Outdoor Operation
Manufacturing, Light
Marina
Microbrewery
Microdistillery

Mini-Storage
Mixed Use
Outdoor Amphitheater, Public
Outdoor Storage
Preschool
Restaurant with Outdoor Operation
School, K-12
School, Post-Secondary
Tavern/Bar/Pub with Outdoor Operation
Theater, Large
Utility Facility
Wholesale Establishment

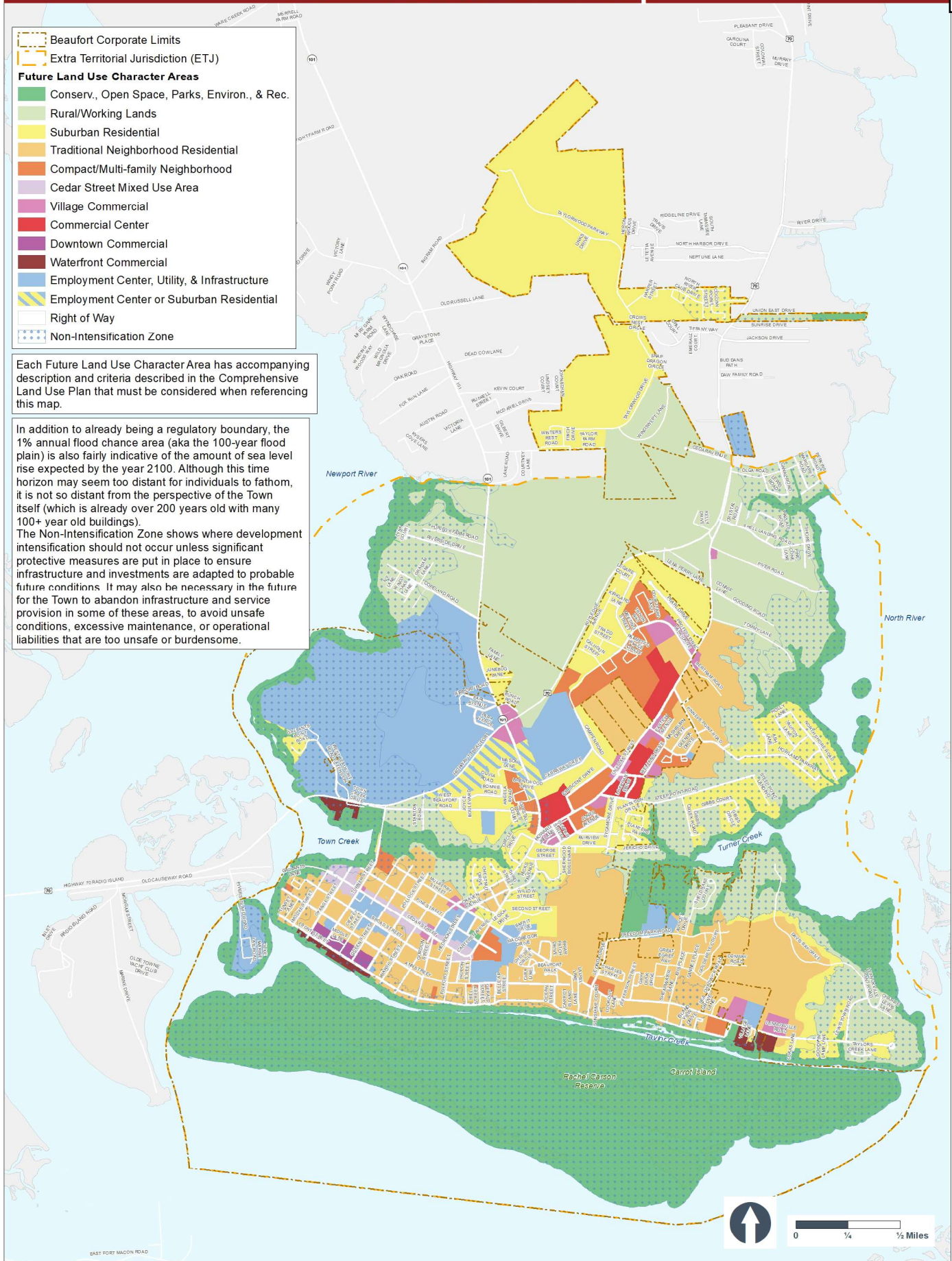
Future Land Use Map

1.



Each Future Land Use Character Area has accompanying description and criteria described in the Comprehensive Land Use Plan that must be considered when referencing this map.

In addition to already being a regulatory boundary, the 1% annual flood chance area (aka the 100-year flood plain) is also fairly indicative of the amount of sea level rise expected by the year 2100. Although this time horizon may seem too distant for individuals to fathom, it is not so distant from the perspective of the Town itself (which is already over 200 years old with many 100+ year old buildings). The Non-Intensification Zone shows where development intensification should not occur unless significant protective measures are put in place to ensure infrastructure and investments are adapted to probable future conditions. It may also be necessary in the future for the Town to abandon infrastructure and service provision in some of these areas, to avoid unsafe conditions, excessive maintenance, or operational liabilities that are too unsafe or burdensome.



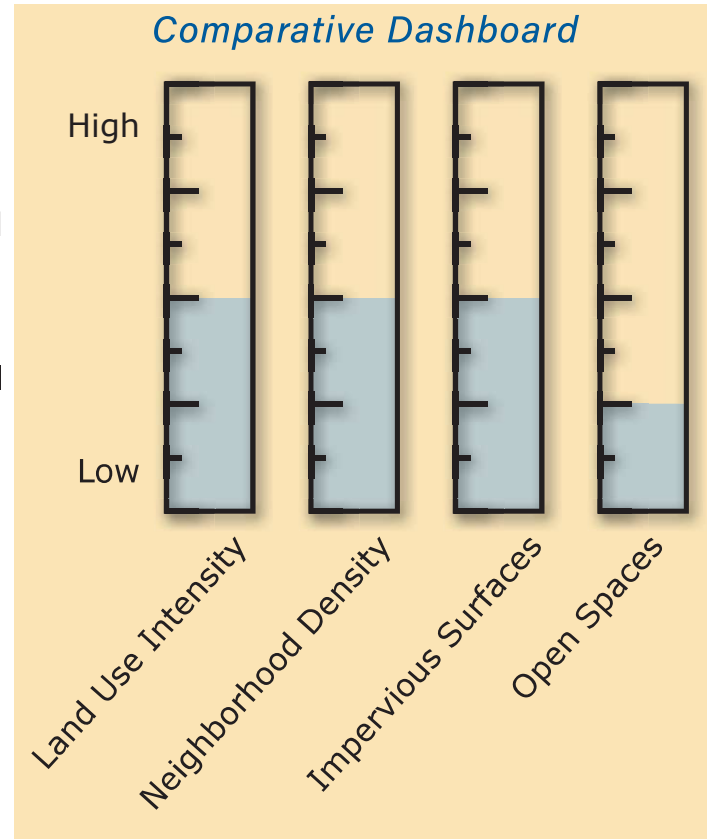
Suburban Residential

General Description:

These neighborhoods typically have larger lots or shared open spaces and common areas with a lower overall residential density than in the Traditional Neighborhood. The neighborhoods are still walkable from house to house, but most households probably depend primarily on automobiles for daily trips. Off-street parking is typical of a suburban residential neighborhood and various configurations exist. Residential densities typically range from around 1-3 dwellings per acre, although some developments will exceed that either in localized areas (especially if there are shared open spaces, amenities, or common areas) or overall. In neighborhoods with larger lots, open space is generally on private lots rather than communal.

Streets and Circulation:

These neighborhoods have medium levels of connectivity with low volume, low speed routes. Effort should be made to increase connectivity except in instances where it would excessively harm environmentally sensitive areas. Block lengths should not exceed 650' on a side unless absolutely unavoidable. Pedestrian facilities should be provided on at least one side of every street. Bicycles can share lanes on low volume streets, but on arterials dedicated (and preferably separated) facilities should be provided.



EXAMPLE USES:

Typical Uses

Primarily single family detached residential, with an occasional mix of other highly compatible residential uses scattered throughout, including duplexes, accessory dwellings, and garage apartments. Sometimes, but more rarely, there may also be duplex neighborhoods.

Uses if Context Appropriate

- » Institutional uses (churches, schools, hospital, government, etc)
- » Accessory dwellings
- » House-scale multi-family residential, patio homes, or small townhome developments - very occasionally.

Suburban Residential

Other Concerns:

Extending public facilities (water, sewer, etc.) to these areas may place an increased strain on maintenance budgets since the lower densities and lower taxable value per linear foot of public facilities may not cover the costs of maintenance. This land use type consumes land a greater rate and with fewer homes than the other residential future land use character areas.



Examples of Suburban Residential.

Village Commercial

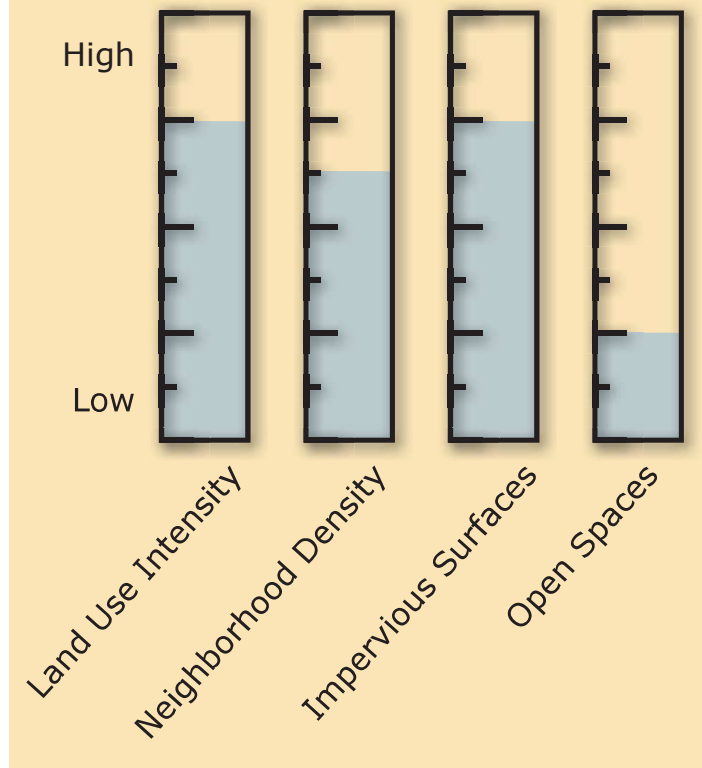
General Description:

These areas have small-scale non-residential uses that serve the neighborhood and sometimes even a greater region. Often it may only be three or four corners of an intersection or one large, multi-tenant compound, but sometimes larger geographic stretches may also be appropriate. Sites, structures, and streets are human-scaled. Buildings may be setback from the street, particularly if it is a previously residential structure that has been converted for a commercial use. It may also be appropriate to have buildings pulled up to the street, with parking in the rear, especially at busy intersections or in particularly active nodes.

Streets and Circulation:

Streets should have good pedestrian facilities to support walking from businesses-to-business or from home-to-business. Pedestrians are prioritized, but automobiles are accommodated, and

Comparative Dashboard



EXAMPLE USES:

Typical Uses:

Smaller footprint, lower intensity, neighborhood serving commercial, retail, services, or offices. Pedestrian-serving uses (boutique shops or fitness studios, personal care, arts) are more appropriate than automobile-oriented uses (vehicle or machinery repair, rental and service, commercial nurseries or lumber yards, fast food restaurants, drive-thru banks, etc.). Upper story dwellings (aka "live/work") are also appropriate.

If Context Appropriate:

- » Institutional uses (churches, schools, hospital, government buildings, etc.).
- » On parcels directly adjacent to this area, multi-family residential may be appropriate, potentially providing customers for local businesses.
- » Higher density residential development, whether as detached or low-impact attached residential is usually appropriate within a ¼ mile walking distance of these areas.

Village Commercial

might even have a transit stop nearby. Accommodating a mix of transportation options is important to being accessible to customers. Blocks should rarely, if ever, exceed 500 feet on a side so that they are walkable and might even be able to one day evolve into a condition similar to Downtown Commercial.

Other Concerns:

Depending on context, some of these places may evolve into higher activity Downtown Commercial areas some day in the distant future, and future infrastructure projects should support that.



Examples of Village Commercial



TOWN OF BEAUFORT PLANNING BOARD
RESOLUTION OF PLAN CONSISTENCY

WHEREAS, the North Carolina General Assembly has given the Town of Beaufort (“Town”) the authority to adopt and amend zoning and development regulation ordinances, of which the zoning map is part, for the purpose of promoting the health, safety, and general welfare of its citizens;

WHEREAS, N.C.G.S. §160D-604(d) requires the Town of Beaufort Planning Board shall advise and comment on whether the proposed action is consistent with the Town of Beaufort Comprehensive and CAMA Land Use Plan that has been adopted and any other officially adopted plan that is applicable, and provide a written recommendation to the Board of Commissioners that addresses plan consistency and other matters as deemed appropriate by the Planning Board; and

WHEREAS, a request has been made for the Town to amend the Town of Beaufort Zoning Map to reflect B-1 General Business District for 374 Highway 101 (PIN 730611567208000) instead of the current R-20 Residential Single-Family District, with associated amendment to the Comprehensive and CAMA Land Use Plan Future Land Use Map classification for same property from Suburban Residential to Village Commercial; and

WHEREAS, the Planning Board has in fact met to consider and evaluate the proposed amendments during their regularly scheduled meeting on September 21, 2026; and

NOW THEREFORE, BE IT HEREBY RESOLVED, that the Planning Board finds that the proposed B-1 zoning IS NOT consistent with the property's current Suburban Residential Future Land Use Map classification. The Planning Board further finds that the proposed rezoning **IS / IS NOT** reasonable and in the public interest because _____.

The Planning Board **RECOMMENDS / DOES NOT RECOMMEND** approval of the requested zoning map amendment from R-20 to B-1. The Planning Board **RECOMMENDS / DOES NOT RECOMMEND** amending the Future Land Use Map classification from Suburban Residential to Village Commercial in conjunction with the zoning map amendment.

This Resolution is effective upon its adoption this 21st day of September 2026.

TOWN OF BEAUFORT PLANNING BOARD

_____, Chairman

ATTEST:

_____, Secretary



Town of Beaufort, NC

701 Front St. - P.O. Box 390 - Beaufort, N.C. 28516
252-728-2141 - 252-728-3982 fax - www.beaufortnc.org

Town of Beaufort Planning Board Regular Meeting 6:00 PM Monday, September 21, 2026 – Train Depot

AGENDA CATEGORY: New Business

SUBJECT: Case 26-11 – Rezoning 404 Highway 101 from R-20 to B-1 with LUP FLUM amendment from Suburban Residential to Village Commercial

BRIEF SUMMARY:

To consider a request to rezone 404 Highway 101 from R-20 to B-1 and amend the Future Land Use Map designation from Suburban Residential to Village Commercial, and to provide a recommendation to the Board of Commissioners.

REQUESTED ACTION:

Presentation and discussion of proposed rezoning

Recommendation to the Board of Commissioners to approve or deny the zoning map amendment and associated Future Land Use Map amendment

Decision on Resolution of Plan Consistency

EXPECTED LENGTH OF PRESENTATION:

15 Minutes

SUBMITTED BY:

Michelle Eitner
Town Planner



STAFF REPORT



To: Planning Board Members

From: Michelle Eitner, Town Planner

Date: September 21, 2026

Case No. 26-11 – Request to change the zoning district of 404 Highway 101 from R-20 to B-1 with Future Land Use Map classification change of Suburban Residential to Village Commercial

THE REQUEST: To consider a request to rezone 404 Highway 101 from R-20 to B-1 and amend the Future Land Use Map designation from Suburban Residential to Village Commercial, and to provide a recommendation to the Board of Commissioners.

INFORMATION:

Location: 404 Highway 101 (PIN 730611566676000)

Applicant: Josh Edmondson, Tidewater Associates Inc

Property Owner: Beaufort Crossing LLC (via Lyle Gardner, Manager)

Town Limits: Extraterritorial Jurisdiction (current annexation request pending)

Current Zoning District: R-20 Residential Single-Family District

Requested Zoning District: B-1 General Business District

Current Future Land Use: Suburban Residential (no NIZ)

Requested Future Land Use: Village Commercial

Flood Zone: Shaded X zone in effective FIRM & X zone in preliminary FIRM (not Special Flood Hazard Area)

Size: 2.21 acres

Existing Land Use: Vacant

OPTIONS:

1. Recommend approval of the zoning map amendment with FLUM change as presented
2. Recommend denial of the zoning map amendment with FLUM change
3. Table the recommendation pending additional information necessary to make a decision

ATTACHMENTS:

- Attachment A – Staff Report
- Attachment B – Vicinity Map
- Attachment C – Zoning Map
- Attachment D – Application Package
- Attachment E – LDO Section 7.A R-20 & Section 9.C B-1
- Attachment F – Comprehensive and CAMA Land Use Plan Future Land Use Map & Classifications
- Attachment G – Draft Resolution of Consistency

STAFF COMMENTS:

Josh Edmondson of Tidewater Associates, Inc., agent for property owner Beaufort Crossing, LLC, has requested a zoning map amendment for 404 Highway 101 from R-20 to B-1, with amendment to the Comprehensive and CAMA Land Use Plan Future Land Use Map (FLUM) classification from Suburban Residential to Village Commercial.

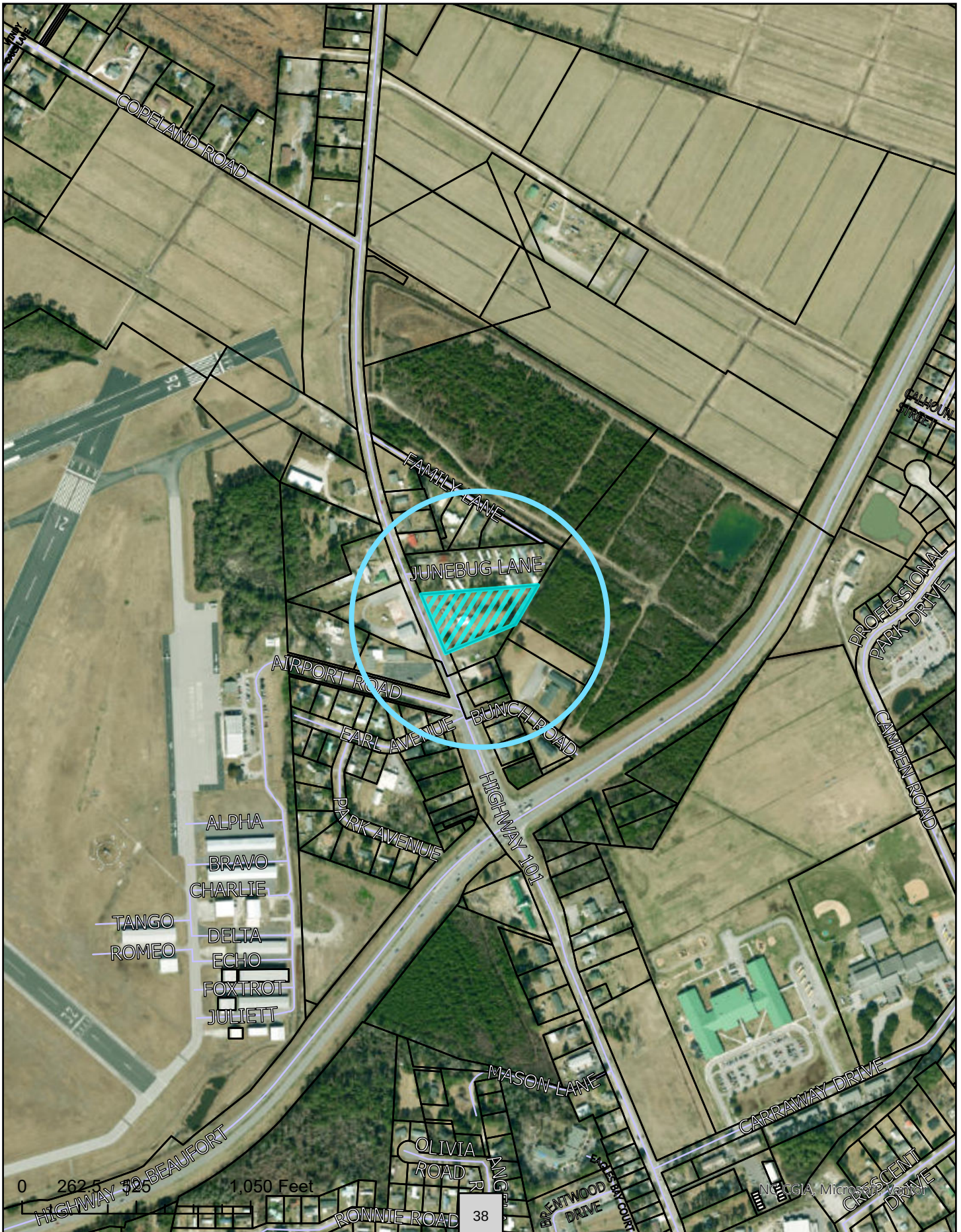
This is a general rezoning request and is not tied to a specific development proposal. In reviewing the request, the Planning Board should consider whether the B-1 district and the range of uses allowed within that district are appropriate for the property and surrounding area. The Board should also consider the relationship of the proposed zoning to nearby zoning and development, and whether the requested Village Commercial Future Land Use Map classification is appropriate for the property.

If approved by the Board of Commissioners, the Future Land Use Map amendment will also be subject to the applicable State review and certification process for amendments to the Town's certified CAMA Land Use Plan.

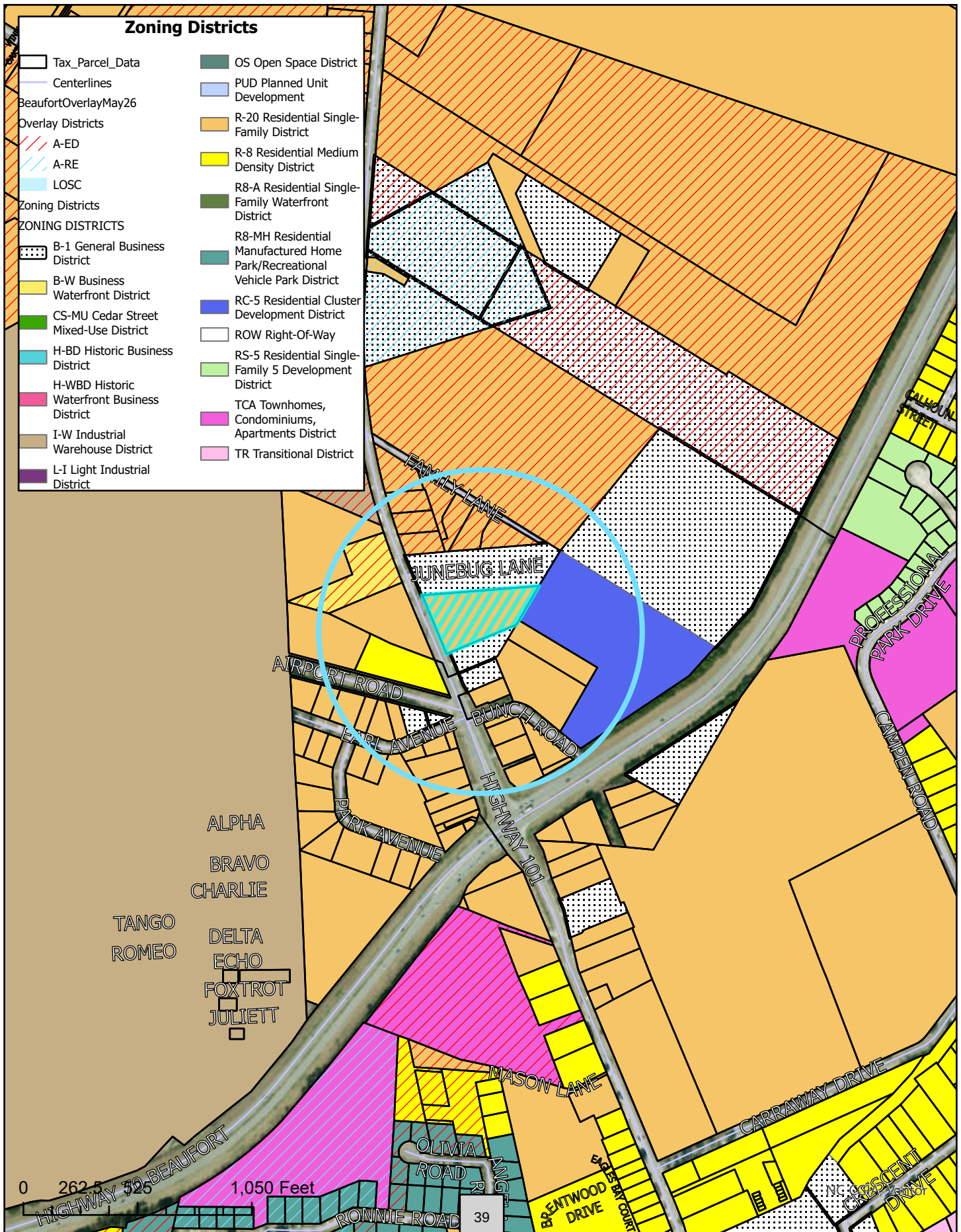
D) Proposed Amendments to be Submitted to Planning Board for Recommendation.

- 1) Zoning Amendments. - All proposed amendments to this Ordinance or Zoning Map shall be submitted to the Planning Board for review and comment. If no written report is received from the Planning Board within 30 days of referral of the amendment to that board, the BOC may act on the amendment without the Planning Board report. The BOC is not bound by the recommendations, if any, of the Planning Board.
- 2) Plan Consistency. - When conducting a review of proposed zoning text or map amendments pursuant to this section, the Planning Board shall advise and comment on whether the proposed action is consistent with the Town of Beaufort Comprehensive and CAMA Land Use Plan that has been adopted and any other officially adopted plan that is applicable. The Planning Board shall provide a written recommendation to the BOC that addresses plan consistency and other matters as deemed appropriate by the Planning Board, but a comment by the Planning Board that a proposed amendment is inconsistent with the Town of Beaufort Comprehensive and CAMA Land Use Plan shall not preclude consideration or approval of the proposed amendment by the BOC. If a Zoning Map amendment qualifies as a "large-scale rezoning" under Section (3) (G) (2), the Planning Board statement describing plan consistency may address the overall rezoning and describe how the analysis and policies in the relevant adopted plans were considered in the recommendation made.

Case 26-11 404 Highway 101 Rezoning R-20 to B-1 Vicinity Map



Case 26-11 404 Highway 101 Rezoning R-20 to B-1 Zoning Map





Town of Beaufort
701 Front St. • P.O. Box 390 • Beaufort, N.C. 28516
252-728-2141 • 252-728-3982 fax
www.beaufortnc.org

**APPLICATION FOR AN AMENDMENT TO THE
BEAUFORT ZONING MAP**

Instructions:

Please complete the application below, include all the required attachments and the \$300.00 for Rezoning request with no Land Use Plan Change or \$400.00 for Rezoning Request with Land Use Plan Change and return to the Beaufort Town Hall, 701 Front Street or P.O. Box 390, Beaufort, N.C., 28516. Incomplete applications will not be processed and will be returned to the applicant. Please contact Planning and Inspections at 252-728-2142 if there are any questions.

APPLICANT INFORMATION

Applicant Name: Tidewater Associates Inc.

Applicant Address: 1069A Cedar Point Blvd, Cedar Point NC 28584

Phone Number: 252-393-6101

Email: [REDACTED]

Property Owner Name: Beaufort Crossing LLC

Address of Property Owner: 5711 Six Forks Rd, Suite 300, Raleigh, NC 27609

Phone Number: 919-427-2283

Email: [REDACTED]

PROPERTY INFORMATION

Property Address: 404 Highway 101

15-Digit PIN: 730611566676000

Lot/Block Number: Lot NC 101 Beaufort

Size of Property (in square feet or acres): 2.21 acres

Current Zoning: R-20

Requested Zoning: B-1

Current Use of Property: ☐ Residential ☒ Vacant ☐ Commercial ☐ Other: _____

Applicant Signature [Signature]

4-9-26
Date of Applicant's Signature

Property Owner Signature (if different than applicant) [Signature]

4/10/26
Date of Owner's Signature

An application fee of \$300.00 for Rezoning request with no Land Use Plan Change or \$400.00 for Rezoning Request with Land Use Plan Change, either in cash, money order, or check made payable to the "Town of Beaufort," should accompany this application. Payments can be made in person on the day of submittal and at such time, a credit card can be used to make the payment. Credit card payments are subject to a 3% extra fee.

Please be advised that email addresses have been removed by staff from this application & attachments to protect the applicant from AI spam emails.



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, Esri, NASA, NGA, USGS, NC CGIA, Microsoft, Vantor, Carteret County

0 40 80 160
US Feet

404 HWY 101 Site Map

41

Rezoning Justification

- 1. Will this proposal place all property similarly situated in the area in the same category, or in appropriate complementary categories?**

In review of the Town of Beaufort's Land Development Ordinance, the B-1 classification would be an appropriate and complementary category to those existing classifications in the area. The permitted uses are identical to those of the adjacently zoned B-1 property. Furthermore, the B-1 classification is established to provide for a variety of sales and service facilities to the general public. This is a benefit to those residentially zoned parcels in the area by providing access to goods and services.

Within this area there are various zoning classifications including R-20, R-8, RC-5 and B-1 that are situated in such a way to complement each other as existing development or future development.

- 2. Under this proposal, will all uses permitted under the proposed district classification be in the general public interest and not merely in the interest of an individual or small group?**

The uses permitted in the proposed zoning classification would allow commercial growth to serve the community by providing opportunity for additional retail, food and service industries to be established.

- 3. Are all uses permitted under the proposed new district classification appropriate for the area included in the proposed change?**

In reviewing the table of permitted uses and the existing B-1 district classifications of adjacent parcels, it can be found that uses are appropriate for the area. Those adjacent parcels with the identical classification allow the exact same uses. This is a benefit for the area that has residentially zoned properties.

- 4. Will the character of the neighborhood be materially or adversely affected by any use permitted in the proposed change?**

In review of the zoning classifications in this area of Beaufort and others similarly situated, it seems to be common for the B-1 district to be located adjacent to residentially zoned properties. As this development pattern is prevalent in Beaufort, there is precedence that the requested zoning change will not materially or adversely affect the character of the area. It seems to bolster these areas in a positive way.

- 5. Is the proposed change in accord with the Beaufort Comprehensive & CAMA Land Use Plan?**

According to the Beaufort Comprehensive & CAMA Land Use Plan, this area is designated as the Suburban Residential Future Land Use. The plan states “Typical uses, primarily single family detached residential, with an occasional mix of other highly compatible residential uses scattered throughout, including duplexes, accessory dwellings, and garage apartments. Sometimes, but more rarely, there may also be duplex neighborhoods.” The requested change in zoning to B-1 would not be consistent with this land use classification but the requested zoning change does appear to be consistent for this area. Therefore, a change to the Future Land Use classification is warranted.

The appropriate Future Land Use classification as supported by the goals, policies and actions stated in the Beaufort Comprehensive & CAMA Land Use Plan is Village Commercial. The plan states “Typical uses, smaller footprint, lower intensity, neighborhood serving commercial, retail, services, or offices. Pedestrian-serving uses (boutique shops or fitness studios, personal care, arts) are more appropriate than automobile-oriented uses (vehicle or machinery repair, rental and service, commercial nurseries or lumber yards, fast food restaurants, drive-thru banks, etc.) Upper story dwellings (aka live/work) are also appropriate. If context appropriate, institutional uses (churches, schools, hospitals, government buildings, etc.). On parcels directly adjacent to this area, multi-family residential may be appropriate, potentially providing customers for local businesses. Higher density residential development, whether as detached or low-impact attached residential is usually appropriate within a ¼ mile walking distance of these areas.”

This future land use category seems to support the change in zoning to B-1. The goals, policies and actions below support the change in future land use and zoning classifications:

Objective 2.1: Reduce vulnerability by utilizing guidance from the Future Land Use Map (FLUM) to focus growth and public infrastructure investments away from flood-prone areas toward higher ground.

Objective 3.1: Encourage efforts to make housing more diverse and affordable.

Action 3.1.2.2: Encourage or require multiple housing types within a single development.

Objective 3.3: Respect existing neighborhood fabric and encourage infill that fits its context.

Objective 3.4: Increase walkability in neighborhoods.

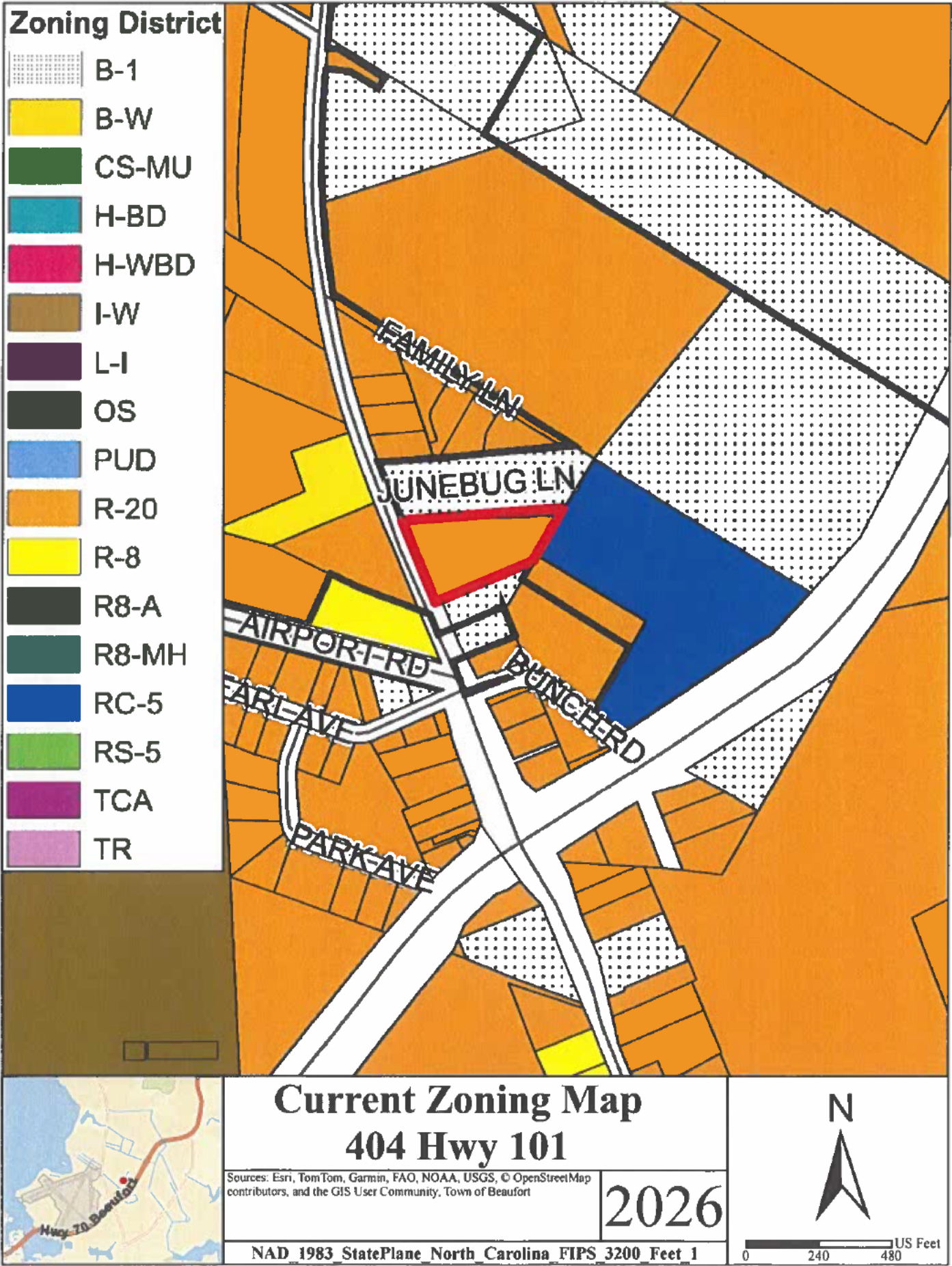
Objective 5.2: Continue to support existing small businesses and encourage new local businesses.

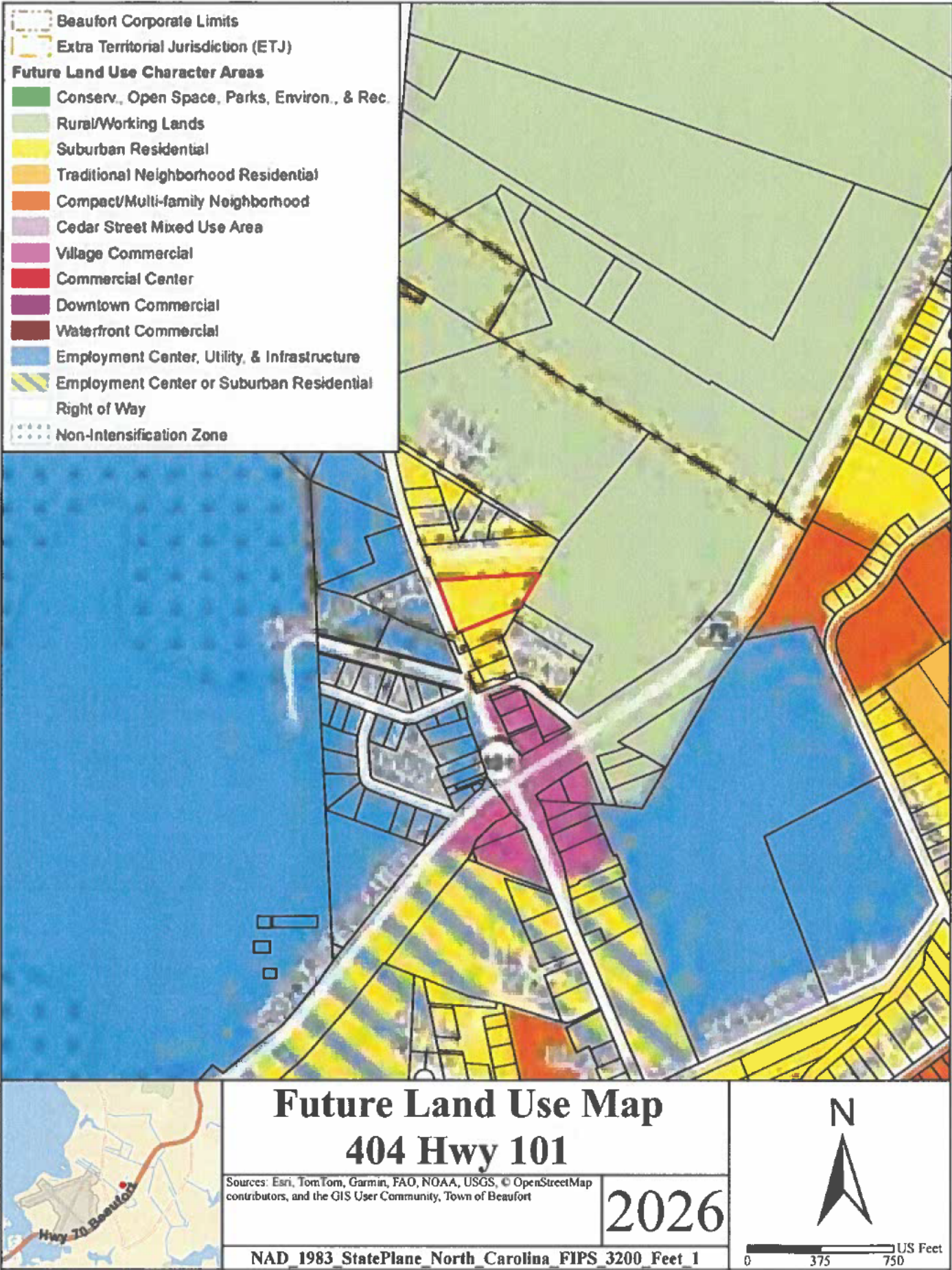
Objective 5.4: Continue to support the Michael J. Smith Airfield as an asset to Beaufort's economy.

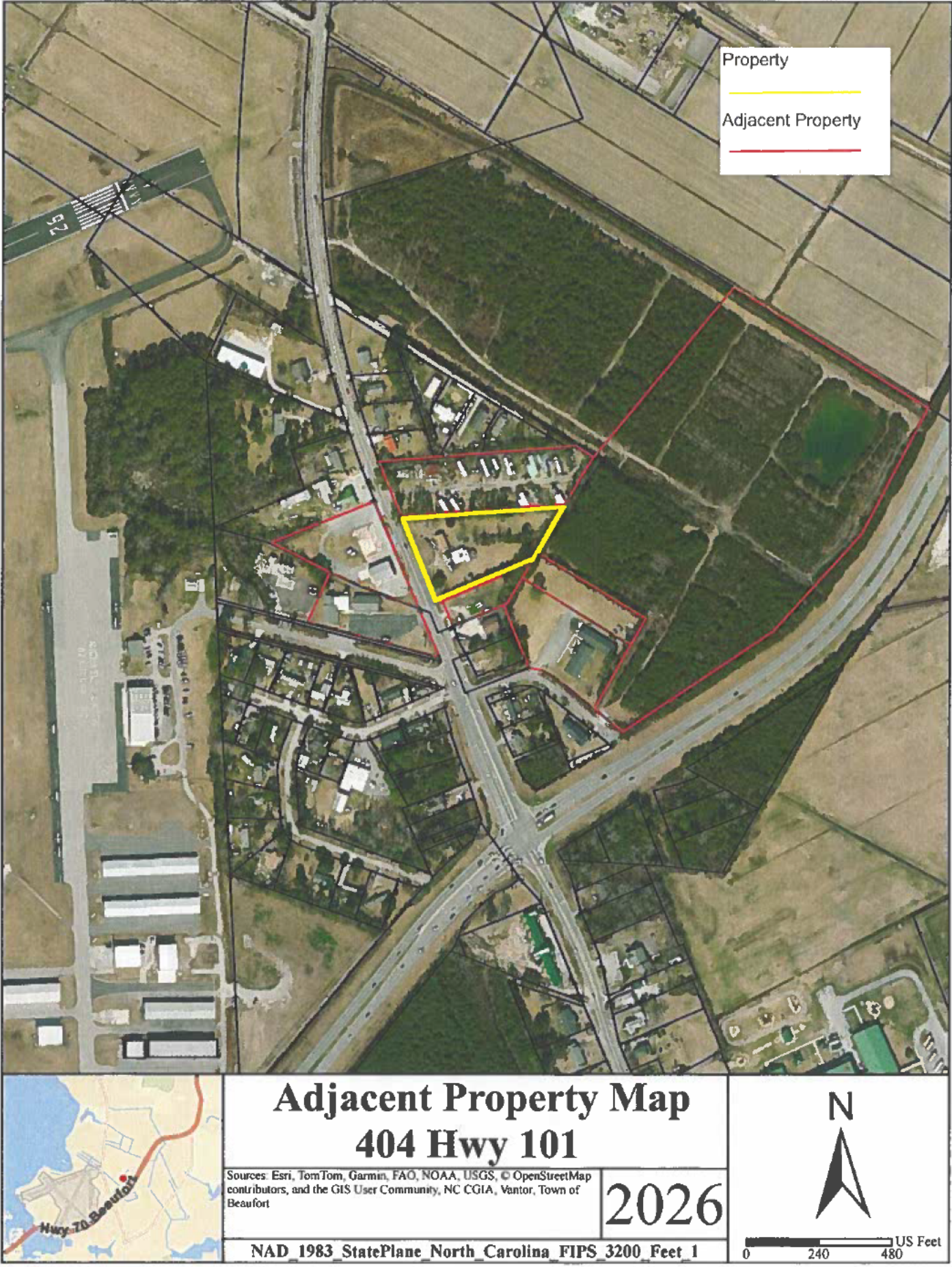
Objective 5.7: Preserve spaces for commercial, retail, service and nonresidential businesses while also being responsive to the strong demand for conversion of these properties to residential use.

Objective 7.1: Preserve the character of Beaufort's built environment.

Objective 7.8: Continue to beautify Beaufort.







PIN15	OWNER	MAIL_ADD	MAIL_CITY	MAIL_STATE	MAIL_ZIP	PhysicalAd
730611563480000	MARANATHA PENTECOSTAL HOLINESS	130 AIRPORT ROAD	BEAUFORT	NC	28516	130 AIRPORT RD
730611569374000	CALVARY BAPTIST CHURCH	119 BUNCH ROAD	BEAUFORT	NC	28516	119 BUNCH RD
730611562655000	FAITH TABERNACLE OF PRAISE INC	PO BOX 686	BEAUFORT	NC	28516	413 HWY 101
730611567902000	WOODRING,AMANDA JUNE	192 PIVER ROAD	BEAUFORT	NC	28516	107 JUNEBUG LN
730611664893000	R & L OF BEAUFORT LLC	7706 SIX FORKS ROAD	RALEIGH	NC	27615	125 BUNCH RD
730611660429000	CALVARY BAPTIST CHURCH	119 BUNCH RD	BEAUFORT	NC	28516	0
730611566479000	SYCAMORE CREEK LLC	305 TRANSYLVANIA AVENUE	RALEIGH	NC	27609	388 HWY 101

*** Adjacent Property Owner List for 404 Hwy 101 ***

FOR REGISTRATION REGISTER OF DEEDS

Karen S. Hardesty

Carteret County, NC

June 14, 2024 9:47:07 AM

DEED # Pages: 5

Fee: \$26.00

NC Revenue Stamp: \$770.00

FILE # 1829276

*Karen S. Hardesty***NORTH CAROLINA GENERAL WARRANTY DEED****Excise Tax: \$770.00**Parcel Identifier No. 730611566676000 Verified by _____ County on the _____ day of _____, 20____
By: _____

Mail/Box to: Gwynn, Edwards & Getter, PA

This instrument was prepared by: Kirkman, Whitford, Brady, Berryman & Gordon, P. A. without examination of title

Notice per N.C.G.S. §105-317.2: The property herein is not the primary residence of the Grantor.

Brief description for the Index: Lot N.C. Highway 101 - Beaufort

THIS DEED made this 5 day of June, 2024, by and between**GRANTOR****Juliann Finch Castell, Executor of the
Estate of Graham Menzies Finch, deceased;****Juliann Finch Castell, unmarried****814 Ocean Avenue
New London, CT 06320****and****Mary Louise Finch, unmarried****7 Fontana St
Toms River, NJ 08757****GRANTEE****Beaufort Crossing LLC
a North Carolina limited liability company****5711 Six Forks Rd., Ste 300
Raleigh NC 27609**

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH

WHEREAS, Graham Menzies Finch died a resident of Carteret County, North Carolina on March 13, 2024, and his estate is being probated with the Clerk of Superior Court in Carteret County Estate File # 24 E 223; and

WHEREAS, the following described real property was owned by the decedent at the time of his death; and

WHEREAS, following the probate of the Last Will and Testament of Graham Menzies Finch, Juliann Finch Castell qualified as Executor of the Estate of Graham Menzies Finch; and

submitted electronically by "Gwynn, Edwards & Getter, PA"
in compliance with North Carolina statutes governing recordable documents
and the terms of the submitter agreement with the Carteret County Register of Deeds.

1829276

WHEREAS, pursuant to the Last Will and Testament of Graham Menzies Finch, as filed for probate in Carteret County Estate File # 24 E 223, the decedent devised the below-described property to Juliann Finch Castell and Mary Louise Finch; and

WHEREAS, the Executor joins in this Deed in her official capacity to convey any interest of the Estate and to state that it is her opinion that there are presently sufficient assets in the Estate without the property herein conveyed; and

NOW THEREFORE, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the City of _____, Beaufort Township, Carteret County, North Carolina and more particularly described as follows:

SEE ATTACHED EXHIBIT A

The property hereinabove described was acquired by Grantor by instrument recorded in Estate File # 24 E 223, Carteret County Clerk of Court, see also deed recorded in Book 566, Page 220.

A map showing the above described property is recorded in Map Book _____, Page _____.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions:

2024 ad valorem taxes, utility easements and unviolated restrictions of record.

[SIGNATURE PAGES ATTACHED HERETO]

[SIGNATURE PAGE ATTACHED TO DEED FROM CASTELL, ET. AL. TO R & L OF BEAUFORT]

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

EXECUTOR OF ESTATE OF GRAHAM MENZIES FINCH
[Signature]
Juliann Finch Castell, Executor of the
Estate of Graham Menzies Finch
[Signature]
Juliann Finch Castell

STATE OF Connecticut, CITY/COUNTY OF New London

I Yan Zhan, a Notary of the above state and county, certify that the following person(s) personally appeared before me on the 5th day of June, 2024 each acknowledging to me that he or she signed the foregoing document, in the capacity represented and identified therein (if any): Juliann Finch Castell as Executor and individually.

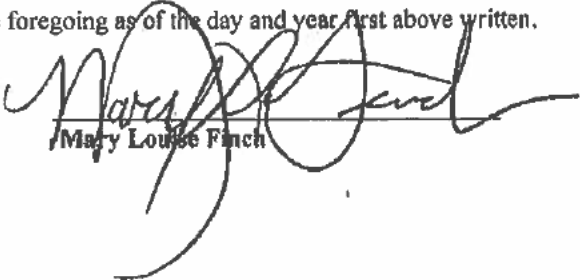
Affix Notary Seal/Stamp

Yan Zhan
Notary Public (Official Signature)
My commission expires: 02-28-2029

YAN ZHAN
Notary Public, State of Connecticut
My Commission Expires 02/28/2029

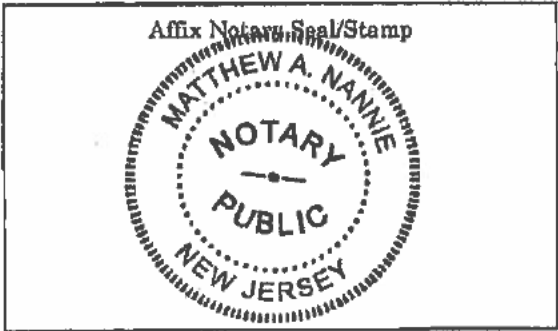
[SIGNATURE PAGE ATTACHED TO DEED FROM CASTELL, ET. AL. TO R & L OF BEAUFORT]

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.


Mary Louise Finch

STATE OF NJ, CITY/COUNTY OF Green

I Matthew A Nannie, a Notary of the above state and county, certify that the following person(s) personally appeared before me on the 6 day of June, 2024 each acknowledging to me that he or she signed the foregoing document, in the capacity represented and identified therein (if any): Mary Louise Finch.



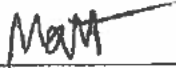

Notary Public (Official Signature)
My commission expires: MATTHEW A. NANNIE
NOTARY PUBLIC, NEW JERSEY
MY COMMISSION EXPIRES OCTOBER 13, 2025

EXHIBIT A

BEGINNING at an iron rod in the eastern right of way margin of N.C. Highway 101, said iron rod being located the following two (2) courses and distances from the intersection of the centerline of N.C. Highway 101 with the centerline of N.C.S.R. 1212: 1) N 15-35 W 286.0 feet and 2) N 74-00 E 30.0 feet to point of beginning. From said POINT AND PLACE OF BEGINNING, run thence with the eastern right of way margin of N.C. Highway 101, N 15-35 W 291.0 feet to an iron rod; thence S 87-00 E 540.4 feet to an iron rod; thence S 37-30 W 203.0 feet to an iron rod; thence S 74-00 W 351.0 feet an iron rod in the eastern right of way margin of N.C. Highway 101, the place of beginning less and except that property conveyed to the North Carolina Department of Transportation by deed recorded in Deed Book 1397, Page 460, Carteret County Registry.

The above being the same land property described in that Deed to Graham M. Finch and wife, Patricia B. Finch, recorded in Book 566, Page 220, Carteret County Registry. Patricia B. Finch died on June 24, 2023. Graham M. Finch died on March 13, 2024 – see Estate File# 24 E 223, Carteret County Clerk of Court.

SECTION 7 Residential Zoning Districts

A) *R-20 Residential Single-Family District.*

This residential district is intended to maintain a compatible mixture of single-family residential and bona fide farm uses with a density of two families per acre in accordance with the North Carolina State Board of Health recommendations for residential areas without public water and public sewer, and to prevent the development of blight and slum conditions.

1) Minimum Lot Size.

All lots in this district shall be a minimum of twenty thousand square feet (20,000 ft²).

2) Minimum Lot Width.

All lots in the R-20 district shall have a minimum lot width of one hundred feet (100') at the minimum building line.

3) Building Setback and Building Height Requirements and Limitations.

Subject to the exceptions allowed in this Ordinance, each structure on a lot in this zoning district shall be set back from the boundary lines of the lot at least the distances provided in the tables set forth in this section. The building height limitation in this district is provided in the tables set forth in this section.

Table 7-1 Interior Lot Requirements

<i>District</i>	<i>Front Setback (Right-of-Way)</i>	<i>Rear Setback</i>	<i>Side Setback</i>	<i>Building Height Limitation</i>
R-20	30 feet	25 feet	15 feet	40 feet

Table 7-2 Corner Lot Requirements

<i>District</i>	<i>Designated Front (Right-of-Way) Setback</i>	<i>Designated Side (Right-of-Way) Setback</i>	<i>Rear Setback</i>	<i>Side Setback</i>	<i>Building Height Limitation</i>
R-20	30 feet	30 feet	25 feet	15 feet	40 feet

Table 7-3 Double Frontage Lot Requirements

<i>District</i>	<i>Designated Front (Right-of-Way) Setback</i>	<i>Designated Rear (Right-of-Way) Setback</i>	<i>Side Setback</i>	<i>Building Height Limitation</i>
R-20	30 feet	25 feet	15 feet	40 feet

4) Accessory Building Setback Requirements.

All accessory buildings shall comply with all setback provisions of this Ordinance, including but not limited to Section 2(F), Section 6 and Section 15 of this Ordinance.

5) Permitted Uses.

Agritourism	Home Occupation
Antenna Co-Location on Existing Tower	Manufactured Home
Aquaculture	Neighborhood Recreation Center
Assisted Living	Indoor/Outdoor, Private
Athletic Field, Public	Neighborhood Recreation Center, Public
Athletic Field, Private	Nursing Home
Carport	Park, Public
Club, Lodge, or Hall	Produce Stand/Farmers' Market
Community Garden	Public Utility Facility
Dock	Religious Institution
Dwelling, Single-Family	Resource Conservation Area
Family Care Homes	Satellite Dish Antenna
Farming, General	Shed
Forestry	Swimming Pool (Personal Use)
Garage, Private Detached	Temporary Construction Trailer
Government/Non-Profit Owned/Operated Facilities & Services	Utility Minor
Group Home	Vehicle Charging Station

6) Special Uses. (*Special Uses* requirements may be found in Section 20 of this Ordinance).

Accessory Dwelling Unit
Bed & Breakfast
Boat Sales/Rentals
Cemetery/Graveyard
Concealed (Stealth) Antennae & Towers
Day Care/Child Care Home
Dry Boat Storage
Golf Course, Privately Owned
Golf Driving Range
Kennel, Indoor Operation Only
Kennel, Indoor /Outdoor Operation
Marina
Museum
Office: Small Business
Other Free Standing Towers
Outdoor Amphitheater, Public
Preschool
Public Safety Station
School, K-12
School, Post-Secondary
Utility Facility

C) ***B-1 General Business District.***

The General Business District is established as the zoning district in which a wide variety of sales and service facilities may be provided to the general public. This district will be located throughout the Town's planning and development regulation jurisdiction.

1) Minimum Lot Size.

All lots in the B-1 district shall be a minimum of five thousand square feet (5,000 ft²).

2) Minimum Lot Width.

All lots in the B-1 district shall have a minimum lot width of sixty feet (60') at the minimum building line.

3) Building Setback and Building Height Requirements and Limitations.

Subject to the exceptions allowed in this Ordinance, each structure on a lot in this zoning district shall be set back from the boundary lines of the lot at least the distances provided in the tables set forth in this section. The building height limitation in this district is provided in the tables set forth in this section.

Table 9-5 Lot Requirements

<i>District</i>	<i>Front Setback (Right-of-Way)</i>	<i>Rear Setback</i>	<i>Side Setback</i>	<i>Building Height Limitation</i>
B-1	30 feet	15 feet	15 feet	40 feet

4) Accessory Building Setback Requirements.

All accessory buildings shall comply with all setback provisions of this Ordinance, including but not limited to Section 2(F), Section 6 and Section 15 of this Ordinance.

5) Permitted Uses.

Amusement Establishment	Liquor Store
Antenna Co-Location on Existing Tower	Moped/Golf Cart Sales/Rentals
Aquaculture	Mortuary/Funeral Home/Crematorium
Assisted Living	Motor Vehicle Sales/Rentals
Athletic Field, Public	Museum
Bed & Breakfast	
Boat Sales/Rentals	Neighborhood Recreation Center,
Car Wash	Public
Club, Lodge, or Hall	Nursing Home
Commercial Indoor Recreation Facility	Office: Business, Professional, or Medical
Community Garden	Other Building-Mounted Antennae &
Concealed (Stealth) Antennae & Towers	Towers
Convenience Store	Outdoor Retail Display/Sales
Day Care Center	Park, Public
Dock	Parking Lot
Dry Boat Storage	Parking Structure
Financial Institution	Personal Service Establishment
Government/Non-Profit Owned/ Operated Facilities & Services	Pool Hall or Billiard Hall
Hospital	Produce Stand/Farmers' Market
Hotel or Motel	Public Safety Station
Kennel, Indoor Operation Only	Public Utility Facility
Library	Religious Institution
	Resource Conservation Area

Restaurant with Drive-Thru Service
Restaurant with Indoor Operation
Retail Store
Satellite Dish Antenna
Signs, Commercial Free-Standing
Tavern/Bar/Pub with Indoor Operation

Temporary Construction Trailer
Theater, Small
Transportation Facility
Utility Minor
Vehicle Charging Station
Vehicle Service

6) Special Uses (*Special Uses* requirements may be found in Section 20 of this Ordinance).

Adult-Oriented Retail Establishment
Commercial Outdoor Amphitheater
Commercial Outdoor Recreation
Facility
Commercial Waterfront Facility
Gas/Service Station
Golf Driving Range
Hazardous Material Storage
Kennel, Indoor/Outdoor Operation
Manufacturing, Light
Marina
Microbrewery
Microdistillery

Mini-Storage
Mixed Use
Outdoor Amphitheater, Public
Outdoor Storage
Preschool
Restaurant with Outdoor Operation
School, K-12
School, Post-Secondary
Tavern/Bar/Pub with Outdoor Operation
Theater, Large
Utility Facility
Wholesale Establishment

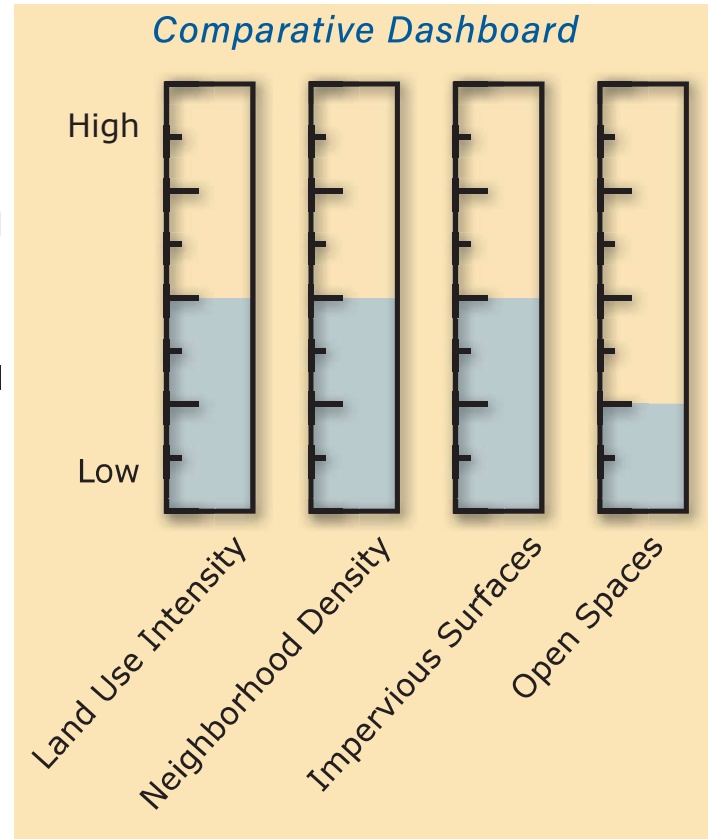
Suburban Residential

General Description:

These neighborhoods typically have larger lots or shared open spaces and common areas with a lower overall residential density than in the Traditional Neighborhood. The neighborhoods are still walkable from house to house, but most households probably depend primarily on automobiles for daily trips. Off-street parking is typical of a suburban residential neighborhood and various configurations exist. Residential densities typically range from around 1-3 dwellings per acre, although some developments will exceed that either in localized areas (especially if there are shared open spaces, amenities, or common areas) or overall. In neighborhoods with larger lots, open space is generally on private lots rather than communal.

Streets and Circulation:

These neighborhoods have medium levels of connectivity with low volume, low speed routes. Effort should be made to increase connectivity except in instances where it would excessively harm environmentally sensitive areas. Block lengths should not exceed 650' on a side unless absolutely unavoidable. Pedestrian facilities should be provided on at least one side of every street. Bicycles can share lanes on low volume streets, but on arterials dedicated (and preferably separated) facilities should be provided.



EXAMPLE USES:

Typical Uses

Primarily single family detached residential, with an occasional mix of other highly compatible residential uses scattered throughout, including duplexes, accessory dwellings, and garage apartments. Sometimes, but more rarely, there may also be duplex neighborhoods.

Uses if Context Appropriate

- » Institutional uses (churches, schools, hospital, government, etc)
- » Accessory dwellings
- » House-scale multi-family residential, patio homes, or small townhome developments - very occasionally.

Suburban Residential

Other Concerns:

Extending public facilities (water, sewer, etc.) to these areas may place an increased strain on maintenance budgets since the lower densities and lower taxable value per linear foot of public facilities may not cover the costs of maintenance. This land use type consumes land a greater rate and with fewer homes than the other residential future land use character areas.



Examples of Suburban Residential.

Village Commercial

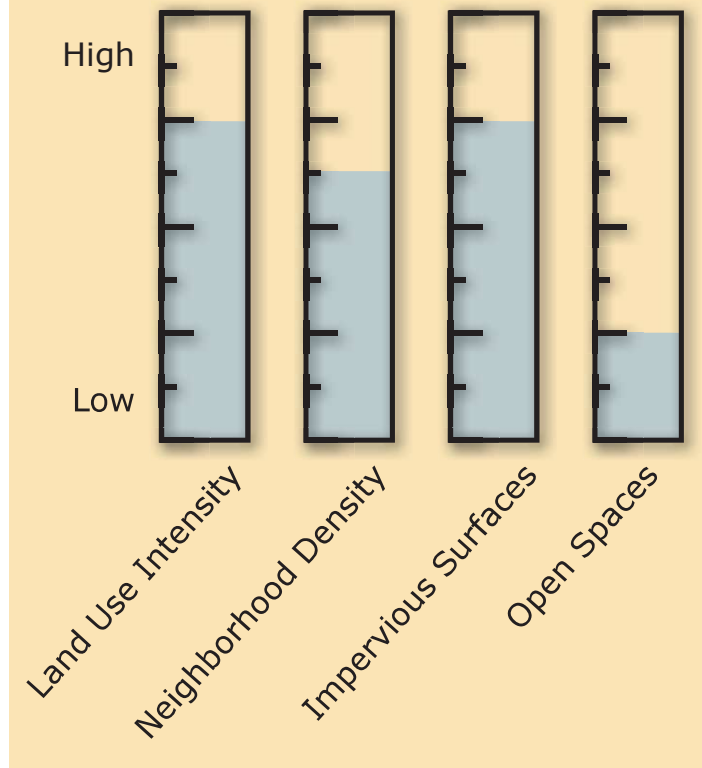
General Description:

These areas have small-scale non-residential uses that serve the neighborhood and sometimes even a greater region. Often it may only be three or four corners of an intersection or one large, multi-tenant compound, but sometimes larger geographic stretches may also be appropriate. Sites, structures, and streets are human-scaled. Buildings may be setback from the street, particularly if it is a previously residential structure that has been converted for a commercial use. It may also be appropriate to have buildings pulled up to the street, with parking in the rear, especially at busy intersections or in particularly active nodes.

Streets and Circulation:

Streets should have good pedestrian facilities to support walking from businesses-to-business or from home-to-business. Pedestrians are prioritized, but automobiles are accommodated, and

Comparative Dashboard



EXAMPLE USES:

Typical Uses:

Smaller footprint, lower intensity, neighborhood serving commercial, retail, services, or offices. Pedestrian-serving uses (boutique shops or fitness studios, personal care, arts) are more appropriate than automobile-oriented uses (vehicle or machinery repair, rental and service, commercial nurseries or lumber yards, fast food restaurants, drive-thru banks, etc.). Upper story dwellings (aka "live/work") are also appropriate.

If Context Appropriate:

- » Institutional uses (churches, schools, hospital, government buildings, etc.).
- » On parcels directly adjacent to this area, multi-family residential may be appropriate, potentially providing customers for local businesses.
- » Higher density residential development, whether as detached or low-impact attached residential is usually appropriate within a ¼ mile walking distance of these areas.

Village Commercial

might even have a transit stop nearby. Accommodating a mix of transportation options is important to being accessible to customers. Blocks should rarely, if ever, exceed 500 feet on a side so that they are walkable and might even be able to one day evolve into a condition similar to Downtown Commercial.

Other Concerns:

Depending on context, some of these places may evolve into higher activity Downtown Commercial areas some day in the distant future, and future infrastructure projects should support that.



Examples of Village Commercial



TOWN OF BEAUFORT PLANNING BOARD

RESOLUTION OF PLAN CONSISTENCY

WHEREAS, the North Carolina General Assembly has given the Town of Beaufort (“Town”) the authority to adopt and amend zoning and development regulation ordinances, of which the zoning map is part, for the purpose of promoting the health, safety, and general welfare of its citizens;

WHEREAS, N.C.G.S. §160D-604(d) requires the Town of Beaufort Planning Board shall advise and comment on whether the proposed action is consistent with the Town of Beaufort Comprehensive and CAMA Land Use Plan that has been adopted and any other officially adopted plan that is applicable, and provide a written recommendation to the Board of Commissioners that addresses plan consistency and other matters as deemed appropriate by the Planning Board; and

WHEREAS, a request has been made for the Town to amend the Town of Beaufort Zoning Map to reflect B-1 General Business District for 404 Highway 101 (PIN 730611566676000) instead of the current R-20 Residential Single-Family District, with associated amendment to the Comprehensive and CAMA Land Use Plan Future Land Use Map classification for same property from Suburban Residential to Village Commercial; and

WHEREAS, the Planning Board has in fact met to consider and evaluate the proposed amendments during their regularly scheduled meeting on September 21, 2026; and

NOW THEREFORE, BE IT HEREBY RESOLVED, that the Planning Board finds that the proposed B-1 zoning IS NOT consistent with the property's current Suburban Residential Future Land Use Map classification. The Planning Board further finds that the proposed rezoning **IS / IS NOT** reasonable and in the public interest because _____.

The Planning Board **RECOMMENDS / DOES NOT RECOMMEND** approval of the requested zoning map amendment from R-20 to B-1. The Planning Board **RECOMMENDS / DOES NOT RECOMMEND** amending the Future Land Use Map classification from Suburban Residential to Village Commercial in conjunction with the zoning map amendment.

This Resolution is effective upon its adoption this 21st day of September 2026.

TOWN OF BEAUFORT PLANNING BOARD

_____, Chairman

ATTEST:

_____, Secretary



Town of Beaufort, NC

701 Front St. - P.O. Box 390 - Beaufort, N.C. 28516
252-728-2141 - 252-728-3982 fax - www.beaufortnc.org

Town of Beaufort Planning Board Regular Meeting 6:00 PM Monday, September 21, 2026 – Train Depot

AGENDA CATEGORY: New Business

SUBJECT: Case 26-20 – Rezoning the RC-5 portion of 125 Bunch Road and 472 Highway 101 (R-20) to B-1, with LUP FLUM amendments from Rural/Working Lands to Village Commercial

BRIEF SUMMARY:

To consider a request to rezone the RC-5 portion of 125 Bunch Road and all of 472 Highway 101 to B-1 and amend the Future Land Use Map designation for both properties from Rural/Working Lands to Village Commercial, and to provide a recommendation to the Board of Commissioners.

REQUESTED ACTION:

Presentation and discussion of proposed rezoning

Recommendation to the Board of Commissioners to approve or deny the zoning map amendments and associated Future Land Use Map amendments

Decision on Resolution of Plan Consistency

EXPECTED LENGTH OF PRESENTATION:

15 Minutes

SUBMITTED BY:

Michelle Eitner

Town Planner



STAFF REPORT



To: Planning Board Members

From: Michelle Eitner, Town Planner

Date: September 21, 2026

Case No. 26-20 – Rezoning the RC-5 portion of 125 Bunch Road and 472 Highway 101 (R-20) to B-1, with LUP FLUM amendments from Rural/Working Lands to Village Commercial

THE REQUEST: To consider a request to rezone the RC-5 portion of 125 Bunch Road and all of 472 Highway 101 to B-1 and amend the Future Land Use Map designation for both properties from Rural/Working Lands to Village Commercial, and to provide a recommendation to the Board of Commissioners.

INFORMATION:

Location: 125 Bunch Road (PIN 730611664893000)

Applicant: Josh Edmondson of Tidewater Associates Inc

Property Owner: R & L of Beaufort LLC (via Lyle Gardner, Manager)

Town Limits: Within Beaufort

Current Zoning District: RC-5 Residential Cluster Development & B-1 General Business

Requested Zoning District: B-1 General Business

Current Future Land Use: Rural/Working Lands (no NIZ)

Requested Future Land Use: Village Commercial

Flood Zone: X zone in effective & preliminary FIRMs (not Special Flood Hazard Area)

Size: Total parcel = 21.8a. Currently has split zoning between RC-5 (8.23a) and B-1 (13.57a). The request is to rezone the RC-5 portion to B-1 so that the entire parcel is B-1.

Existing Land Use: Vacant (former farmland)

Location: 472 Highway 101 (PIN 730607578502000)

Applicant: Josh Edmondson of Tidewater Associates Inc

Property Owner: R & L of Beaufort LLC (via Lyle Gardner, Manager)

Town Limits: Within Beaufort

Current Zoning District: R-20 Residential Single-Family with A-ED Airport Environmental Overlay

Requested Zoning District: B-1 General Business with A-ED Airport Environmental Overlay

Current Future Land Use: Rural/Working Lands (no NIZ)

Requested Future Land Use: Village Commercial

Flood Zone: X zone in effective & preliminary FIRMs (not Special Flood Hazard Area)

Size: 17.85 acres

Existing Land Use: Vacant (former farmland)

OPTIONS:

1. Recommend approval of the zoning map amendments with FLUM changes as presented
2. Recommend denial of the zoning map amendments with FLUM changes
3. Table the recommendation pending additional information necessary to make a decision

ATTACHMENTS:

- Attachment A – Staff Report
- Attachment B – Vicinity Map
- Attachment C – Zoning Map
- Attachment D – Application Package
- Attachment E – LDO Section 7.E RC-5 & Section 7.A R-20 & Section 9.C B-1
- Attachment F – Comprehensive and CAMA Land Use Plan Future Land Use Map & Classifications
- Attachment G – Draft Resolution of Consistency

STAFF COMMENTS:

Josh Edmondson of Tidewater Associates, Inc., agent for property owner R & L of Beaufort, LLC, has requested zoning map amendments for 125 Bunch Road (RC-5) and 472 Highway 101 (R-20) to B-1 with Future Land Use Map classification changes of Rural/Working Lands to Village Commercial.

Staff notes that the applicant's rezoning justification references the Suburban Residential Future Land Use classification. The adopted Future Land Use Map identifies both subject properties as Rural/Working Lands, which is the classification used for staff review of this request.

This is a general rezoning request and is not tied to a specific development proposal. In reviewing the request, the Planning Board should consider whether the B-1 district and the range of uses allowed within that district are appropriate for the property and surrounding area. The Board should also consider the relationship of the proposed zoning to nearby zoning and development, and whether the requested Village Commercial Future Land Use Map classification is appropriate for the property. Given the size of the area proposed for rezoning, the Board should also consider whether the scale and extent of B-1 zoning requested is appropriate for the surrounding area and consistent with the intent of the proposed Village Commercial Future Land Use classification.

If approved by the Board of Commissioners, the Future Land Use Map amendment will also be subject to the applicable State review and certification process for amendments to the Town's certified CAMA Land Use Plan.

D) Proposed Amendments to be Submitted to Planning Board for Recommendation.

- 1) Zoning Amendments. - All proposed amendments to this Ordinance or Zoning Map shall be submitted to the Planning Board for review and comment. If no written report is received from the Planning Board within 30 days of referral of the amendment to that board, the BOC may act on the amendment without the Planning Board report. The BOC is not bound by the recommendations, if any, of the Planning Board.
- 2) Plan Consistency. - When conducting a review of proposed zoning text or map amendments pursuant to this section, the Planning Board shall advise and comment on whether the proposed action is consistent with the Town of Beaufort Comprehensive and CAMA Land Use Plan that has been adopted and any other officially adopted plan that is applicable. The Planning Board shall provide a written recommendation to the BOC that addresses plan consistency and other matters as deemed appropriate by the Planning Board, but a comment by the Planning Board that a proposed amendment is inconsistent with the Town of Beaufort Comprehensive and CAMA Land Use Plan shall not preclude consideration or approval of the proposed amendment by the BOC. If a Zoning Map amendment qualifies as a "large-scale rezoning" under Section (3) (G) (2), the Planning Board statement describing plan consistency may address the overall rezoning and describe how the analysis and policies in the relevant adopted plans were considered in the recommendation made.

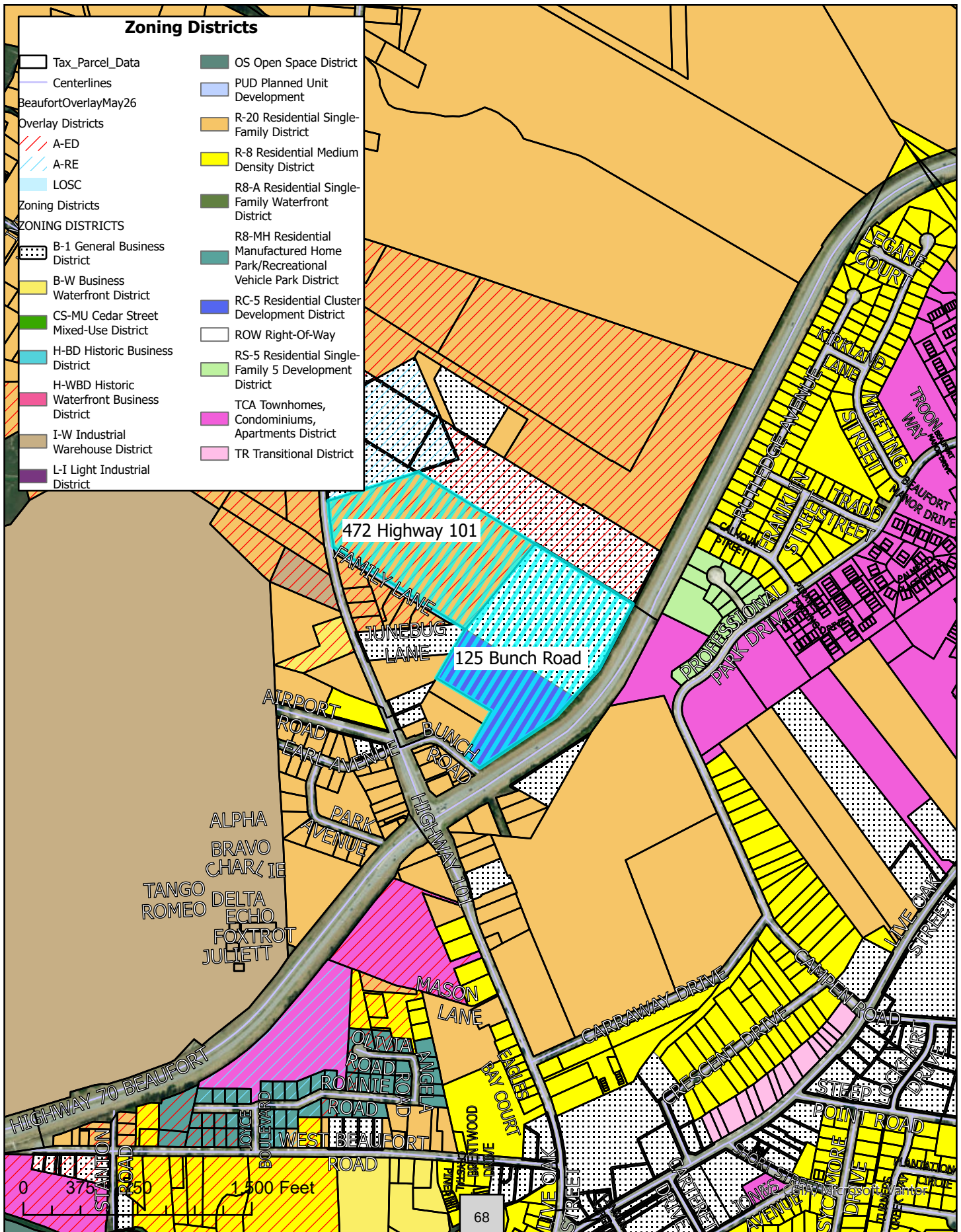
Case 26-20 Rezoning Vicinity Map
125 Bunch Rd RC-5 to B-1 and 472 Highway 101 R-20 to B-1



Case 26-20 Rezoning Zoning Map

125 Bunch Rd RC-5 to B-1 and 472 Highway 101 R-20 to B-1

3.





Town of Beaufort
701 Front St. • P.O. Box 390 • Beaufort, N.C. 28516
252-728-2141 • 252-728-3982 fax
www.beaufortnc.org

APPLICATION FOR AN AMENDMENT TO THE BEAUFORT ZONING MAP

Instructions:

Please complete the application below, include all the required attachments and the **\$300.00** for Rezoning request with no Land Use Plan Change or **\$400.00** for Rezoning Request with Land Use Plan Change and return to the Beaufort Town Hall, 701 Front Street or P.O. Box 390, Beaufort, N.C., 28516. Incomplete applications will not be processed and will be returned to the applicant. Please contact Planning and Inspections at 252-728-2142 if there are any questions.

APPLICANT INFORMATION

Applicant Name: Tidewater Associates Inc.

Applicant Address: 1069A Cedar Point Blvd, Cedar Point NC 28584

Phone Number: 252-393-6101

Email: [REDACTED]

Property Owner Name: R & L Of Beaufort LLC

Address of Property Owner: 5711 Six Forks Rd, Suite 300, Raleigh, NC 27609

Phone Number: 919-422-1201

Email: [REDACTED]

PROPERTY INFORMATION

Property Address: 125 Bunch Rd

15-Digit PIN: 730611664893000

Lot/Block Number: TRACT B

Size of Property (in square feet or acres): 21.8 acres total; 8.23 acres requested to B-1 from RC-5

Current Zoning: RC-5 & B-1

Requested Zoning: B-1

Current Use of Property: ☐ Residential ☒ Vacant ☐ Commercial ☐ Other: _____

Applicant Signature [Signature]

Date of Applicant's Signature 7/20/26

Property Owner Signature (if different than applicant) [Signature]

Date of Owner's Signature 7/20/26

An application fee of **\$300.00** for Rezoning request with no Land Use Plan Change or **\$400.00** for Rezoning Request with Land Use Plan Change, either in cash, money order, or check made payable to the "Town of Beaufort," should accompany this application. Payments can be made in person on the day of submittal and at such time, a credit card can be used to make the payment. Credit card payments are subject to a 3% extra fee.



125 Bunch Rd Site Map



FILE # 1564115

NORTH CAROLINA, CARTERET COUNTY
This instrument and this certificate are duly filed at
the date and time and in the Book and Page shown
on the first page hereof.

Jerry T. Hardesty, Register of Deeds
By K. J. Davis
Asst. Deputy, Registrar of Deeds

FOR REGISTRATION REGISTER OF DEEDS
Jerry T. Hardesty
Carteret County, NC
January 09, 2017 04:27:54 PM
TRAVIS DEED 3 P
FEE: \$26.00
FILE # 1564115

NORTH CAROLINA SPECIAL WARRANTY DEED

Excise Tax: _____
Parcel Identifier No. _____ Verified by _____ County on the _____ day of _____, 20____
By: _____

✓ Mail/Box to: Richard L. Stanley, P.O. Box 150, Beaufort, NC 28516

This instrument was prepared by: Richard L. Stanley, 601-6 Cedar Street, Beaufort, NC 28516

Brief description for the Index: LOT 21.78 acres adj new US 70 corridor, _____

THIS DEED made this 28th day of December, 2016, by and between

GRANTOR	GRANTEE
Mercer Building & Design, Inc sucessor to Traditional Farms, LLC by merger 106 Professional Park Dr. Beaufort, NC 28516	R & L of Beaufort, LLC 7706 Six Forks Road Raleigh, NC 27615

Enter in appropriate block for each Grantor and Grantee: name, mailing address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot, parcel of land or condominium unit situated in the City of Beaufort, Beaufort Township, CARTERET County, North Carolina and more particularly described as follows:

EXHIBIT A

The property hereinabove described was acquired by Grantor by instrument recorded in Book _____ page _____.
All or a portion of the property herein conveyed includes or ☒ does not include the primary residence of a Grantor.
A map showing the above described property is recorded in Plat Book _____ page _____.

BOOK 1564 PAGE 115

③

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor has done nothing to impair such title as Grantor received, and Grantor will warrant and defend the title against the lawful claims of all persons claiming by, under or through Grantor, other than the following exceptions:

Easements and restrictions of record.

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

Mercer Building & Design, Inc sucessor Traditional Farms,LLC (SEAL)
By: Gary A Mercer (Entity Name) Print/Type Name: _____
Print/Type Name & Title: Gary A. Mercer, President Print/Type Name: _____
By: _____ (SEAL)
Print/Type Name & Title: n/a Print/Type Name: _____
By: _____ (SEAL)
Print/Type Name & Title: _____ Print/Type Name: _____

State of _____ - County or City of _____
I, the undersigned Notary Public of the County or City of _____ and State aforesaid, certify that
_____ personally appeared before me this day and acknowledged the due
execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this _____ day of
_____, 20____.

My Commission Expires: _____ Notary Public
(Affix Seal) Notary's Printed or Typed Name _____

State of _____ - County or City of _____
I, the undersigned Notary Public of the County or City of _____ and State aforesaid, certify that
_____ personally appeared before me this day and acknowledged the due
execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this _____ day of
_____, 20____.

My Commission Expires: _____ Notary Public
(Affix Seal) Notary's Printed or Typed Name _____

State of North Carolina - County or City of CARTERET
I, the undersigned Notary Public of the County or City of CARTERET and State aforesaid, certify that
Gary A. Mercer personally came before me this day and acknowledged that
he is the President Mercer Building & Design, Inc sucessor, a North Carolina or
_____ corporation/limited liability company/general partnership/limited partnership (strike through the
inapplicable), and that by authority duly given and as the act of such entity, he signed the foregoing instrument in its name on its
behalf as its act and deed. Witness my hand and Notarial stamp or seal, this 28th day of December, 2016.

My Commission Expires: 9/1/2019 Notary Public
(Affix Seal) Notary's Printed or Typed Name _____

BOOK 1564 PAGE 115

Being 21.78 acres adjoining the new US Highway 70 right of way, and bounded on the north by R & L of Beaufort, LLC, on the east by the new US Highway 70 corridor, on the south by Bunch Road and Calvary Baptist Church, and on the west by a 17.85 acre tract owned by Mercer Building and Design, Inc. , said beginning point being located on the west line of the new US Highway 70 corridor right of way which point is located S 58-21-10 E 2325.68 feet from an existing iron stake located on the east line of NC Highway 101, which last mentioned iron stake is the northwest corner of the tract of land conveyed to the Beaufort Morehead Airport Authority by deed recorded in Book 1276, page 105, Carteret County Registry; running thence from the beginning point S 27-11-33 W 478.08 feet to an existing iron pipe; thence S 42-08-30 W 426.55 feet to an existing right of way disc; thence S 56-14-01 W 598.44 feet to an existing right of way disc; thence N 50-28-32 W 107.59 feet to a new iron rod; thence N 30-07-36 E 341.32 feet to an existing iron axle; thence N 59-01-19 W 420.93 feet to an existing iron rod; thence N 30-43-05 E 372.50 feet to a new iron rod; thence N 39-09-15 E 722.30 feet to a new iron rod; thence S 58-21-10 E 752.20 to the point of beginning; and being 21.78 acres shown on a Stroud Engineering plat dated June, 2014.

This deed is given to correct the deed recorded in Book 1482, page 457, Carteret County Registry, wherein the grantee was incorrectly identified as "R & L of Beaufort, LLC, instead of the correct name of "R & L of Beaufort, LLC".

BOOK 1564 PAGE 115

03-3054

21.78 acres adj new Highway 70, Beaufort, NC 28516



Town of Beaufort
701 Front St. • P.O. Box 390 • Beaufort, N.C. 28516
252-728-2141 • 252-728-3982 fax
www.beaufortnc.org

APPLICATION FOR AN AMENDMENT TO THE BEAUFORT ZONING MAP

Instructions:

Please complete the application below, include all the required attachments and the **\$300.00** for Rezoning request with no Land Use Plan Change or **\$400.00** for Rezoning Request with Land Use Plan Change and return to the Beaufort Town Hall, 701 Front Street or P.O. Box 390, Beaufort, N.C., 28516. Incomplete applications will not be processed and will be returned to the applicant. Please contact Planning and Inspections at 252-728-2142 if there are any questions.

APPLICANT INFORMATION

Applicant Name: Tidewater Associates Inc.

Applicant Address: 1069A Cedar Point Blvd, Cedar Point NC 28584

Phone Number: 252-393-6101

Email: [REDACTED]

Property Owner Name: R & L Of Beaufort LLC

Address of Property Owner: 5711 Six Forks Rd, Suite 300, Raleigh, NC 27609

Phone Number: 919-422-1201

Email: [REDACTED]

PROPERTY INFORMATION

Property Address: 472 HIGHWAY 101

15-Digit PIN: 730607578502000

Lot/Block Number: TRACT A

Size of Property (in square feet or acres): 17.85 acres

Current Zoning: R-20

Requested Zoning: B-1

Current Use of Property: ☐ Residential ☒ Vacant ☐ Commercial ☐ Other: _____

Applicant Signature [Signature]

Date of Applicant's Signature 7/20/16

Property Owner Signature (if different than applicant) [Signature]

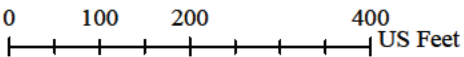
Date of Owner's Signature 7/20/16

An application fee of **\$300.00** for Rezoning request with no Land Use Plan Change or **\$400.00** for Rezoning Request with Land Use Plan Change, either in cash, money order, or check made payable to the "Town of Beaufort," should accompany this application. Payments can be made in person on the day of submittal and at such time, a credit card can be used to make the payment. Credit card payments are subject to a 3% extra fee.



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, Esri, NASA, NGA, USGS, NC CGIA, Vantor, Carteret County

472 HWY 101 Site Map





NORTH CAROLINA, CARTERET COUNTY
This instrument and this certificate are duly filed at
the date and time and in the Book and Page shown
on the first page hereof.

FILE # 1509454

Jerry T. Hardesty, Register of Deeds
By R. L. Stanley
Deputy, Register of Deeds

FOR REGISTRATION REGISTER OF DEEDS
Jerry T. Hardesty
Carteret County, NC
May 29, 2015 04:46:20 PM
TRAVIS DEED 2 P
FEE: \$26.00
NC REVENUE STAMP: \$1,000.00
FILE # 1509454

Re: Stanley

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: \$ 1,000.00
Parcel Identifier No. 730607578502000 Verified by _____ County on the _____ day of _____, 20____
By: _____
Mail/Box to: Richard L. Stanley, P.O. Box 150, Beaufort, NC 28516
This instrument was prepared by: Richard L. Stanley, 613 Cedar Street, Beaufort, NC 28516
Brief description for the Index: _____
THIS DEED made this 15th day of May, 2015 by and between

GRANTOR	GRANTEE
Mercer Building & Design, Inc 106 C Professional Park Drive Beaufort, NC 28516	R & L of Beaufort, LLC 7706 Six Forks Road Raleigh, NC 27615

Enter in appropriate block for each Grantor and Grantee: name, mailing address, and, if appropriate, character of entity, e.g. corporation or partnership.
The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.
WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the City of _____ Beaufort _____ Township, CARTERET County, North Carolina and more particularly described as follows:
Lying and being in the Beaufort Township, Carteret County, North Carolina and being all of that tract or parcel of land designated Tract A on that survey entitled "Final Plat for Division of Property Traditional Farms LLC Property Tract A and Tract B", dated June 27, 2014, prepared by Stroud Engineering, PA, and recorded in Map Book 33, Page 14, Carteret County Registry.

The property hereinabove described was acquired by Grantor by instrument recorded in Book _____ page _____.
All or a portion of the property herein conveyed _____ includes or X does not include the primary residence of a Grantor.
A map showing the above described property is recorded in Plat Book 33 page 14.
NC Bar Association Form No. 3 © 1976, Revised © 1/1/2010
Printed by Agreement with the NC Bar Association

BOOK 1509 PAGE 454

②

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions: Easements and restrictions of record.

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

Mercer Building & Design, Inc (SEAL)
By: Gary A. Mercer (Entity Name) Print/Type Name: _____
Print/Type Name & Title: Gary A. Mercer, President Print/Type Name: _____ (SEAL)
By: _____ Print/Type Name: _____ (SEAL)
Print/Type Name & Title: _____ Print/Type Name: _____ (SEAL)
By: _____ Print/Type Name: _____ (SEAL)
Print/Type Name & Title: _____ Print/Type Name: _____

State of _____ - County or City of _____
I, the undersigned Notary Public of the County or City of _____ and State aforesaid, certify that _____ personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this _____ day of _____, 20____.

My Commission Expires: _____ Notary Public
(Affix Seal) Notary's Printed or Typed Name _____

State of North Carolina - County or City of CARTERET
I, the undersigned Notary Public of the County or City of CARTERET and State aforesaid, certify that _____ Gary A. Mercer personally came before me this day and acknowledged that he is the President of Mercer Building & Design, Inc, a North Carolina or corporation/limited liability company/general partnership/limited partnership (strike through the inapplicable), and that by authority duly given and as the act of such entity, he signed the foregoing instrument in its name on its behalf as its act and deed. Witness my hand and Notarial stamp or seal this _____ day of _____, 2015.

My Commission Expires: 11/1/2015 Notary Public
(Affix Seal) Notary's Printed or Typed Name Stanley J. Carter

State of _____ - County or City of _____
I, the undersigned Notary Public of the County or City of _____ and State aforesaid, certify that _____
Witness my hand and Notarial stamp or seal, this _____ day of _____, 20____.

My Commission Expires: _____ Notary Public
(Affix Seal) Notary's Printed or Typed Name _____

Rezoning Justification

- 1. Will this proposal place all property similarly situated in the area in the same category, or in appropriate complementary categories?**

In review of the Town of Beaufort's Land Development Ordinance, the B-1 classification would be an appropriate and complementary category to those existing classifications in the area. The permitted uses are identical to those of the adjacently zoned B-1 property. Furthermore, the B-1 classification is established to provide for a variety of sales and service facilities to the general public. This is a benefit to those residentially zoned parcels in the area by providing access to goods and services.

Within this area there are various zoning classifications including R-20, R-8, RC-5 and B-1 that are situated in such a way to complement each other as existing development or future development.

- 2. Under this proposal, will all uses permitted under the proposed district classification be in the general public interest and not merely in the interest of an individual or small group?**

The uses permitted in the proposed zoning classification would allow commercial growth to serve the community by providing opportunity for additional retail, food and service industries to be established.

- 3. Are all uses permitted under the proposed new district classification appropriate for the area included in the proposed change?**

In reviewing the table of permitted uses and the existing B-1 district classifications of adjacent parcels, it can be found that uses are appropriate for the area. Those adjacent parcels with the identical classification allow the exact same uses. This is a benefit for the area that has residentially zoned properties.

- 4. Will the character of the neighborhood be materially or adversely affected by any use permitted in the proposed change?**

In review of the zoning classifications in this area of Beaufort and others similarly situated, it seems to be common for the B-1 district to be located adjacent to residentially zoned properties. As this development pattern is prevalent in Beaufort, there is precedence that the requested zoning change will not materially or adversely affect the character of the area. It seems to bolster these areas in a positive way.

- 5. Is the proposed change in accord with the Beaufort Comprehensive & CAMA Land Use Plan?**

According to the Beaufort Comprehensive & CAMA Land Use Plan, this area is designated as the Suburban Residential Future Land Use. The plan states “Typical uses, primarily single family detached residential, with an occasional mix of other highly compatible residential uses scattered throughout, including duplexes, accessory dwellings, and garage apartments. Sometimes, but more rarely, there may also be duplex neighborhoods.” The requested change in zoning to B-1 would not be consistent with this land use classification but the requested zoning change does appear to be consistent for this area. Therefore, a change to the Future Land Use classification is warranted.

The appropriate Future Land Use classification as supported by the goals, policies and actions stated in the Beaufort Comprehensive & CAMA Land Use Plan is Village Commercial. The plan states “Typical uses, smaller footprint, lower intensity, neighborhood serving commercial, retail, services, or offices. Pedestrian-serving uses (boutique shops or fitness studios, personal care, arts) are more appropriate than automobile-oriented uses (vehicle or machinery repair, rental and service, commercial nurseries or lumber yards, fast food restaurants, drive-thru banks, etc.) Upper story dwellings (aka live/work) are also appropriate. If context appropriate, institutional uses (churches, schools, hospitals, government buildings, etc.). On parcels directly adjacent to this area, multi-family residential may be appropriate, potentially providing customers for local businesses. Higher density residential development, whether as detached or low-impact attached residential is usually appropriate within a ¼ mile walking distance of these areas.”

This future land use category seems to support the change in zoning to B-1. The goals, policies and actions below support the change in future land use and zoning classifications:

Objective 2.1: Reduce vulnerability by utilizing guidance from the Future Land Use Map (FLUM) to focus growth and public infrastructure investments away from flood-prone areas toward higher ground.

Objective 3.1: Encourage efforts to make housing more diverse and affordable.

Action 3.1.2.2: Encourage or require multiple housing types within a single development.

Objective 3.3: Respect existing neighborhood fabric and encourage infill that fits its context.

Objective 3.4: Increase walkability in neighborhoods.

Objective 5.2: Continue to support existing small businesses and encourage new local businesses.

Objective 5.4: Continue to support the Michael J. Smith Airfield as an asset to Beaufort's economy.

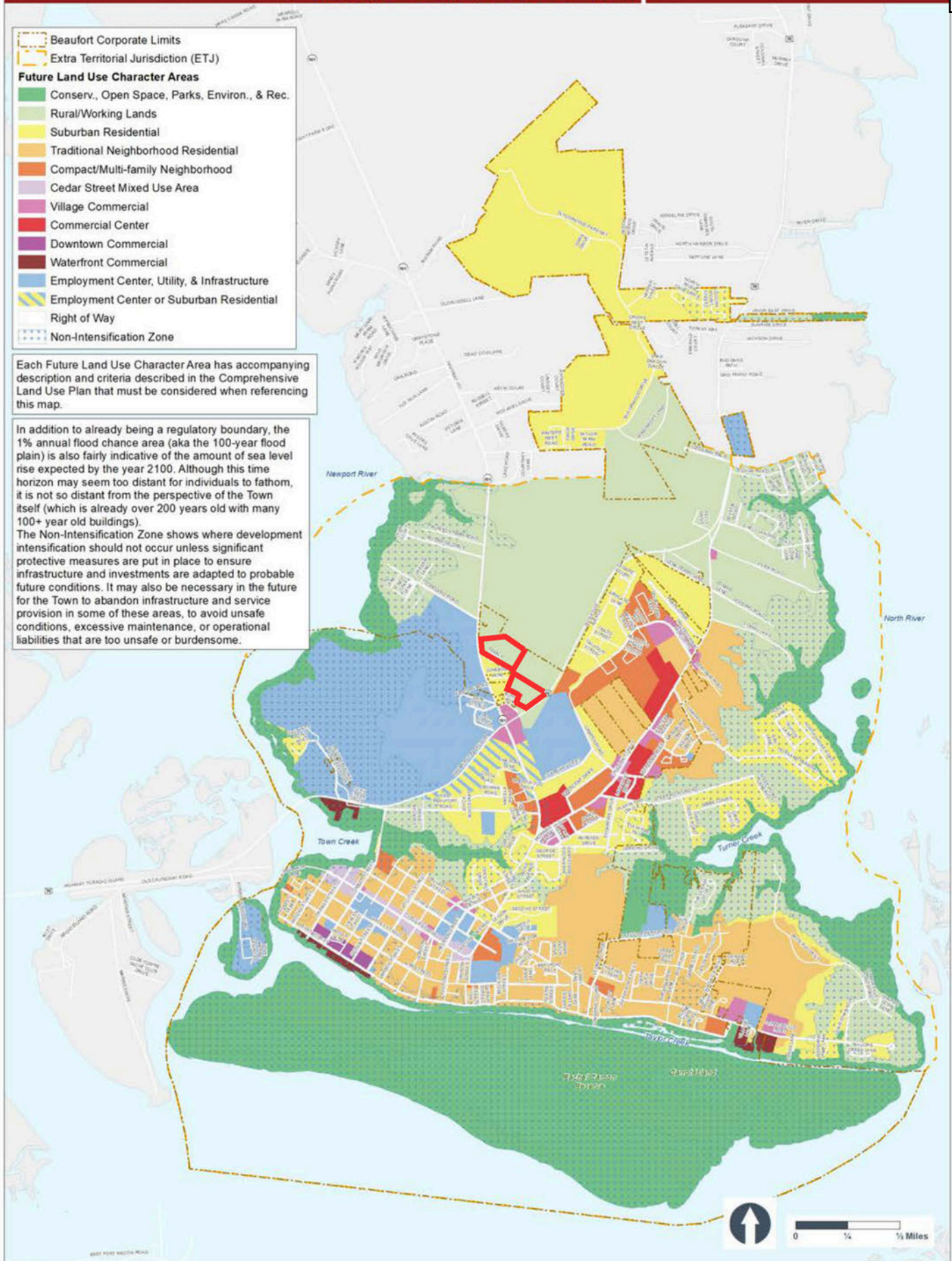
Objective 5.7: Preserve spaces for commercial, retail, service and nonresidential businesses while also being responsive to the strong demand for conversion of these properties to residential use.

Objective 7.1: Preserve the character of Beaufort's built environment.

Objective 7.8: Continue to beautify Beaufort.

Future Land Use Map

3.



PIN15	OWNER	MAIL_ADD	MAIL_CITY	MAIL_STATE	MAIL_ZI5	MAIL_ADD2	PhysicalAd	
730607583035000	BEAUFORT MHC AIRPORT AUTHORITY		BEAUFORT	NC	28516	PO BOX 875		0
730607674813000	R & L OF BEAUFORT LLC	7706 SIX FORKS ROAD	RALEIGH	NC	27615		550 HWY 101	
730611569374000	CALVARY BAPTIST CHURCH	119 BUNCH ROAD	BEAUFORT	NC	28516		119 BUNCH RD	
730611566676000	FINCH, GRAHAM M ETUX PATRICIA	404 HIGHWAY 101	BEAUFORT	NC	28516		404 HWY 101	
730611567902000	WOODRING, AMANDA JUNE	192 PIVER ROAD	BEAUFORT	NC	28516		107 JUNEBUG LN	
730611569086000	GILLIKIN, DEBORAH F ETVIR	134 BUNCH ROAD	BEAUFORT	NC	28516		134 BUNCH RD	
730611576007000	HUNNINGS, RICHARD EARL	142 FAMILY LN	BEAUFORT	NC	28516		142 FAMILY LN	
730611573304000	GILLIKIN, GLORIA B L/T	255 JOSEPHINE LANE	BEAUFORT	NC	28516		458 HWY 101	
730611577082000	HUNNINGS, ANNA KATHERINE	160 FAMILY LANE	BEAUFORT	NC	28516		160 FAMILY LN	
730611650973000	NC DEPT OF TRANSPORTATION	1546 MAIL SERVICE CENTER	RALEIGH	NC	27611		148 BUNCH RD	
730611574189000	EUBANKS, JOHN MELVIN	134 FAMILY LN	BEAUFORT	NC	28516		134 FAMILY LN	
730611575255000	HUNNINGS, RICHARD C ETAL	142 FAMILY LANE	BEAUFORT	NC	28516			0
730611577132000	HUNNINGS, RICHARD E ETAL JONES	148 FAMILY LANE	BEAUFORT	NC	28516		148 FAMILY LN	
730611660429000	CALVARY BAPTIST CHURCH	119 BUNCH RD	BEAUFORT	NC	28516			0
730611666002000	CARTERET COUNTY	302 COURTHOUSE SQUARE	BEAUFORT	NC	28516	SUITE 200	1234 HWY 70 BEAUFORT	
730612765951000	MERCER BUILDING & DESIGN INC	106D PROFESSIONAL PARK DR	BEAUFORT	NC	28516			0
730615649861000	COUNTY OF CARTERET	302 COURTHOUSE SQUARE	BEAUFORT	NC	28516	SUITE 200	110 CARRAWAY DR	
730607578502000	R & L OF BEAUFORT LLC	7706 SIX FORKS ROAD	RALEIGH	NC	27615		472 HWY 101	
730607588178000	BEAUFORT MHC AIRPORT AUTHORITY		BEAUFORT	NC	28516	PO BOX 875		0

E) ***Residential Cluster (RC-5) Development District.***

This zoning district is established as a medium to high density district encouraging the practice of residential cluster development designed to conserve land, create useable open space, reduce building and infrastructure costs, and provide for more attractive and functional communities. The regulations of this district are designed to provide greater open space and other amenities while relaxing minimum yard and similar regulations which would apply to a traditional district. Uses in this district which require potable water or sanitary sewer must be connected to both municipal water and municipal sewer.

1) **Minimum Lot Size.**

All lots in the RC-5 district shall be a minimum of five thousand square feet (5,000 ft²). The overall density of each cluster development shall not exceed eight units per acre regardless of the minimum lot area required per dwelling or unit herein.

2) **Minimum Lot Width.**

All lots in the RC-5 district shall have a minimum lot width of fifty feet (50') at the minimum building line.

3) **Building Setback and Building Height Requirements and Limitations.**

Subject to the exceptions allowed in this Ordinance, each structure on a lot in this zoning district shall be set back from the boundary lines of the lot at least the distances provided in the tables set forth in this section. The building height limitation in this district is provided in the tables set forth in this section.

Table 7-13 Interior Lot Requirements

<i>District</i>	<i>Front Setback (Right-of-Way) Setback</i>	<i>Rear Setback</i>	<i>Side Setback</i>	<i>Building Height Limitation</i>
RC-5	20 feet	30 feet	5 feet*	35 feet

Table 7-14 Corner Lot Requirements

<i>District</i>	<i>Designated Front (Right-of-Way) Setback</i>	<i>Designated Side (Right-of-Way) Setback</i>	<i>Rear Setback</i>	<i>Side Setback</i>	<i>Building Height Limitation</i>
RC-5	20 feet	10 feet	30 feet	5 feet*	35 feet

Table 7-15 Double Frontage Lot Requirements

<i>District</i>	<i>Front Setback (Right-of-Way) Setback</i>	<i>Rear Setback (Right-of-Way) Setback</i>	<i>Side Setback</i>	<i>Building Height Limitation</i>
RC-5	20 feet	30 feet	5 feet*	35 feet

*Zero lot line housing in the RC-5 district is permitted for one interior lot line provided each of the conditions below are met:

- The final subdivision plat designates placement of the dwelling unit on one of the side lot lines;
- No two detached single-family dwelling units shall utilize the zero-lot line provision on a common lot line;
- The remaining side yard shall not be less than the sum of the two side yard setbacks

- normally required; and,
- d) The dwelling unit wall abutting the zero lot line side yard shall be a solid structural and fire-rated wall with no windows, doors, or other openings.
 - e) A ten-foot (10') setback shall be required along all peripheral boundaries of a cluster development. A structure, whether it is the principal or accessory structure, shall not encroach upon this required setback distance. Within said setback, the Town may require as a part of its site plan review, the establishment of a reasonable buffer to protect and maintain the character of adjacent uses (see Section 10 of this Ordinance for more information).
 - f) A zero side yard setback may be permitted on one side of each lot subject to the following provisions:
 - i) The minimum building separation for the side yard opposite the zero lot line shall be either a separation of ten feet (10') from the side of the adjacent dwelling when constructed, or a minimum ten feet (10') setback line from the adjoining side lot line, whichever is greater;
 - ii) A five-foot (5') maintenance easement with a maximum eave encroachment easement of two feet (2') within the maintenance easement shall be established in the deed restrictions, recorded plat, and/or covenants of the adjoining lot and shall ensure ready access to the lot line wall at reasonable periods of the day for normal maintenance; and,
 - iii) Preliminary and final site development plans shall indicate the proposed envelope location of the dwellings, driveways, and parking arrangements for each lot. The final site development plans shall include a draft of the proposed encroachment and maintenance easements within the covenants or on the proposed final plat for review and approval by the Town.
 - iv) Upon the recording of the final plat in the Register of Deeds office, a copy of the completed covenants must be submitted with the final plat. A copy of the covenants and final recorded plat shall also be made available to the Town's Planning and Inspections Department.
- 4) Accessory Building Setback Requirements.
An unattached accessory structure may be located in a rear yard provided it is located at a distance not less than eight feet (8') from the principal structure and is not closer than three feet (3') from the rear yard line, and provided not more than twenty-five percent (25%) of the total lot area is covered by the accessory building. On a reversed corner lot or double frontage lot, no accessory building shall extend beyond the front yard line of the lot located to the rear of the lot on which the accessory building is being proposed.
- 5) Permitted Uses.
- | | |
|--|---|
| Antenna Co-Location on Existing Towers | Garage, Private Detached Government/Non-Profit Owned/Operated Facilities & Services |
| Athletic Field, Public | Home Occupation |
| Carport | Neighborhood Recreation Center, Indoor/Outdoor, Private |
| Community Garden | Neighborhood Recreation Center, Public |
| Dock | Park, Public |
| Dwelling, Duplex/Townhome | |
| Dwelling, Single-Family | |
| Family Care Homes | |

Public Safety Station
Public Utility Facility
Resource Conservation Area
Shed

Swimming Pool (Personal Use)
Temporary Construction Trailer
Utility Minor
Vehicle Charging Station

6) Special Uses (*Special Uses* requirements may be found in Section 20 of this Ordinance).

Athletic Field, Private
Bed & Breakfast
Concealed (Stealth) Antennae & Towers
Golf Course, Privately-Owned
Golf Driving Range
Marina
Outdoor Amphitheater, Public

Preschool
Religious Institution
Satellite Dish Antenna
School, Post-Secondary
Transportation Facility
Utility Facility

7) Owners Association Required.

The establishment of an owners association shall be mandatory for all residential cluster developments.

- a) The owners' association shall be organized and established as a legal entity prior to the conveyance of any lot or living unit in the residential cluster development.
- b) The owners' association membership shall be mandatory for each owner of a lot or living unit.
- c) The owners' association shall have the authority to assess its members to produce revenues to cover the expenses of the association and such assessments will be secured by a lien.
- d) The association shall be responsible for the payment of premiums for liability insurance, taxes, maintenance of recreational or other facilities located in common areas, payment of assessment for public and private capital improvements made to or for the benefit of the common areas, maintenance of any private street, and for such other purposes as the organizing documents provide.
- e) The residential cluster development will be subject to the North Carolina Planned Community Act regardless of the number of lots therein.

8) Common Walls.

Common walls between individual residences shall be party walls. Provisions for the maintenance and restoration of common walls, in the event of destruction or damages, shall be established.

9) Open Space.

- a) Open space shall be set aside for the use, benefit, and enjoyment of all residents of the cluster development and shall either be dedicated to the private use of the residents or conveyed to the owners' association for ownership, use, and management. Land which is restricted in any way so it may not be available for the use, benefit, and enjoyment of all residents of the cluster development at the time of lot sales or any time thereafter shall not qualify as open space.
- b) The open space in the cluster development shall be computed upon the following percentages of the overall area based upon the number of dwelling units per gross acre of cluster development as follows:

Table 7-16 Open Space Requirements

<i>Number of Dwelling Units Per Gross Acre</i>	<i>Required Percentage of Open Space</i>
3 units or less	20%
4-6 units	21-30%
7-8 units	31-45%

- c) To qualify as open space, land shall have a minimum width of five feet (5') excluding street rights-of-way, drives, parking areas, or structures other than recreational structures, and be one contiguous tract containing not less than ten thousand square feet (10,000 ft²) or four percent (4%) of the project area whichever is greater, exclusive of streets, parking areas, and utility easements. Street rights-of-way, drives, parking areas, buffer zones, and utility areas/easements may qualify as open space and be counted towards the percentage of open space required for each development provided the street rights-of-way, drives, parking areas, and utility areas/easements shall not compromise more than two-thirds of the required open space for each development unless the percentage is varied or waived by the BOC upon recommendation by the Planning Board in accordance with the variance standards set forth in Section 21(I) of this Ordinance. Such variances shall be freely allowed if any two or more of the following criteria are found to exist:
- i) To provide flexibility in design to take the greatest advantage of natural land, water, trees, environmental, and historical features;
 - ii) To provide for the creation of compatible arrangements which give the homebuyer greater choice in selecting his/her living environment;
 - iii) To provide sufficient freedom for the developer to submit plans which embody a creative approach to the use of lands and related physical development as well as utilize innovative techniques to enhance the visual character of the development;
 - iv) To provide for the efficient use of land which may result in smaller street and utility networks, better maintenance and upkeep of sewage disposal systems, and reduced development and maintenance costs;
 - v) To include compatible or associated uses which complement the residential area within the cluster development;
 - vi) To simplify the procedures for obtaining approval of proposed development through expeditious review of proposed land use, site layout, public needs, health and safety factors; and/or,
 - vii) To minimize expenditures of public funds for services and maintenance of streets, roads, central sewage systems and similar utilities, and to provide the efficient investment of community resources.

10) Preliminary and Final Review Procedures and Approvals.

The owner/developer of a new residential cluster development shall follow all requirements set forth in Section 18 of this Ordinance. However, before proceeding to the building phase of the development, the Town must issue to the owner/developer, a preliminary plat approval pursuant to Chapter 34, Subdivision Regulations.

11) Parking and Loading.

Two off-street parking spaces shall be provided per dwelling unit.

12) Signs.

The regulations for signs in an RC-5 district shall be as contained within Section 16 of this Ordinance.

SECTION 7 Residential Zoning Districts

A) *R-20 Residential Single-Family District.*

This residential district is intended to maintain a compatible mixture of single-family residential and bona fide farm uses with a density of two families per acre in accordance with the North Carolina State Board of Health recommendations for residential areas without public water and public sewer, and to prevent the development of blight and slum conditions.

1) Minimum Lot Size.

All lots in this district shall be a minimum of twenty thousand square feet (20,000 ft²).

2) Minimum Lot Width.

All lots in the R-20 district shall have a minimum lot width of one hundred feet (100') at the minimum building line.

3) Building Setback and Building Height Requirements and Limitations.

Subject to the exceptions allowed in this Ordinance, each structure on a lot in this zoning district shall be set back from the boundary lines of the lot at least the distances provided in the tables set forth in this section. The building height limitation in this district is provided in the tables set forth in this section.

Table 7-1 Interior Lot Requirements

<i>District</i>	<i>Front Setback (Right-of-Way)</i>	<i>Rear Setback</i>	<i>Side Setback</i>	<i>Building Height Limitation</i>
R-20	30 feet	25 feet	15 feet	40 feet

Table 7-2 Corner Lot Requirements

<i>District</i>	<i>Designated Front (Right-of-Way) Setback</i>	<i>Designated Side (Right-of-Way) Setback</i>	<i>Rear Setback</i>	<i>Side Setback</i>	<i>Building Height Limitation</i>
R-20	30 feet	30 feet	25 feet	15 feet	40 feet

Table 7-3 Double Frontage Lot Requirements

<i>District</i>	<i>Designated Front (Right-of-Way) Setback</i>	<i>Designated Rear (Right-of-Way) Setback</i>	<i>Side Setback</i>	<i>Building Height Limitation</i>
R-20	30 feet	25 feet	15 feet	40 feet

4) Accessory Building Setback Requirements.

All accessory buildings shall comply with all setback provisions of this Ordinance, including but not limited to Section 2(F), Section 6 and Section 15 of this Ordinance.

5) Permitted Uses.

Agritourism
Antenna Co-Location on Existing
Tower
Aquaculture
Assisted Living
Athletic Field, Public
Athletic Field, Private
Carport
Club, Lodge, or Hall
Community Garden
Dock
Dwelling, Single-Family
Family Care Homes
Farming, General
Forestry
Garage, Private Detached
Government/Non-Profit Owned/
Operated Facilities & Services
Group Home

Home Occupation
Manufactured Home
Neighborhood Recreation Center
Indoor/Outdoor, Private
Neighborhood Recreation Center,
Public
Nursing Home
Park, Public
Produce Stand/Farmers' Market
Public Utility Facility
Religious Institution
Resource Conservation Area
Satellite Dish Antenna
Shed
Swimming Pool (Personal Use)
Temporary Construction Trailer
Utility Minor
Vehicle Charging Station

6) Special Uses. (*Special Uses* requirements may be found in Section 20 of this Ordinance).

Accessory Dwelling Unit
Bed & Breakfast
Boat Sales/Rentals
Cemetery/Graveyard
Concealed (Stealth) Antennae &
Towers
Day Care/Child Care Home
Dry Boat Storage
Golf Course, Privately Owned
Golf Driving Range
Kennel, Indoor Operation Only
Kennel, Indoor /Outdoor Operation
Marina
Museum
Office: Small Business
Other Free Standing Towers
Outdoor Amphitheater, Public
Preschool
Public Safety Station
School, K-12
School, Post-Secondary
Utility Facility

C) ***B-1 General Business District.***

The General Business District is established as the zoning district in which a wide variety of sales and service facilities may be provided to the general public. This district will be located throughout the Town's planning and development regulation jurisdiction.

1) Minimum Lot Size.

All lots in the B-1 district shall be a minimum of five thousand square feet (5,000 ft²).

2) Minimum Lot Width.

All lots in the B-1 district shall have a minimum lot width of sixty feet (60') at the minimum building line.

3) Building Setback and Building Height Requirements and Limitations.

Subject to the exceptions allowed in this Ordinance, each structure on a lot in this zoning district shall be set back from the boundary lines of the lot at least the distances provided in the tables set forth in this section. The building height limitation in this district is provided in the tables set forth in this section.

Table 9-5 Lot Requirements

<i>District</i>	<i>Front Setback (Right-of-Way)</i>	<i>Rear Setback</i>	<i>Side Setback</i>	<i>Building Height Limitation</i>
B-1	30 feet	15 feet	15 feet	40 feet

4) Accessory Building Setback Requirements.

All accessory buildings shall comply with all setback provisions of this Ordinance, including but not limited to Section 2(F), Section 6 and Section 15 of this Ordinance.

5) Permitted Uses.

Amusement Establishment	Liquor Store
Antenna Co-Location on Existing Tower	Moped/Golf Cart Sales/Rentals
Aquaculture	Mortuary/Funeral Home/Crematorium
Assisted Living	Motor Vehicle Sales/Rentals
Athletic Field, Public	Museum
Bed & Breakfast	
Boat Sales/Rentals	Neighborhood Recreation Center,
Car Wash	Public
Club, Lodge, or Hall	Nursing Home
Commercial Indoor Recreation Facility	Office: Business, Professional, or Medical
Community Garden	Other Building-Mounted Antennae &
Concealed (Stealth) Antennae & Towers	Towers
Convenience Store	Outdoor Retail Display/Sales
Day Care Center	Park, Public
Dock	Parking Lot
Dry Boat Storage	Parking Structure
Financial Institution	Personal Service Establishment
Government/Non-Profit Owned/ Operated Facilities & Services	Pool Hall or Billiard Hall
Hospital	Produce Stand/Farmers' Market
Hotel or Motel	Public Safety Station
Kennel, Indoor Operation Only	Public Utility Facility
Library	Religious Institution
	Resource Conservation Area

Restaurant with Drive-Thru Service
Restaurant with Indoor Operation
Retail Store
Satellite Dish Antenna
Signs, Commercial Free-Standing
Tavern/Bar/Pub with Indoor Operation

Temporary Construction Trailer
Theater, Small
Transportation Facility
Utility Minor
Vehicle Charging Station
Vehicle Service

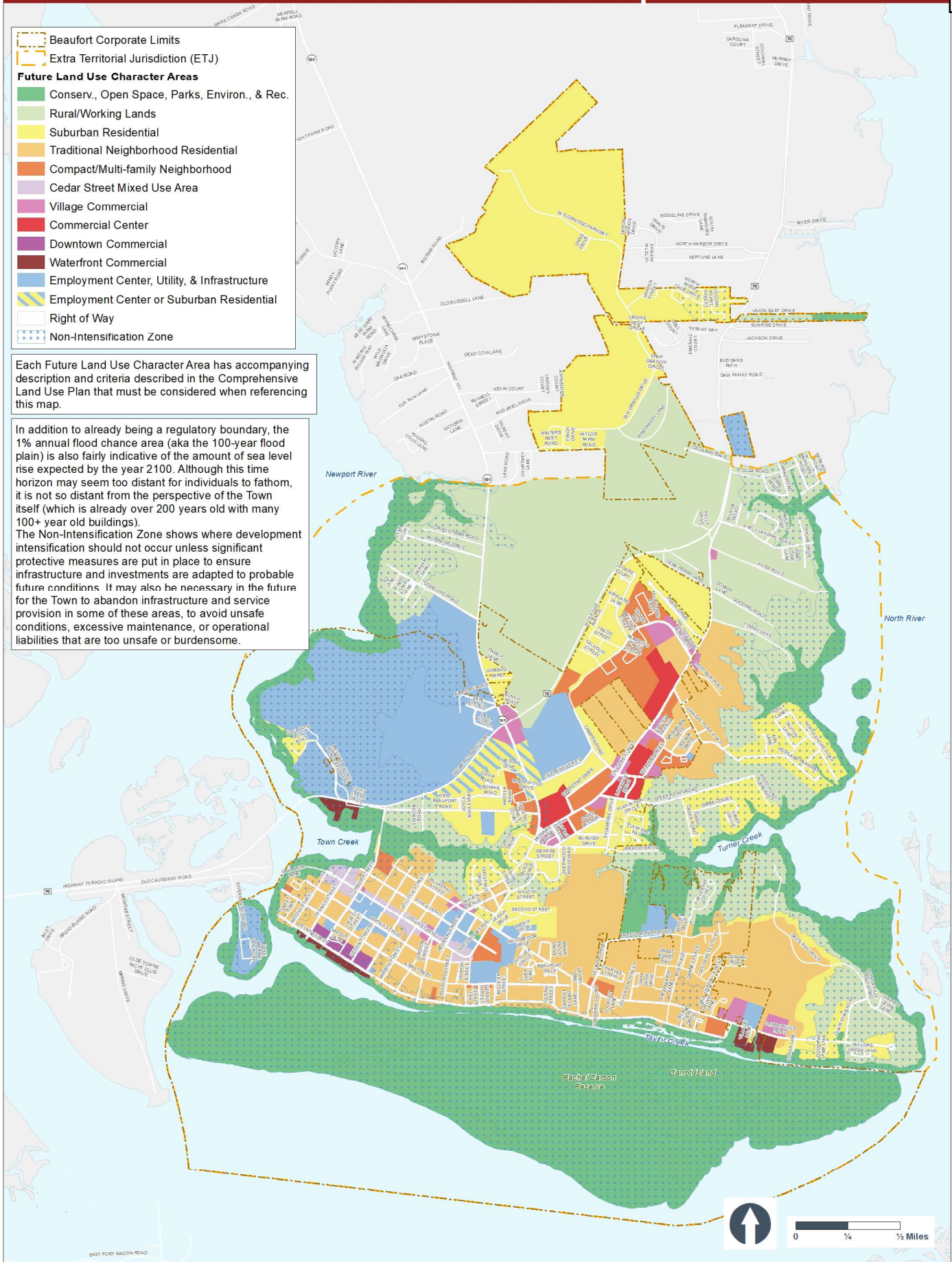
6) Special Uses (*Special Uses* requirements may be found in Section 20 of this Ordinance).

Adult-Oriented Retail Establishment
Commercial Outdoor Amphitheater
Commercial Outdoor Recreation
Facility
Commercial Waterfront Facility
Gas/Service Station
Golf Driving Range
Hazardous Material Storage
Kennel, Indoor/Outdoor Operation
Manufacturing, Light
Marina
Microbrewery
Microdistillery

Mini-Storage
Mixed Use
Outdoor Amphitheater, Public
Outdoor Storage
Preschool
Restaurant with Outdoor Operation
School, K-12
School, Post-Secondary
Tavern/Bar/Pub with Outdoor Operation
Theater, Large
Utility Facility
Wholesale Establishment

Future Land Use Map

3.



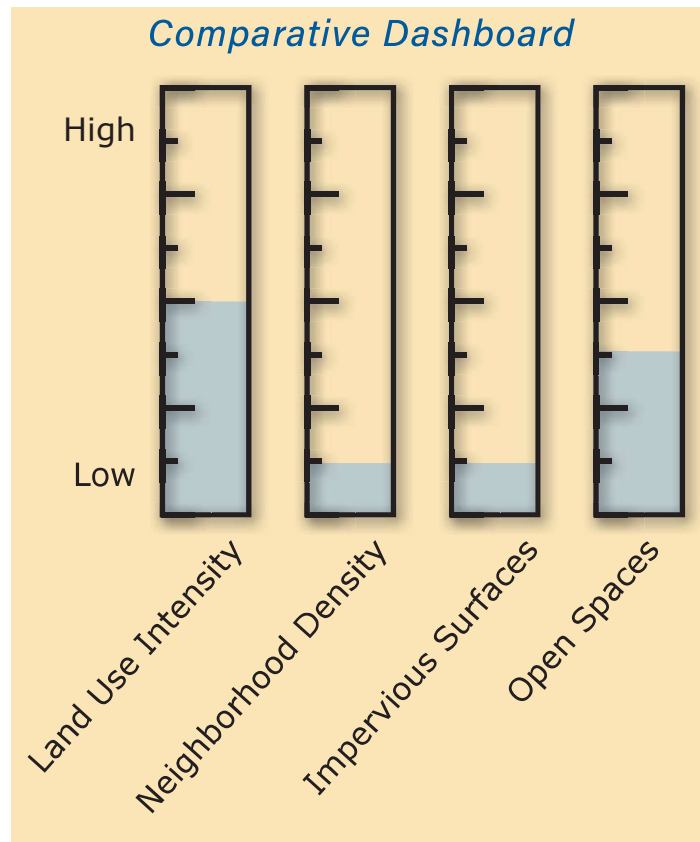
Rural/Working Lands

General Description:

Traditional Rural/Working lands (agriculture, silviculture, ranching and livestock, old farm fields, and homestead farms) predominate this character area. It also includes areas that are vacant or used for hunting or other non-residential, non-urban uses. These areas are generally not served by sewer service, although some suburban areas may be already. Due to typically poor septic infiltration potential for local soils, they are undesirable for residential or other types of development. If homes are present, they are often on very large lots or have been carved out of a larger tract of farmland. On-site septic treatment is one limiting factor to residential density, although the Town may also choose to restrict it further in the interest of maintaining rural character and/or maximizing use of public services (water, police, fire, emergency services, etc.).

This character area may also overlap with the Non-Intensification Zone in more urban or suburban contexts within Town. This indicates that although these areas may already have or be entitled for development, development denser than what is currently vested should be avoided and any public infrastructure in these areas should be minimized as it will be susceptible to coastal and climate hazards.

This character area encompasses the majority of the land between Hwy 101 and the new Hwy 70. It may be possible to serve this area effectively with sewer and it is generally some of the higher ground within the Town's jurisdiction. If sewer



EXAMPLE USES

Typical Uses:

Primarily silviculture, ranching and livestock, old farm fields, and other agricultural uses and supportive structures. Occasionally homestead farms or isolated large-lot single family detached residential. Schools, hospitals, and other

residential attractors should be discouraged and instead focused towards the Town, where services exist.

If Context Appropriate:

- » Small footprint institutional uses (churches, government buildings, etc.)

Rural/Working Lands

connections can be extended into these farmlands and development occurs, it should only be with an appropriate network of collector streets that will tie together the two main highways.

Streets and Circulation:

Streets in these areas are typically not curb-and-gutter (aka “ditch section”). There is typically not enough pedestrian activity to justify sidewalks, although if densities approach those of the Suburban Residential future land use character area, then they should be required in a similar amount. Blocks should not exceed twice the maximum length of the Traditional Neighborhood Residential character area. This is especially relevant when connecting to existing streets which are or will be thoroughfares or collectors of any sort, including residential collectors. The appropriate block length will allow these neighborhoods to evolve, redevelop, and become denser as the Town grows. So, while this connectivity may seem excessive in the present, it will preserve the ability for a more appropriate future condition to occur which is otherwise lost if block lengths are too long or streets too curvilinear. As always, streets should be on a grid and new neighborhoods should stub out to adjacent properties unless it would have an extremely negative impact on the environment.

Other Concerns:

Extension of public facilities (especially sewer service) to these areas for a single, remote development is generally not cost effective for service providers and can also create the incentive for further sprawl to develop along the extended public facilities. It can create a hodgepodge of development that is not conducive to focused activity centers. Significant consideration should be given to potential impacts before a decision of this type is made. If lower density residential development is allowed in these areas, it is important to ensure that appropriate street connections are made so that as public facilities are extended and the appropriate connectivity exists to serve higher density redevelopment and infill development as these places evolve. Where these areas overlap with the Non-Intensification Zone or other areas prone to inundation as seas rise, public infrastructure should not be extended.



Examples of Rural/Working Lands.

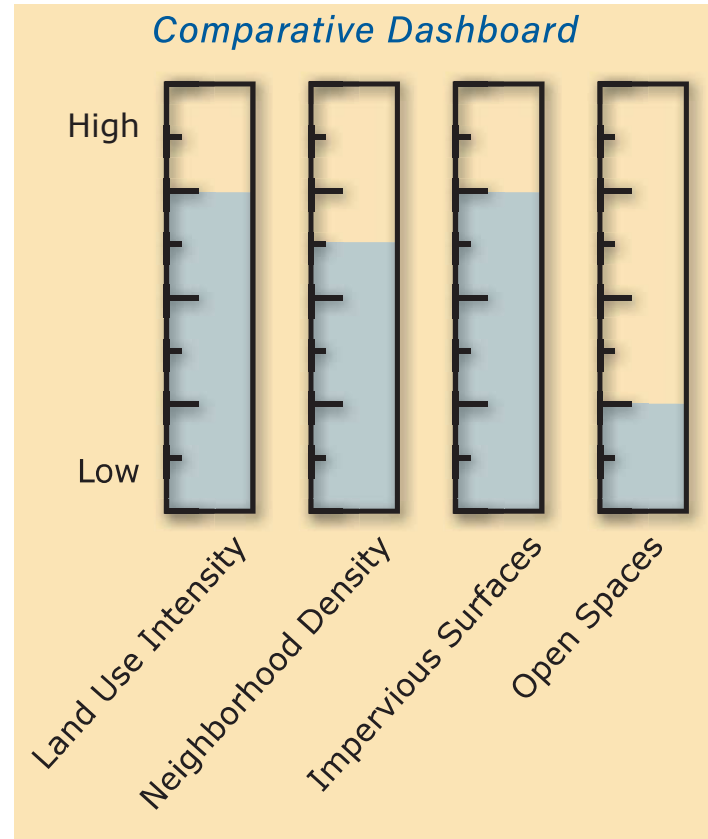
Village Commercial

General Description:

These areas have small-scale non-residential uses that serve the neighborhood and sometimes even a greater region. Often it may only be three or four corners of an intersection or one large, multi-tenant compound, but sometimes larger geographic stretches may also be appropriate. Sites, structures, and streets are human-scaled. Buildings may be setback from the street, particularly if it is a previously residential structure that has been converted for a commercial use. It may also be appropriate to have buildings pulled up to the street, with parking in the rear, especially at busy intersections or in particularly active nodes.

Streets and Circulation:

Streets should have good pedestrian facilities to support walking from businesses-to-business or from home-to-business. Pedestrians are prioritized, but automobiles are accommodated, and



EXAMPLE USES:

Typical Uses:

Smaller footprint, lower intensity, neighborhood serving commercial, retail, services, or offices. Pedestrian-serving uses (boutique shops or fitness studios, personal care, arts) are more appropriate than automobile-oriented uses (vehicle or machinery repair, rental and service, commercial nurseries or lumber yards, fast food restaurants, drive-thru banks, etc.). Upper story dwellings (aka "live/work") are also appropriate.

If Context Appropriate:

- » Institutional uses (churches, schools, hospital, government buildings, etc.).
- » On parcels directly adjacent to this area, multi-family residential may be appropriate, potentially providing customers for local businesses.
- » Higher density residential development, whether as detached or low-impact attached residential is usually appropriate within a ¼ mile walking distance of these areas.

Village Commercial

might even have a transit stop nearby. Accommodating a mix of transportation options is important to being accessible to customers. Blocks should rarely, if ever, exceed 500 feet on a side so that they are walkable and might even be able to one day evolve into a condition similar to Downtown Commercial.

Other Concerns:

Depending on context, some of these places may evolve into higher activity Downtown Commercial areas some day in the distant future, and future infrastructure projects should support that.



Examples of Village Commercial



TOWN OF BEAUFORT PLANNING BOARD
RESOLUTION OF PLAN CONSISTENCY

WHEREAS, the North Carolina General Assembly has given the Town of Beaufort (“Town”) the authority to adopt and amend zoning and development regulation ordinances, of which the zoning map is part, for the purpose of promoting the health, safety, and general welfare of its citizens;

WHEREAS, N.C.G.S. §160D-604(d) requires the Town of Beaufort Planning Board shall advise and comment on whether the proposed action is consistent with the Town of Beaufort Comprehensive and CAMA Land Use Plan that has been adopted and any other officially adopted plan that is applicable, and provide a written recommendation to the Board of Commissioners that addresses plan consistency and other matters as deemed appropriate by the Planning Board; and

WHEREAS, a request has been made for the Town to amend the Town of Beaufort Zoning Map to reflect B-1 General Business for 125 Bunch Road (PIN 730611664893000) instead of the current RC-5 Residential Cluster Development zoning on approximately 8.23 acres of the property, and 472 Highway 101 (PIN 730607578502000) instead of the current R-20 Residential Single-Family, with associated amendments to the Comprehensive and CAMA Land Use Plan Future Land Use Map classification for same properties from Rural/Working Lands to Village Commercial; and

WHEREAS, the Planning Board has in fact met to consider and evaluate the proposed amendments during their regularly scheduled meeting on September 21, 2026; and

NOW THEREFORE, BE IT HEREBY RESOLVED, that the Planning Board finds that the proposed B-1 zoning IS NOT consistent with the properties’ current Rural/Working Lands Future Land Use Map classification. The Planning Board further finds that the proposed rezoning **IS / IS NOT** reasonable and in the public interest because _____.

The Planning Board **RECOMMENDS / DOES NOT RECOMMEND** approval of the requested zoning map amendments from RC-5 and R-20 to B-1. The Planning Board **RECOMMENDS / DOES NOT RECOMMEND** amending the Future Land Use Map classification from Rural/Working Lands to Village Commercial in conjunction with the zoning map amendments.

This Resolution is effective upon its adoption this 21st day of September 2026.

TOWN OF BEAUFORT PLANNING BOARD

_____, Chairman

ATTEST:

_____, Secretary



Town of Beaufort, NC

701 Front St. - P.O. Box 390 - Beaufort, N.C. 28516
252-728-2141 - 252-728-3982 fax - www.beaufortnc.org

Town of Beaufort Planning Board Regular Meeting 6:00 PM Monday, September 21, 2026 – Train Depot

AGENDA CATEGORY: New Business
SUBJECT: Case 26-24 – LDO Amendment – State Law
Compliance for Off-Street Parking Minimums

BRIEF SUMMARY:

House Bill 162, enacted as Session Law 2026-39 this July, changes State law regarding minimum parking requirements. Beginning January 1, 2027, the Town may no longer require a minimum number of off-street parking spaces for certain historic properties, including properties within National Register or local historic districts and certain individually designated or listed historic properties.

Staff is proposing text amendments to LDO Section 13, Parking Requirements, to add the required exemptions while keeping the Town's existing parking requirements in place elsewhere. The proposed amendment identifies the historic properties where minimum parking requirements will no longer apply. The proposed amendment language was prepared by the Town Attorney and is intended to make the minimum changes necessary to bring the Town's parking regulations into compliance with the new State law while retaining existing parking requirements where permitted.

One implementation issue remains: State law refers specifically to an "off-street parking lot," while the Town's ordinance does not clearly distinguish between a parking lot, a residential driveway, or other small off-street parking areas. Staff will review this issue and the full range of properties affected by the new law with the Planning Board. This amendment is separate from the ongoing UDO Update Project and will be incorporated into the UDO when that project reaches the parking requirements section.

Attachments include the proposed Section 13 text amendments, Session Law 2026-39 establishing the new limitations on local parking requirements, a State Historic Preservation Office map showing the historic districts and other affected historic properties, and a draft Resolution of Plan Consistency for Planning Board action.

REQUESTED ACTION:

Presentation and discussion of proposed amendments

Recommendation to Board of Commissioners to approve or deny the amendments

Decision on Resolution of Plan Consistency

EXPECTED LENGTH OF PRESENTATION:

30 Minutes

SUBMITTED BY:

Michelle Eitner, Town Planner

SECTION 13 **Parking Requirements**

A) ***Intent; Exemptions.***

1) Intent.

These regulations are intended to provide off-street parking, stacking, and loading facilities in proportion to the need created by each use. These regulations are intended to provide for accommodation vehicles in a functionally and aesthetically satisfactory manner and to minimize external effects on adjacent land uses.

2) Application; Exclusion as to Certain Districts.

These regulations apply to all zoning districts except the Historic Business District and the Historic Waterfront Business District.

3) Exemptions.

Pursuant to North Carolina General Statute § 160D-702(c)(2a), the regulations in this Section shall not be construed to require an off-street parking lot to meet a minimum number of parking spaces per development or structure, regardless of use, for any property

- a. which is located within the boundaries of a National Register Historic District;
- b. which is located within the boundaries of the Town's Local Historic District;
- c. which is individually listed in the National Register of Historic places;
- d. which is individually designated as a local historic landmark;
- e. which is on the Study List of the National Register of Historic places as maintained by the North Carolina State Historic Preservation Office or a national or State historic landmark; or
- f. which is within a district on the Study List for the National Register of Historic Places as maintained by the North Carolina State Historic Preservation Office or a national or State historic landmark.

B) ***Number of Parking Spaces Required.***

1) Limitations.

For any mixed-use development created after the adoption of this Ordinance which cannot meet the residential off-street parking requirement for their proposed development, the owner/developer shall be required to contribute \$10,000 per parking space needed into a parking fund which will be used by the Town to acquire property as it becomes available for off-street parking for these residential purposes.

2) Presumptions.

The presumptions established by this section are established in all other zoning districts:

- a) A development must comply with the parking standards set forth in subsection 13(B)(4) of this section to satisfy the requirement stated in Section 13(B)(1); and,
- b) Any development which meets these standards is in compliance. However, Table 13-1 of this section is only intended to establish a presumption of parking demand and should be flexibly administered, as provided in Section 13(C).

3) Standards.

Standards set forth in Table 13-1 of this section are indicated by the respective land uses associated within the development. When a determination of the number of parking spaces required by this table results in a fractional parking space, any fraction of one-half or less may be disregarded, while a fraction in excess of one-half shall be counted as one additional parking space.

4) Table of Parking Requirements.

Table 13-1 of this section shall prescribe the number of parking spaces required for the respective uses when the existing or proposed development is less than twenty-five thousand square feet (25,000 ft²). For all existing, proposed, or combination thereof of development which is twenty-five thousand square feet (25,000 ft²) or more, there shall be a corresponding twenty percent (20%) decrease in the number of parking spaces required for this actual use. Table 13-1 of this section cannot and does not cover every possible situation which may arise. Therefore, in cases not specifically covered, the Zoning Administrator is authorized to determine the parking requirements using the following table as a guide.

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025**

**SESSION LAW 2026-39
HOUSE BILL 162**

AN ACT TO RESTRICT LOCAL GOVERNMENTS FROM REGULATING CERTAIN ASPECTS OF OFF-STREET PARKING SPACES AND TO MODIFY THE AUTHORITY OF CERTAIN LOCAL GOVERNMENTS TO REQUIRE STORMWATER CONTROL FOR REDEVELOPED PROPERTY.

The General Assembly of North Carolina enacts:

PART I. PROHIBITING CERTAIN ZONING AND DEVELOPMENT LIMITATIONS RELATED TO OFF-STREET PARKING

SECTION 1.(a) G.S. 160D-702 reads as rewritten:

"§ 160D-702. Grant of power.

...

- (c) A zoning or other development regulation shall not do any of the following:
- (1) Set a minimum square footage of any structures subject to regulation under the North Carolina Residential Code.
 - (2) Require ~~a~~an off-street parking space to be larger than 9 feet wide by 20 feet long unless the parking space is designated for handicap, parallel, or diagonal parking.
 - (2a) Require an off-street parking lot to meet a minimum number of parking spaces per development or structure, regardless of occupancy or use. The limitations of this subdivision shall not, however, apply to local governments located in the coastal area, as those terms are defined under G.S. 113A-103, except with respect to the following properties located in the coastal area:
 - a. Within the boundaries of a National Register Historic District or a local historic district.
 - b. That are either (i) individually listed in the National Register of Historic Places or (ii) individually designated as a local historic landmark.
 - c. Individual properties on the Study List for the National Register of Historic Places as maintained by the North Carolina State Historic Preservation Office or a national or State historic landmark, or properties located within a district on the Study List for the National Register of Historic Places as maintained by the North Carolina State Historic Preservation Office or a national or State historic landmark.
 - (3) Require additional fire apparatus access roads into developments of one- or two-family dwellings that are not in compliance with the required number of fire apparatus access roads into developments of one- or two-family dwellings set forth in the Fire Code of the North Carolina Residential Code for One- and Two-Family Dwellings.
 - (4) Establish or require pavement design standards for public roads or private roads that are more stringent than the minimum pavement design standards adopted by the Department of Transportation.



...."

SECTION 1.(b) This section becomes effective January 1, 2027.

PART II. MODIFY THE AUTHORITY OF CERTAIN LOCAL GOVERNMENTS TO REQUIRE STORMWATER CONTROL FOR REDEVELOPED PROPERTY

SECTION 2.(a) G.S. 143-214.7 reads as rewritten:

"§ 143-214.7. Stormwater runoff rules and programs.

...

(a1) Definitions. – The following definitions apply in this section:

(1) Built-upon area. – As defined in G.S. 143-214.7D.

(2) Development. – Any land-disturbing activity that increases the amount of built-upon area or that otherwise decreases the infiltration of precipitation into the subsoil. ~~When additional development occurs at a site that has existing development, the built-upon area of the existing development shall not be included in the density calculations for additional stormwater control requirements, and stormwater control requirements cannot be applied retroactively to existing development, unless otherwise required by federal law.~~

~~(2)~~(3) Redevelopment. – Any land-disturbing activity that does not result in a net increase in built-upon area and that provides greater or equal stormwater control to that of the previous development.

...

(b3) Stormwater runoff rules and programs shall not require private property owners to install new or increased stormwater controls for (i) ~~preexisting development~~ existing built-upon area or (ii) redevelopment activities that do not remove or decrease existing stormwater controls. ~~When a preexisting development is redeveloped, either in whole or in part, increased stormwater controls shall only be required for the amount of impervious surface being created that exceeds the amount of impervious surface that existed before the redevelopment, irrespective of whether the impervious surface that existed before the redevelopment is to be demolished or relocated during the development activity. When development or redevelopment occurs at a site that has existing built-upon area, (i) the existing built-upon area shall not be included in the density calculations for additional stormwater control requirements, irrespective of whether the existing built-upon area is to be demolished, relocated, replaced, or remains in place during development activity, (ii) the existing built-upon area at the site is not subject to additional stormwater control requirements under this section, regardless of whether the existing built-upon area is demolished, relocated, replaced, or remains in place during the development activity, (iii) for purposes of determining the size of the area for which stormwater control measures are required for a development or redevelopment, built-upon area that existed before the development or redevelopment shall be applied on a square-foot-for-square-foot basis to reduce the built-upon area for which stormwater control measures are required, and (iv) stormwater control requirements cannot be applied retroactively to existing built-upon area, unless otherwise required by federal law.~~ A property owner may elect to treat the stormwater resulting from the net increase in built-upon area above the ~~preexisting existing built-upon area~~ at the development or redevelopment for the purpose of exceeding allowable density under the applicable water supply watershed rules as provided in G.S. 143-214.5(d3). This subsection applies to all local governments regardless of the source of their regulatory authority. Local governments shall include the requirements of this subsection in their stormwater ordinances.

...

(b8) A local government may offer nonmandatory incentives that waive building, zoning, connection, or other regulations or fees; provide additional tax and financial benefits; or institute

other incentives for development or redevelopment that implements additional stormwater control measures beyond those required by this section and rules adopted thereunder.

...."

SECTION 2.(b) Each local government that implements a stormwater management program shall amend its stormwater ordinance to conform to G.S. 143-214.7(b3), as amended by subsection (a) of this section, within 12 months of the effective date of this section. Any local stormwater ordinance that is inconsistent with G.S. 143-214.7(b3), as amended by subsection (a) of this section, is void and unenforceable on and after that date. A local government may adopt, amend, or repeal ordinance provisions implementing G.S. 143-214.7(b8) at any time after the effective date of this section.

SECTION 2.(c) This section is effective when it becomes law and applies to stormwater rules and stormwater program amendments adopted on or after that date.

PART III. EFFECTIVE DATE

SECTION 3. Except as otherwise provided, this act is effective when it becomes law.

In the General Assembly read three times and ratified this the 1st day of July, 2026.

s/ Rachel Hunt
President of the Senate

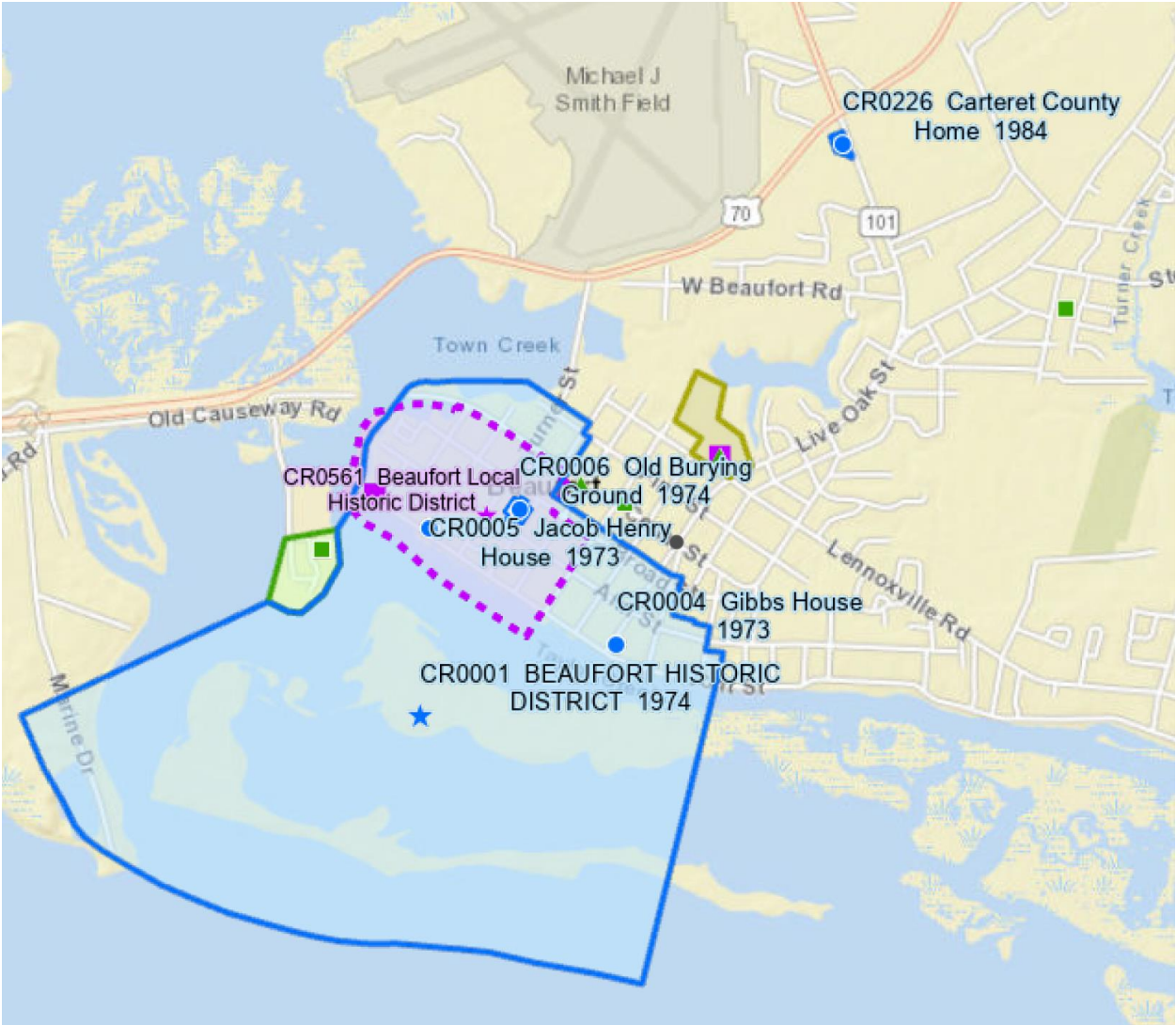
s/ Destin Hall
Speaker of the House of Representatives

s/ Josh Stein
Governor

Approved 3:04 p.m. this 6th day of July, 2026

Historic Beaufort, North Carolina

Map by NC State Historic Preservation Office



- Local districts & boundaries

Local individual resources & centerpoints

Local Landmark

Local HD Center Point

SL districts & boundaries

Study List Boundary

Both SL and Determined Eligible Boundary
- SL individual resources & centerpoints

SL Individual Entry

SL and DOE entry

NR districts & boundaries

National Register Boundary

NR individual resources & centerpoints

NR Individual Listing

Note: "Determined Eligible" (DOE) status alone is not identified as an affected historic-property category under G.S. 160D-702(c)(2a).



**TOWN OF BEAUFORT PLANNING BOARD
RESOLUTION OF PLAN CONSISTENCY**

WHEREAS, the North Carolina General Assembly has given the Town of Beaufort (“Town”) the authority to adopt and amend zoning and development regulation ordinances, of which the zoning map is part, for the purpose of promoting the health, safety, and general welfare of its citizens;

WHEREAS, N.C.G.S. §160D-604(d) requires the Town of Beaufort Planning Board shall advise and comment on whether the proposed action is consistent with the Town of Beaufort Comprehensive and CAMA Land Use Plan that has been adopted and any other officially adopted plan that is applicable, and provide a written recommendation to the Board of Commissioners that addresses plan consistency and other matters as deemed appropriate by the Planning Board; and

WHEREAS, amendments to Section 13, Parking Requirements, of the Land Development Ordinance have been initiated to bring the Town’s regulations into compliance with changes to State law enacted through Session Law 2026-39; and

WHEREAS, the Planning Board has in fact met to consider and evaluate the proposed amendments during their regularly scheduled meeting on September 21, 2026; and

NOW THEREFORE, BE IT HEREBY RESOLVED, that the Planning Board finds that the proposed amendments to Section 13 of the Land Development Ordinance **ARE / ARE NOT** consistent with the Beaufort Comprehensive and CAMA Land Use Plan and **ARE / ARE NOT** reasonable and in the public interest because the amendments bring the Town’s development regulations into compliance with State law while retaining existing parking requirements where permitted.

The Planning Board **RECOMMENDS / DOES NOT RECOMMEND** approval of the proposed amendments.

This Resolution is effective upon its adoption this 21st day of September 2026.

TOWN OF BEAUFORT PLANNING BOARD

_____, Chairman

ATTEST:

_____, Secretary