



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, April 18, 2022 - Train Depot, 614 Broad Street, Beaufort, NC 28516 Monthly Meeting

Call to Order

Roll Call

Agenda Approval

Minutes Approval

- [1.](#) PB Draft Minutes for 03.21.22

Public Comment

Presentations

- [1.](#) Comprehensive and CAMA Land Use Plan

Public Hearing

- [1.](#) Rezone 801 Mulberry Street totaling 15.87 acres from TR to PUD With Master Plan & Special Use Permit

New Business

- [1.](#) Case # 22-09 Preliminary/Final Plat - 146 Gibbs Court
- [2.](#) Case # 22-10 Final Plat – Beaufort East Village Phase I
- [3.](#) Case # 19-19 Site Plan - Compass Hotel - 18 Month extension request/Re-approval

Commission / Board Comments

Staff Comments

Adjourn



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
5:00 PM Monday, March 21, 2022
Minutes

Call to Order

Chair Neve called the March 21, 2022 Planning Board meeting to order at 5:00 p.m.

Roll Call

Chair Neve asked Secretary Anderson to conduct a roll call.

In attendance: Chair Neve, Vice Chair Merrill, Member Bowler, Member LoPiccolo, Member Meelheim, Member Vreugdenhil, Member Willis.

Secretary Anderson declared a quorum present.

Also present for the meeting were Town Manager Todd Clark, Fire Chief Tony Ray, Town Attorney Arey Grady, Kyle Garner, Samantha Burdick, and Laurel Anderson.

Agenda Approval

Chair Neve stated that it had been suggested to move Public Comments to the beginning of the meeting as was custom with the Board of Commissioners and as had been done in the past with the Planning Board.

Member Vreugdenhil made the motion to amend the Agenda to move Public Comments to the beginning of the meeting and Member Bowler made the second.

The attorney for the applicant Beaufort Agrihood Development LLC, Eric Remington, interjected at this point and objected to the reordering of the presentation of information. Chair Neve stated that in over a decade of serving on the Planning Board the Public Comments for the most part have been at the beginning of the meeting, and had only been moved to the end of the meetings very recently. Town Attorney Arey Grady stated that the Board has rules of procedure that have been in place for many years and noted that those rules set out the order of business, the order being the following: the discussion and revision of the proposed Agenda and the adoption of the Agenda, the approval of Minutes, Public Comment, Items for Consideration, and Administrative Reports. He further stated that to the extent that the Board was changing anything, they were changing to be consistent with their own rules.

Chair Neve took a vote that was unanimous.

Voting yea: Chair Neve, Vice-Chair Merrill, Member Bowler, Member LoPiccolo, Member Meelheim, Member Vreugdenhil, Member Willis

Minutes Approval

- 1. PB Draft Minutes for 02.21.22

Chair Neve asked if there were any changes to the Minutes from the February 21, 2022 meeting and hearing none, he asked for a motion.

Member Meelheim made the motion to approve the minutes and Member LoPiccolo made the second. Chair Neve took a vote that was unanimous.

Voting yea: Chair Neve, Vice-Chair Merrill, Member Bowler, Member LoPiccolo, Member Meelheim, Member Vreugdenhil, Member Willis

Public Comments

Chair Neve introduced Public Comments and stated that all commenters would be limited to three minutes and asked for all commenters to maintain a civil tone. He also stated that the Planning Board had received a lot of formal correspondence on the project and noted for the record and confirmed that the correspondence was shared with all Board members. The following commenters spoke during this time and all expressed concerns with the Salt Wynd project including: runoff, storm problems, the application being incomplete, CAMA permitting, Gibbs Creek being the last open shellfishing area, highly irresponsible development, the preservation of coastal lands, the legal obligation to keep clean water in the creek, stormwater reviews not included in application, lack of a master plan in the application to inform decision makers and public, the last open tidal estuary not closed to shellfish, and the area being a refuge for birds.

- Dr. Susan Schmitt, 1527 Ann St, Beaufort NC
- Martha Kenworthy, 109 Holly Ln, Beaufort NC
- Harriett Altman, 103 Leonda Dr, Beaufort NC
- Dr. Jud Kenworthy, 109 Holly Ln, Beaufort NC
- Dr. Hans Paerl, Yaupon Ln, Beaufort NC
- Alex Hardee, 52 Davis Circle, Chapel Hill NC
- Logan Louis, 900 Cedar St, Beaufort NC
- Frank Gillikin, 204 Howland Parkway, Beaufort NC
- Rebecca Dronan, 511 Jones Ave, Beaufort NC
- Ana Zivanovic-Nenadovic, 3609 NC 24, Newport NC
- Sarah Spiegler, 130 Charles St, Beaufort NC
- Charlie Denton, 711 Bland St, Beaufort NC

Mr. Remington objected to the content of the public comments, stating that the subdivision ordinance was a ministerial process, a “check the box kind of system”, where if the people meet the list they should be approved. He further stated that all of the talk about the new draft Land Use Plan, the Resilient Beaufort Plan, other master plans and climate change, are all irrelevant, immaterial comments that should not be considered by the Planning Board in determining whether the application should be approved. Mr. Remington said that the individuals, some of whom are not residents and organizations with no standing, should not be allowed to make those kinds of comments. He objected to the comments, saying they were highly prejudicial and asked the Board not to consider them.

Presentations

At the request of the Town, Mr. Karl Blackley of Blue Treasure LLC and Preston Development Co. offered to come back at a later time to answer questions from the Board regarding the history and future of the Beau Coast and Beau Coast West developments.

Mr. Kyle Garner asked the Board to send any questions for Mr. Blackley to Town Staff to forward to Mr. Blackley.

Old Business

1. Preliminary Plat for Salt Wynd Preserve Phase I

Mr. Garner gave an overview of the Salt Wynd Phase I plan and showed a slideshow of Phase I including streets, utility layouts, and building lots.

Ms. Samantha Burdick gave a presentation of existing environmental conditions and gave a slideshow of maps which the Town had included in earlier packets for Board review. The maps included a National Heritage Program Biodiversity & Wildlife Habitat Assessment, which illustrated the high habitat quality of the proposed subdivision area. The next map was the NC Coastal Region Evaluation of Wetland Significance, showing the designation of exceptional coastal wetlands also in the proposed subdivision. The last slide showed NC Marine Fisheries Shellfish Sanitation: Shellfish Harvesting Closures, of which Gibbs Creek, which adjoins the proposed subdivision, is the last remaining open shellfish harvesting tidal estuary in Beaufort.

She also explained the Town of Beaufort's Watershed Restoration Program, which was adopted in 2017 and certified by the state. The program is targeted to reduce runoff and increase water quality throughout the three watersheds studied in the plan. Two objectives of the plan include ensuring new development and redevelopment do not create additional water quality impairments and reducing the volume of stormwater runoff from existing private land uses.

Ms. Burdick showed more slides showing Gibbs Creek designated as the only conditionally approved open shellfish harvesting area.

At Chair Neve's request, Town Attorney Arey Grady explained the subdivision preliminary plat approval process. He stated that the approval would not go to the Town Commissioners and the Planning Board would make the final decision.

Members Bowler and Vreugdenhil asked questions regarding the streets in the proposed subdivision. Member LoPiccolo asked if there were any deficiencies of the developer in the subdivision ordinance, and Mr. Garner stated there were no deficiencies from a technical standpoint. Mr. Garner said that Board had an opportunity to request an Environmental Impact Study under the Subdivision Ordinance criteria referenced in the NCGS 113A North Carolina Environmental Policy Act 113A-2. Member LoPiccolo asked if there were any grounds on which the Board could deny specifically based on the Environmental Impact Statement, and Mr. Grady stated that there was no specific provision in the Town's ordinance which allows that, and no provision for evaluation or how you can use it or not use it.

Member LoPiccolo then asked if a CAMA permit was specifically required and Mr. Garner answered that it would not be, but individual work that is done based on the plat may require CAMA permits. He stated that any new development that would take place in an area of environmental concern usually does require a CAMA permit.

Member Vreugdenhil asked what other agencies, if any, had reviewed the proposal, and Mr. Garner said that DOT had reviewed it and someone else had stated that CAMA had reviewed it. Member Vreugdenhil stated that he wanted to ensure that Section 3 of the Subdivision Ordinance was followed in that the Coastal Area Management Officer or Coastal Resources Commission would be given opportunities to make recommendations. Chair Neve read further in the Ordinance that the Board has the ability to request that the plat be submitted to, among other places, CAMA or the Soil Conservation Services Office or any other office for review.

Chair Neve then gave the applicant an opportunity for their presentation. Margaret Chalk presented first for the design team and gave a brief project overview. Lin Stroud then spoke and explained that permitting is required before any development can begin. He also stated that they would not be building homes in the wetlands area.

Some concerns noted by the Board and discussed with the applicant’s team included drainage areas of swales going into the areas of environmental concern, shared driveways, minimum road elevation in the flood plain area, dead end streets, long cul-de-sacs, flag lots, CAMA and other organization reviews of the application.

Member Merrill made the motion to table Preliminary Plat for Salt Wynd Preserve Phase I until the Environmental Impact Statement, CAMA, and Coastal Resource statements are received as is allowed by the subdivision ordinance. Member Meelheim made the second.

The applicant’s attorney Mr. Remington stated that the Board had never required an EIS before and they had met all requirements, and to require an EIS now was not appropriate and they objected to it. Members Merrill and Vreugdenhil and Chair Neve responded that with the unique nature of the property it was the Board’s right to request an EIS to inform their decision.

Chair Neve took a vote that was unanimous.

Voting yea: Chair Neve, Vice-Chair Merrill, Member Bowler, Member LoPiccolo, Member Meelheim, Member Vreugdenhil, Member Willis

New Business

1. Zoning Text Amendment – Duplexes as a Permitted Use in the TR Zone

Chair Neve opened the New Business and Kyle Garner presented the on behalf of staff. Mr. Garner noted that the presentation was in the packet. He stated that duplexes had originally been permitted in the ONI zoning which had been rezoned as TR, and at that time duplexes were changed to requiring special use permits. The Board discussed driveways and parking, existing duplexes, ownership of duplexes, affordable housing needs, and the evidentiary process for special use permits.

Chair Neve asked for a motion to open the public hearing.

Member Vreugdenhil made the motion to open the public hearing and Member Meelheim made the second. Chair Neve took a vote that was unanimous.

Voting yea: Chair Neve, Vice-Chair Merrill, Member Bowler, Member LoPiccolo, Member Meelheim, Member Vreugdenhil, Member Willis

The applicant, Joyce McCune, 608 Ann St, then spoke and explained that they had built some duplexes but the zoning had then changed before they could finish building, so she and her husband had applied for the zoning text amendment.

Chair Neve asked if there were any other public comments.

Logan Louis, 900 Cedar St, spoke in support of the text amendment and said that duplexes should be a right and not require a special use permit, and the town should encourage affordable housing.

Charlie Deaton, 711 Bland St, also spoke in support of the text amendment.

Chair Neve asked for a motion to close the public hearing.

Member Meelheim made the motion to close the public hearing and Member Bowler made the second. Chair Neve took a vote that was unanimous.

Voting yea: Chair Neve, Vice-Chair Merrill, Member Bowler, Member LoPiccolo, Member Meelheim, Member Vreugdenhil, Member Willis

Member Vreugdenhil read the approved permitted uses for the TR zone and noted that duplexes were no more detrimental than some of those uses, and recommended approval.

There was more Board discussion about unintended consequences of approving duplexes as a permitted use in the TR zone, density, and consistency with and subdividing lots.

Member Willis made the motion to approve the zoning text amendment and Member Vreugdenhil made the second. Chair Neve took a vote that was unanimous.

Voting yea: Chair Neve, Vice-Chair Merrill, Member Bowler, Member LoPiccolo, Member Meelheim, Member Vreugdenhil, Member Willis

Commission / Board Comments

Member Vreugdenhil thanked the town staff for a thorough and comprehensive packet

Member Bowler said that there had been a significant amount of learning through Resilient Beaufort etc. and urged the town staff, elected officials, citizens, and Boards to ensure that everything learned was incorporated in the comprehensive update and LDO update, and that everything learned was practically applied. She also stated that resiliency included inclusion and equity to ensure that Beaufort is a great place to live for everyone.

Member LoPiccolo stated that the urgency is here, and that we have the LDO and environmental focuses in our town and we should move faster to get those protections in place to help shape the community without destroying the natural preserves and heritage here. He said that it seems to be very difficult to get to that point so the Boards can legally make decisions to approve or deny subdivisions, and they also need to look at higher density, affordable housing and the needs of the town.

Member Willis said that the comment had been made that some things had not been done in the past, and stated that we don't have to continue what was done in the past; we have more information and are getting it out there to the public. He stated that because of the citizens, applicants are bending to more of the ecological impacts.

Member Meelheim said that the issues to be decided don't have to be rushed and we need to get it right, it is so important and we need to get it right as much as we can.

Vice-Chair Merrill commented that it was nice to be back meeting in person. He also said that some things that people accept as a given, like higher density means more affordable housing are not always correct. He has also noticed more fences and barriers being put up close to the road and it appears that public property is being taken over, which could lead to safety and ownership issues.

Chair Neve agreed that it was nice to be back meeting in person, and was looking forward to the new CAMA plan and LDO and asked the Board to make lists of what had gone well or not over the past ten to fifteen years. He also said that in the past applicants have come before that Board before their plans are submitted, for suggestions from the Board, and asked the staff to come before the Board to ask for suggestions before submittals.

Staff Comments

Mr. Garner stated that the old County Home was going through the State Historic Preservation and federal grant cycles and are planning to keep the existing property. He responded to Member Merrill regarding the illegal fencing around the town. He also said that Samantha Burdick was putting together a table or matrix showing the different environmental plans already in place for the Boards to refer to, and that the updated CAMA plan and Resiliency plans were on schedule for the next meeting. The town attorneys will also be training all of the Boards in April.

Adjourn

Member Vreugdenhil made the motion to adjourn and Vice-Chair Merrill seconded the motion. Chair Neve took a vote that was unanimous.

Voting yea: Chair Neve, Vice-Chair Merrill, Member Bowler, Member LoPiccolo, Member Meelheim, Member Vreugdenhil, Member Willis.

Chair Neve then declared the meeting adjourned.

Chair Neve

Board Secretary Anderson



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, April 18, 2022 – 614 Broad Street – Train Depot**

AGENDA CATEGORY: Presentation

SUBJECT: Comprehensive and CAMA Land Use Plan

BRIEF SUMMARY:

The Town of Beaufort’s Comprehensive and Coastal Area Management Act (CAMA) Land Use Plan creates a policy framework to guide responsible growth and natural resource conservation over a 25-year planning horizon.

The Town began work on this plan in late 2020 and is presenting the draft prior to review and certification by the NC Division of Coastal Management.

Jay McLeod with Stewart Consulting will review the plan’s process, highlight changes, and be prepared to discuss specific elements and policies within the plan.

REQUESTED ACTION:

Recommendation to the Board of Commissioners for adoption

EXPECTED LENGTH OF PRESENTATION:

45 minutes

SUBMITTED BY:

Samantha Burdick
Town Planner

BUDGET AMENDMENT REQUIRED:

N/A



Staff Report

To: Planning Board
From: Samantha Burdick, Planner

Date: 4/11/2022
Meeting Date: 4/18/2022

Summary of Request: Recommend adoption of Comprehensive and Coastal Area Management Act (CAMA) Land Use Plan

Background In late 2020, the Town of Beaufort began work on the update to its 2006 Comprehensive and Coastal Area Management Act (CAMA) Land Use Plan. This plan creates a policy framework to guide responsible growth and natural resource conservation over a 25-year planning horizon. It contains a shared community vision to guide the growth, development, and natural resource conservation for the Town of Beaufort and its planning jurisdiction.

This Comprehensive and CAMA Land Use Plan considers existing conditions and trends to envision the future community, a community vision created by the people of Beaufort. It contains goals that define this vision and implementation strategies to achieve these goals. It provides an analysis of the forces that have shaped the Town of Beaufort over time, as well as the current socioeconomic qualities of the Town. Finally, the plan provides implementation strategies to achieve the vital elements that make the Town of Beaufort a safe and welcoming place to live, work, and play.

Engaging the residents of Beaufort as well as key stakeholders was important for creating a plan that was reflective of the community. Public engagement included a series of focus group sessions, steering committee meetings, three public meetings, and three surveys. In addition to the steering committee reviewing and shaping all elements of the plan, the public also weighed in regularly.

Jay McLeod, with Stewart Consulting, will review the plan’s process, highlight changes, and be prepared to discuss specific elements and policies within the plan.

Once the Planning Board and Board of Commissioners vote to recommend adoption of this plan, it will then be reviewed by NC Division of Coastal Management staff and certified by the Director.

The Comprehensive and CAMA Land Use Plan contains the following chapters:

- 1) Community Concerns and Aspirations
- 2) Socioeconomic Snapshot
- 3) Existing Plans
- 4) Environment, Natural, and Cultural Resources
- 5) Community Values, Vision, and Goals
- 6) Future Land Use Character Areas
 - a. Future Land Use Map Page 171
- 7) CAMA Topics and Policies
- 8) Appendices:
 - a. Population Projection Methods
 - b. Affordable Housing Primer

- c. Short-Term Rental Primer
- d. Rachel Carson Reserve Resilience
- e. CAMA Land Use Plan Matrix
- f. Resilient Beaufort Strategy (Stewart update)

Requested Action Recommend adoption to the Board of Commissioners after review by NC Division of Coastal Management

Attachments: Attachment A – DRAFT Comprehensive and CAMA Land Use Plan



TOWN of
BEAUFORT
NORTH CAROLINA

Comprehensive and CAMA Land Use Plan



Draft last modified:
February 23, 2022 1:56 PM

Adopted: <Date>

NC Coastal Resources Commission certified: < >

Acknowledgments

Steering Committee

- » Guy Copes
- » Johnna Davis
- » Paula Gillikin
- » Robert Harper
- » Diane Meelheim
- » Ralph Merrill
- » Heather Poling
- » Henry Everett

Planning Board

- » Jeff Vreugdenhil
- » Ryan Neve, Chair
- » Becky Bowler
- » Aaron Willis
- » Diane Meelheim
- » Ralph Merrill, Vice Chair

Town Staff

- » John Day, Town Manager
- » Allen Coleman, Town Clerk
- » Kyle Garner, AICP, Director of Planning & Inspections
- » Rachel Johnson, Public Information Officer
- » Samantha Burdick, Town Planner
- » Kate Allen, Former Town Planner

Mayor and Board of Commissioners

- » Sharon Harker, Mayor
- » Charles McDonald, Mayor ProTerm
- » Ann Carter, Commissioner
- » John Hagle, Commissioner
- » Marianna Hollinshed, Commissioner
- » Everette (Rett) Newton, Former Mayor

And much appreciation to all the residents, business and property owners, and visitors who participated and contributed their time and perspectives.

This plan facilitated and written by:



Contents

About the Plan 8

1: COMMUNITY CONCERNS AND ASPIRATIONS ... 13

 Significant Existing & Emerging Conditions 13

 Focus Group Interviews Summary 19

 A Balance of Priorities 30

 Key CAMA-related Issues 34

2: SOCIOECONOMIC SNAPSHOT 39

 Population Trends 39

 Population Estimates and Projections 40

 Demographics 44

 Housing 45

 Socioeconomic Mapping 48

3: EXISTING PLANS 57

 Existing Plan Assessments 57

4: ENVIRONMENT, NATURAL, AND CULTURAL RESOURCES 75

 Areas of Environmental Concern 75

 Erosion, Soils, and Septic Suitability 80

 Water Quality 84

 Community Facilities 102

 Environmentally Fragile Areas 104

Contents

- Priority Habitat and Species of Concern 108
- Parks and Open Space.....114
- Existing Land Use & Development 122

5: COMMUNITY VALUES, VISION, AND GOALS .. 127

- Community Vision..... 127
- Community Goals 128
 - GOAL 1: Environmental Protection130
 - GOAL 2: Resiliency136
 - GOAL 3: Housing144
 - GOAL 4: Infrastructure & Public Utilities148
 - GOAL 5: Economic Development154
 - GOAL 6: Transportation154
 - GOAL 7: Town Character158
 - GOAL 8: Diversity & Inclusion162

6: FUTURE LAND USE AND CHARACTER AREAS 167

- Future Land Use Map and Character Areas..... 170
 - Traditional Neighborhood Residential 172
 - Suburban Residential 178
 - Conservation / Open Space / Parks / Environmental / Recreation... 180
 - Cedar Street Mixed-Use Area 182
 - Village Commercial..... 184
 - Commercial Center 186
 - Downtown Commercial..... 188
 - Waterfront Commercial..... 190

Contents

Employment Center / Utility/Infrastructure 192

Non-Intensification Zone..... 194

7: CAMA TOPICS AND POLICIES 199

 CAMA Land Use Management Topics and Policies..... 199

8: APPENDIX 209

 Appendix A: Population Projection Methods..... 210

 Appendix B: Affordable Housing Primer 214

 Appendix C: Short Term Rental Primer220

 Appendix D: Rachel Carson Reserve Resilience.....222

 Appendix E: CAMA Land Use Plan Matrix226

Page still in development.

Reserved for CRC certification letter

Page still in development.

Reserved for CRC certification letter

About the Plan

This Coastal Area Management Act (CAMA)-Certified Comprehensive Land Use Plan, sometimes referred to as a comprehensive plan, incorporates land use and transportation plans previously adopted by the Town of Beaufort, while creating a policy framework to guide responsible growth and natural resource conservation over a 25-year planning horizon.

What's a Comprehensive Plan?

It is a document that contains a shared community vision to guide the growth, development, and natural resource conservation for the Town of Beaufort. It is a tool to be used by many people with an interest in the Beaufort community. First and foremost, it is for the citizens of Beaufort, the policy makers who represent them, and the Town's Staff who support them. It also for businesses and future citizens, and scholars or students who want to learn more about Beaufort.

This comprehensive plan considers existing conditions and trends to envision the future community, a community vision created by the people of Beaufort. It contains goals that define this vision and implementation strategies to achieve these goals. It provides an analysis of the forces that have shaped the Town of Beaufort over time, as well as the current socioeconomic qualities of the Town of Beaufort. Finally, the plan provides implementation strategies to achieve the vital elements that make the Town of Beaufort a safe and welcoming place to live, work, and play.

Who's Been Involved

- » Focus Groups
 - Economic Development/Business Community Focus Group
 - Community Leaders and Developers Group
 - Planning Board Focus Group
 - Environmental and Resiliency Professional Focus Group



- Local citizens and local neighborhoods advocacy group

- » Steering Committee - appointed members of the community who reviewed and guided all plan documents to enhance the plan with local perspective.
- » Planning Board - reviewed the plan as part of the formal adoption process.
- » Town Commissioners - reviewed the plan as a part of the formal adoption process.
- » Town Staff - facilitated meetings and outreach, internal review and coordination, provided perspective and background information.
- » Members of the public - participated in public meetings, plan review, surveys, and input through various methods.

Schedule

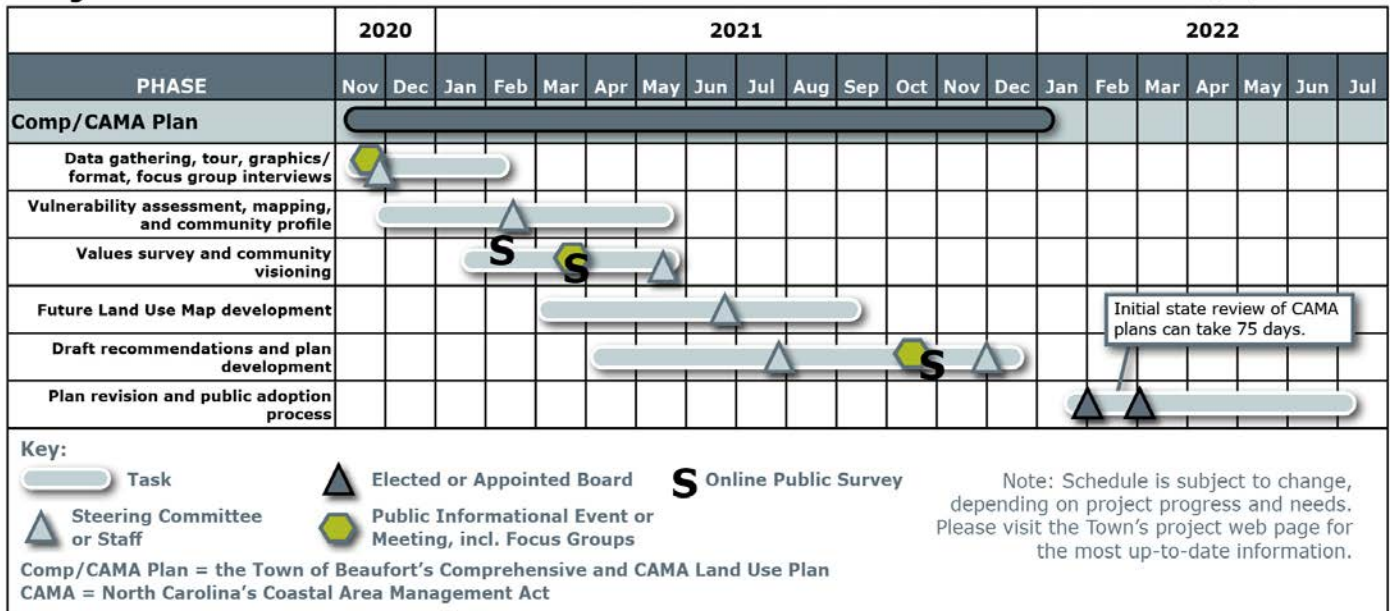
The project kicked off in November of

*"The people are the best part of Beaufort."
-Steering Committee member*

2020 by collecting valuable data from town staff. Next, the Stewart team visited the Town for a community tour and focus group meetings. This led to obtaining valuable insight and local perspectives related to land use and development in the town. Following the community tour, a vulnerability assessment was performed to identify areas of environmental concern, existing land use, transportation, infrastructure, water quality, stormwater, and other environmental concerns. Throughout the process, the project team met with Town staff and the steering committee to help guide the plan and address required topics by the Coastal Area Management Act. A combination of public

Project Schedule

Version: 02/18/2022



meetings and surveys were conducted to gain community insight on future growth, development, preservation, and conservation concerns. Updating the Town’s CAMA-Certified Comprehensive Land Use plan is a two-year process that includes one-year of public engagement and analysis, followed by state review of the draft plan, which can take up to 75 days.

Public Engagement

Public engagement included a series of focus group sessions, steering committee meetings, three public meetings, and three surveys.

In addition to the steering committee reviewing and shaping all elements of the plan, the public also weighed in regularly.

Public Meetings

- » Public Meeting #1: December 9, 2020 - introduced the community to the plan development process and reviewed preliminary information that had been collected and analyzed.
- » Public Meeting #2: March 23, 2021 - reviewed existing conditions and gathered community input on draft goals.
- » Public Meeting #3: October 14, 2021 - introduced the community to the draft plan document and gathered input and answered questions about the document.

Surveys

- » First Survey: February 10 - March 10, 2021 - gathered information on community values and vision.
- » Second Survey: March 24 - April 13, 2021 - gathered community input

on draft goals and objectives of the plan.

- » Third Survey: October 14 - 29, 2021 - gathered community comments related to opinion of the draft plan and the included future land use map, revised goals, and expanded objectives and recommendations, prior to the plan going to elected and appointed board for review and approval.

Outreach During COVID-19

Although COVID-19 presented challenges to public engagement across the state, the Town, project team, and Beaufort community adapted and engaged the public in meaningful ways. Focus group meetings, steering committee meetings, and public meetings were held using Zoom and streamed over Town-utilized social media platforms. Surveys were accessible online (traditional computer and mobile) and printed hard copies were available to be taken in person. Zoom allowed for interactive breakout group sessions that facilitated small group discussion. These small group sessions ensured that all attending had the opportunity to be heard.

This page intentionally left blank



1

Community Concerns and Aspirations

Significant Existing & Emerging Conditions

The following description of existing and emerging conditions is not exhaustive but does capture the general state of land use and development concerns in the study area of the Town and set the stage for further discussion in the plan of relevant concerns. A discussion of Coastal Area Management Act (CAMA) related concerns is also included, and is based on the information gathered from the land use plan steering committee survey, general public input gathered early in the

plan update process, and town staff and local area expert interviews.

Land Use

Context

Located on the Crystal Coast in North Carolina’s Coastal Plain region, the Town of Beaufort is the seat of Carteret County. It sits on a small peninsula and is bordered on the east by the North River and the west by Newport River, with Taylor’s Creek, the Rachel Carson Reserve, and the Beaufort Inlet to the south.

Existing Land Use

Residential properties comprise the majority of Beaufort’s existing land use. Public and institutional lands, commercial land, and industrial land follow in relative abundance, respectively. Vacant land, agriculture, and conservation areas comprises 40% of the land within the Town’s planning jurisdiction. (See the Existing Land Use map for additional detail.)



Gallants Channel Bridge

Future Land Use

The Town’s 2006 Future Land Use Map classifies the corporate limits and the extraterritorial jurisdiction into the following categories:

- » Residential
 - Low Density
 - Medium Density
 - High Density
- » Commercial
 - General
 - Downtown
- » Mixed Use
- » Public and Institutional
- » Industrial
- » Conservation and Open Space

The largest classification on the Future Land Use Map with 43% (3.19 square miles) of the total planning jurisdiction is Low Density Residential. Medium Density Residential constitutes about 10% or (0.8 square miles) of the total planning

jurisdiction. There is minimal land classified as High Density Residential, but these areas are primarily located along U.S. Highway 70 North.

15.8% of the total planning area is classified for future Mixed Use, which provides a mix of medium- and high-density residential uses and commercial and institutional uses. There are several sites adjacent to Town Creek, the former Beaufort Elementary School site, properties near Cedar Street and Carteret Avenue, the Atlantic Veneer Corporation site, and the Beaufort Fisheries Industries site.

Public and Institutional uses include the Michael J. Smith Field Airport, public facilities, and schools. Approximately 12% (0.9 square miles) of the total planning jurisdiction is classified as Public and Institutional.

The Industrial future land use classification accommodates some existing and future industrial and manufacturing establishments as well as heavy commercial uses. About 2.6% (0.21 square miles) of the planning jurisdiction is identified for future industrial use.

Most of Beaufort’s conservation and open space area lies in the Rachel Carson Reserve. In 2019, the North Carolina General Assembly passed SL 2019-95, annexing unincorporated portions of Rachel Carson Reserve into the Town of Beaufort. This added conservation and open space to the Town; however, further growth in this category is not anticipated. The future land use component of this Land Use Plan update will build on the data from the previous plan.

Conservation

While owned by the State of North Carolina, the Rachel Carson Reserve, across from Taylor’s Creek, is a renowned landmark and remarkable asset for the Town of Beaufort. The islands of the Reserve (Carrot Island, Town Marsh, Bird Shoal, and Horse Island) shield Beaufort from the waters of the Atlantic Ocean. In addition to the Reserve, Fort Macon State Park and Shackleford Banks are located just outside of the Town’s jurisdiction but are regionally significant environmental resources.



Rachel Carson Reserve

Development Trends

Residential Growth and Needs

The approval of large subdivisions has been shaping and reshaping the landscape outside of historic downtown for sometime. Among the most recent developments, Beau Coast and Beaufort East Village will add 785 dwelling units to the Town.

Current and anticipated increases in Beaufort’s permanent and seasonal populations (see population projections in Chapter 2) will create a demand for new residential development and create demand for related goods and service providers. The 2006 Beaufort CAMA Land Use Plan projected that there was sufficient land to meet these needs through 2025, but available land is in high-demand. With a finite supply of property, the Town stands to face increasingly difficult land use decisions.

Uptown and Midtown

While Beaufort is best known for its shoreline, waterfront, and historic downtown, the Town’s planning jurisdiction extends far beyond these districts. In fact, the Town expects that most of its anticipated growth will be north of Cedar Street, Lennoxville Road, and NC 101, approaching the limits of its extraterritorial jurisdiction (ETJ). Uptown and Midtown received less attention in years past; however, recognition of the importance of these areas moving forward is growing. Development patterns have

been inconsistent in these parts of the Town, but recent efforts to focus on these neighborhoods have been well-received. There are current plans to revitalize the commercial areas and beautify the streetscapes, as recorded in the Small Area Plan and Entry Master Plan (see plan assessments in **Chapter 1: Existing Plans**). These efforts will be critical steps towards unifying the Town, reinforcing the authenticity of the community, and creating a sense of place upon entry.

Transportation

Airport

The Michael J. Smith Field Airport has good access to the state highway system and is separated from the central business district by Highway 70. The airport serves planes and jets coming to and from the Crystal Coast. It also offers educational and recreational opportunities for visitors and residents of the surrounding areas. Previous planning efforts have explored the potential of expanding the runways, which would require a realignment of Highway U.S. 101 and have impacts on surrounding properties.

Roadways

The main entrance to Beaufort is on U.S. 70. In May 2016, the U.S. 70 corridor was designated to become I-42 to connect I-40 and the greater Raleigh/Durham/Triangle area with Morehead City and the port. From start to finish, the project will span nearly a decade.

At present, it takes approximately three hours for travelers from the Research Triangle region to

reach the Crystal Coast. The new I-42 will reduce that time by about one hour, improving freight movements and reducing evacuation times during storm events. Experts anticipate significant economic development to occur along the corridor and neighbors in Morehead City and Atlantic Beach are already beginning to plan for the increased demand.

In 2019, the North Carolina Department of Transportation (NCDOT) completed a \$66.4 million project to replace the existing bridge on U.S. 70 over Gallants Channel with a 65-foot fixed-span bridge. The project also included widening U.S. 70 into four lanes with a median and a bridge on Turner Street. This project improved traffic flows on the highway, resulted in reduced traffic on Cedar Street and Live Oak Street (both formerly U.S. 70), and has provided an opportunity for the Town to utilize the old bridge site as a future park space. Cedar Street is also scheduled for a public realm improvement in the form of an enhanced streetscape design with landscaping, pedestrian facilities, and on-street parking upgrades accompanying a road repaving.



Highway 70 bridge over Gallant's Channel

Active Transportation and Recreation

Active transportation includes modes where the person is actively propelling themselves (i.e. - walking or bicycling versus riding in a car). The Town’s commitment to improving active transportation (also referred to as multimodal transportation but active refers specifically to human-powered travel) options led to the adoption of the 2018 Beaufort Walk + Bike Plan. Since then, progress has been steady. Implementation of the plan’s recommendations has included pedestrian amenities at Turner Street, a crossing at Tiller School, and sidewalk installation along Live Oak Street and Carteret Avenue.

ADA Improvements

The Town of Beaufort began an ADA Transition Plan in 2020 to comply with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA). The Plan identified barriers to accessibility and strategies for remediation in town-owned infrastructure and services. The Town recently installed a wheelchair ramp at Town Hall. Several other curb ramps throughout town were brought into compliance with ongoing street resurfacing projects.

Signage and Wayfinding

Signage and wayfinding play a critical role in the Town of Beaufort, especially for visitors. In August 2012, the Town of Beaufort adopted the Beaufort Entry Master Plan to evaluate opportunities to improve these elements of the Town. To create a signage plan, the Plan identified the best routes to high-traffic destinations.

Cart Culture

Beaufort residents have a unique affinity for golf carts. They typically equip the vehicles for street use. When active transportation is less feasible or desirable, the golf carts provide both an enjoyable pastime and mobility for many in the Town.

Infrastructure

Water

The Town of Beaufort has four wellheads and water treatment plants, one located on Hedrick Street and one located on Glenda Drive. There are over 3,200 service connections throughout the distribution system.

Sewer Service

Beaufort’s sewer system has approximately 25 miles of gravity lines, 28 miles of force mains, 21 pump stations, and 3,300 sewer service connections. The wastewater treatment plant discharges the treated water into the eastern portion of Taylor Creek.



Town Wastewater Treatment Plant

Water Quality

Watershed Restoration Plan

In 2016 the Town established a Stormwater Advisory Committee. This committee was facilitated by the N.C. Coastal Reserve to identify flood-risk areas, advise a water quality collaborative research project led by UNC Institute of Marine Science, and develop a Watershed Restoration Plan. The North Carolina Division of Marine Fisheries identified impairments in local shellfishing and swimming waters resulting from stormwater pollution in Beaufort. In response, the Town’s advisory committee collaborated with the Eastern Carolina Council and the North Carolina Coastal Federation to produce the 2017 Watershed Restoration Plan for Town Creek, Taylor Creek, and the Davis Bay watersheds. This plan seeks to reduce the volume of stormwater reaching these watersheds and emphasizes pairing capital improvement projects with stormwater reduction measures. The Town has implemented several successful stormwater reduction projects including the Tiller School rain gardens, the Lennoxville Boat Ramp rain gardens, and the Beaufort Fire Department permeable pavement.

Stormwater Management

Beaufort’s 2017 Plan set a goal to reduce stormwater runoff by 0.088 gallons per square foot. Targeted methods include stormwater retrofitting and community outreach initiatives. Efforts span across public and private lands to create a multi-faceted, joint push to improve stormwater pollution and reduce volume. In 2019, the Town completed a Utility Line, Storm Water, and Street

Improvements Capital Investment Plan (CIP).

Other Environmental Concerns

Sea Level Rise and Flooding

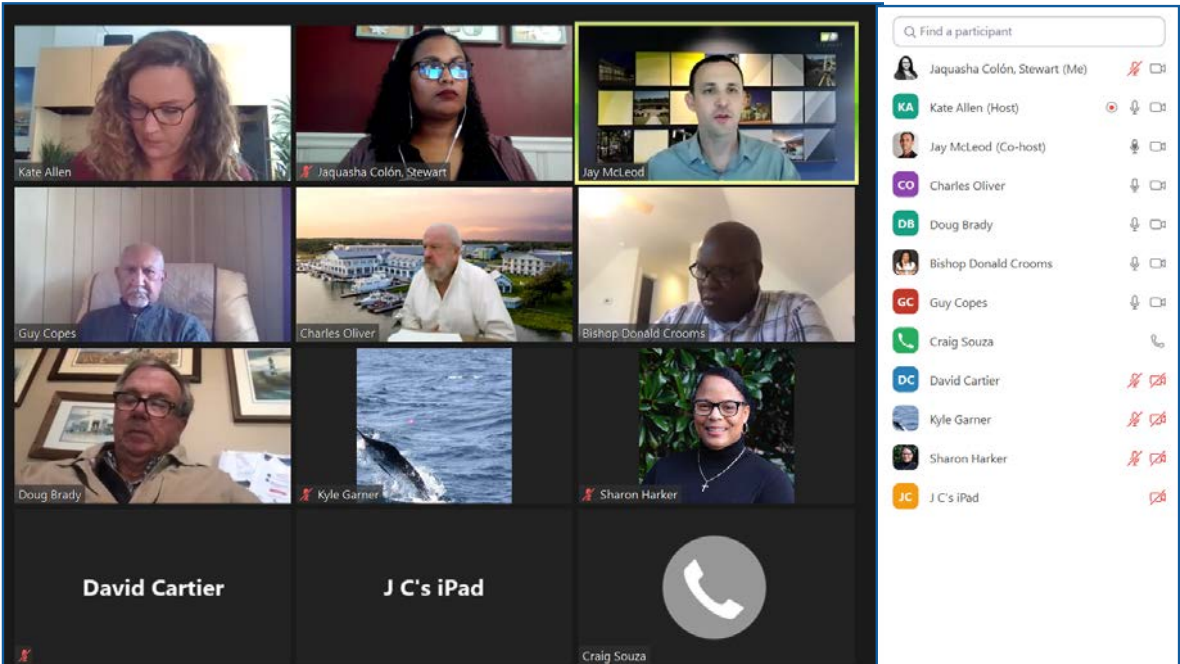
With sea level rise expected to be approximately 40% higher than the global average, the Town of Beaufort faces significant risks in the near future. By 2060, sea level rise is projected to increase by between 1.0 and 3.9 feet. Water levels at or above 1.8 feet create minor flooding conditions in the Town. Without strategic intervention, sea level rise could cause moderate and major flooding, threatening the economy, property, and the population.

Focus Group Interviews Summary

On December 8th, 2020, the project team and town staff led four virtual focus group discussions. Each meeting brought together participants representing varying interests in and around Beaufort to discuss the town’s challenges, accomplishments, opportunities, and its future. This was held early in the planning process to provide the project team with much needed local context and history. The four meetings were organized by the town staff under these topic areas: economic development and business community, developers and community leaders, planning board, and coastal resiliency and environmental professionals. Each group was asked about Beaufort’s opportunities, assets, challenges, and concerns and given the time to discuss their opinions, both professional and personal. The

discussions were free-flowing and resulted in a few themes that were repeated in each meeting.

A fifth focus group meeting was held on April 1st, 2021, after the second public meeting wherein the draft goals for the project were presented to and discussed with the public. This fifth focus group consisted of residents eager to see the Town engage with the community to develop this much needed update to the Comprehensive Plan. Input from all five of these meetings was consolidated into this summary.



Focus Group Interviews were conducted on Zoom

Groups and Organizations Represented

- » Residents
- » Religious Leaders
- » Business Owners
- » Developers
- » Community Leaders
- » Beaufort Business Association
- » Carteret County Chamber of Commerce
- » Beaufort Planning Board
- » Beaufort Parks and Recreation Advisory Board
- » Carteret County Economic Development
- » Carteret County Community College
- » Crystal Coast Tourism Development Authority

- » NCDEQ Division of Coastal Management
- » NCDPS Office of Recovery and Resiliency
- » UNC-Chapel Hill Institute for Marine Sciences
- » NCDEQ - Rachel Carson Reserve
- » Duke University Marine Lab

Key Themes Repeated Across All Five Focus Groups

- » Preserving and protecting Beaufort's Charm and Character
- » Protecting the Crystal Coast
- » Maintaining a Mixed Income Community

Focus Group Interviews included a short presentation for participants

Summary of Input:

Opportunities / Assets:

- » Celebrating small town / coastal charm
- » Preserving historic downtown and built environment
- » Growing demand for residential development
- » Strengthening safe neighborhoods
- » Thriving small businesses
- » Protecting the crystal coast ecology



Barbour's Marine Supply Storefront

Challenges:

- » Preserving the character of Beaufort
- » Protecting the coast and environmental water quality
- » Increasing infrastructure demands due to growth
- » Availability of affordable long-term rentals
- » Lack of regulations on short-term rentals

Other Areas of Concern:

- » Rising sea level and flooding
- » Gentrification of established minority neighborhoods
- » Lack of public amenities and facilities for families
- » Fostering the community feeling between new arrivals and residents
- » Accessibility for all
- » Diversifying and increasing employment opportunities (industrial and commercial growth)
- » Housing affordability

Detailed Summary of Focus Group Interviews

Small Town Charm

It is undeniable to stakeholders and visitors alike: The Town of Beaufort is a charming coastal town. From the seasonal programming, local restaurants and bars, several docks, distinctive historic district, safe neighborhoods, and the sort of Southern hospitality only found in the Carolinas – Beaufort’s reputation as a jewel of the Crystal Coast is well-deserved. Long-time and newer residents both agree that this distinctive character needs to be maintained in perpetuity. Residential development has seen a boom in recent years with vacationers and retirees both flocking to find their piece of the Town, and with that change comes the concern that the small-town feeling will start to feel crowded, or perhaps worse, inauthentic, and suburbanized. Among residents, both life-long and transplants, there is some concern that Beaufort’s growth will center on its tourism industry – leading it to develop in a fashion similar to larger, more commercialized, coastal, vacation destinations.



Refocus on Midtown and Uptown

While Beaufort is often recognized by Front Street and the historic downtown, that area alone makes up a very small portion of the whole community. North of Cedar Street, Lennoxville Road, and the Live Oak Street and Highway 101 intersection, and all the way to far edges of the ETJ is where the majority the land and year-round residents of Beaufort reside. Much of the planning, regulatory, and development focus on Beaufort has been centered around the southernmost portion of the town. Downtown and along the Front Street waterfront is where the most desirable land and development pressure has been. There is a long-growing need to place some focus on Uptown Beaufort, which has seen spotty commercial development in the recent decades.



Aging Population

Beaufort, like many of North Carolina’s scenic coastal communities, has been drawing retirees in as new residents while seeing a decline in young adults and families with children. Stakeholders in the focus groups who grew up in town before leaving to follow careers elsewhere have come back after decades away and spoke of others who have done the same. With this pattern continuing today, Beaufort has seen the median age of rise as the older adult and empty-nester population climbs.



Typical housing seen in Beaufort

Active and Accessible Mobility

Recently, the Town completed a bicycle & pedestrian plan which made new recommendations for improved walkability and bicycle connectivity. The Town has been moving steadily in implementing pedestrian improvements that were recommended, such as pedestrian amenities planned at Turner Street, a crossing at Tiller School, and sidewalks along Live Oak Street and Carteret Avenue. That said, some residents also rely on golf carts as their preferred method of transportation across town in a similar manner to a mobility scooter user. Meeting mobility needs for these users should be balanced with pedestrian, bicycle, and roadway improvements. There is also recognition of the need for increasing the prevalence of ADA accessible pedestrian facilities based on concerns raised during the initial public engagement efforts.

Housing Affordability

New residential opportunities have not been in short supply for the Town of Beaufort. The Beau Coast and Beaufort East Village alone will add nearly 800 homes to the Town when fully built out, and additional infill development is also occurring throughout town on a lot-by-lot basis. Much of the new housing starts in the mid to low \$300,000 range. Due to the nature of Beaufort’s environment and location (at the tip of peninsula with sensitive wetlands bordering either side), as well as the southernmost and central portions being largely developed already, there is not much buildable land available at a low cost with utilities

(especially sewer service) located nearby. Ready-to-develop land is in short-supply and expensive near downtown and corridors. Land further away from the Town’s core would be costly to connect to infrastructure and conforming with the distinct small-town charm may limit options that could improve density, leaving developers with limited flexibility or incentive to make housing more affordable for lower income levels to rent or own.

Preserving and Attracting Diversity

Beaufort has historically been more racially diverse than it is presently, particularly within the Mulberry Street neighborhood. Currently, the demographics show the Town’s population is about 21% minority but has been trending down as rental availability and housing affordability have become increasingly harder to find for households with low-to-moderate incomes. Additionally, increases to taxes and a higher cost of living are making it harder for households with lower incomes to stay in town and for property owners with long-term rentals to maintain historic rates. With primarily single-family houses in resort style neighborhoods on the market and rental properties shifting



Picnic tables on Front Street during the winter months



Private marina on Town Creek.



Public kayak access point and storage.



Town docks.

to popular short-term models, current and prospective minority, young family, and low-to-moderate income residents are being pushed out of Beaufort proper to the County jurisdiction, Morehead City, or out of this region altogether.

Short-Term Rentals and the Community Atmosphere

As an attractive vacation destination, Beaufort has seen an increase in short-term rental offerings on popular listing platforms (e.g., AirBnB and VRBO). Within Town limits are ten hotels and inns in operation, and during peak tourism season and surrounding popular events, any short vacancies are limited. Homeowners who may not reside in town full-time or were able to acquire multiple properties have been able to profit on this market demand. However, no regulation currently exists for short-term rental properties, and locals who reside in the historic district find the increased presence of boisterous vacationers an unwelcome addition to their neighborhood. Large parties and rowdy groups do not contend well with the quaint charm and community feel locals have come to expect, and residents are waiting for a solution to balance their year-round needs with the economic benefits of the tourism industry.

Tourism Industry and Off Season

Late Spring through to early Fall makes up Beaufort’s tourist season, with May to July seeing the Town at its busiest. While the population within the town limits and ETJ hovers just below 6,000 residents, the population peaks to 13,400 with the influx of vacationers. Here to enjoy the rich history, visit the Reserve, recreate along the coast, and soak in the

small-town charm, the tourist population drives much of the local economy. When the Cedar Street bridge was closed and replaced by the US 70 Bypass, there was a deep concern that tourism would decrease, and local businesses would see a distinct decline in revenue due to traffic from Morehead City being diverted away from Town. However, that has not been the case. Now with future Interstate 42 connection, a new hotel, and the influx of residents, summer tourism is expected to continue to build.

One change stakeholders are hoping for is growth in tourism in the fall and winter months. As it stands, the decrease of revenue is drastic once the vacationers leave. Businesses that see most of their profit from tourists are unable to maintain summer staff or hours. This extends to tours, hotels, restaurants, and shops along Front Street. There is a significant interest in the business and tourism community to capture more off-season tourism. If the Town is able to grow off-season interest, more revenue and year-round jobs can come into the community while using existing infrastructure to maximize the returns on local tourism-based investments. Many of the stakeholders agreed that maintaining a steady flow of year-round tourism would better support the service and retail industry in the town.

Jobs and Business Development

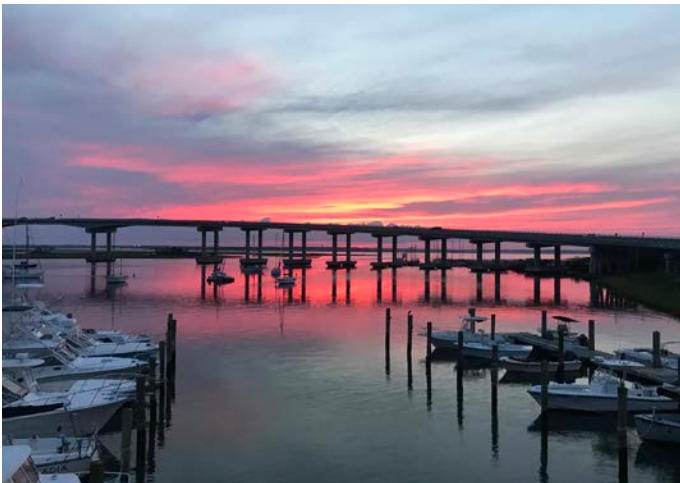
By far the retail and service industry in Beaufort takes up the biggest portion of the local workforce, however, a thriving local economy needs diversity of job opportunities. Large industry employers are typically outside of Beaufort limits, but they have tended to edge closer to town in order to tie into existing



The built environment must accommodate the natural environment



Coastal wetlands are fundamental to the community



Beaufort is a water-focused community

sewer utilities. Attracting and retaining industries has been a concern, as well as attracting the right kind of residential support businesses that make a place attractive to live.

Access to Public Trust Waters

Despite the spectacular waterfront views available in many places, direct, physical access to the water in Beaufort can be difficult to find for the general public. Private residences, rental properties, and specific neighborhoods hold most of the docks and boat launches. The Town has made improvements to several access points, but they are limited in geography and facilities. Celebrating and protecting spaces where everyone has open access to Beaufort’s greatest natural asset could both increase public support and participation in environmental protections and improve access for all residents and visitors. Recent years have seen an increase of motor boat traffic in the waterways. The extra noise, pollution, and traffic can be disruptive, and even dangerous, for marine life and kayakers alike.

Environmental Protections

The Town was planned around the inlet and access to the ocean remains ones of the top selling points. As such, there is a vested interest by all parties to protect, preserve, if possible, restore the natural environment where loss and degradation has occurred. Past planning and industry decisions, such as widening the port, have created lasting effects that will increase impacts felt in Beaufort from



Fishing access



Kayak stand near the marina

sea-level rise and global climate change. Multiple agency efforts need to be coordinated to balance improvements needed to mitigate direct environmental impacts with defenses against climate change impacts, specifically increasing storm severity and sea-level rise. Decreasing run-off, reshoring against erosion, reestablishing native vegetation, and improving the stormwater collection and transport system are all key concerns that need to occur at the watershed level. Development and construction practices also need to be re-examined to ensure that site level impacts can be reduced to support Town and regional interests, such as preventing the clear cutting of established maritime forests and improving the water quality in the estuaries. In addition, the impact of a sewer system nearing capacity could exacerbate ecological degradation. Protecting Beaufort’s local ecology must be a priority to consider with every planning and policy decision.

Utility Infrastructure

Beaufort is one of the few communities in Carteret County that has sewer infrastructure. However, the Wastewater Treatment Plant is over 10 years old and nearing the point at which facilities planning must occur to accommodate additional future growth. Like most wastewater treatment plants, it is expensive to operate and maintain. As such, there are high rates for users. The Town has extended wastewater treatment service to a limited number of customers outside of the corporate town limits. These users pay double what users within Beaufort’s town limits pay. Sewer service connection in Beaufort is a significant factor in the cost and feasibility of development and it continues to be a priority of the Town to maintain a high value and high functioning system. The Town’s road infrastructure is also in need of improvements. While more sidewalk and cycling investments have



The Town is actively engaged in infrastructure upgrades and maintenance.

been made recently, the overall quality of the pavement in Town is in need of maintenance and repair, during which utility and mobility upgrades can also be made, which would be more cost-effective than having to come back later with further road construction.

Remote Workforce

The 2020 pandemic year brought a new opportunity for office workers that has never been seen at this scale previously: remote work capability. Stay-at-Home orders mandated by the State of North Carolina have led to employees working remotely all over the state, calling to question how far we can live from our workplace. As companies go forward, remote working flexibility is expected to be far more commonplace – opening towns previously viewed as a far-off retirement dream as a potential place to live in the present. In scenic towns across the country, newly designated remote employees are buying homes and moving to “Zoom towns,” which have been experiencing significant increases in home sales since October 2020. (Zoom is a type of remote-work, virtual conferencing software.) Anecdotally, this is also happening in Beaufort, although the long-lasting impacts of remote-workforce relocations have yet to be fully understood or predicted.

Attracting Mixed Income Residents

Even though visitors may think of Beaufort as a quaint, historic small town that is ideal for retirees, there are still families and workers who live in or near the Town. Unfortunately, due to a scenario where many local jobs are seasonal, housing is largely unaffordable, rentals are short-term or unavailable,

recreational opportunities for kids are in short supply, and there are more career and job opportunities elsewhere. The Town has struggled to attract and retain lower to middle income residents like young adults and families. Census data indicates that the number of jobs in Beaufort and workers who live outside of town have increased since 2000, while the number of residents who work in Town has had a slight dip. This could indicate that the people working in Beaufort cannot afford to live here, however, further analysis is needed. Providing more public amenities for families and children can also attract small and growing households back to this area as permanent residents.

Resiliency Planning with the Reserve

The Rachel Carson Reserve is a major tourist attraction and a part of the North Carolina National Estuarine Research Reserve system. The grouping of small islands, marshes, and wetlands are not only valuable habitat for native species but also function as barrier islands that protect Beaufort’s waterfront. The Reserve is currently in a resiliency planning process, and the Town has the opportunity to partner with this effort. Through this collaboration, and similar ones like the Resilient Coastal Communities Program, joint projects that support both the Town and the Reserve can be identified.

A brief on the concurrent and separate Rachel Carson Reserve Habitat Resilience Planning Effort

The Rachel Carson Reserve functions as a nature preserve, outdoor laboratory and classroom, and protective storm barrier for the Town of Beaufort. As environmental and human conditions change, it is important to understand where, why, and how habitats of the Reserve have been or may be affected. These answers will help guide future actions that will support local environmental and social resilience.

Assessing Vulnerability

An understanding of the Reserve’s habitats and their vulnerability to coastal flooding and severe weather is an important first step in planning for future impacts.

Marsh Vulnerability on a Site and Regional Scale

The Climate Change Vulnerability Assessment Tool for Coastal Habitats revealed that marsh at the Rachel Carson Reserve shares a “high or very high” vulnerability with other Reserve site marshes in NC (except for the Reserve site at Currituck Banks which is only “moderately vulnerable”). The tool also revealed that the main part of the Reserve site (Town Marsh, Carrot Island) is less vulnerable than Middle Marsh, which is separated from the rest of the site by the North River Channel.

Analyzing Habitat & Shoreline Change

Understanding how habitats have changed and why is key to understanding how they will respond to future conditions such as sea level rise. At the Rachel Carson Reserve, dredging projects and inlet width strongly influence habitat change.

Planning for the Future

In 2020, the Division of Coastal Management received funds from the National Fish and Wildlife Foundation to support a community resilience program and to develop a habitat resilience plan for the Rachel Carson Reserve.

Development of the habitat resilience plan is based on a knowledge base of vulnerability assessments, various analyses, published studies, and consultation with a team of experts, including staff from the Town of Beaufort. The plan will include strategies that help support the resilience of habitats at the Reserve, including habitats that are important to protecting the Town’s waterfront.

Additional Resources:

Additional educational materials on the topic can be found on the Rachel Carson Resilience Hub at: <http://www.tinyurl.com/rachelcarsonresilience>



A Balance of Priorities



Throughout the initial information gathering activities (which included public engagement, focus group interviews, and steering committee discussions), it became apparent that there are a number of competing priorities at play in the Town. Like in many communities across the state that are adapting to growth, adapting to change while preserving the community character is a challenge. The initial public engagement that was part of this plan has resulted in a greater understanding of the competing priorities and viewpoints with which the community is currently grappling.

Community Values

Community priorities included **preservation of small-town character**, which can be achieved through density or design controls on the built environment. The Town has carefully regulated architectural controls in the historic district, and also has

restrictions on building height for the entire jurisdiction.

Many survey and public meeting participants expressed concern for the **affordability of housing** and that long-time residents are feeling squeezed out or are unable to own-and-live in the town. It would appear that despite new housing being constructed, demand still outpaces supply. In addition, the appeal of cultural and environmental tourism has increased the **demand for vacation rental housing**. This has been exacerbated by the nationwide explosion of short-term rental housing (AirBnB, VRBO, HomeAway, etc.). Demand for these different rental types puts a strain on existing housing, further inflating prices.

An Affordable Housing Primer is available in the appendix of this document, but some key terms are defined as follows:

“Affordable housing” is housing that costs no more than 30% of a household’s income, including utilities (*HUD*).

- » Affordable housing can be income-restricted, meaning it is specifically developed as affordable housing and is only available to households that meet specific income limits.
- » Affordable housing can also be market-rate, meaning it is affordable based on market price and is not restricted based on household income. These housing units are susceptible to market fluctuations and may increase in price, rendering them unaffordable.

“Workforce housing” is housing affordable to households earning between 60% and 120% of the Area

Mean Income. Workforce housing is generally thought to be for middle-income workers which includes professions such as police officers and teachers.

Resiliency and Environmental Protection

There is also a growing concern about the environment, specifically the loss of wetlands, maritime forests, and mature tree canopy. Maintenance of environmental water quality is very important, especially since the waterfront and saltwater play a major role in everyday life and the community’s identity. These areas also provide ecosystem services, such as stormwater interception and storage. Stormwater and flooding apprehensions were also frequently mentioned, and have a significant impact on water quality as well.

Erosion and higher seas are increasing the conversion of shoreline from natural to modified (sea walls, bulkheads, rock vetments, etc.). This reduction in habitat is a cost paid by all residents who enjoy the coastal habitat and benefit from high environmental water quality.

At the time of writing, the Town was also undergoing a planning effort to increase resiliency to coastal and climate hazards. This will help position the Town to respond to shocks and stressors with less disruption of services and operations.

Government Intervention and Retreat

There is very little discussion on the risk private landowners should absorb when discussing coastal development.

Some towns choose to purchase these vulnerable properties, ensuring a private landowners’ investment is safeguarded by the local government. However, not all private real estate investments are guaranteed a high return. This dilemma is further exacerbated when viewing the issue through the lens: is it the responsibility of the local government to guarantee a return on investment in high-risk locations?

Maintenance of existing public infrastructure in high risk areas puts a financial burden on the overall community, while primarily benefiting the landowners. If the government were to retract services from these areas rather than purchasing them, it then may be viewed as a taking. If a town were to abandon high-risk, high-maintenance sewer lines in an area that experienced frequent coastal flooding and erosion, would those properties still be habitable or valuable if the private property owners were forced to assume those costs and infrastructure? Another option would be for the local government to charge additional user fees to maintain high-risk, high-maintenance assets. Each of these concerns are interrelated and there are tradeoffs with pursuing any course of action. The following table (next page) attempts to **quantify this interrelatedness** and describe the impacts that certain actions might have on other aspects of the community that are valued or seen as needing improvement.

Although this list is not all-inclusive, hopefully it provides a broader understanding of the **tradeoffs that will be required** in order to achieve outcomes that different from the current course or the status quo.

Conceptual Exploration of Competing Priorities and Potential Impacts of Trade-offs

Potential Action	Pros	Cons	Relationship to Affordable Housing	Relationship to Tourism Economy	Notes
Disallowing very tall structures	Maintains community character.	Prevents higher density lodging like apartments, hotels, and condos.	Reduced opportunity to develop more densely. It is unlikely this would lead to more affordable or attainable housing, but it would provide additional housing supply.	Fewer hotel rooms or rental units for tourists.	Structure height has an impact on community appearance and character.
Increased tree canopy preservation standards	Maintains environmental assets.	Potential to increase land costs for developers.	When development density is artificially kept lower (through any method) it drives up the cost of land and the cost of home construction.	Character and charm are essential to the Town's appeal. It's possible that there would be a very slight increase in tourism related to scenic beauty of neighborhoods.	Preserving tree canopy does help intercept rainfall, helps recharge ground stormwater storage capacity, lowers ambient heat, and help intercept hurricane winds.
Restrictions on short term rentals of single family housing	Maintains small-town charm and community character.	Reduces the opportunity for a unique style of tourism and/or a second income stream for local vacation home owners.	When residential housing becomes a commercial investment commodity, homes become owned and operated by investors, which decreases local supply of housing for residents.	Reducing short term and vacation rental housing supply will mean fewer tourists staying in town; tourism from in-town hotels or visitors from other towns will likely not be affected.	Some residents have adapted by renting out one or more bedrooms in their own homes to help defray the cost of living, which allows these residents to continue to be a part of the community. With the high demand for housing in Beaufort, it is uncertain if restricting short term rentals would have any impact at all on local affordability, and might just result in the short term rentals being converted to second homes.

Conceptual Exploration of Competing Priorities and Potential Impacts of Trade-offs (Continued)

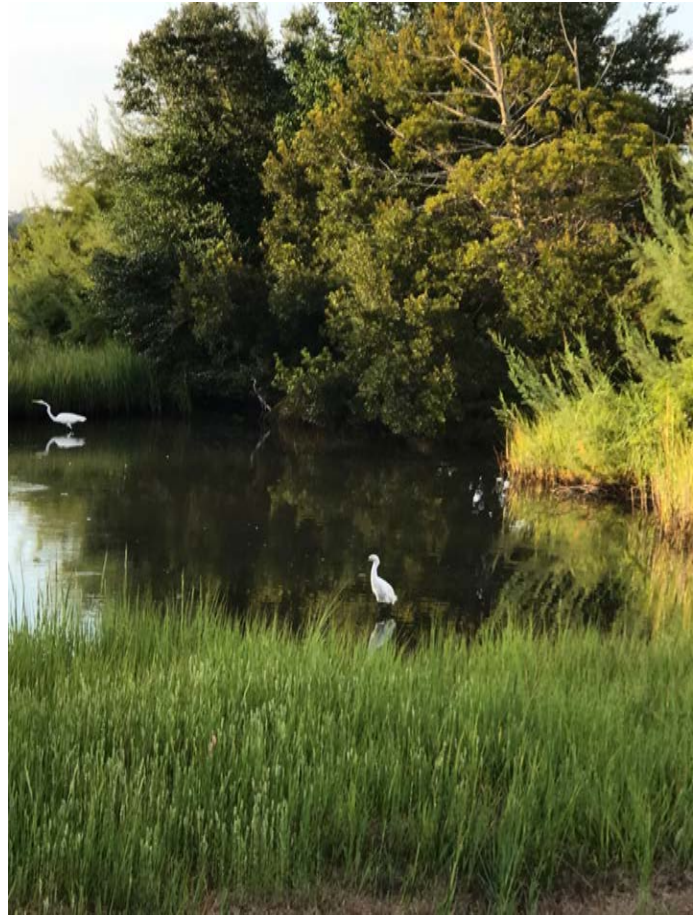
Potential Action	Pros	Cons	Relationship to Affordable Housing	Relationship to Tourism Economy	Notes
Restricting the conversion of property to residential uses, and protecting employment uses (commercial, industrial, etc.)	Provides an opportunity for diversifying the employment base, potentially away from such a heavy reliance on tourism.	Potentially restricts private property owners from obtaining the highest yield on their real estate; Reduces the supply of housing.	Any restriction in the supply of land available for housing has some impact on affordable housing although given the demand for coastal housing, it is unlikely that such property would result in additional "affordable" housing.	It is possible that a reduction in land available for housing (especially if some of that housing would be short term rentals or vacation rentals) would have a negative impact on the growth of the tourism economy.	While it is conceivable that this could potentially help diversify the economy, there is no guarantee that increasing the supply of commercial or industrial land will result in successful nonresidential uses if demand does not exist.
Allowing more multifamily housing types in existing neighborhoods	Adds to existing housing stock, usually via higher density.	Potential to change neighborhood character.	Additional housing supply may have some positive effect on lowering home prices of existing, affordable stock, but is less effective an adopting an official affordable housing program.	Might provide additional affordable housing for tourism related employees, but that same housing might also be consumed by second home or vacation rental market.	Multifamily housing can be introduced and regulated in a manner so that it is designed to fit within the context with existing neighborhoods.

Key CAMA-related Issues

The Coastal Area Management Act (CAMA) is particularly concerned with five land use topics. Additional description of issues related to those topic areas is provided below. For the full description of these topic areas and their CAMA-related objectives, please see the full description from state statutes (15A NCAC 07B. 0702).

Public Access

In Beaufort, the public has access to public trust waters in several different capacities (visual access, fishing access, physical access, and equipment access like boat launches). As in most coastal towns, there are limited opportunities for residents and visitors that are not coastal property owners to access public trust waters. Most direct, physical access to the coast and water, through docks, shoreline access, and private boat launches, are exclusive to private residences, rental properties, and select neighborhoods, although several light and heavy craft public access points do exist. For those unfamiliar with the Town, public access points can be difficult to locate. In addition, development, tourism, and population growth have all increased the need for more public access points. While these issues present challenges, the community recognizes the value of public trust water access, and many support increased options.



Coastal wetlands (Photo: Andrea Correll)



Grazing horse at the Rachel Carson Reserve

Possibly the best example of a public private partnership in providing public access to public waters is the town docks where a combination of physical, vessel, and visual access is shared with adjacent commercial uses where the water view can be enjoyed while dining, walking, or shopping. The boardwalk and docks are a signature Beaufort experience.

Land Use Compatibility

Limitations

The Town’s location between three watersheds; Town Creek, Taylor Creek, and Davis Bay; has limited the development potential of the area geographically. Legacy development within wetlands and regulatory (i.e. - 100-year, or 1% annual chance) floodplains has resulted in legacy land use conflicts. Development has also increased impervious surface area, with associated negative impacts from stormwater runoff and flooding. Incompatible coastal development has resulted in the loss of natural buffer areas, exacerbating flooding and runoff issues. This is a common issue among historic working waterfront communities that were developed prior to the enactment of coastal environmental protection legislation. Often properties that were developed near the water have also experienced erosion and subsequently hardened their shorelines to protect built infrastructure. This has resulted in incremental loss of natural (unmodified) shoreline and marsh habitat over the years.

Flood Risk

As of November 2020, Beaufort had 2,425 developed parcels and 767

undeveloped parcels of land. Of the developed parcels, 48.8% (1,183 parcels) were developed prior to February 14, 1975, when Carteret County adopted its initial Flood Insurance Rate Map (FIRM) (Pamlico Sound Regional Hazard Mitigation Plan, 2020). Because they were developed prior to these minimum standards, these older parcels may carry a higher level of risk during natural hazards and are potentially more susceptible to inundation than areas developed subsequently. There have, however, been subsequent FIRM updates over the years as flood zones have changed. This inborn flood hazard is typical of towns that developed prior to widespread flood prevention regulations.

Existing Land Uses

See analysis in Chapter 5.

Infrastructure Carrying Capacity

Water Treatment Plants

Beaufort’s two water treatment plants have adequate capacity for existing demand (1.872 MGD permitted capacity each, max use 0.91 MGD in 2020, per local water supply plan); however, there are some challenges. Some equipment is nearing or exceeding its expected service life and there are space limitations at the Hedrick Street location. The Town’s wells are functioning at adequate levels for current demand, but two of them are approaching their expected service lives. For more information, see the NC DEQ Local Water Supply Plan (<https://www.ncwater.org/WUDC/>). (See page 37 for projected needs.)

Wastewater Treatment Plant

The permitted capacity of the wastewater

treatment plant is 1.5000 million gallons per day (MGD). Per a December 2020 staff report, the wastewater treatment plant has a current average daily flow of 0.7868 MGD. The obligated flow for future developments 0.2759 MGD. When accounting for both current and future utilization, there is approximately 29% unallocated capacity remaining. (See page 37 for projected needs.)

Natural Hazard Areas

Rachel Carson Reserve

The islands of the Rachel Carson Reserve shield Beaufort from the waters of the Atlantic Ocean. The pristine estuarine waters formed between mouths of the Newport and North Rivers, across from Taylors Creek, also harbor aquatic flora and fauna in an array of coastal habitats including tidal flats, salt marshes, ocean beach, soft bottom, shell bottom, dredge spoil areas, sand dunes, shrub thicket, submerged aquatic vegetation, and maritime forests.

Inundation overwash during storms, exacerbated by rising sea level, has become a more recently significant issue at the Reserve. In recent years, major storm events have caused water to breach the dunes, redepositing silt and sediment. This has resulted in the gradual shift of the islands towards the mainland.

Water Quality

The three main watersheds in Beaufort; Davis Bay, Taylor Creek, and Town Creek; drain into Newport River and North River which contain High Quality Waters (HQW). Stormwater runoff is a major concern in Beaufort. It is the primary source of the pollutants and

bacteria threatening the water quality of the delicate environment.

Davis Bay (Turner Creek and Gibbs Creek)

Davis Bay encompasses Turner Creek and Gibbs Creek. It is designated primarily as a Class SA waters, supporting direct contact recreation and commercial shellfishing. This is the last remaining shellfish harvesting area in the Town. Over the past two decades, significant logging activity has occurred in the greater watershed, changing the landscape and the runoff patterns.

Taylor Creek

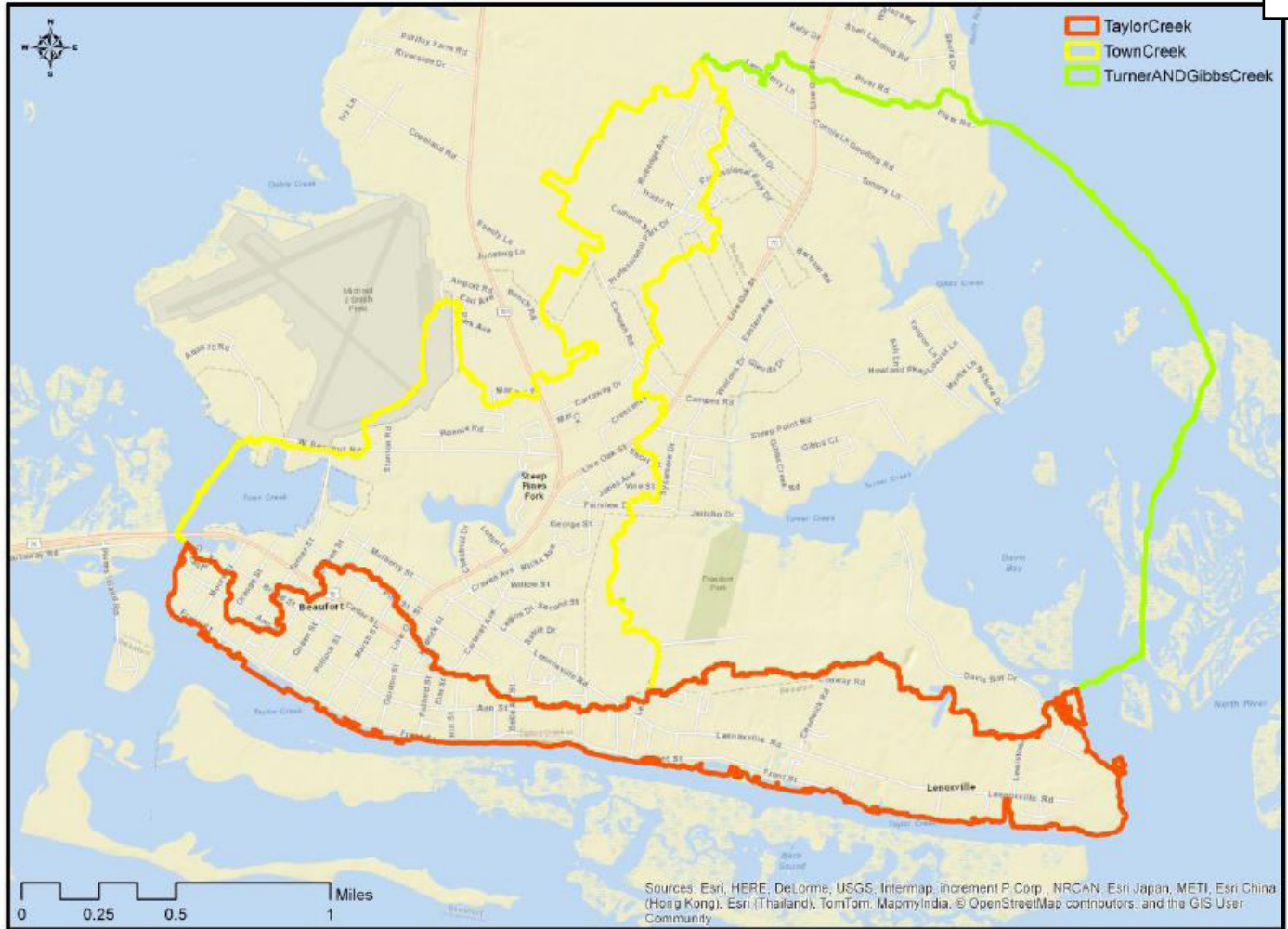
Taylor Creek watershed is predominantly classified as Class SC waters. This classification recommends limited activities involving skin contact with the water, but does not restrict some other activities such as fishing and boating. Shellfishing is prohibited along the length of the entire main channel. The waterfront has a number of residences with bulkheads, hardening the shoreline and contributing to a loss of natural vegetative coverage. Taylor Creek is a major local waterway and is frequently crossed to access the Rachel Carson Reserve or other regionally-significant destinations, such as the Shackleford Banks.

Town Creek

Town Creek runs along Beaufort’s western border. It is classified as Class SC waters. Prior to the 1970s, excess amounts of poorly treated sewage were discharged into the water. Despite a reduction in discharge, over the past several years, increased stormwater runoff has diminished water quality and

Beaufort Watershed Boundaries

1.



Watershed Boundaries

Projected Utility Needs

	2020	2025	2030	2035	2038	2040	2045	2050
Peak Population Estimate	10,200	11,025	11,980	12,941	12,215	13,983	14,347	14,697
Projected Water Needs (MGD)*	0.5304	0.5733	0.6229	0.6729	0.6352	0.7271	0.7460	0.7643
Water Capacity (MGD)	1.8445	1.8445	1.8445	1.8445	1.8445	1.8445	1.8445	1.8445
Projected Wastewater Needs (MGD)+	0.6120	0.6615	0.7188	0.7764	0.7329	0.8390	0.8608	0.8818
Wastewater Capacity (MGD)	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5

* = Based on 52/gallons/person/day per ratios used in Local Water Supply Plan 2020

+ = Based on estimated maximum of 60 gallons/person/day per 15A NCAC 02T .0114



2

Socioeconomic Snapshot

This section examines Beaufort’s existing conditions through analysis of population, demographics, and housing. The study area encompasses all the land within the ETJ and municipal boundaries. However, some statistics are given only for the area within the municipal limits, based on data availability.

Population Trends

The population of Beaufort fluctuates depending on the time of year, especially during the peak summer vacation months. The U.S. Census counts are performed decennially and estimated on years in between. Beaufort is also experiencing an influx of new residents and visitors. Several recent developments are also bringing significant residential housing construction.

Population Estimates and Projections

Beaufort’s population has historically grown at a very low rate. The population grew by just 13% from 2000 to 2019, which is conservative compared to North Carolina’s 30% growth over the same period. However, data shows that Beaufort will continue to grow its permanent and seasonal populations over the next 30 years (see page 35).

Permanent Population Projections

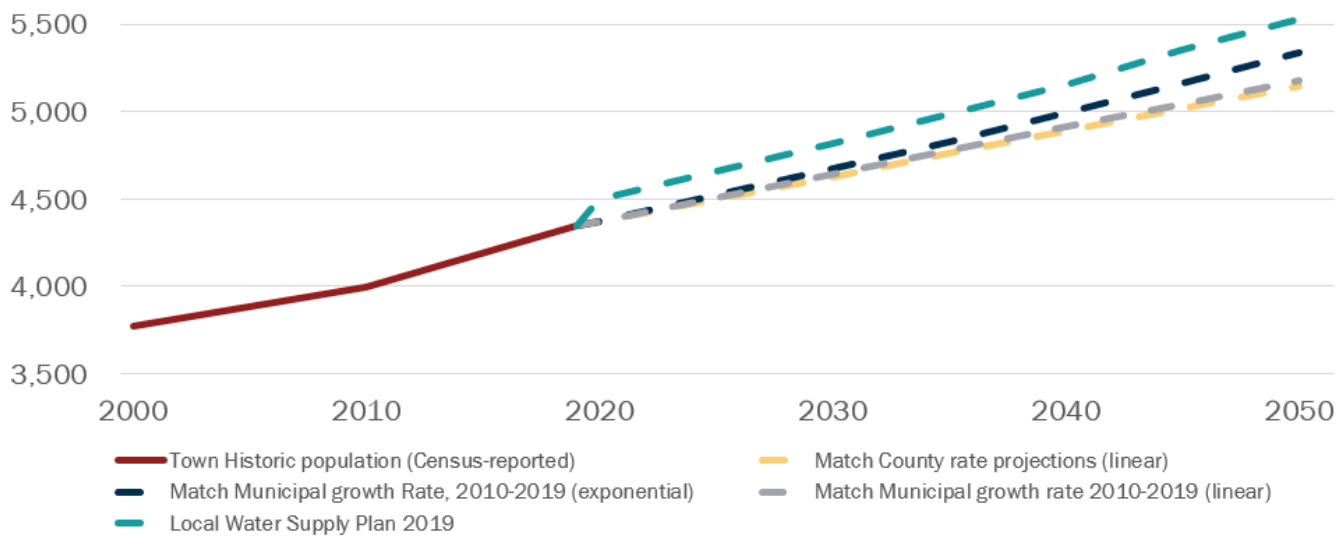
The permanent population for 2019 is estimated at 4,343 within the municipal limits and 5,839 including those within the extraterritorial jurisdiction. The

Historic Population Count

	2000	2010	2019
Municipal Pop.	3771 ⁵	3997 ⁵	4343 ¹
ETJ Pop.	1490	1350	1496
Total Study Area Pop.	5261 ⁶	5347 ⁶	5839 ⁶

annual growth rate for permanent residents was 0.9% from 2010 to 2020 within the municipal limits, which shows that while the permanent population is growing, it is not growing very quickly. Permanent population projections were developed using average growth rate of the following:

Permanent Population Projections



	2019	2020	2025	2030	2035	2040	2045	2050
Match County Rate Projections, Linear³	4343	4,369	4,499	4,629	4,759	5,019	5,149	5,279
Match Municipal Growth Rate 2010-2019 (exponential)²	4343	4,371	4,519	4,671	4,829	4,992	5,160	5,334
Match Municipal Growth Rate, 2010-2019 (linear)²	4343	4,370	4,505	4,640	4,775	4,910	5,045	5,175
Local Water Supply Plan 2019⁴	4343	4500	4658	4815	4984	5152	5352	5526

- » The projected County growth rate (per NC Office of State Budget and Management (OSBM))
- » The municipal growth rate from 2010-2019, compounded annually
- » The municipal linear growth rate from 2010-2019

Projections from the NC DEQ state water supply projections were included as a barometer for calculated projections. As evidenced by the chart, the population projections were in line with the State’s water supply projections.

The Impact of New Development

Simply extrapolating population growth based on historical growth and government projections does not tell the whole story for Beaufort’s population. The town has permitted two very large

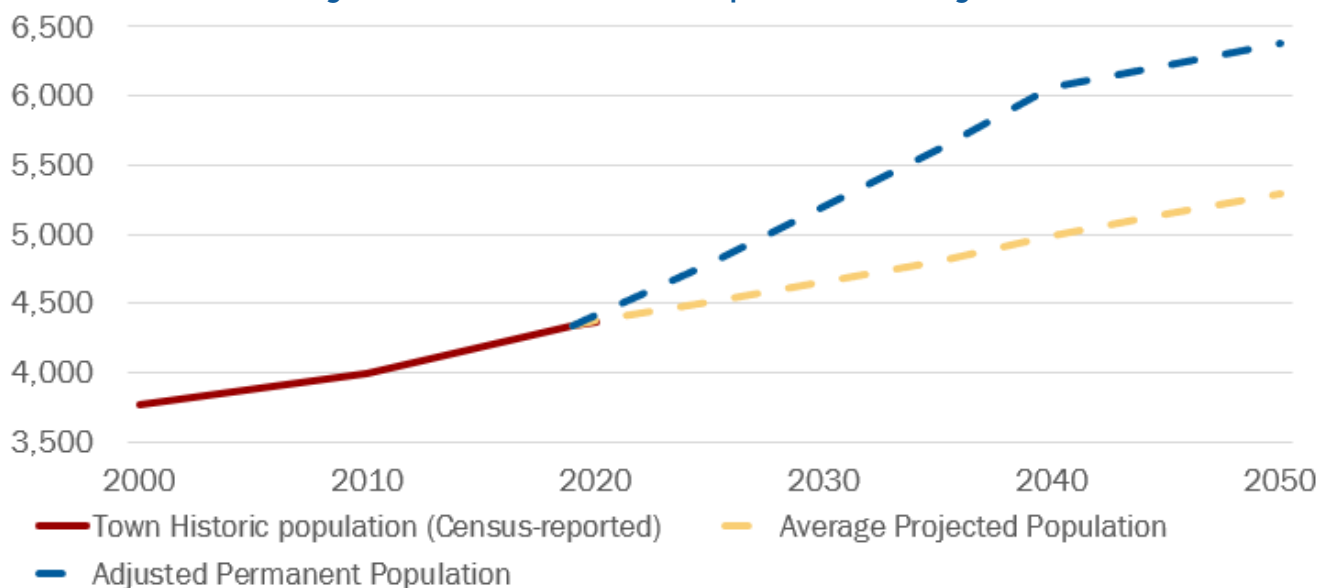
residential developments that together will bring almost 800 homes to town, which is roughly equal to the number of homes than were built in Beaufort between 2000 and 2019.

To account for the impact of these developments, first an average of the projected permanent populations was made. This average was added to a population estimate in the new developments based on known quantities:

- » About 40 new homes per year (based on 2018-2020 average)²
- » 1.8 person average household size¹

Since prior to these developments, the Town had closer to 12 additional dwelling units constructed per year, it seemed necessary to add this additional population to better project the anticipated (adjusted) average permanent projected population.

Adjusted Permanent Population Projections



	2019	2020	2025	2030	2035	2040	2045	2050
Average Projected Permanent Population		4,371	4,513	4,657	4,804	4,986	5,144	5,296
Adjusted Projected Permanent Population	4343	4415	4,783	5,197	5,614	6,066	6,224	6,376

As with any population projection exercise, some assumptions must be made. However, other trends are more difficult to accommodate and/or trends are not decisively indicative in any particular direction. Such subjects include recent trends related to the COVID-19 pandemic, shifts in vacation housing ownership proportion, and speculative future growth based on completion of the Interstate 42 project.

Seasonal Population Projections

The peak seasonal population was created by estimating and projecting forward the amount of visitors to short-term rentals and seasonally occupied units, guests of year-round residents, and other lodging, to give an estimate for how many visitors Beaufort accommodates during the busiest time of the year, July. This was added to the adjusted permanent population to estimate the total number of people in Beaufort during

peak tourist season in 2020, which is estimated at about 14,600. This does not include day trippers.

To project the seasonal population, the ratio of current visitor population to permanent population was calculated and applied to the adjusted permanent population projections. This assumes a constant ratio of tourists to full-time residents.

The chart below shows several lines demonstrating different Peak Seasonal Populations. A low and a high seasonal population estimate were calculated. These were then averaged and compared against the water supply report projections. The average estimate is slightly higher than the 2019 Water Supply Plan estimates.

For more information, including the methodology for estimation and projection, refer to the appendix.

Understanding Population Projections

Permanent Population

Persons who usually reside in the planning area, year-round.

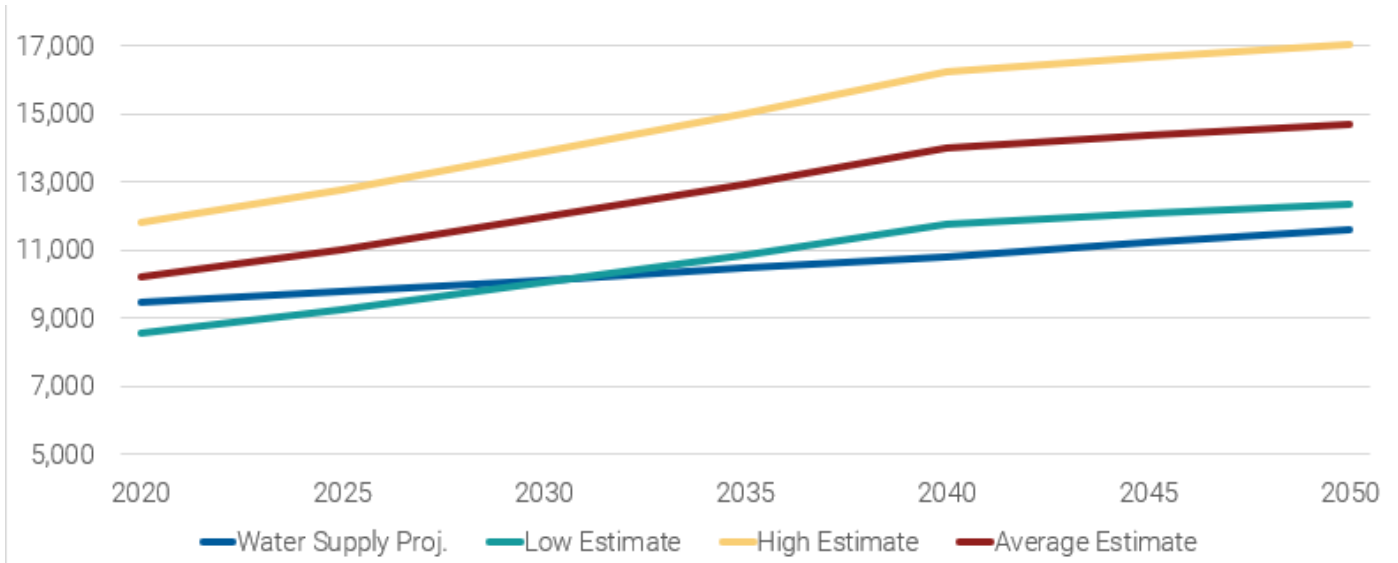
Peak Visitor Population

Persons who are temporary residents in the planning area, such as tourists and vacationers, but who normally reside in another location; does not include day-trippers.

Peak Seasonal Population

Permanent plus visitor population. This is an approximation of the planning area’s population on a “typical” peak day during the high season. Does not include day trippers.

Total Peak Seasonal Population Projections



	2020	2025	2030	2035	2040	2045	2050
Water Supply Estimate⁴	9,450	9,781	10,111	10,465	10,819	11,199	11,579
Low Estimate	8,570	9,263	10,065	10,873	11,748	12,054	12,348
High Estimate	11,830	12,787	13,894	15,009	16,217	16,640	17,046
Average Estimate	10,200	11,025	11,980	12,941	13,983	14,347	14,697

Data Sources:

- 1. American Community Survey 5-year estimates (2019)
- 2. Town of Beaufort
- 3. NC State Demographer
- 4. Local Water Supply Plan 2019, NC DEQ DWR
- 5. Decennial Census (2000, 2010)
- 6. ESRI via ArcGIS Online

Demographics

Age and Ethnicity Makeup

The largest individual age cohort in Beaufort is people aged 55-64. The median age for the study area is 50.3, which is up from the median age of 46.9 in 2010. This is older than the median age for North Carolina, 39.1, but in line with Carteret County’s median age, 50.0.¹ Similarly, the share of residents aged 65 and older has increased from 19.8%⁷ to 25% as of 2019.

In the study area, 18% of the residents self-identify as a racial or ethnic minority, which is the same as in the previous CAMA plan. The largest minority group represented is Black or African-American.¹ This is a decrease in minority population from the 2006 CAMA plan, which stated that 21% of the population identified as non-white.

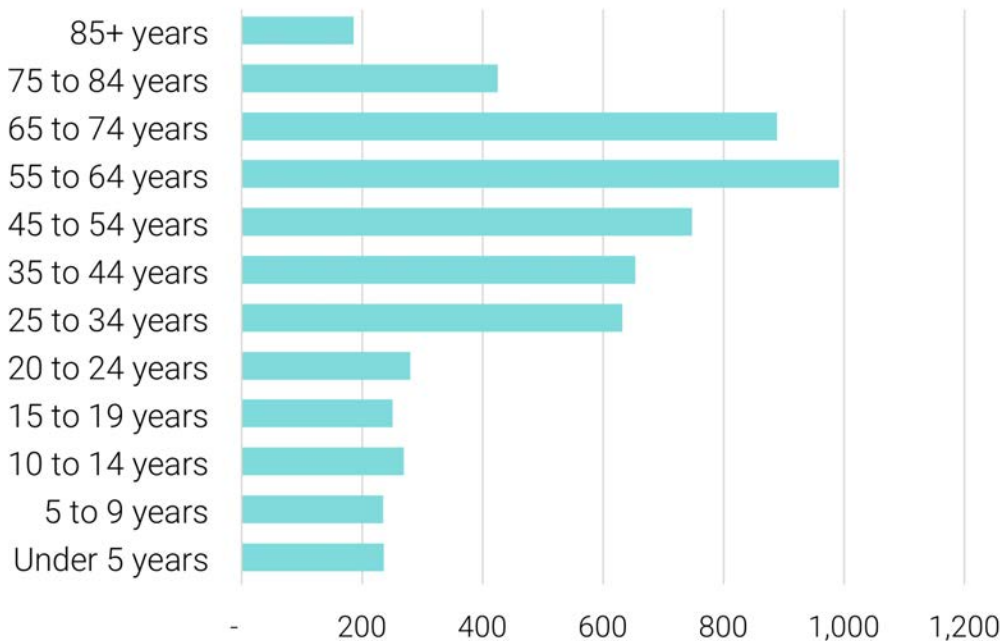
Commuting

Commuting in Beaufort is primarily via car, truck, or van, which accounts for 83% commuting residents. 4% of the population walks to work, and 5% take either a bicycle, taxi, motorcycle, or other form of transportation. The remaining 8% of the working population works from home and does not commute. For those who do commute, the mean travel time to work is 17.8 minutes.⁶ There are 336 people who both live and work in the study area.

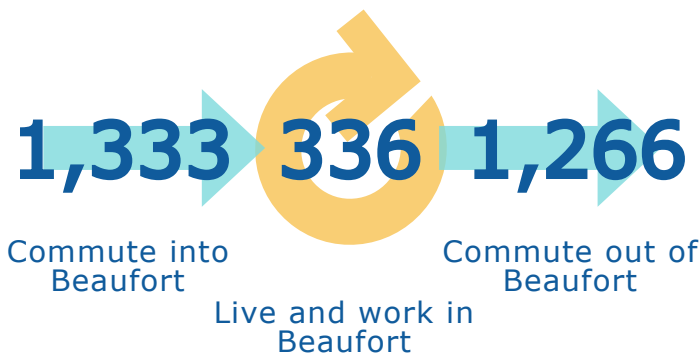
Economy

As of 2018, the Beaufort economy is mainly driven by hospitality-related services (arts, entertainment, recreation, accommodation and food services) (26.33%) and education and health services (18.32%). The hospitality sector grew 44% from its share of the workforce in 2010, indicating that more of Beaufort’s economy is becoming tourism-focused.⁶

Age Cohorts¹



The share of residents aged 65 and older has increased from **19.8%**⁷ to **25%**¹ since the last CAMA plan



Housing

Residential units in Beaufort are predominantly detached single family homes. As of 2020, there are 3,831 total housing units of all types in the study area, with 2,672 of those located within municipal boundaries. Of those within the corporate limits 2137, or 74%, of those are primary residences, while the remaining 26% are secondary residences.

Employment by Industry (Residents of Beaufort) ⁶	2010	2018
Retail Trade	11.12%	9.41%
Arts, entertainment and recreation, and accommodation and food services	16.85%	26.33%
Educational services, and health care and social assistance	11.12%	18.32%
Finance and insurance, and real estate and rental and leasing	4.41%	5.41%
Public administration	11.01%	8.21%
Construction	9.36%	7.91%
Professional, scientific, and management, and administrative and waste management services	9.69%	7.71%
Information	1.54%	0.4%
Manufacturing	12.22%	7.21%
Wholesale Trade	1.1%	0.6%
Other services, except public administration	7.82%	3.7%
Agriculture, forestry, fishing and hunting, and mining	3.74%	4.8%

Housing Units	2000 ⁵	2010 ¹	2019 ¹
Municipal Limits	1,946	2,364	2,672
ETJ	897	1,052	1,159
Total Municipal + ETJ	2,843	3,416	3,831

Defining Primary and Secondary Residences

How do we know who lives in Beaufort full-time? Using the US Census data definitions of occupied and vacant housing units, we can determine how many homes are primary residences and extrapolate secondary residences.

Occupied Housing Units are defined as those that are the “usual place of residence” for persons or a family.

Vacant Housing Units are defined as units where no one is living, or units owned by people whose “usual place of residence” is elsewhere. In popular tourist locations, “vacant” units are generally second homes or vacation rentals.

Income & Affordability

Beaufort’s median household income (HHI) is significantly below those of North Carolina and Carteret County. The median income across all households of all types in Beaufort for 2019 is \$40,926, which is up from the median HHI income of \$37,075 in 2010⁵ (2010 median HHI has been adusted for inflation).

The median HHI for family households in Beaufort is \$54,757¹. The North Carolina Justice Center states that \$49,500 is the “livable income” for a family of four in Carteret County. According to the latest data, 19% of the municipal population lives below the poverty level.¹

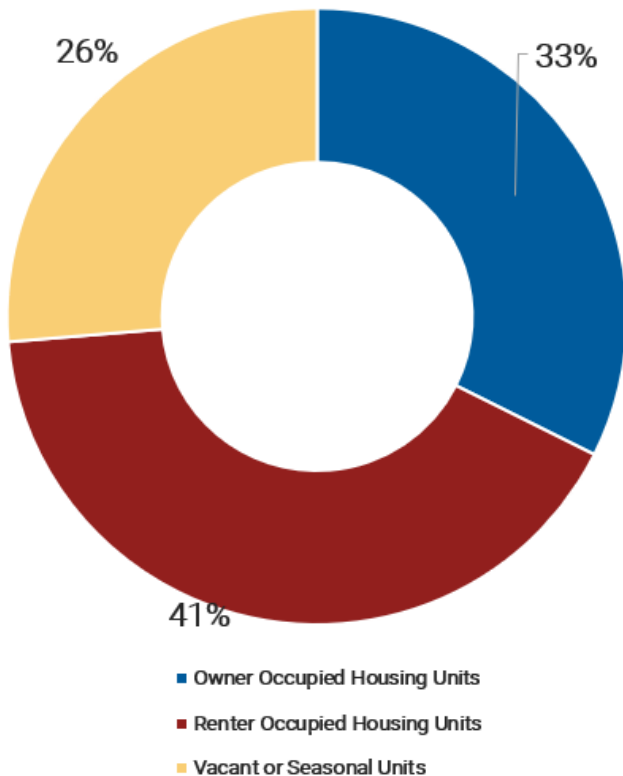
2018 Median Home Value¹

\$226,647 within Municipal Limits

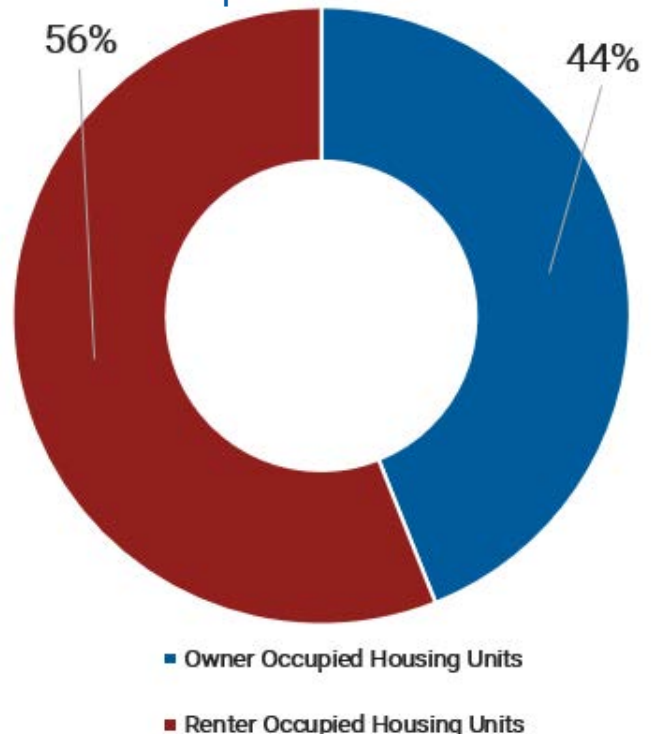
\$241,061 within Study Area

\$180,600 North Carolina

Seasonal vs Primary Units¹



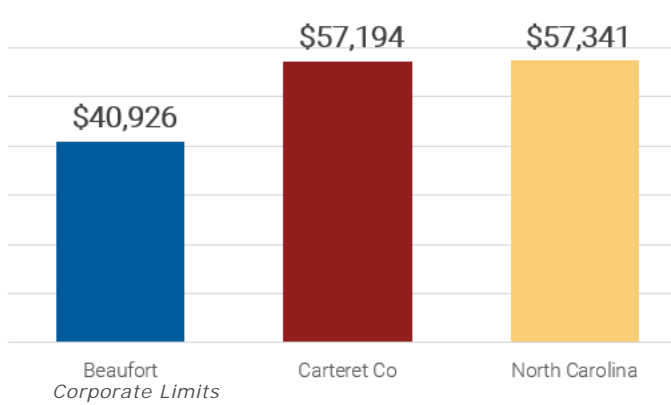
Permanent Occupied Housing Tenure, Corporate Limits¹



Data is for corporate limits only.

Data is for corporate limits only.

Median Household Income (all Households)¹



Beaufort has a lower median household income and higher median home value than the state average. High home values and relatively low household income indicate a degree of unaffordability in the town.

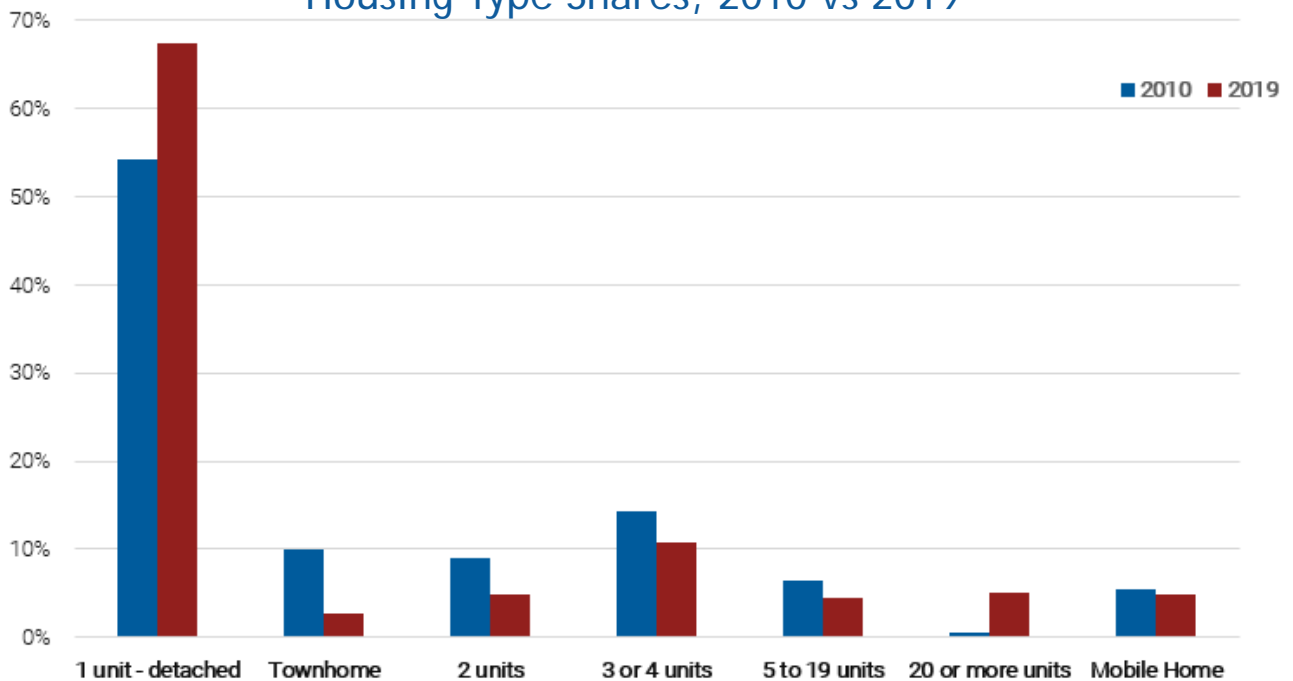
Data shows that the portion of Beaufort housing units used as seasonal homes or rentals is increasing. The table shows

Vacant homes in relation to total housing stock

The number of homes being used as vacation homes has **more than doubled** since 2010, with vacation homes representing 10% more of the overall housing supply. This means fewer homes are available for permanent residents, which can have an impact on affordability.

	2010 ¹	2019 ¹
Vacant	19%	27%
Vacant - for seasonal or occasional use	7%	17%

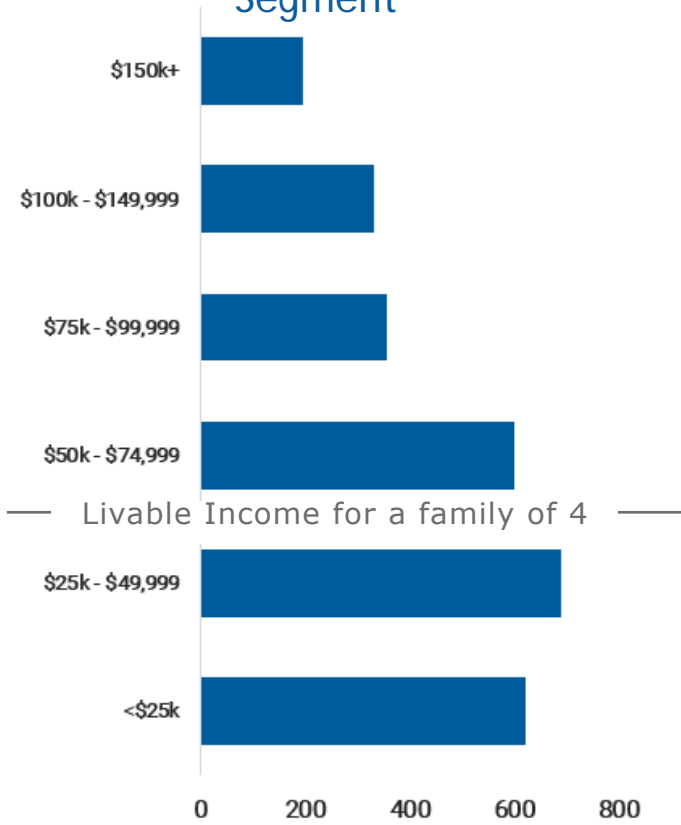
Housing Type Shares, 2010 vs 2019¹



There has been a reduction in the share of multifamily units in Beaufort, indicating that new development is mostly single-family

Data is for corporate limits only.

Households by Income Segment¹



Data for municipal boundaries. "Livable Income" as defined by North Carolina Justice Center.

the percentage of housing stock that is vacant, and the specific percentage of housing stock that is for recreational use. As more housing is used as secondary homes, it restricts the housing stock available for permanent residents, which can also exacerbate affordability issues.

Socioeconomic Mapping

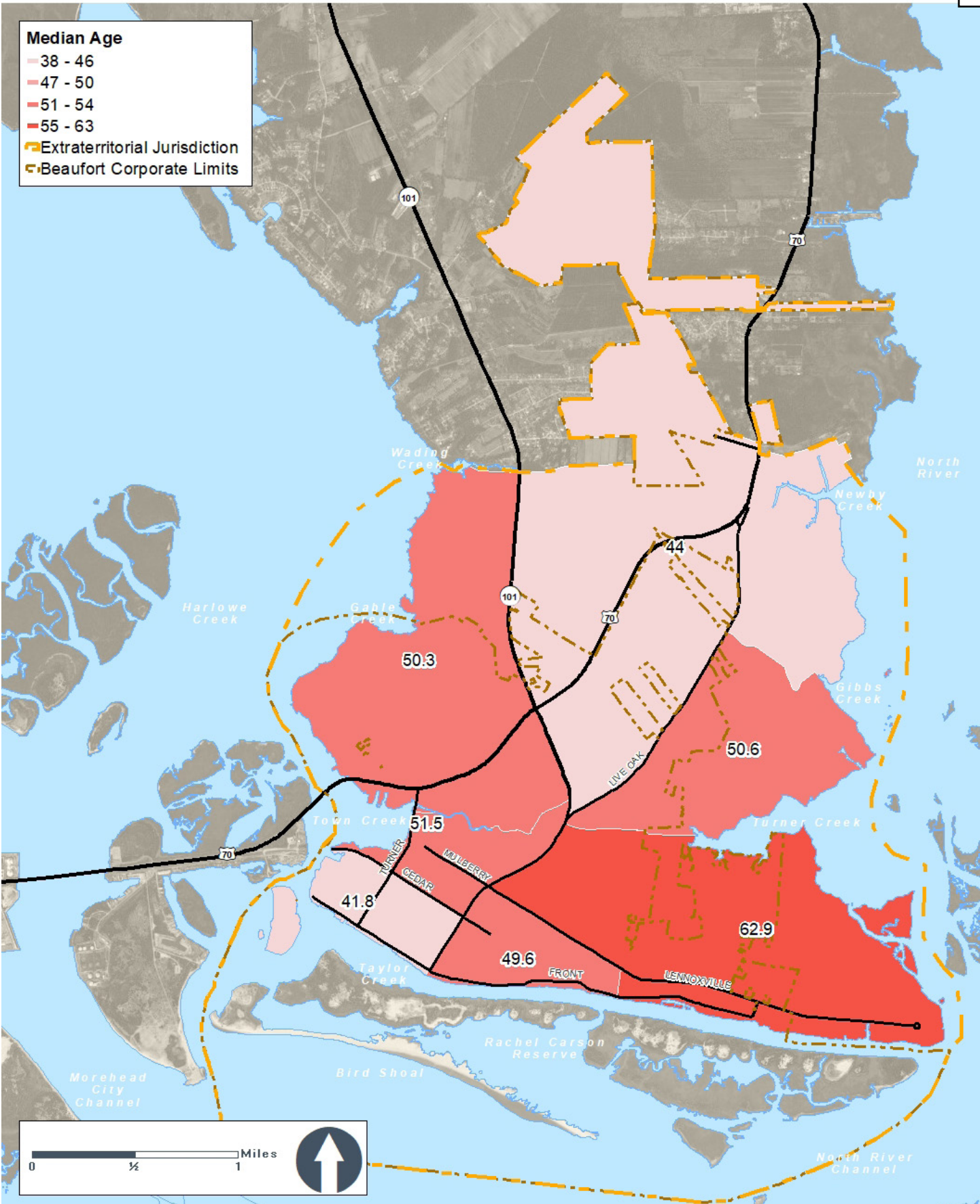
The geospatial distribution of demographic and socioeconomic data in Beaufort can provide valuable insight into historical context and current existing conditions. These maps show data collected from the 2019 American Community Survey 5-year estimates, mapped by Census Block Groups or Tracts.

Sources:

- 1. American Community Survey 5-year estimates (2019)
- 2. Town of Beaufort
- 3. NC State Demographer

- 4. Local Water Supply Plan 2019, NC DEQ DWR
- 5. Decennial Census (2000, 2010)
- 6. US Census OnTheMap
- 7. 2006 Beaufort CAMA Plan

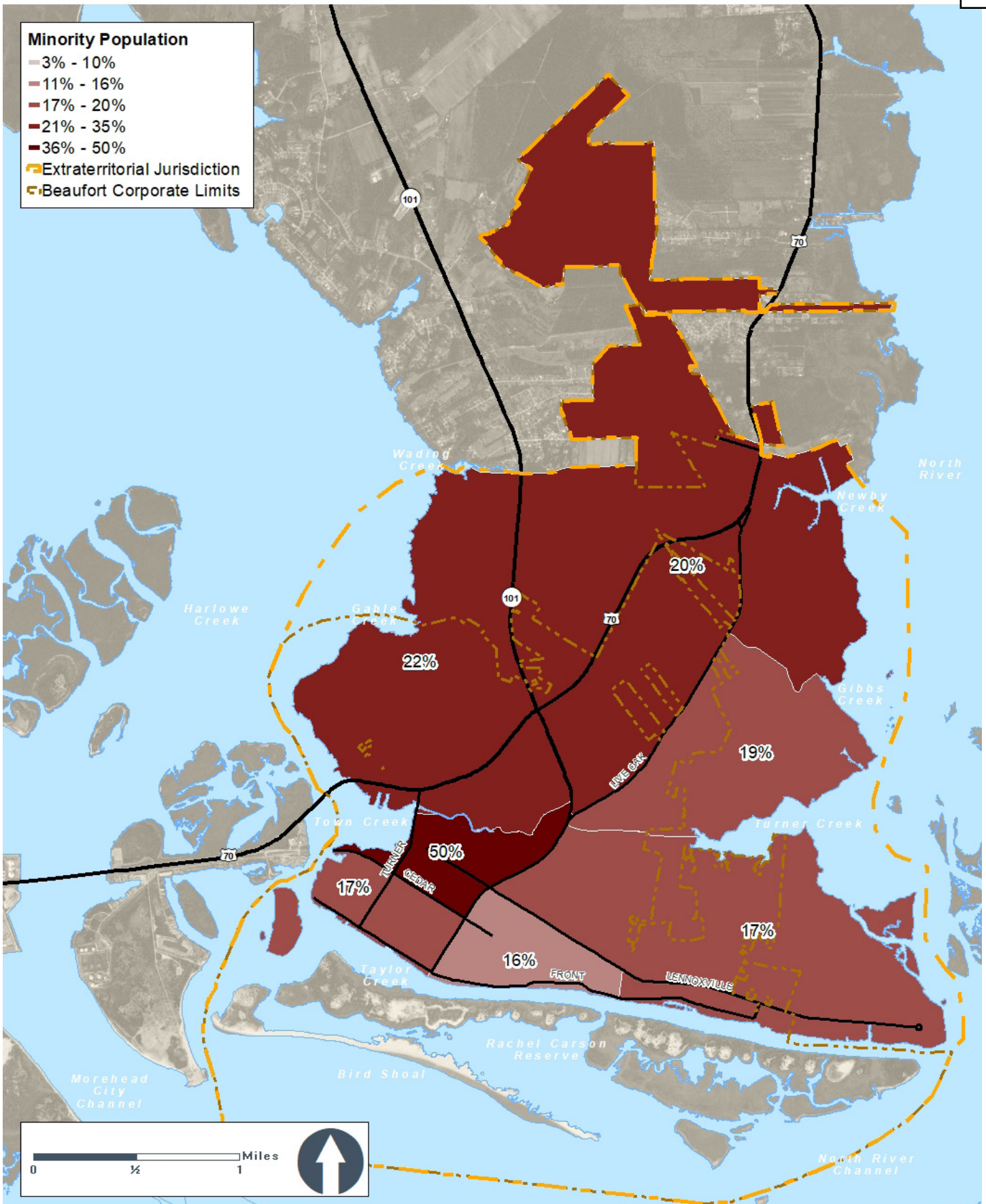
Median Age



The median age for the study area is 50.3, with the block groups around Downtown and in the northern sections having slightly lower median ages. As mentioned earlier, the median age and share of residents over 65 years has increased since the previous CAMA Plan.

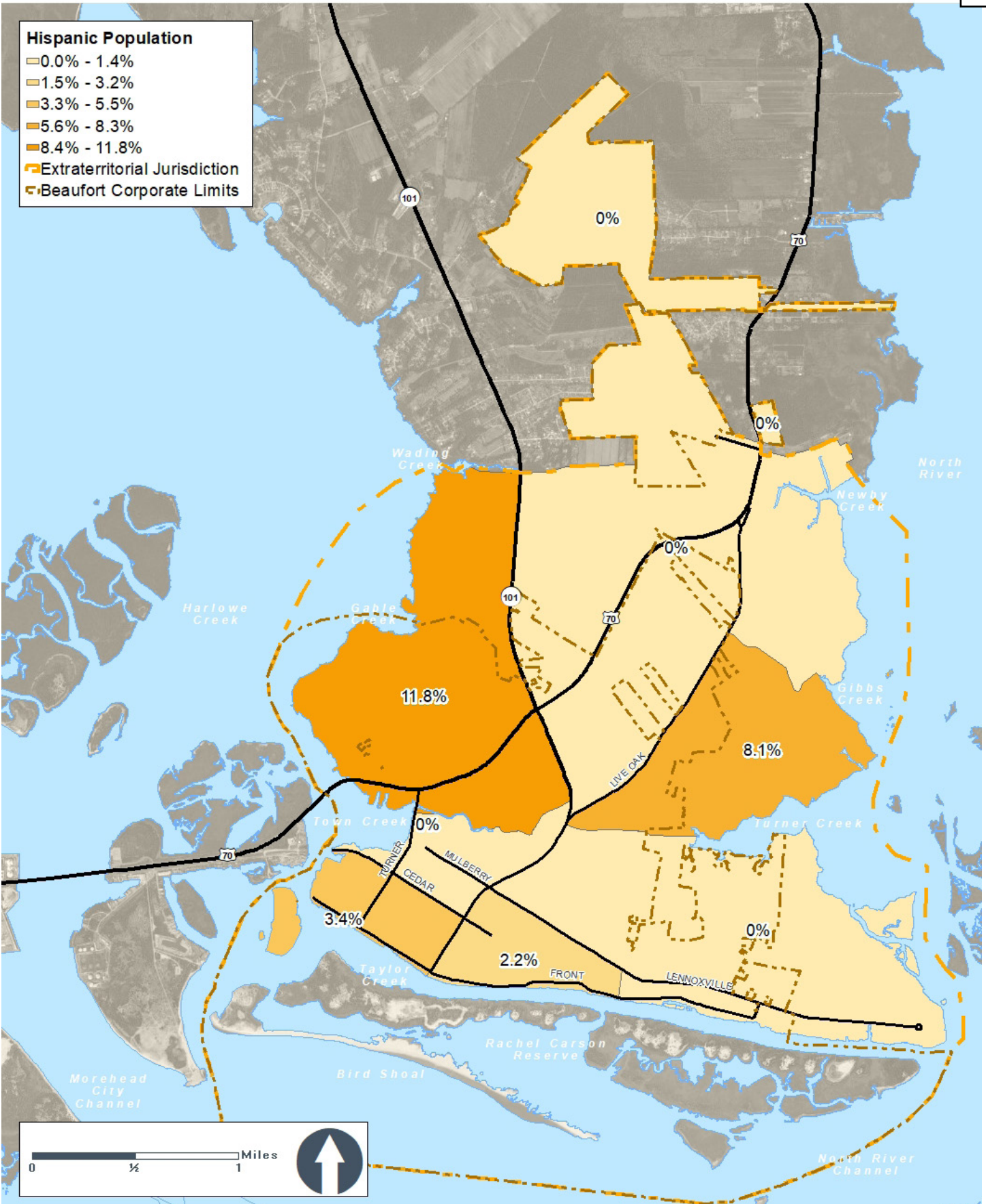
Minority Population

1.



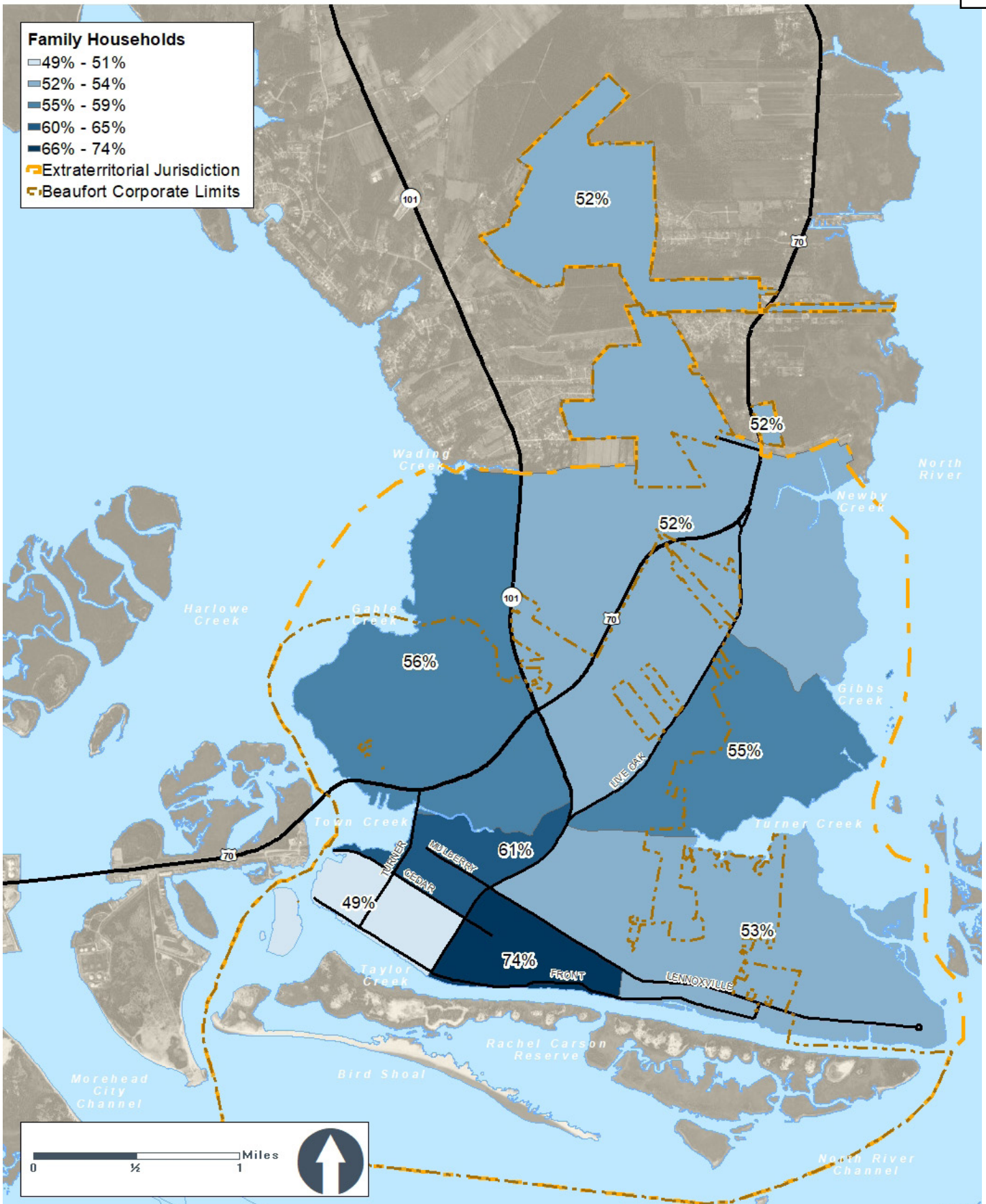
Beaufort's minority population, which represents 21% of residents within corporate limits, has its highest concentration in the Mulberry Street area.

Hispanic Population



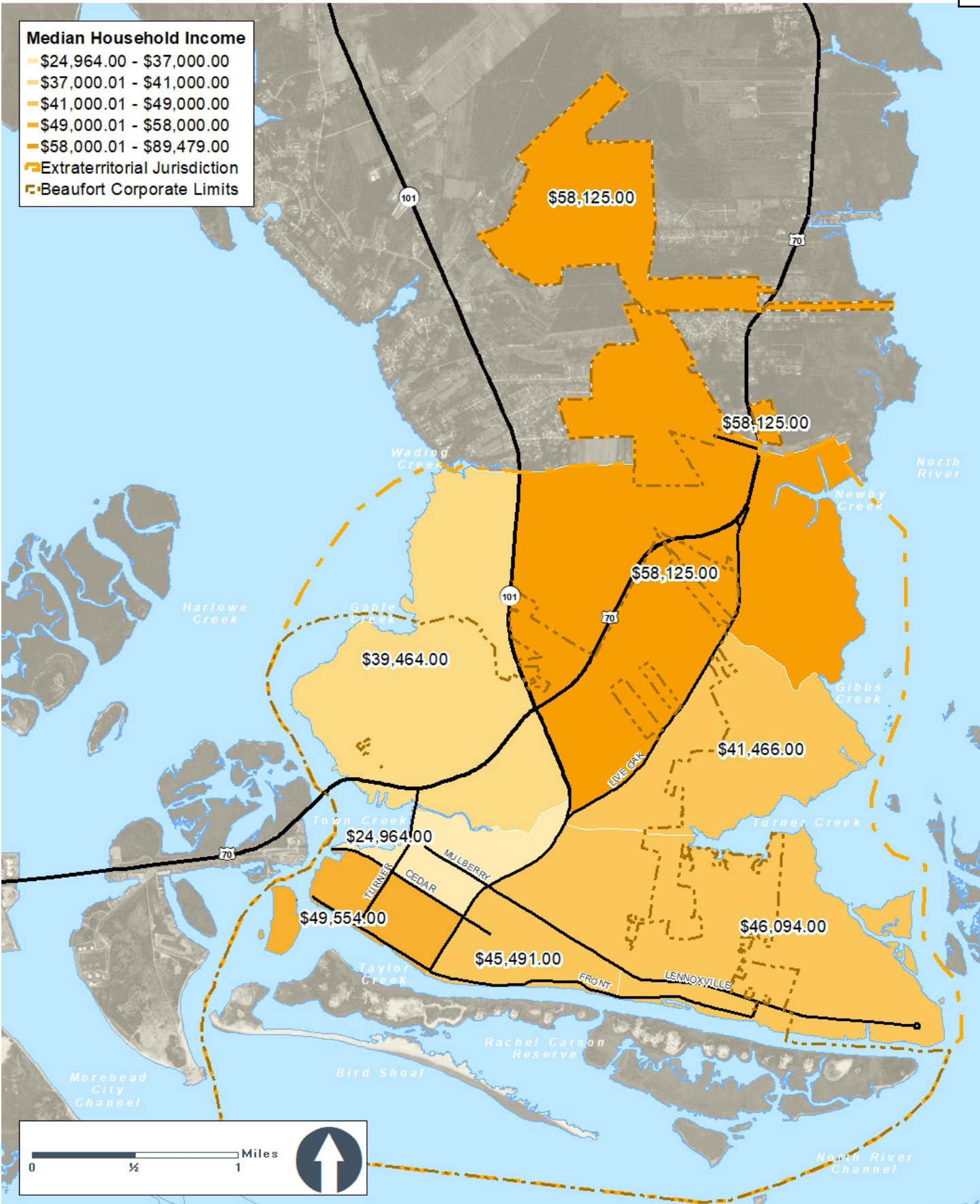
Beaufort's Hispanic population, is distributed varyingly throughout the study area.

Family Households



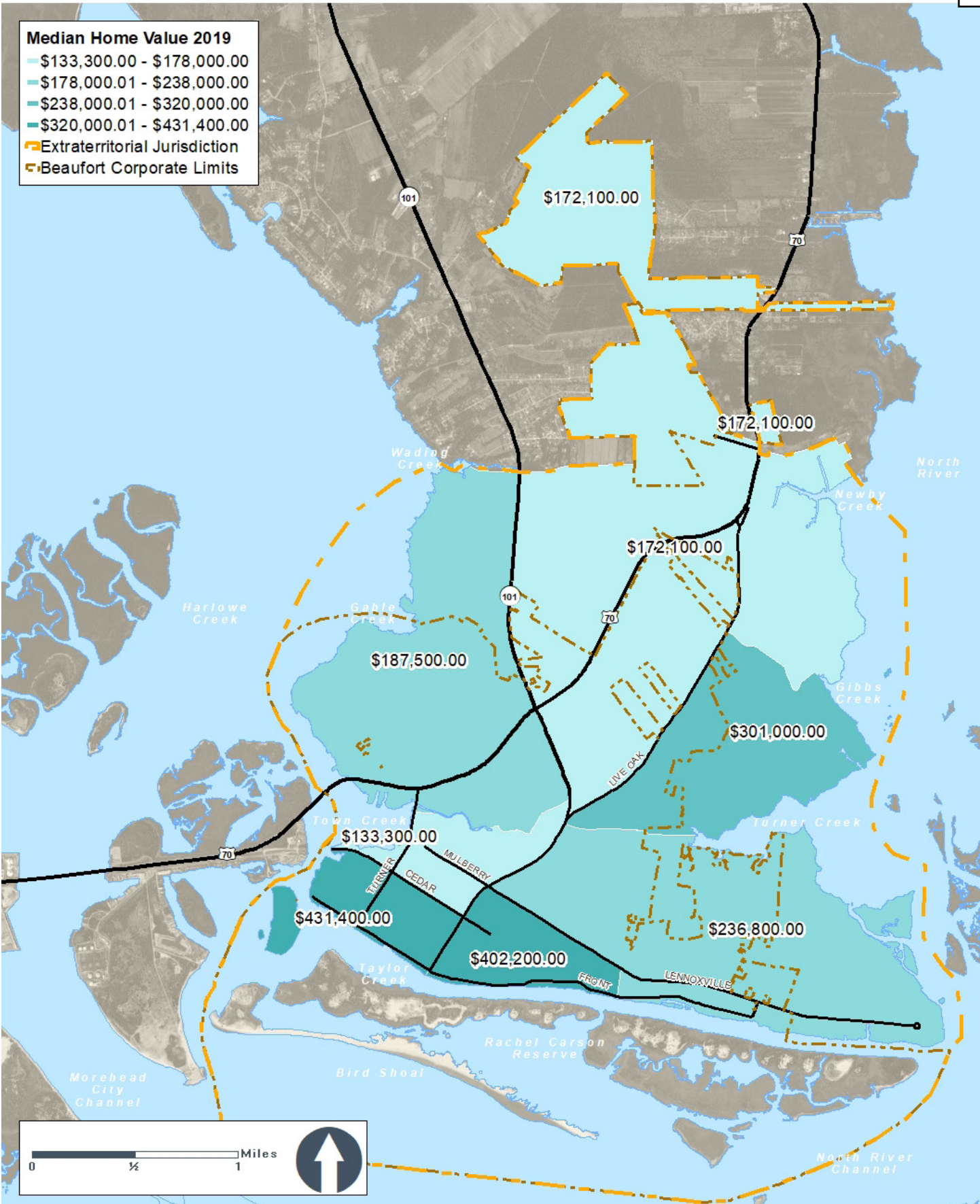
Family households, or those with two or more people related by marriage or blood, are dispersed throughout the study area, but are least common around Downtown.

Median Household Income



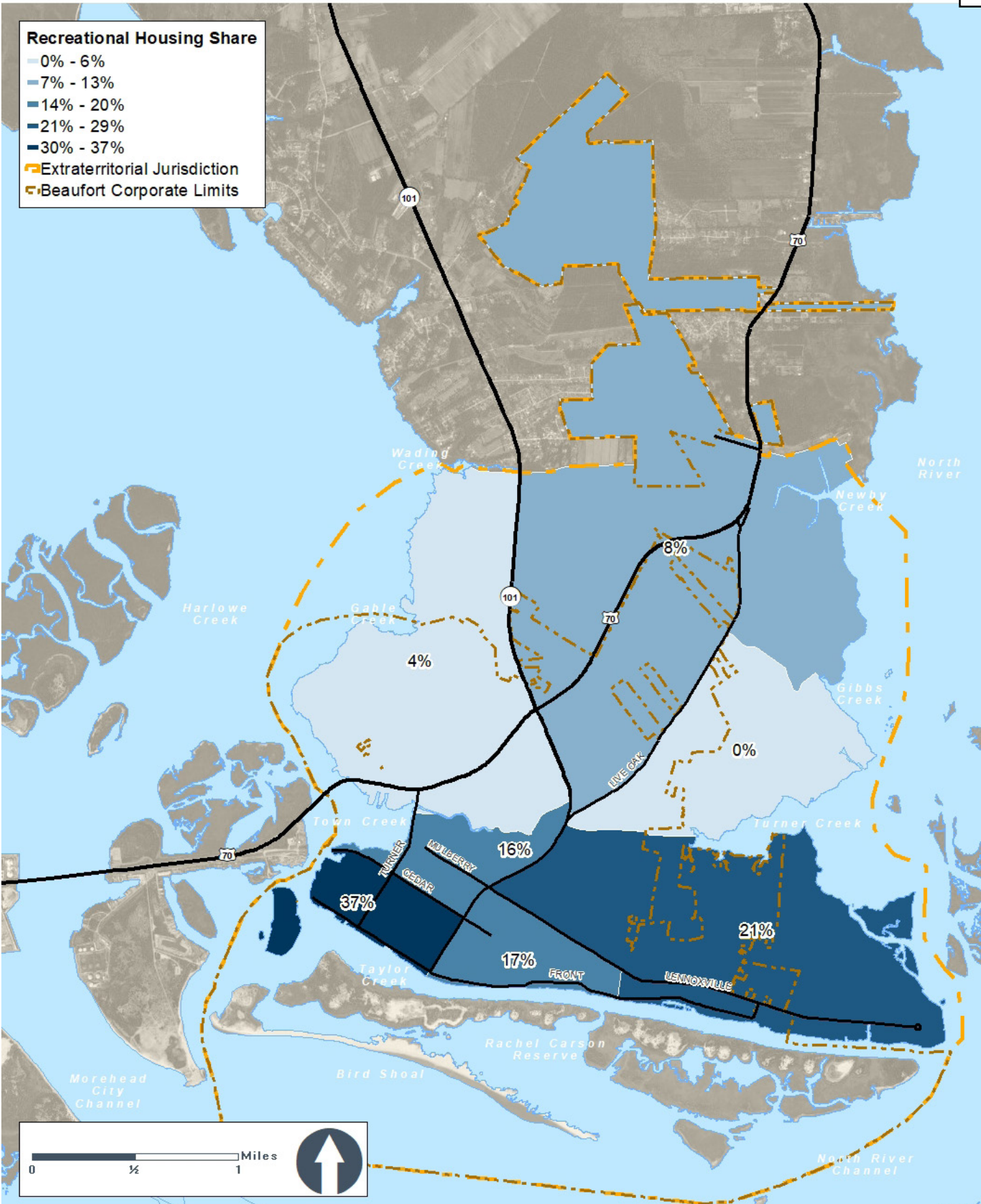
The median household income for Beaufort is about \$40,000 per year. Most census block groups have medians that are higher than that, except for the area around Mulberry Street and its neighboring block group to the North.

Median Home Value



Home values are highest in Downtown and other areas close to Taylor Creek. Overall, median home values varies widely by Census Bock Group in Beaufort.

Recreational Housing Share



Recreational housing (housing used for vacationing or not as primary residence) is most common in Downtown and other areas that are accessible to Taylor Creek and Downtown



3

Existing Plans

Existing Plan Assessments

No planning effort can be conducted in a vacuum. Great accomplishments are made by standing on the foundations of previous efforts. The following plans are integral to the Town and were considered during this plan development process.

Town of Beaufort Core (CAMA) Land Use Plan, 2006

Adopted in 2006, this plan served as both an avenue of compliance with CAMA regulations and a comprehensive plan. The document identified goals and objectives to guide land development in a coastal context. Since then, the Town has undertaken different initiatives to reach those goals. Some efforts are still underway. Beaufort’s efforts are listed by categories of implementation actions in the following table. The table also tracks the fiscal year (FY) in which the Town engaged in activity.

**TOWN OF BEAUFORT
NORTH CAROLINA**

CORE LAND USE PLAN

Adopted by the Beaufort Town Board: December 11, 2006

Certified by the Coastal Resources Commission:

5.4.1. Public Water Access Implementation Actions

FY 05	<p>Beaufort will undertake improvements to water accesses and recreational facilities.</p> <ul style="list-style-type: none"> • Gordon Street water access, which includes additional storage for kayaks and canoes, as well as improvements to the public dock • Grayden Paul Water Access – has a new dock as well as a new floating dock for transient boaters • The Boardwalk has had renovations made in the replacement of new decking. • Plans underway for future Cedar Street Park, which will include a public water access component • Topsail Park – has had its floating gangway cleaned and repaired and is in the process of the addition of new landscaping in the near future • Harborside Park – Is a partnership project between the NC Maritime Museum and the Town to provide additional water access by way of an overlook on Front Street adjacent to the Watercraft Center. It is anticipated that this project will begin and end in 2017.
--------------	---

Ongoing	<p>Review, through the subdivision plat and site plan review and approval process, proposed waterfront land development projects to ensure consistency with the Town’s public access goals and policies.</p> <ul style="list-style-type: none"> • The Planning and Inspections Department reviews all development permits to include building permits to ensure that they meet compliance with the Towns public water access goals and policies on a daily, weekly basis.
----------------	--

5.4.2. Land Use Compatibility Implementation Actions

FY 05	<p>Zoning ordinance amendments regarding residential boat docks and piers and commercial marinas.</p> <ul style="list-style-type: none"> • In 2013, the Land Development Ordinance was adopted, which made commercial marinas a Special Use and required additional information and impact criteria from an applicant in order to be approved. Residential boat docks also have very strict criteria in the R-8 and other residential districts and are limited in the number permitted.
--------------	---

FY 06	<p>Comprehensive Zoning Ordinance update</p> <ul style="list-style-type: none"> • In 2013, the Town adopted a new Land Development Ordinance to replace the last Zoning Ordinance from 1998.
--------------	---

FY 07	<p>Review, and revise as determined appropriate, the County land use and development regulations to include development principles and techniques that promote land use compatibility as open space subdivision design, clustering, innovative stormwater management design, etc.</p> <ul style="list-style-type: none"> The Town participated in the development of the Pamlico Sound Regional Hazard Mitigation Plan which addresses most of these items and meets in a Planners forum regularly to discuss CRS and FEMA related issues and strategies for mitigation.
Ongoing	<p>Review the zoning ordinance, subdivision regulations, and other Town land use and development regulations to ensure that residential densities and building intensities are consistent with the Town’s land suitability goals and policies. Prepare revisions and updates as determined appropriate. Coordinate the review with the Carteret County Health Department.</p> <ul style="list-style-type: none"> Even though the Land Development Ordinance was adopted in 2013, amendments have already been made to keep up with changes in the State Statues as well as other revisions needed for clarification or stricter standards.
5.4.3. Infrastructure Carrying Capacity Implementation Actions	
FY 06	<p>Completion of a comprehensive water system improvements plan.</p> <ul style="list-style-type: none"> The Public Utilities Department hired Rivers & Associates Engineers to develop this Plan in 2009, with revisions in 2010 and 2011.
FY 06	<p>Annexation boundary agreement with Town of Morehead City</p> <ul style="list-style-type: none"> Attempted in 2009/2010
FY 09	<p>Completion of sewer system improvements</p> <ul style="list-style-type: none"> The wastewater treatment system was completed in 2009-2010 and is fully operational. In 2020, the Town submitted an application to the USDA for funding to address water and sewer infrastructure needs.
FY 10	<p>Completion of water system improvements</p> <ul style="list-style-type: none"> In 2011, several new water wells were completed, which should provide enough water for the next 15 years. The Town is currently looking into a new treatment facility.
Ongoing	<p>Utilize the Land Use Plan, zoning ordinance, subdivision ordinance, and utilities extension policies to guide public infrastructure and services to areas where growth and development are desired.</p> <ul style="list-style-type: none"> This is an ongoing process through the Capital Improvements Plan as well as large development proposals
5.4.4. Natural Hazard Areas Implementation Actions	
Ongoing	<p>The Town will review its zoning ordinance, subdivision ordinance, and flood damage prevention ordinance to determine if more specific locational and density regulations regarding development or redevelopment activities within identified flood hazard areas and storm surge areas are warranted. Issues to be addressed include restrictions on land uses that utilize or store hazardous materials on-site, establishment of riparian buffers, increasing the minimum freeboard height above base flood elevation, etc.</p> <ul style="list-style-type: none"> The Town updated the Flood Damage Prevention Ordinance in 2015, which included the addition of a one-foot freeboard requirement
Ongoing	<p>The Town will avoid zoning areas susceptible to storm surge for high density residential or intensive nonresidential use.</p> <ul style="list-style-type: none"> The Town discourages development in areas of potential storm surge through its zoning regulations
Ongoing	<p>Based upon the availability of federal and state grant funds, land acquisition programs will be utilized in the most hazardous areas to minimize future damage and loss of life</p> <ul style="list-style-type: none"> N/A

Ongoing If any portion of the Town’s public infrastructure is significantly damaged by a major storm, consideration will be given to the feasibility of relocating or modifying the affected facilities to prevent the reoccurrence of storm damage

- The majority of the Town’s critical facilities are located in non-special flood hazard areas. In the future, consideration will be given to other infrastructure/facilities to limit damage due to storm surge

Ongoing Coordinate the review and approval of development plans for major subdivisions, multifamily developments, and large public and institutional uses located within identified natural hazard areas with the County Emergency Management Agency. Continue the active enforcement of the State Building Code provisions regarding wind- resistance requirements and participation in the National Flood Insurance Program.

- The Town is an active participant in the National Flood Insurance Program and Community Rating System
- The Town follows and enforces the State Building Code; in 2019, the Town received a Building Codes Effectiveness Grading Schedule score of 3/3 for residential and commercial building codes respectively

5.4.5. Water Quality Implementation Actions

FY 06 The Town will investigate the feasibility of developing and implementing a stormwater management plan.

- The Town hired the Wooten Company to develop a stormwater plan for the Town. In 2009, the Town received Phase I of the plan and used it to guide repair and mitigation of stormwater utilities
- The Town enacted a stormwater committee comprised of residents of the community and professionals to provide improvement recommendations to the Town
- The Town finalized a Stormwater Capital Improvements Plan in 2019 which includes an implementation schedule and rough cost estimates associated therein

FY 06 The Town will prepare and implement a wellhead protection program.

- The Town has a wellhead protection program The Town adopted a stormwater ordinance in 2008
- The Town created the RS-5 zoning district in 2010, which restricts impervious surface coverage to a maximum of 50%

FY 07 The Town will review its zoning ordinance and subdivision regulations to determine if revisions are needed to include additional measures, such as riparian buffers and impervious surface limitations, to control stormwater discharges. A stormwater management ordinance will be developed.

- The Town continues to work on infrastructure improvements which are identified in the Capital Improvements Plan

FY 08 Beaufort will make significant advances in the rehabilitation of its sewer infrastructure to reduce infiltration, thus preventing overflows and reducing the amount of discharge released into Taylor’s Creek.

- The Town continues to require adequate stormwater drainage systems for new developments
- The Town regularly works with state agencies to ensure compliance with state requirements
- The Town has two full-time engineers on staff who are responsible for the review of proposed development stormwater systems

Ongoing	<p>The Town will continue to require, through its subdivision regulations and technical specifications manual, adequate stormwater drainage systems for new developments. The Town will continue to promote the use of best management practices to minimize the degradation of water quality resulting from stormwater runoff. The Town will continue to coordinate the approval of land development projects with the applicable State agencies.</p> <ul style="list-style-type: none"> • The Town continues to require adequate stormwater drainage systems for new developments • The Town regularly works with state agencies to ensure compliance with state requirements • The Town has two full-time engineers on staff who are responsible for the review of proposed development stormwater systems
----------------	--

5.4.6. Areas of Environmental Concern Implementation Actions

FY 06	<p>The Town will review its zoning ordinance to determine if revisions are needed to include additional protective measures for AECs</p> <ul style="list-style-type: none"> • The Town continues to review its ordinance to ensure that environmentally sensitive areas are protected through good land use planning and development practices • The Town, in partnership with the Eastern Carolina Council of Governments and NC Coastal Federation, created a Watershed Restoration Plan in 2017
--------------	--

5.4.7. Areas of Local Concern Implementation Actions

FY 05	<p>The Town will employ a Town Planner to coordinate land development and growth management plans and to oversee the administration of land use regulations.</p> <ul style="list-style-type: none"> • A full-time planner position was created in 2008 • A second planner position was created in 2016
FY 08	<p>The Town will prepare a comprehensive community services/facilities plan. This plan will identify major municipal services and facilities needs and deficiencies, prioritize those needs, and prepare cost estimates and a budgeting plan for the recommended improvements.</p> <ul style="list-style-type: none"> • The Town developed a Capital Improvements Plan in 2011 which is discussed and updated annually

<Plan assessments continue on next page>

Small Area Plan & Bicycle and Pedestrian Plan, 2018

Downtown Beaufort, particularly along the waterfront, is heavily trafficked by pedestrians and bicyclists. The rest of Beaufort, however, is not as bicycle and pedestrian friendly. Sidewalks are limited, streets are narrow, and crosswalks are not prevalent. All of this combined results in potentially hazardous conditions for alternative modes of transportation.

The Town realized that completion of the Gallant’s Channel Bridge project and new US-70 bypass would significantly impact the traffic patterns in and around Beaufort. Given the magnitude and timeline associated with the project, the Town identified an opportunity to reexamine the future of Beaufort. This paired with a desire to create a more multi-modal friendly community began the Town’s Small Area Plan and Comprehensive Bicycle and Pedestrian Plan initiative.

Initially, the scope of the Small Area Plan was comparable to a corridor study, focusing on the two main entry corridors for the Town. Over time, however, it developed into a more comprehensive plan. The Small Area Plan focuses on a study area of approximately one square mile, most heavily impacted by the pending traffic changes. The study includes design elements, land use recommendations and much more.

The Comprehensive Bicycle and Pedestrian Plan identifies areas for improvement for walkers and cyclists, ultimately promoting safety and connectivity throughout town. Contrary to the Small Area Plan, the Bicycle and Pedestrian plan study area encompassed

the entire corporate limits.

The Town determined it would be more practical to utilize the same firm to develop the plans. As such, the Town retained Stantec, a consulting firm comprised of urban designers, planners, engineers, landscape architects and much more for the plan development. The finished documents include recommended projects, implementation schedules, funding sources, and anticipated costs associated therein.

Small Area Plan, 2018

This project encompassed a comprehensive multimodal Complete Streets strategy (accommodating vehicles, pedestrians, cyclists, and transit users), a preliminary Market Analysis, two Catalyst Site Investigations, detailed concept street designs, and a phased improvement program.

The Small Area Plan promotes smart growth through a mix of land uses, compact building design, sense of place, and preservation of natural beauty and critical environmental areas.

The Key Goals identified in the plan:

1. **Corridor Transformation** – Cedar Street and Live Oak Street should become vibrant multi-modal corridors with an emphasis on pedestrian safety
2. **Navigate the Changes** – With significant changes to the entrances and exits into the Town, it is vital that local wayfinding signage help navigate the new patterns.
3. **Protect Neighborhood Streets** – The overall shift in the traffic pattern because of the new US-70



Proposed Streetscape Improvements (Source: Small Area Plan, Stantec)

bypass must not negatively impact neighborhood streets.

- 4. **Strive for Diversity & Authenticity** – Authentic neighborhood fabric should be preserved and built upon if possible; the range of housing choices must be expanded to allow people of all incomes and ages to live together as one community
- 5. **Maintain the “Beaufortness”** – Beaufort has a unique history and nature that should be incorporated into all physical improvements

The study area for the Beaufort SAP serves many functions to many travelers. Whether by foot, bike, car or truck, this study area transitions through a diverse built environment. The core study area bounded by Ann Street, Moore Street, Live Oak Street, and Mulberry Street is represented by a mix of predominantly single family with pockets of commercial (primarily along Cedar and Live Oak) and institutional uses.

The Plan includes concept designs for Cedar Street and Live Oak Street, along with intersection improvements throughout the study area.

The concept designs for Cedar Street include the following recommendations:

- » Replace and maintain damaged curb & gutter and drainage inlets where appropriate
- » Add bulb-outs and plantable median islands at several locations along this segment of the corridor to improve aesthetics and slow down vehicles (traffic calming)
- » Add canopy street trees, ADA compliant ramps, and on-street

parking

- » The concept designs for Live Oak Street include the following recommendations:
- » Replace and maintain damaged curb & gutter and drainage inlets where appropriate
- » Add canopy street trees and ADA compliant ramps

Bicycle & Pedestrian Plan, 2018

Guiding Principles

1. Pedestrian and Bicyclist Considerations Come First
2. Stormwater and Maintenance are Important Here
3. Safety is a Priority for Everyone
4. Quality Design is as Important as Quantity
5. Connectivity Supports a Lot of Other Objectives

Projects recommended in this plan include sidewalk facilities, crossing improvements, signage and pavement marking needs and bicycle facilities. Attention to traffic volumes, safety concerns, connectivity, community needs and overall improvement needs were considered when making recommendations for the Town. Typical facility recommendations include 6’ sidewalks, 12’ travel lanes, high-visibility crossings near schools and high pedestrian activity areas, pedestrian signals, sharrow markings, bike boulevards and bicycle lanes. In general, the projects have common design features.

The plan includes a detailed investigation into five (5) areas in Beaufort that were

identified as having a high presence of pedestrians, cyclists and need to calm traffic. Photographic renderings were completed of each area to depict potential enhancement solutions identified in the Plan. Recommendations including sidewalks, crossings, signals, and small width medians were recommended in many of the areas to increase pedestrian safety as well as dedicated cycling lanes for safe bike travels.

» **Lennoxville Road:** Lennoxville Road is currently a popular corridor for cycling. It provides a connection from the east side of Town to the popular water front area. A twelve-foot multi-use trail is proposed along Lennoxville Road from Carteret Avenue to Front Street.

» **Queen Street & Ann Street:** Queen St is a one-way collector street traveling from Front St to Mulberry St. Land use is primarily residential with on street parking and sidewalk for most of the corridor. Data shows a report of a bicycle accident at this location. Citizens also reported this intersection as a

difficult area to cross. The proposed recommendations for this area include increasing the curb radii and adding extra pavement to prevent on street parking in and near the crosswalk and intersection.

» **Carraway Drive & NC-101:** This intersection serves as the gateway entrance to the Beaufort Elementary



Priority Scores for proposed improvements (Source: Bicycle & Pedestrian Plan, Stantec)

School where significant foot traffic as well as vehicular traffic occurs on a daily basis when school is in session. Compounding this issue is a large residential development planned for the area surrounded by Professional Park Drive. It is expected that this development will use Carraway Drive to access NC 101. With this in mind, it is recommended that this intersection be improved to include a new signal, high visibility crosswalks with a pedestrian refuge (NC 101), and pedestrian countdowns. Sidewalks are proposed on the southside approach of NC 101 as well as a new 10' meandering multi-use path along Carraway Drive to the existing sidewalks at the school entrance. Utility impact could pose development constraints and increase the final cost of the project.

- » **Cedar Street:** The Cedar Street corridor (Live Oak St to Moore St) will likely be the most-impacted place in Beaufort from the opening of the new high-rise bridge over Gallants Channel and bypass of US 70. Formerly crowded with traffic moving through at high speeds, the road has served as a barrier to pedestrian travel and access to the waterfront areas. With re-envisioned intersections and the conversion of five lanes to three with on-street parking to support business redevelopment, a new perception of Cedar Street, one more in line with the quieter streets to the north and south, is coming.
- » **Live Oak Street:** New housing developments on the north end of town bring more opportunities

with them and their residents, but connecting them together is Live Oak Street. Long a car-centric connection between two very different feeling places, the roadway cross section proposed for the future will take advantage of reduced through traffic and help promote quality redevelopment, carefully transitioning a "stroad" (the worst parts of a street and a road) into a true multimodal corridor that announces the importance of place, regardless of the direction of travel.

In addition to specific project and facility recommendations, the Plan also encourages the creation and adoption of a Complete Streets Policy and encourages the development of bicycle/pedestrian programs. The Plan also identifies numerous potential bike/ped projects intersection improvement projects with priority rankings and project scores.

The following are examples of completed projects identified in the plan that have since been implemented or are currently underway:

- » Randolph Johnson pedestrian park access; raised crosswalk on Carteret Avenue
- » Tiller School Pedestrian Crossing
- » Town wide sidewalks (as funding is available)
- » Pedestrian crossing at Live Oak Street and Campen Road (NCDOT committed project; TIP ID W-5802A)

Statewide Transportation Improvement Program 2020-2029

The North Carolina Department of Transportation Statewide Transportation Improvement Program (STIP) identifies

transportation projects that will receive funding between 2020 and 2029. Projects are selected and prioritized through the Strategic Prioritization Office of Transportation (SPOT) process. Federal law requires the STIP to be updated at least every four years. NCDOT, however, updates it every 2 years.

The following projects were programmed in the STIP 2020-2029:

- » U-6058 – One Lane Roundabout at the intersection of Live Oak Street/ NC-101
- » R-5945* – Live Oak Street Access Management from NC-101 to Olga Road
- » R-5946 – Upgrade Intersection at Live Oak Street/ Lennoxville Road/ Mulberry Street
- » R-5962* – Roundabout at the intersection of Cedar Street and Live Oak Street

The asterisk (*) denotes project programmed in developmental program portion of the STIP and subject to reprioritization in the 2023-2032 STIP.

Beaufort Entry Master Plan (2012)

Beaufort wanted to be prepared for the future changes that the new alignment of US Highway 70 would bring. This Entry Master

Plan was developed to guide the creation of the new gateways and corridors that Highway 70 will create. The purpose of the Beaufort Entry Master Plan is to provide recommendations for the following components throughout town:

- » Beautification
- » Gateways
- » Wayfinding projects

This plan is credited with the aesthetic design of the new Turner Street Bridge which was constructed as a part of the Gallants Channel Bridge and new US-70 project. The following are examples of projects identified in the plan that have since been implemented or are currently underway:

- » Turner Street Bridge – the original



Concept Plan (Source: Beaufort Entry Master Plan)

proposed NCDOT bridge design was modified to better reflect the character and history of Beaufort

- » Future roundabout at Live Oak Street and NC-101

Carteret County Comprehensive Transportation Plan (2014)

In February of 2010, the Transportation Planning Branch of the North Carolina Department of Transportation (NCDOT) and Carteret County initiated a study to cooperatively develop the Carteret County Comprehensive Transportation Plan (CTP), which includes the following municipalities: Atlantic Beach, Beaufort, Bogue, Cape Carteret, Cedar Point, Emerald Isle, Indian Beach, Morehead City, Newport, Pine Knoll Shores, and Peletier.

This is a long-range multi-modal transportation plan that covers transportation needs through the year 2040. Modes of transportation evaluated as part of this plan include: highway, public transportation and rail, bicycle, and pedestrian. The county CTP Encourages the use of alternative forms of transportation and emphasizes building a more sustainable community centered around alternative modes of transportation. The plan further recommends increasing connectivity between neighborhoods, streets, and transit systems and highlights the need to improve safety for pedestrians, cyclists, and motorists. Arguably the project most impactful to Beaufort included in the CTP are the Gallants Channel Bridge and US-70 bypass which have since been completed.

The following are examples of completed

projects identified in the plan that have since been implemented:

- » Turner Street Bridge
- » Gallants Channel Bridge
- » New US-70 Bypass

In addition to the projects listed above, the Town has two additional committed projects through the NC Department of Transportation identified in the 2020-2029 Statewide Transportation Improvement Program (STIP):

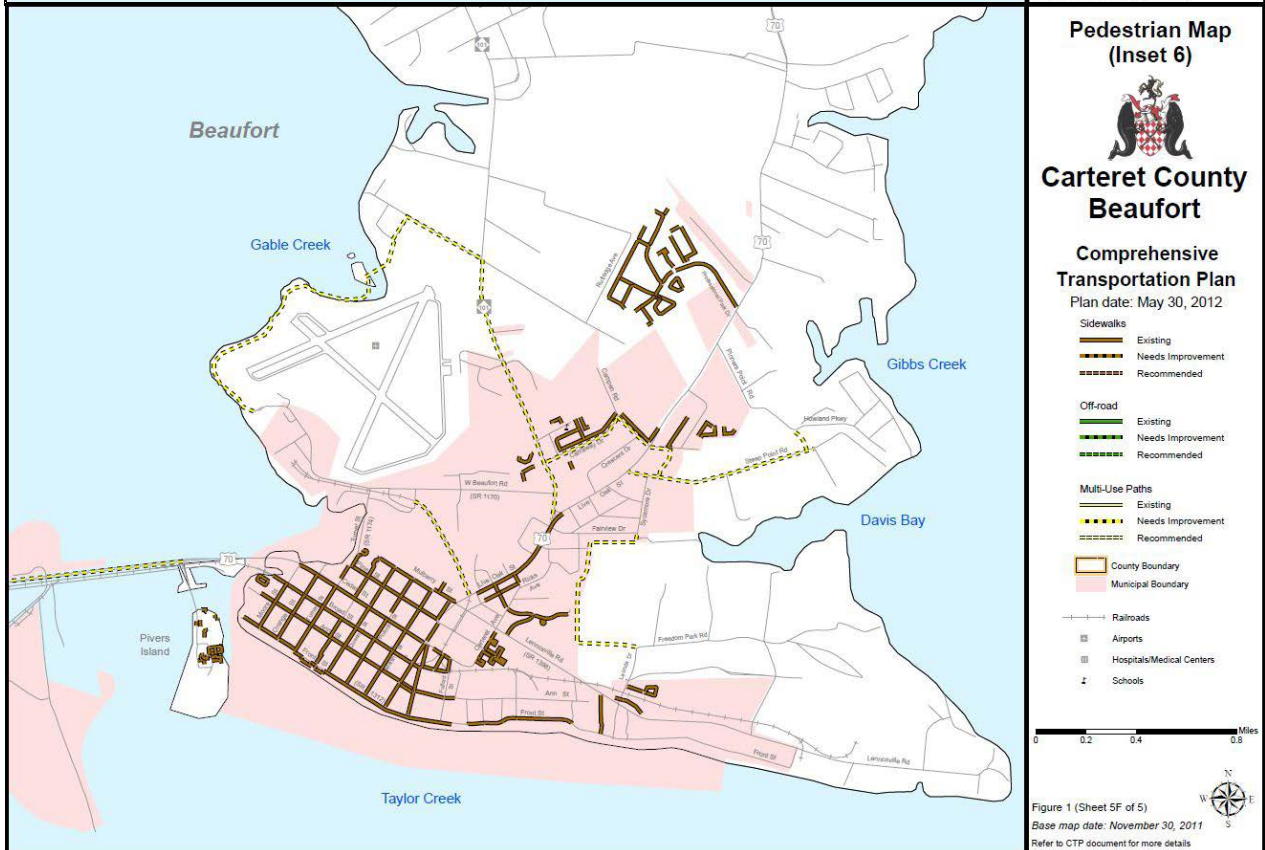
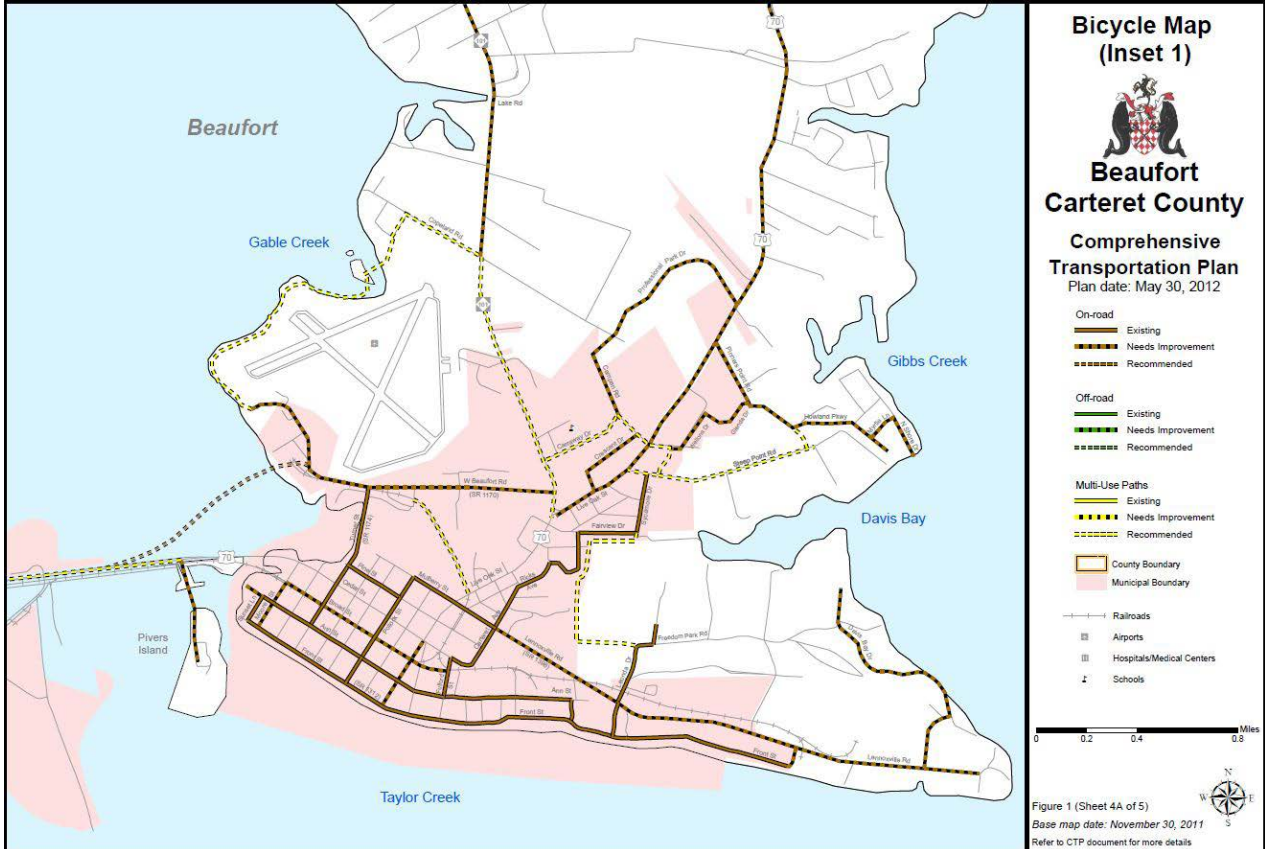
- » Live Oak Street & Lennoxville Road – Upgrade intersection (TIP ID R-5946)
- » Live Oak Street & NC-101 – Install one-lane roundabout (TIP ID U-6058)

Pamlico Sound Regional Hazard Mitigation Plan (2020)

The Pamlico Sound Regional Hazard Mitigation Plan establishes the vision and guiding principles for reducing natural hazard risk and proposes specific mitigation actions to eliminate or reduce identified vulnerabilities. A hazard



Plan cover



Transportation maps (Source: Carteret County Comprehensive Transportation Plan)

mitigation plan ensures that all possible activities are reviewed and implemented so that the problem is addressed by the most appropriate and efficient solutions. It can also coordinate activities with each other and with other goals and activities, preventing conflicts and reducing the costs of implementing each individual activity. This plan provides a framework for all interested parties to work together toward mitigation.

This plan was developed in a joint and cooperative manner by members of a Hazard Mitigation Planning Committee (HMPC) which included representatives of County, Town, and Town departments, federal and state agencies, citizens, and other stakeholders. This plan ensures all jurisdictions in the Pamlico Sound Region remain eligible for federal disaster assistance.

The Plan includes 24 “action items” for the Town to implement, continue, or improve upon. The following focus areas define the various aspects of mitigation and provide guidance toward the development of a truly comprehensive solution to mitigation planning.

- » **Prevention Mechanisms** include regulatory methods such as planning and zoning, building regulations, open space planning, land development regulations, and stormwater management.
- » **Natural Resource Protection** can soften hazard impacts through mechanisms such as erosion and sediment control or wetlands protection.
- » **Emergency Services** measures include warning, response capabilities, Town critical infrastructures protection, and

health and safety maintenance.

- » **Structural Mitigation** controls natural hazards through projects such as reservoirs, levees, diversions, channel modifications and storm sewers.
- » **Public Education** includes providing hazard maps and information, outreach programs, real estate disclosure, technical assistance and education.
- » Craven County will take the lead in undertaking all strategies outlined within this plan relation to the region overall, with support and assistance from Beaufort, Carteret, Hyde, and Pamlico counties, as well as participating jurisdictions.

The Town conducts annual reviews of the action items and implementation status. Since the 2006 Core Land Use Plan adoption, the Town has improved its Community Rating System (CRS) rating to a Class 7, which provides a discount in flood insurance premiums to residents. The Town continues to explore grant opportunities to improve resiliency following disasters. Of note, one of the mitigation action items identified in the Plan includes integration of new greenway and public park improvements into comprehensive planning and capital improvements to include coordination with the CAMA Land Use Plan. At the time of writing the Town was also engaged in a coastal hazards resiliency planning effort through the state, called the Resiliency Coastal Communities Program.

Watersheds Restoration Plan (2017)

This plan provides “an overview of the past and present conditions of the Beaufort Watersheds and proposes

methods and strategies intended to reduce the volume of stormwater runoff to improve water quality in the watersheds.” Community outreach, implementation schedules, and monitoring are key components of this plan to help improve water quality and manage stormwater flooding. The Beaufort Watershed Restoration Plan includes strategies to restore hydrology and reduce polluted runoff. These include cost effective retrofits that direct stormwater to infiltrate into the ground or collect it for later use. The goal of the plan is to: “Turn back the clock” on water pollution, reduce instances of flooding,

align future capital improvements with stormwater retrofits, increase community awareness, and position the town for future funding opportunities.

The following are examples of completed projects identified in the plan that have since been implemented or are currently underway:

- » Lennoxville Road boat ramp improvements; reduced overall impervious surface coverage
- » Stormwater BMPs to be included in Cedar Street improvements project



Locally important watersheds

Town of Beaufort ADA Transition Plan (anticipated 2022)

In accordance with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act, the Town of Beaufort is completing an ADA Transition Plan. Although currently still in development at the time of writing of this section, this plan will examine barriers to accessibility and strategies to address a variety of issues that impact the accessibility of Town services, facilities, sidewalks and streets in the public right-of-way. When the plan is complete, it will include a table of barriers, methods, cost estimates, funding sources, and recommended schedules for implementation.

Other Planning Efforts:

NC DEQ Water Supply Planning

The State Department of Environmental Quality (NC DEQ) Division of Water Resources releases yearly Local Water Supply Plans (LWSP) for municipalities in the state. An LWSP is an assessment of a water system’s current and future water needs and its ability to meet those needs. These plans contain usage data for the previous year and future population projections so that local water system operators can predict their future needs.

Collaborative Resilience Planning and Engineering to Strengthen Ecosystems at the Rachel Carson Reserve, currently in-process

A team, including but not limited to the Town of Beaufort, Carteret County Shoreline Protection Office, U.S. Army Corps of Engineers, multiple universities, and private and non-governmental

groups, and the Rachel Carson Reserve, have partnered to investigate recent environmental changes at the Reserve and to anticipate and plan for potential climate adaptation and resilience measures to protect the Reserve and surrounding areas.

Resilient Coastal Communities Program

In 2021, Beaufort participated in the State’s Resilient Coastal Communities Program. During this planning effort, the Town set resilience goals, identified and assessed community asset and infrastructure exposure to coastal hazards, and prioritized projects to enhance community resilience to coastal hazards. At the time of writing, this plan has not yet been finalized or adopted by the Town.

This page intentionally left blank



4

Environment, Natural, and Cultural Resources

Outside of the cultural and social amenities, the experience of residents and visitors of Beaufort is inextricably linked to the area’s natural systems. Ecotourism is a major economic driver. This Comprehensive Plan, functioning also as a CAMA Land Use Plan, must establish a rational and coordinated local management program for maintenance and enhancement of coastal resources. Identification and recognition of Areas of Environmental Concern (AECs) and other environmental assets is critical to the plan.

Areas of Environmental Concern

Areas of Environmental Concern (AECs) are areas of natural importance designated by the NC Coastal Resources Commission (CRC). The State Guidelines for Areas of Environmental Concern (15A NCAC 7H) require that local land use plans give special attention to the protection of appropriate AECs because of their environmental, social, economic, and aesthetic value.

There are four categories of AECs that have been established by the CRC:

Estuarine and Ocean System

This system is the broad network of brackish sounds, marshes, and surrounding shores. CAMA permits are required for development in the four subcomponents of this system, which include:

- » **Estuarine Waters.** These areas are the dominant component of the entire estuarine and ocean system and provide important habitat for a diverse range of shellfish, birds, and other marine wildlife. Conservation of estuarine waters is usually the highest priority use for these areas. Development activities which are water dependent and require water access and cannot function elsewhere (e.g. simple access structures, structures to prevent erosion, boat docks, marinas, wharves and mooring pilings) may be allowed within this AEC.
- » **Coastal Wetlands.** Coastal wetlands provide vital ecosystem services to the Town. Wetlands serve as nursery areas for commercially and recreationally important fish species, sequester carbon from the atmosphere, stabilize shorelines, and provide storm and flood protection benefits. These areas are considered to be unsuitable for all development activities and other land uses that alter their natural functions. They are defined as any salt marsh or other marsh subject to regular or occasional flooding by tides (including wind tides) and contains one or more of the following plant species: Cord Grass, Black Needlerush, Glasswort, Salt Grass, Sea Lavender, Bulrush, Saw

Grass, Cat-tail, Salt Meadow Grass, or Salt Reed Grass.

- » **Public Trust Areas.** Public trust areas include coastal waters and submerged tidal lands below the mean high water line (MHWL). The water and submerged tidal lands are held in trust for the public to use through such activities as fishing, swimming, and boating. The state’s policy is to ensure that the public is able to maintain access to these waters. Structures and activities in public trust areas must not be detrimental to the public trust rights and the biological and physical functions of the estuary or ocean. Projects which would directly or indirectly block or impair existing navigation channels, increase shoreline erosion, deposit spoils below normal high water, cause adverse water circulation patterns, violate water quality standards, or cause degradation of shellfish waters are considered incompatible with the management policies of public trust areas.
- » **Estuarine and Public Trust (i.e. - Coastal) Shorelines.** The estuarine shoreline is the non-ocean shoreline, extending from the normal high water level or normal water level along the estuarine waters, estuaries, sounds, bays, fresh and brackish waters and public areas (15NCAC 7H.0209). Coastal Shorelines include all lands within 75 feet of the normal high water level of estuarine waters. This definition also includes lands within 30 feet of the normal high water level of public trust waters located inland

of the dividing line between coastal fishing waters and inland fishing waters. Generally, development in this area must not cause significant damage to any estuarine resources, must not interfere with public access to navigable waters or public resources, have limited hard (impervious) surfaces, preserve natural barriers to erosion, and must take steps to prevent pollution of the estuary by sedimentation and runoff.

Ocean Hazard Areas

Oceanfront beaches and dunes protect buildings and the environment behind them by absorbing the force of wind and waves. The Town of Beaufort is located on a peninsula between North and Newport River. Barrier islands are dynamic environments subject to shoreline changes and flooding which may be exacerbated by storms. The Ocean Hazard Areas include the following:

- » **Ocean Erodible AEC.** This covers North Carolina’s beaches and any other oceanfront lands that are subject to long-term erosion and significant shoreline changes. Due to Beaufort’s unique location behind the barrier islands, there is no Ocean Erodible AEC within their jurisdiction, although in some respects the Rachel Carson Reserve does have some of these characteristics.
- » **Inlet Hazard AEC.** This covers the lands next to ocean inlets, which are often highly unstable and subject to high rates of erosion of accretion.

This Beaufort Inlet AEC is just outside of Beaufort’s jurisdiction, off the southern shores of the Rachel Carson Reserve.

- » **Unvegetated Beach AEC.** These beach areas have no stable natural vegetation and generally stretches from the the ocean to the first line of stable natural vegetation in the dune. Rachel Carson Reserve has habitat with some of these characteristics.

Public Water Supplies

Protection of fresh water supply sources is vital to human health. Protection of public water supply areas prevents damage to fresh water supplies which are vulnerable to pollution, sea-level rise, and salt water intrusion. The Town of Beaufort receives all of its drinking water from groundwater that comes from the Castle Hayne - Aquia aquifer and there are four dedicated wells for the Town of Beaufort system.

Natural and Cultural Resources

These are specific sites designated to receive protection because they contain environmental or cultural resources that are important to the entire state. The NC Coastal Resources Commission (CRC) formally designates these resources through a nomination process.

- » **Coastal Areas that Sustain Remnant Species:** Coastal areas that sustain remnant species are those that support native plants or animals determined to be rare or endangered (synonymous with threatened and endangered), within the coastal area. Such places

provide habitats necessary for the survival of existing populations or communities of rare or endangered species within the coastal area. The continued survival of certain habitats that support native plants and animals in the coastal area is vital for the preservation of our natural heritage and for the protection of natural diversity which is related to biological diversity. These habitats and species provide valuable, educational, and scientific resources that cannot be duplicated. (15A NCAC 07H.0506)

- » **Coastal Complex Natural Areas:** Coastal complex natural areas are defined as lands that support native plant and animal communities by providing habitat areas of notable scientific, educational, or aesthetic value. They may be surrounded by landscape that has been modified but does not drastically alter conditions within the natural area. Such areas may have been altered by human activity and/or subject to limited future modifications, e.g. the placement of dredge spoil, if the CRC determines that the modifications benefit the plant or animal habitat or enhance the biological, scientific or educational values which will be protected by designation as an AEC. Coastal complex natural areas function as key biological components of natural systems, as important scientific and educational sites, or as valuable scenic, or cultural resources. Often these areas provide habitat suitable for threatened or endangered species or support plant and animal

communities representative of pre-settlement conditions. (15A NCAC 07H.0506)

- » **Unique Coastal Geologic Formations:** Unique coastal geologic formations that are rare or otherwise significant components of coastal systems, or that are especially notable examples of geologic formations or processes in the coastal area. Unique coastal geologic areas are important educational, scientific, or scenic resources that would be jeopardized by uncontrolled or incompatible development. (15A NCAC 07H.0507)
- » **Significant Coastal Archaeological Resources:** Significant coastal archaeological resources are defined as areas that contain archaeological remains (objects, features, and/or sites) that have more local significance to history or prehistory. Significant coastal archaeological resources are important educational, scientific, or aesthetic resources. Such resources would be jeopardized by uncontrolled or incompatible development. (15A NCAC 07H.0509)
- » **Significant Coastal Historic Architectural Resources:** Significant coastal historic architectural resources are defined as districts, structures, buildings, sites, or objects that have more than local significance to history or architecture. Significant coastal historic architectural resources are important educational, scientific, associative, or aesthetic resources. Such resources would be jeopardized by uncontrolled or incompatible development.

Environmentally Fragile Areas



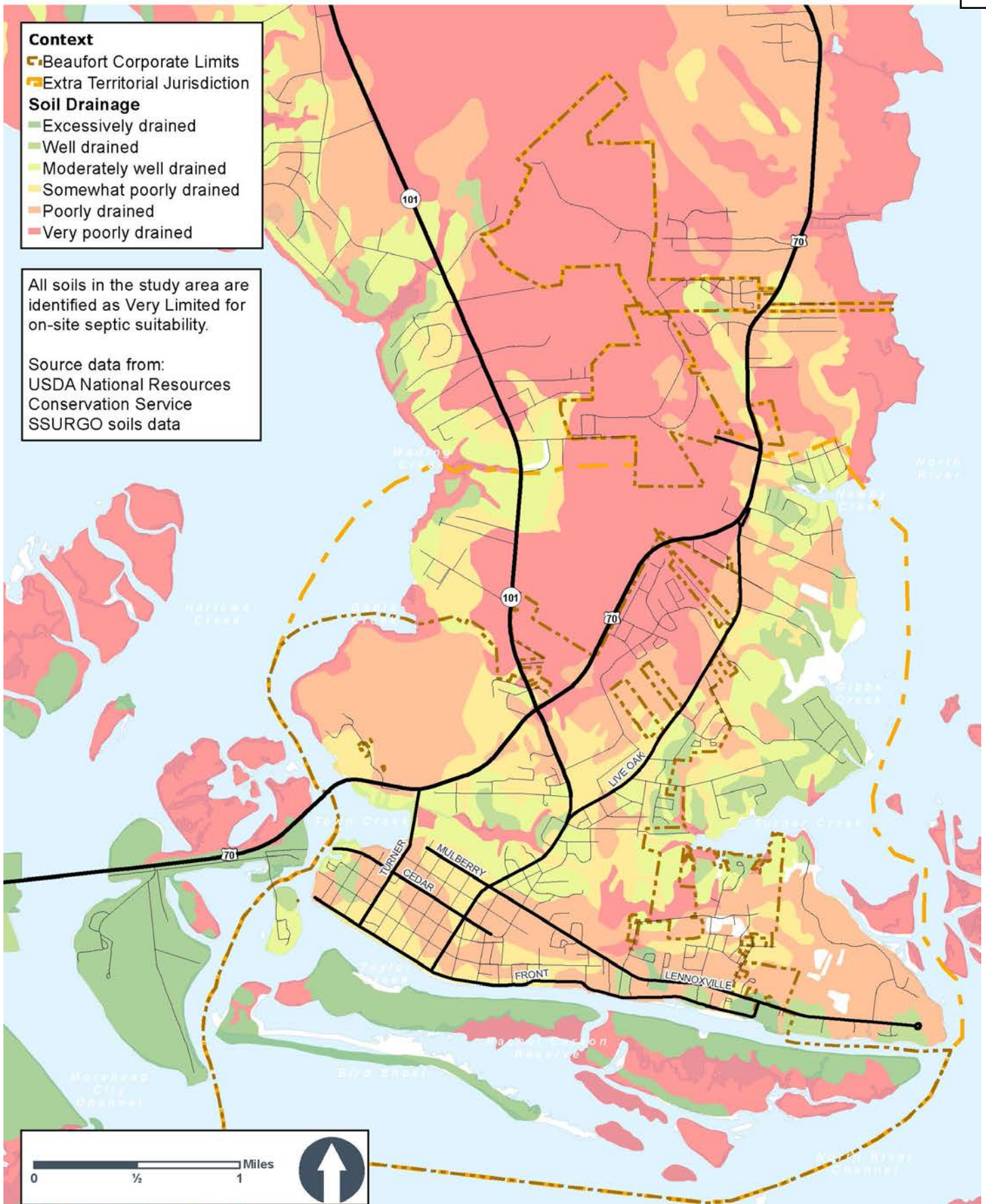
Map of environmentally sensitive and natural resource areas.

Erosion, Soils, and Septic Suitability

The primary soil types in Beaufort are hydric soils. These soils contain an abundance of moisture and generally lack oxygen. They are generally categorized as soils that are very poorly to poorly drained by the USDA National Resources Conservation Service (NRCS). Soils such as Carteret sand, Tomotley fine sandy loam and Leon-Urban sand are the predominant soils in Beaufort.

These soils present limitations for development and septic suitability. The NRCS designates these soils as “very limited” for septic system suitability. These limitations can be overcome with special engineering considerations, but are often expensive, may have limited or poor performance and generally require a lot of maintenance. While engineering can often solve problems presented by soil conditions, there are sites that are not suited for development and these soil conditions should be taken into consideration when planning for land use.

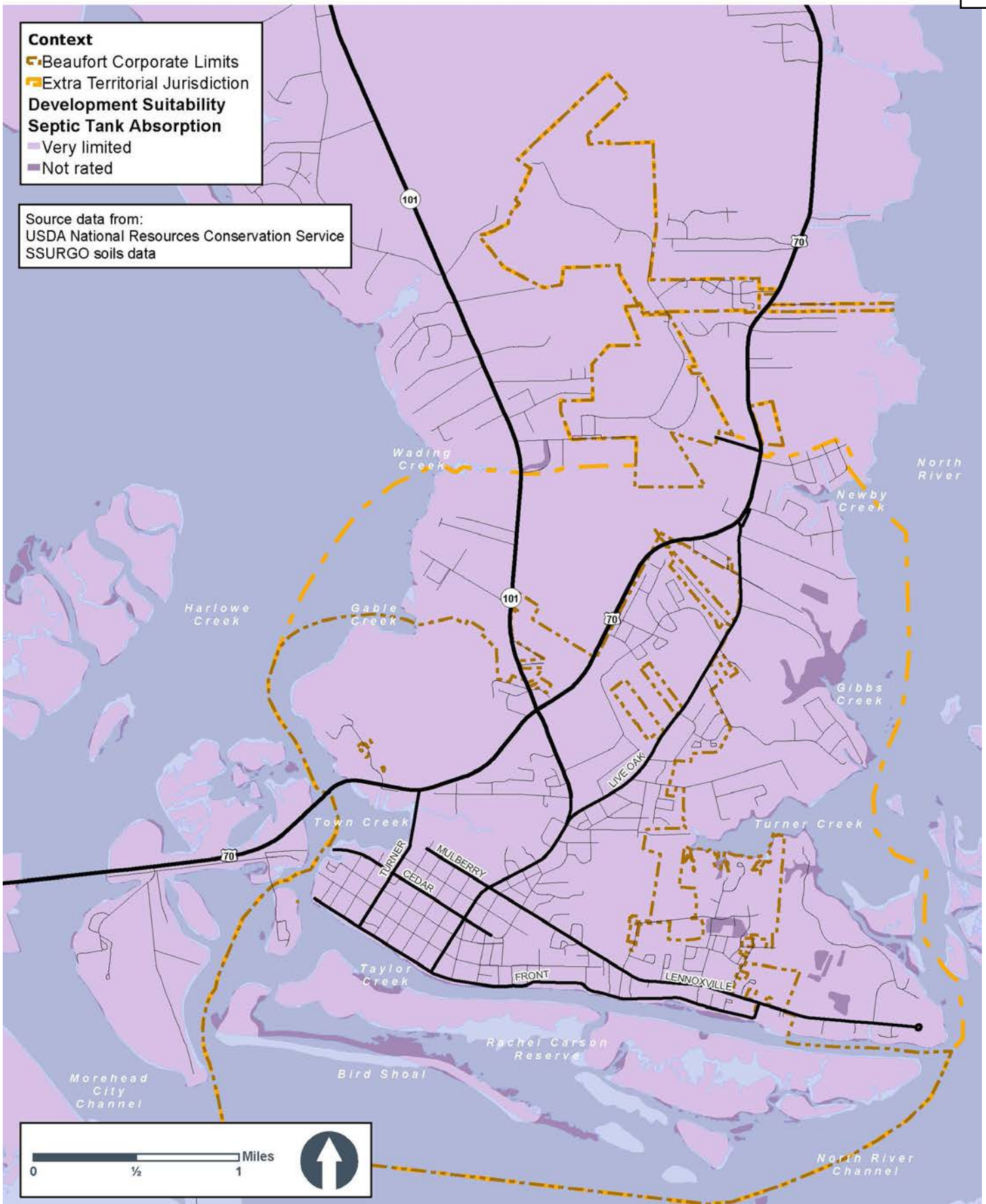
Over 90% of the soils in Beaufort have severe limitations for septic tank absorption due to wetness, low strength, and restricted permeability. Septic systems are not permitted in the corporate limits of Beaufort; however, they are allowed in the ETJ following a site-specific analysis required by Carteret County Environmental Health Services. The low absorptive capacity of the soils also indicates a higher runoff potential as well.



Soils are typical of a coastal region.

Soil Suitability for Septic Absorption

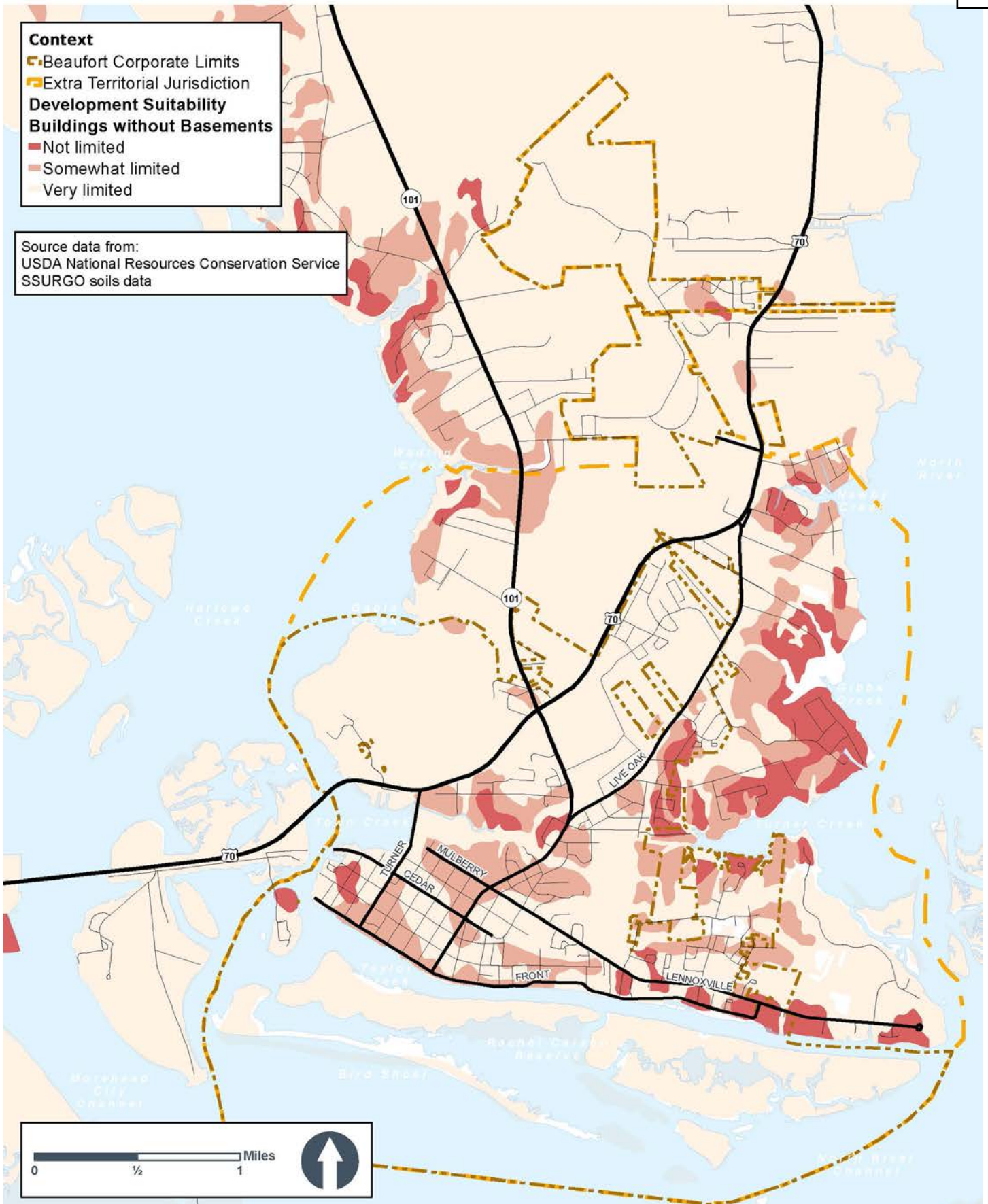
1.



Soils are generally not suitable for on-site septic infiltration. Poor absorptive capacity of the soils generally means relatively high runoff potential as well.

Soil Suitability for Development

1.



Many of the soils in the study area are not deemed suitable for development with basements.

Water Quality

Water Quality Classifications

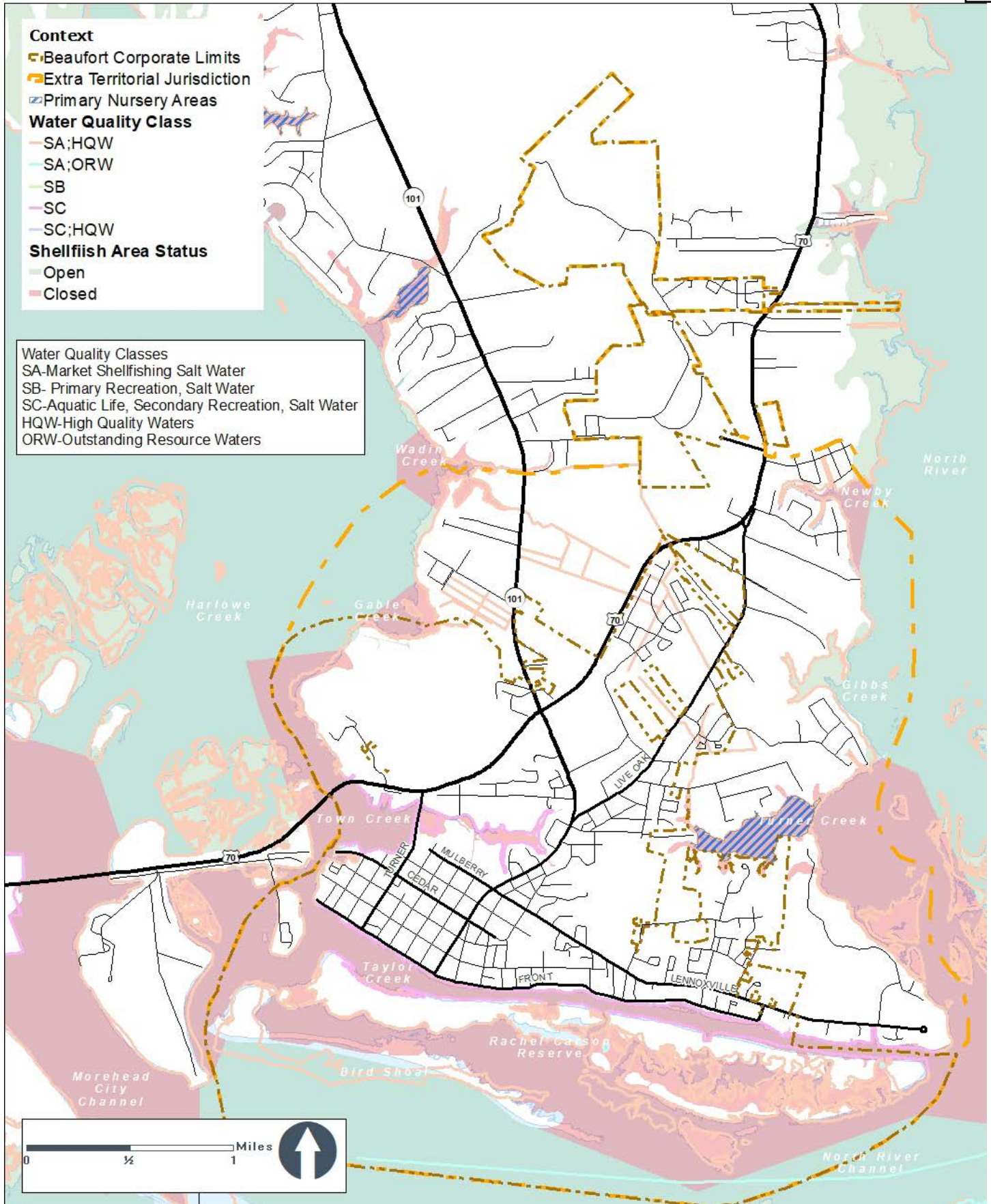
Surface waters in North Carolina are assigned a primary water classification by the North Carolina Division of Water Quality under the authority of the Environmental Management Commission. These classifications and their associated rules are designed to protect water quality, fish and wildlife and are required by the Federal Water Pollution Control Act (Clean Water Act). All surface waters in North Carolina area assigned a primary classification and some include a supplemental classification added by the NC Division of Water Resources (DWR). All waters must at least meet the standards for Class C, meaning the waters are suitable for aquatic life and secondary recreation. SA waters are saltwater bodies that are suitable for shellfish harvesting and primary recreation. SC water bodies are suitable for aquatic life and secondary recreation. Water bodies surrounding Beaufort are classified as "SA" or "high quality" waters suitable for shellfish and primary nursery areas harvesting and primary recreational activities as well as, "SC" or "outstanding resource" waters for fish habitat and have federal or state significance. There is currently a watershed restoration plan to reduce stormwater runoff and improve water quality in Beaufort Watersheds, including Town Creek watershed, Taylor Creek watershed, and Davis Bay watershed.

The NC Division of Water Quality prepared the third edition of the White Oak River Basinwide Water Quality Plan in 2007. The first and second edition to the plan were prepared in 1997 and 2001.

Since the 2001 revision of the White Oak River Basinwide Water Quality Plan the use support methods have changed significantly. In the previous plan, surface waters were rated fully supporting (FS), partially supporting (PS), not supporting (NS) and not rated (NR). The 2002 Integrated Water Quality Monitoring and Assessment Report Guidance issued by the Environmental Protection Agency (EPA) requests that states no longer subdivide the Impaired category. In agreement with this guidance, North Carolina no longer subdivides the Impaired category and rates waters as Supporting (S), Impaired (I), Not Rated (NR), or No Data (ND). These ratings refer to whether the classified uses of the water are being met.



Beaufort Water Tower



Beaufort has high quality salt water resources that benefit from regular “flushing” out from the tides through the inlet.

Summary of Use Support Ratings by Category in Subbasin 03-05-03						
Use Support Rating	Aquatic Life		Recreation		Shellfish Harvesting	
	Freshwater	Saltwater	Freshwater	Saltwater	Freshwater	Saltwater
Monitored Waters						
Supporting	0	5,847.9 ac	11.2 mi	17,764.7 ac	0	19,357.1 ac
Impaired*	0	140.2 ac (2%)	0	8 ac (.04%)	0	5.2 mi (100%)
Not Rated	15.1 mi	0	0	140.2 ac	0	
Total	15.1 mi	5,988.1 ac	11.2 mi	17,912.9 ac	0	5.2 mi
Unmonitored Waters						
Not Rated	0	166.3 ac	0	0.8 mi	0	0
No Data	54.1	5.2 mi	58 mi	5.2 mi	0	0
Total	54.1 mi	5.2 mi	58 mi	5.2 mi	0	0
Totals						
All Waters*	69.2 mi	5.2 mi	69 mi	5.2 mi	0	5.2 mi

Subbasin 03-05-03 is located in the center of Carteret County, extending from the Croatan National Forest to Beaufort and Beaufort Inlet. Subbasin 03-05-04 lies to east and north of the Town of Beaufort in Carteret County. Major water bodies in this subbasin include the North River, Jarrett Bay and Nelson Bay, plus the landward halves of Back Sound and Core Sound. Most of this subbasin is estuarine with freshwater drainage from adjacent land including Open Grounds Farm.

North Carolina coastal waters are known for their plentiful shellfish. Shellfish include clams, oysters, and mussels. All shellfish growing areas are surveyed every three years by the NC Marine Fisheries to assess the bacteriological quality of the water and to determine the

hydrographic and meteorological factors that could affect the water quality. This information is then used to classify each shellfish growing area as either approved, conditionally approved, restricted, or prohibited. Approved areas are consistently open to shellfishing, while prohibited areas are permanently closed.

According to NC Marine Fisheries, all tributaries, Taylor Creek, Davis Bay, and the waters surrounding the Rachel Carson Reserve are permanently closed for shellfishing. The waters in the Newport River, North River, and Back Sound are conditionally approved and/or open for shellfishing. Conditionally approved areas are generally open but can be closed after a significant rainfall event. On the map these shellfishing areas are labeled as open and closed with the open areas

Summary of Use Support Ratings by Category in Subbasin 03-05-04						
Use Support Rating	Aquatic Life		Recreation		Shellfish Harvesting	
	Freshwater	Saltwater	Freshwater	Saltwater	Freshwater	Saltwater
Monitored Waters						
Supporting	0	2,991.7 ac	0	11,316.7 ac	0	26,053.9 ac
Impaired*	0	6,251.3 ac (68%)	0	0	0	13,374 ac (33.9%)
Total	0	9243 ac	0	11,316.7 ac	0	39,427.9 ac
Unmonitored Waters						
Not Rated	0	234.5 ac	0	0	0	0
No Data	0	30,271.8 ac	0	28,432.6 ac	0	0
Totals						
All Waters*	0	2.9 mi 39,749.3 ac	0	2.9 mi 39,749.3 ac	0	39,427.9 ac

*The noted percent Impaired is the percent of monitored miles/acres only. Source: NC Division of Water Quality

including the conditionally approved areas.

The biggest threat to the water quality along the Newport River is associated stormwater runoff for this rapidly developing area (DEH, Shellfish Sanitation and Recreational Water Quality Section, May 2005). The most significant threat to the water quality in Taylor Creek Area is nonpoint pollution associated with stormwater and runoff. The area adjacent to the Beaufort Docks is heavily crowded with boats. The large number of private sailboats and live-aboards in the creek increase the potential for fecal coliform contamination from illegal marine head pumping (DEH, Shellfish Sanitation and Recreational Water Quality Section, October 2002). According to the Sanitary Survey of North River Area,

there are some improvements in water quality in portions of this growing area (DEH, Shellfish Sanitation & Recreational Water Quality Section, November 2005). Several areas within North River have been reclassified from conditionally approved closed to conditionally approved open as a result from this survey.

Primary Nursery Areas, Shellfishing Areas, and Associated Waters

Primary nursery areas, as defined by the Marine Fisheries Commission, are those areas in the estuarine system where initial post-larval development takes place. The purpose of primary nursery areas is to protect the habitat of these areas, especially the bottom structure (sea grasses, oyster rocks, sand and

mud) and adjacent wetlands. These areas are typically located in the uppermost sections of a system where populations are uniformly very early juveniles. The North Carolina Division of Marine Fisheries is responsible for preserving, protecting and developing these areas for important finfish and shellfish. Turner Creek is the only primary nursery area within the Beaufort’s planning jurisdiction.

Nursery areas are necessary for the early growth and development of important marine or estuarine fish or crustacean species. These areas need to be maintained, as much as possible, in their natural state, with as little interference from man as much as possible. The North Carolina Marine Fisheries Commission’s rules prohibit the use of gears (trawls, dredges, long haul seines) that can severely impact the habitat regardless of who uses the gear. Shoreline development is also limited by North Carolina Coastal Resources Commission.

Shellfishing areas are open or closed areas where shellfishing is allowed or prohibited. Shellfish includes clams, oysters, and mussels. Shellfish are filter feeders, and pump water through their gills almost constantly. This pumping action is how shellfish area are able to gather food particles, but this action also allows them to take up any bacteria, viruses, or pollutants that may be present in the water. If shellfish with high concentrations of bacteria or viruses are consumed raw or undercooked, they could cause severe illness to the consumer.

The North Carolina Department of Marine Fisheries assesses the bacteriological

factors that affect water quality and then classify shellfish growing areas as either approved, conditionally approved, restricted, or prohibited. Approved areas are consistently open to shellfishing, while prohibited areas such as Taylor Creek, Davis Bay, and the waters surrounding the Rachel Carson Reserve are permanently closed. Conditionally approved waters such as the waters in the Newport River, North River, and the Back Sound are generally open but may be closed when the area has significant rainfall. The area will remain closed until water samplings indicate the water quality has returned to acceptable levels.

Stormwater runoff is the biggest threat to water quality and has the potential to carry bacteria from adjacent land into surface waters, which may increase the amount of bacteria consumed by shellfish. Living shorelines and beneficial wetlands help to mitigate the effects from stormwater runoff by filtering pollutants before they enter the adjacent waters.



Beaufort Docks Marina

Flooding and Other Natural Hazards

Beaufort lies in the physiographic province known as the Coastal Plain in North Carolina. The Town has several tidal rivers that drain from it. The Newport River on the west opens into the Beaufort inlet, just south of the Rachel Carson Reserve. The east side of Town is the North River. Elevations in Beaufort range from 4 to 33 feet above sea level.

Floodplains and Flood Zones

The 100-year floodplain is land subject to a one percent or greater chance of flooding in any given year. Whereas, the 500-year floodplain is land subject to a one in five hundred (0.2%) chance of flooding in any given year. In Beaufort, the parcels that are adjacent to North River, Turner Creek, Taylor Creek, Town Creek, and Newport River are the areas within the 100-year floodplain. The parcels within the 500-year floodplain lie adjacent to the 100-year floodplain and run slightly north of Live Oak St., along NC Highway 101 and where Live Oak St. and Highway 70 meet.

The Federal Insurance and Mitigation Administration defines repetitive loss property as “any insured structure with at least two flood insurance losses, each of at least \$1,000, in any rolling 10-year period”. During this 10-year period, Beaufort had 1 repetitive loss property with 12 reported losses at an amount of \$252,477.35.

Currently, more than 30% of the Town’s structures, not including the airport, are within the horizontal boundaries of the 100-year floodplain, also known as the Federal Emergency Management Agency

Special Flood Hazard Area (FEMA SFHA).

Local Stormwater Flooding Concerns

At the second public meeting, attendees were asked about where they have knowledge of flooding or stormwater back up concerns. These areas were noted in breakout group sessions on slides. Flooding concerns primarily were noted in areas in proximity to Town Creek and Taylor Creek, especially in low-lying areas.

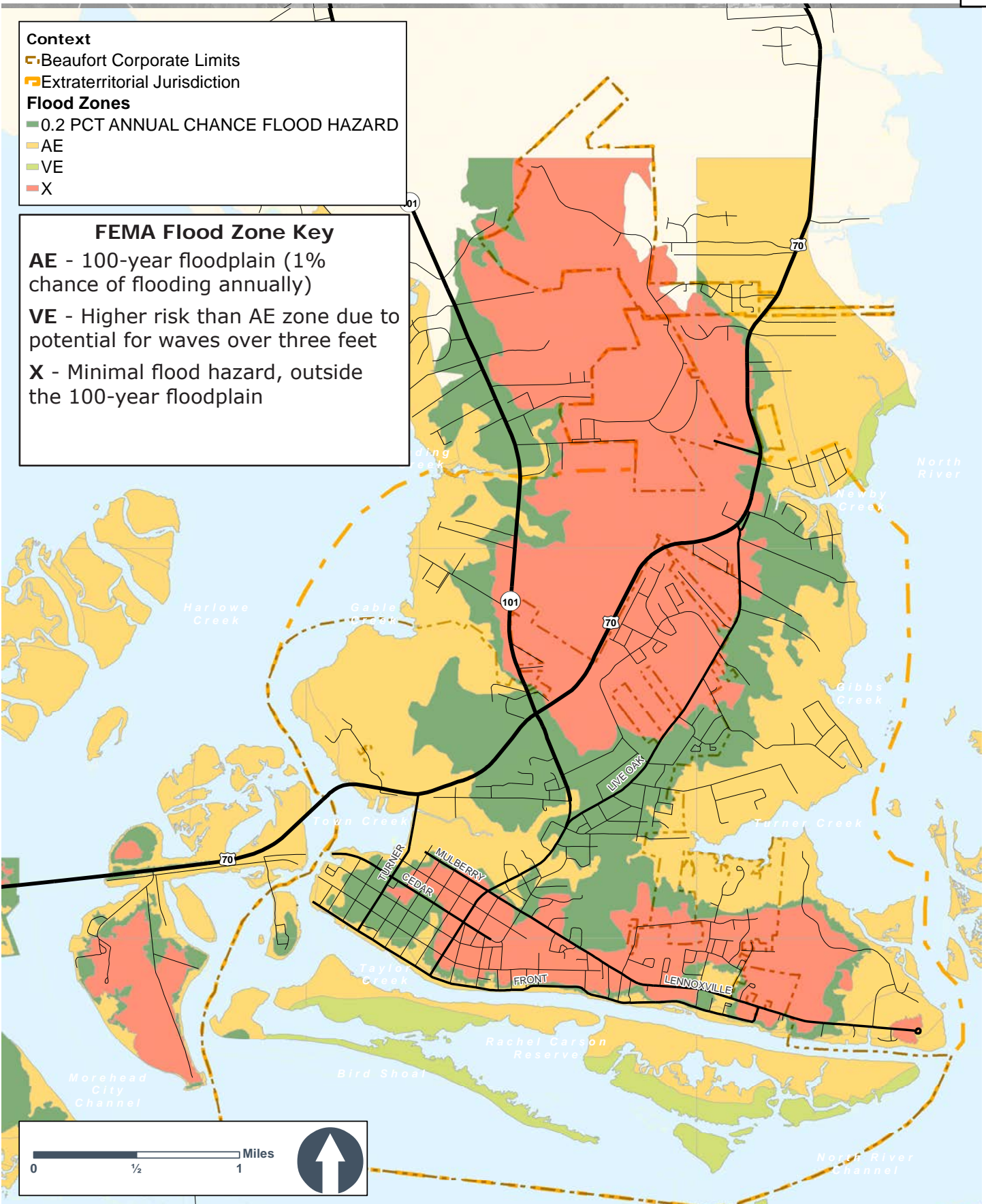
Home Flooding Statistics

- 30% of flood claims are in low or moderate risk flood areas
- There is a 26% chance that a non-elevated home in the floodplain will be damaged during a 30 year mortgage period.

Source: FEMA

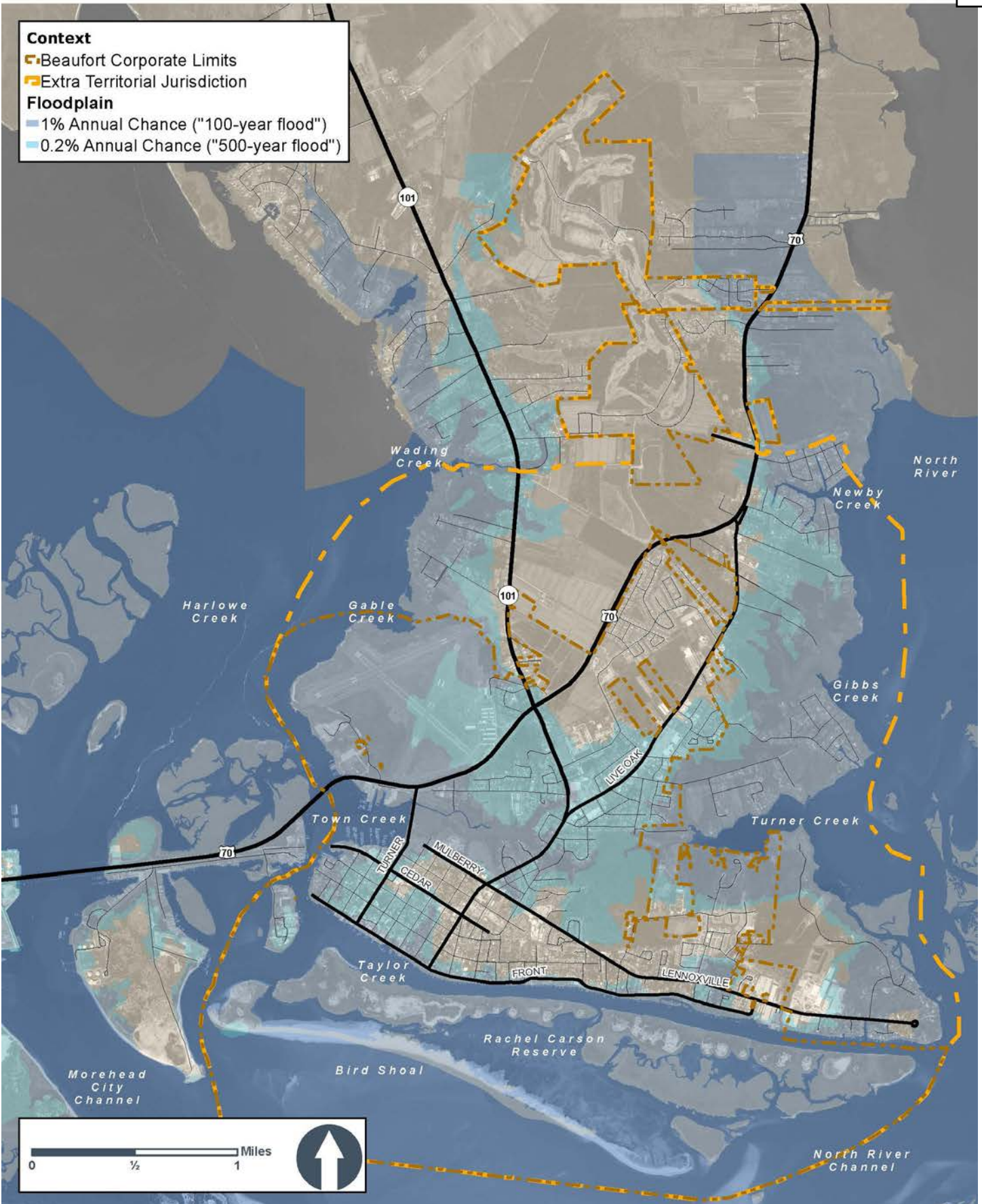


Stormwater drainage area



The Town's flood zone maps are currently in the process of being updated by FEMA.

Floodplains



Vast areas of the town and study area are in either the 1% or 0.2% annual flood chance floodplains.



Community flood record from Ocracoke. Source: Village Craftsman of Ocracoke Island, NC.

Hazards, Storm Surge, and Flooding

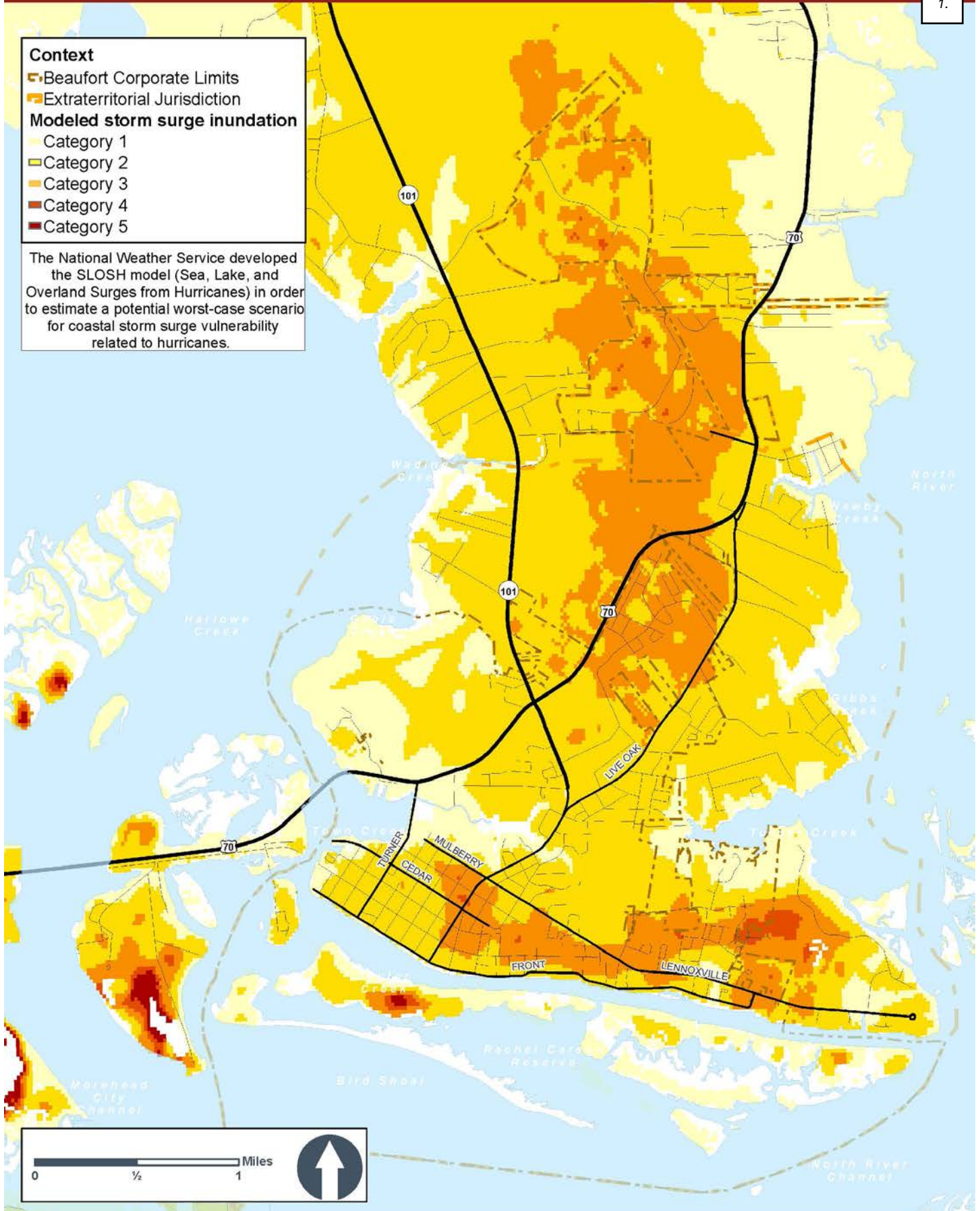
The Town of Beaufort is susceptible to flooding from wind-driven storm surge associated with hurricanes, tropical storms, and nor'easters. Areas likely to be inundated by storm surge have been modeled by the National Weather Service SLOSH (Sea, Lake, and Overland Surges from hurricanes) model, in order to estimate a potential worst-case scenario for coastal storm surge vulnerability related to hurricanes. These areas have been mapped to show the extent of hurricane induced flooding. A significant majority of the town is vulnerable to inundation during a Category 2 hurricane and nearly the entire town might experience flooding during a Category 3 hurricane. Under the worst-case scenario, a direct hit by a Category 5 hurricane, the entire Beaufort planning jurisdiction is subject to flooding from storm surge. Fortunately, these types of storms are rare because they are destructive to the extent that economies of impacted places take decades to recover, if they ever do.

Probability of occurrence of various storm events over spans of time					
	1 year	10 years	30 years	50 years	100 years
1-in-10 year storm (10% annual chance)	10%	65.1%	95.8%	99.5%	99.9%
1-in-100 year storm (1% annual chance)	1.0%	9.6%	26.0%	39.5%	63.4%
1-in-500 year storm (0.2% annual chance)	0.2%	2.0%	5.8%	9.5%	18.1%
1-in-1,000 year storm (0.1% annual chance)	0.1%	1.0%	3.0%	4.9%	9.5%
Significance			Length of a typical mortgage	Within the lifespan of most structures	Within the lifespan of many sturdy structures

Note that the percentages above show the probability of the occurrence of *at least one* of the specified storms of a particular intensity. More than one storm of a given intensity during a certain time period are certainly possible.

Storm Surge Modeling (SLOSH)

1.



Not surprisingly in a low-lying coastal area, Beaufort is highly vulnerable to storm surge flooding during mid- to high-intensity hurricanes.

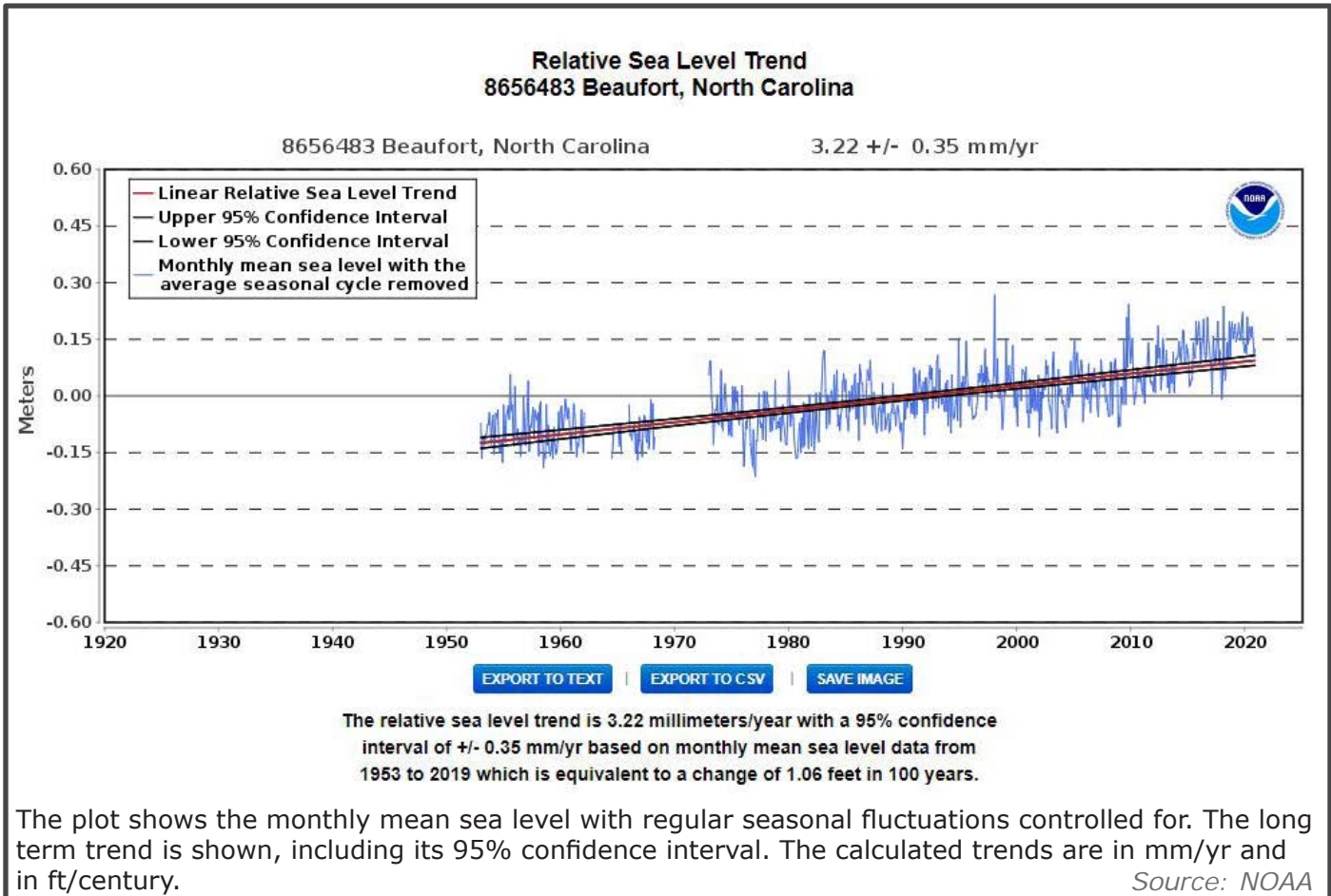
Storm Event Intensity and Probability of Occurrence

People frequently talk about storm events as 1-in-100 year storms or 1-in-500 year storms. These concepts are useful for designers and regulators to ensure a community can endure different intensity storm events with less disruption to normal life. However, in these discussions, it is also important to discuss the probability that these events might occur over the lifespan of the structure or facility in question.

As illustrated in the table below, the probability of occurrence of a 1-in-100 year storm in any given year is not particularly alarming; only 1-in-a-hundred chance, or a 1% chance over

a one-year period. However, over the lifespan of a typical, 30-year home mortgage, the aggregate chance that a 1-in-100 year storm might occur is actually 26%. For the length of time that many of the historic homes have existed in Beaufort, the probability that they have lived through higher intensity storms is fairly certain. And in fact, storm records show that these events have occurred and are becoming increasingly common.

Current scientific data informs us that the coast will begin to see higher intensity storms on a more regular basis due to a number of factors related to climate change. In particular, as the atmosphere warms, it is more able to hold moisture, with a roughly 7% increase in moisture



holding ability for every 1 degree Celsius increase. This will mean that future storms will be more intense with more precipitation. As discussed further in this document, the impact of future storms will also be exacerbated by other factors related to climate change, such as rising seas, coastal erosion, and more frequent hurricanes. This will especially be more apparent in coastal towns affected by high tides or king tides, which will impede the routing of stormwater to creeks and waterways.

A warmer ocean surface also has the potential to foster stronger storms. The storms of the future will be stronger than those of the present. Stronger winds from these storms may lead to greater debris cleanup and tree maintenance needs.

As a generality, the federal government has determined that properties within the 1% annual flood chance floodplain should purchase flood insurance. This is the bare minimum requirement that

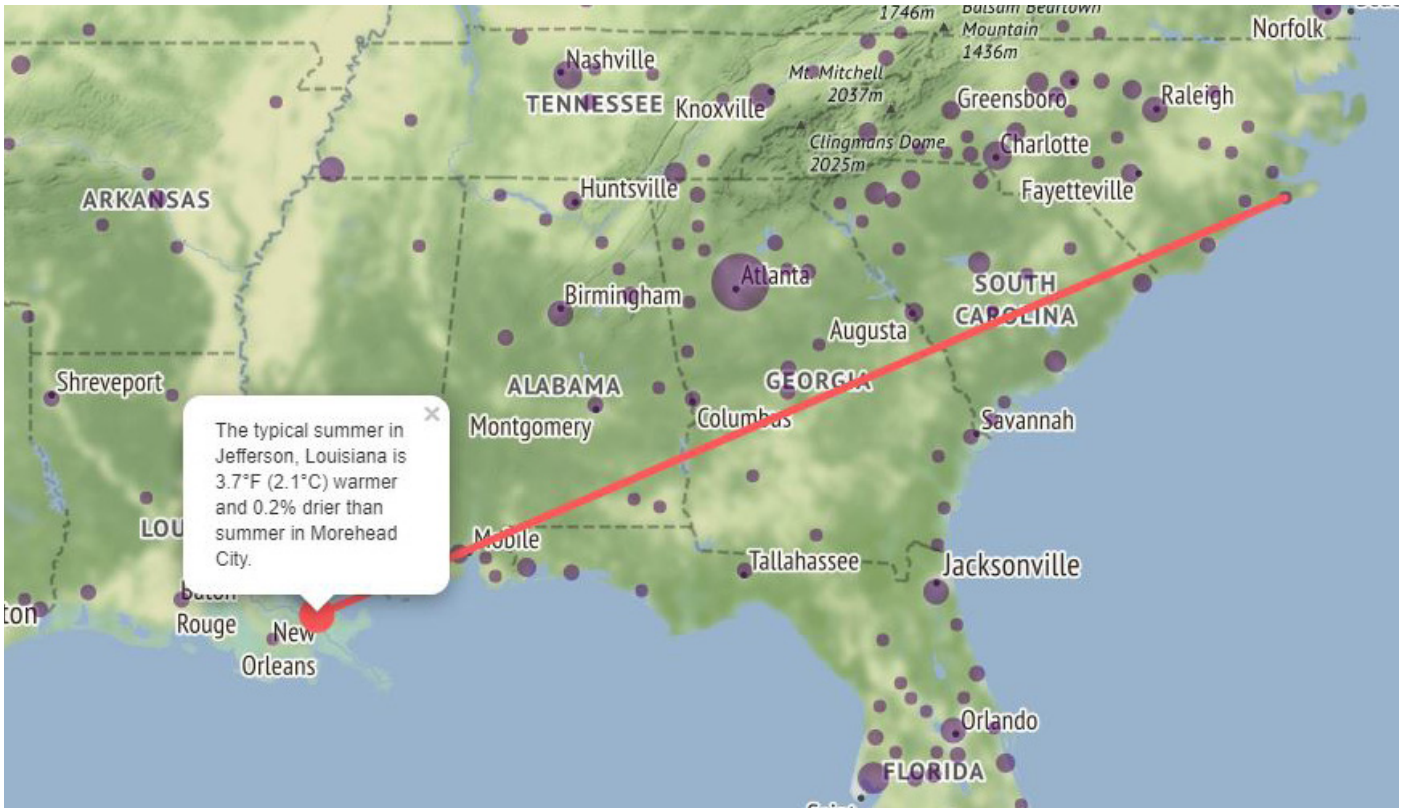
the federal government has established to help mitigate flood damages across the nation. This does not prevent communities from doing more to protect their citizens, structures, and operations from disruption due to flooding. It is up to each community to determine their own tolerance for disruption from flooding and storms and do what is in the best interest of their residents and businesses.

Vulnerability and a Changing Climate

For the measurable past, more than six decades, relative sea level has been rising in the Beaufort area, as recorded at the NOAA tide gauge. Recent evidence also suggests that global greenhouse gas emissions are not being effectively curtailed, which indicates that seas will continue to rise and likely at an increasing rate.

(Source: Intergovernmental Panel on Climate Change. 2018. Special Report, and sealevelrise.

Major takeaways from the 2020 NC Climate Science Report:		
Very likely that temperatures will continue to increase.		
Likely that precipitation will be heavier.		
Very likely that extreme precipitation events will increase in both frequency and intensity.		
Very likely that there will be an increase in heavy precipitation accompanying hurricanes.		
Likely an increase in severe thunderstorm events.		
Virtually certain that coastal storm surge flooding events will increase.		
Likely that droughts will be more intense.		
Note: When used in this report, these terms have the following meaning.	Term	Probability of occurrence
	<i>Virtually certain</i>	99%-100%
	<i>Very likely</i>	90%-100%
	<i>Likely</i>	66-100%



A recent study that included neighboring Morehead City implies that Beaufort's annual average climate in the year 2100 will generally be hotter and slightly drier.

Source: Fitzpatrick, Matthew, and Dunn, Robert. "Contemporary climatic analogs for 540 North American urban areas in the late 221st century". Nature Communications, February 2019.

org/states/northcarolina).

Rising seas and consequently higher water tables will also impede the ability of septic systems to function, and for stormwater systems to function with backflow. Saltwater intrusion can also contaminate public drinking water wells. Underground salt water intrusion or overwash from storm-driven waves into areas where infrastructure exists (pipes, wires, foundations, parking areas, etc.) has the potential to reduce the operational lifespan of those facilities and lead to increased maintenance costs. Concrete, in particular, is vulnerable to salt water corrosion, and infiltration of salt water also can create problems balancing the chemical levels necessary for

NOAA tide gauge data
 The rate of sea level rise is increasing.

Average annual sea level rise:
2.61 mm/yr years 1953-2010
3.29 mm/yr years 1953-2020

That's over
8¹/₂ inches
 in the past 68 years.

These rates of sea level rise are the lowest baseline for the future. They do not account for additional, future, climate change induced rise.

Source: NOAA tide gauge #8656483

wastewater treatment.

Flood zones will continue to move upland as seas rise. This may lead to a future condition where many structures are not adequately protected from flooding or do not meet best practices for building code standards.

Although rain events are predicted to be stronger, the weather will also likely be more erratic and irregular, such that drought intensity will also increase. Overall, the climate is expected to be hotter, and possibly also slightly drier, in the year 2100. Severe heat days are predicted to be more common in the future. This will present hazards to people partaking in outdoor activities,

About SLR in Beaufort, NC

Sea level rise in Beaufort, NC is projected to be around 36% greater than the global average.

The *intermediate* scenario predicts an increase of 2.0 feet of SLR by 2060 and the *high* scenario predicts 3.9 feet by 2060.

Based on the *low* scenario, the *least* amount of SLR projected in 2060 is 1.0 feet.

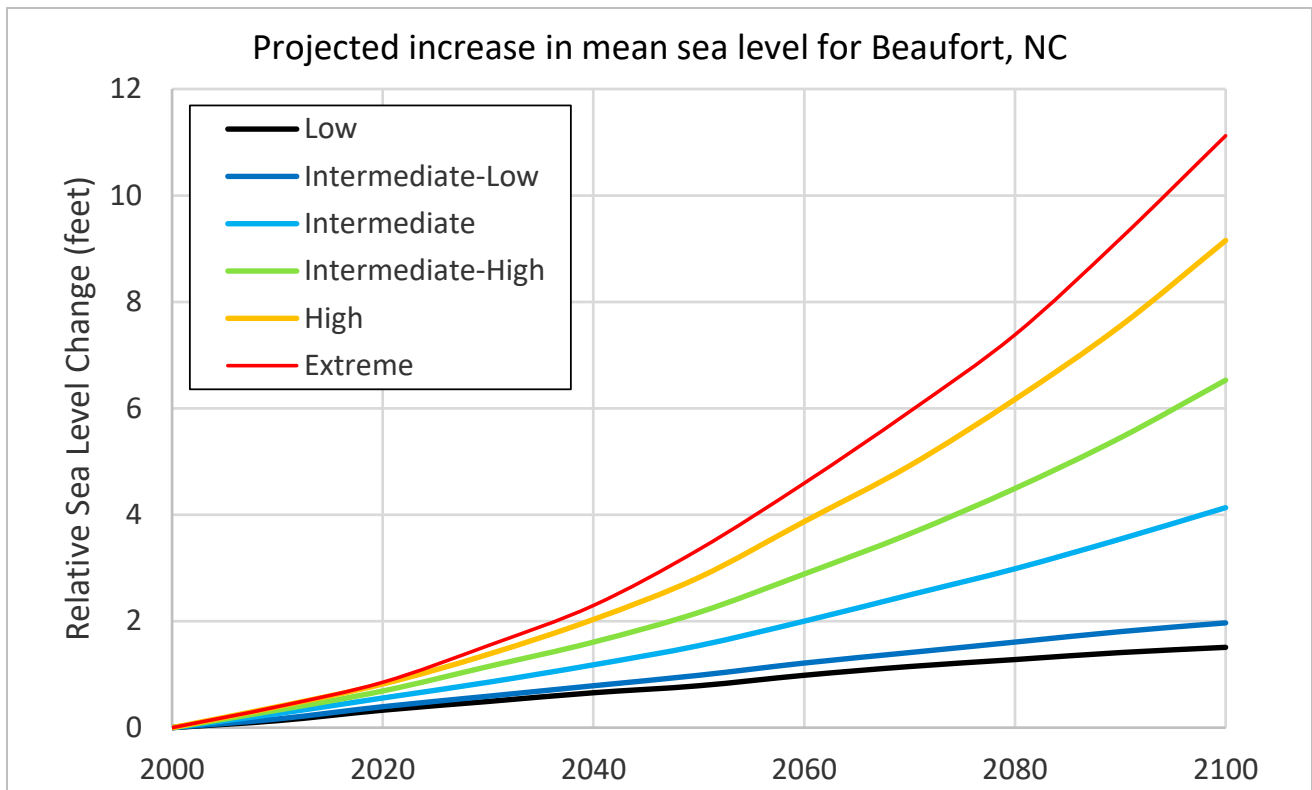


Figure 1: Graph shows relative sea level change scenarios for Beaufort, NC associated with the six different global sea level rise scenarios. The low and extreme scenarios represent the minimum and maximum of plausible future sea level rise. Data source: NOAA Technical Report NOS CO-OPS 083; Site: 2295.

both for work or recreation.

particularly vulnerable. Understanding and preparing for these threats using the best available data and projections can help the community prepare for, accommodate, and mitigate the negative

Sea Level Rise Projections

Seas are rising globally and the low-lying areas of North Carolina’s coast are

The following notable areas are likely to be inundated either permanently or regularly as seas continue to rise (based on Intermediate scenario):

At **2 feet** of sea level rise:

- » Fields at the airport will be inundated
- » Properties on the southern side of Turner and Town Creeks
- » Front Street at its western terminus and at Gerard Street
- » The coastal wetlands east of US 70 from Olga Road to the North River Bridge

At **3 feet** of sea level rise:

- » Continued inundation of areas listed above, and
- » Significant portions of the Rachel Carson Reserve
- » The neighborhood surrounding the intersection of Lennoxville Road and Lewiston Road
- » Properties on the north side of Turner and Town Creeks
- » Front Street from Orange Street to Seaview Street
- » Points and drainages into Gibbs Creek
- » Farm fields west of US 70 from Neptune Lane northward, likely including the highway as well

At **4 feet** of sea level rise:

- » Continued inundation of areas listed above, and
- » Areas north and east of the Town’s wastewater treatment plant as well as the northern portion of Freedom Park
- » Areas along Town Creek, east of Live Oak Street
- » The western end of West Beaufort Road and the areas around the intersection of US 70 and Turner Street, including the County boat ramp
- » The Olga Road neighborhood and properties on Newby Creek
- » The southern ends of many streets in the historic district where they are close to Front Street
- » The neighborhood west of Sunset Lane
- » The western end of Pine Street, including portions of Turner Street
- » Coastal neighborhoods to the north of the airport
- » Significant parts of Piver’s Island

(Source: NOAA Sea Level Rise Viewer (<https://coast.noaa.gov/digitalcoast/tools/slr>))

impacts of sea level rise.

Unless mitigating actions are taken, The National Oceanic and Atmospheric Administration (NOAA) projects that sea level rise will cause chronic inundation of some properties, with major impacts possibly occurring as early as 2060 and certainly by the year 2100. Beaufort is home to more than 150 structures that have seen up to a 300-year lifespan. Many of the contemporary structures being constructed and renovated today have expected lifespans of 50 years and beyond. Major municipal investments - public water wells, wastewater treatment plants, the courthouse, bridges, etc. - should be expected to last in excess of 50 years as well. Thus, even though 2060 and 2100 are beyond the horizon of this plan, these discussions are still relevant to long-range decision-making, especially in a community that has existed for nearly 400 years and hopes to prosper for many more.

NOAA’s 2017 report “Global and Regional Sea Level Rise Scenarios for the United States” was used to understand potential future sea level rise scenarios for Beaufort. This report projects sea level rise relative to the baseline year of 2000. Baseline tide gauge data (the Low scenario) indicates approximately another 2 feet of rise above current (2020 sea level) by 2060 and a total of at least 6 feet more by 2100. This scenario does not account for global warming and climate change inputs, but only reflects past tide gauge trends.

Without mitigation, low lying areas in and around the Town will become inundated or subject to regular flooding, especially in the downtown waterfront commercial district.

When considering planning, investment, and land use, it is important to consider many factors: how critical the asset is, how vulnerable it is, how quickly it can be repaired or recovered, how many people will be affected by disruptions in service from the asset, etc. More critical assets should consider more extreme sea level rise scenarios when planning so that they are resilient to a broader range of future climate conditions. However, these projections only show sea level rise. Flood risk from storms, high and king high tides, and storm surge will also be exacerbated by rising seas.

Coastal Flooding

NOAA has also created projections for how much flooding communities can expect in the future, based on the different sea level rise scenarios. Even putting aside major storms and hurricanes, areas that have flooded in the recent past can expect to see the frequency of flooding increase dramatically. Even in the mildest version of the future (the Low scenario), annual high tide flooding will increase more than 10-fold by 2050 and around 100-fold by 2100. Other scenarios paint a more dire picture.

It is not yet known how much flooding private property owners will tolerate before abandoning their properties. Some studies have used a threshold of 26 days per year (“Underwater”, *Union of Concerned Scientists*, <https://www.ucsusa.org/underwater>). That kind of retreat assumes those property owners are financially capable of abandoning their property. The full, future impact of increased flood frequency on public infrastructure and services provision is not yet known, but it will most certainly increase service disruptions and maintenance of affected infrastructure.

The New Normal

Coastal flooding will become more frequent and occur in more places as sea levels rise.

Minor flooding is a potential public threat and inconvenience. This graph depicts frequencies of *minor* flooding caused by high tides under different sea level change scenarios at the NOAA Beaufort, NC tide gauge. This is a good representation of potential future flooding in the area. Minor flooding begins when water level is at or above 1.8 feet.

Probabilities of *moderate* and *major* flooding, which disrupt commerce, damage private and commercial property, and threaten public safety, are also increasing with sea level rise, putting more communities and assets at risk.

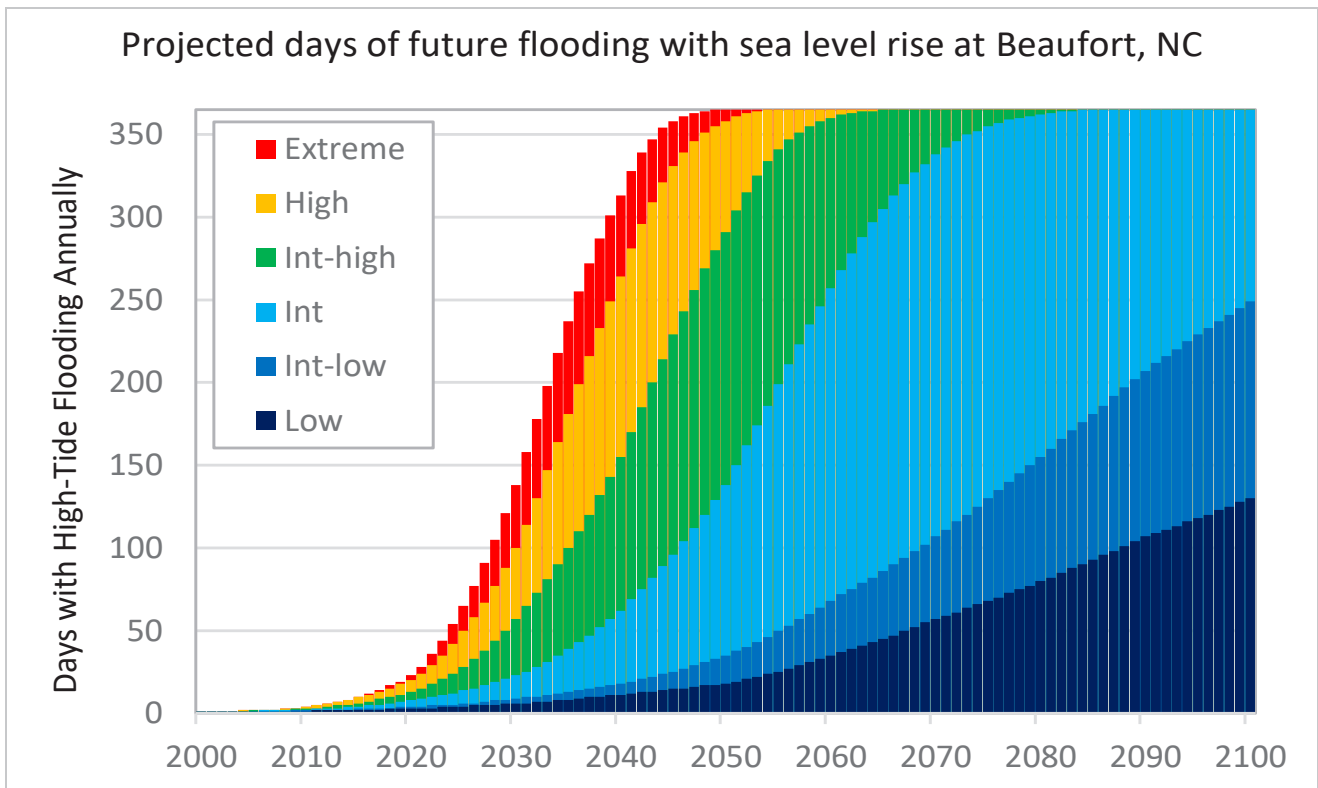


Figure 2: Graph displays the projected future days of minor flooding based on derived levels at Beaufort, NC under different sea-level rise scenarios. Data source: NOAA Technical Report NOS CO-OPS 086.

Additional Resources on Sea Level Rise

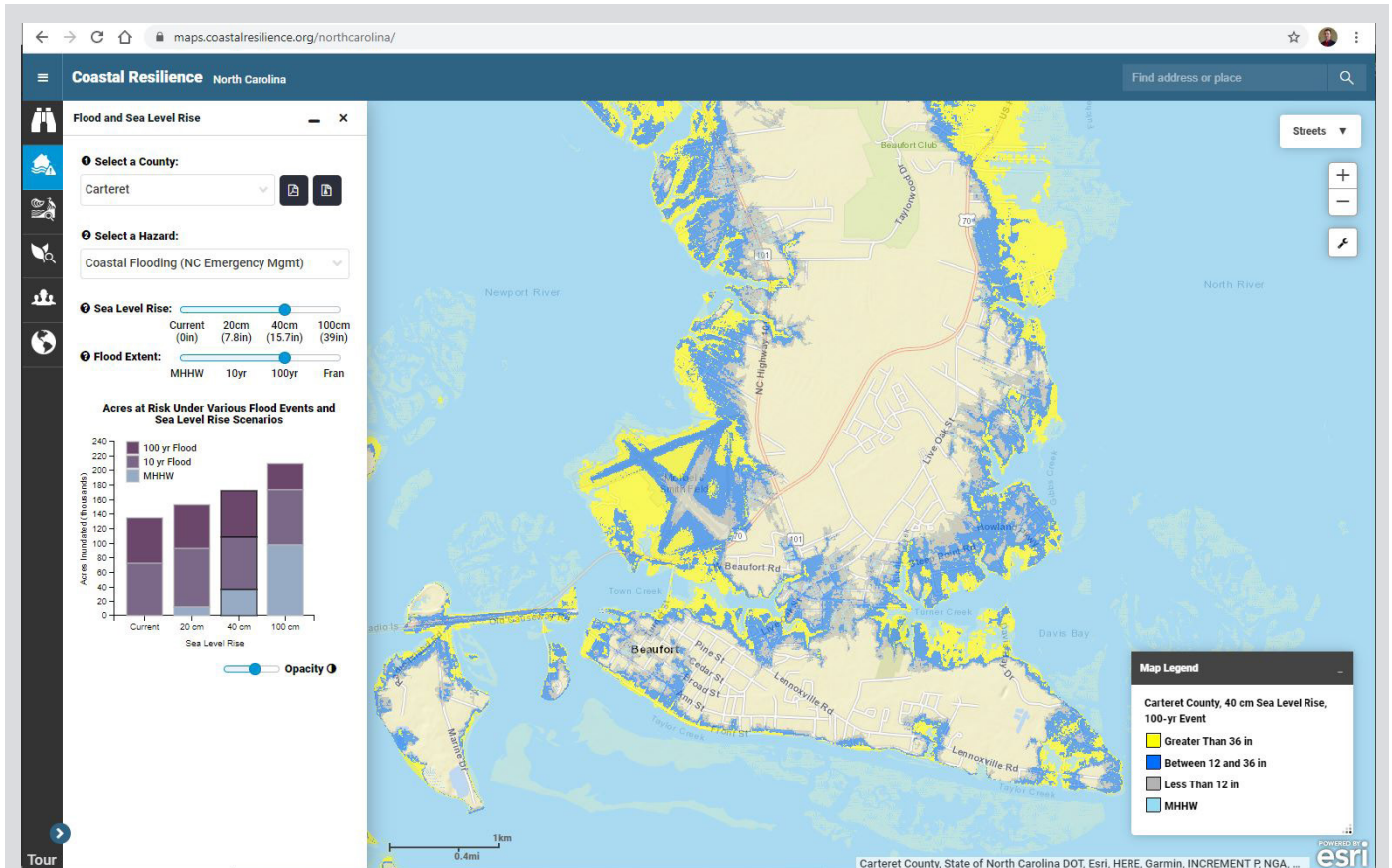
NOAA SLR Viewer – <https://coast.noaa.gov/slr/>

Climate Resilience Toolkit -> Coasts -> SLR -> <https://toolkit.climate.gov/topics/coastal/sea-level-rise>

Climate.gov -> SLR - <https://www.climate.gov/news-features/understanding-climate/climate-change-global-sea-level>

USACE SLR Calculator – <http://www.corpsclimate.us/ccaceslcurves.cfm>

CO-OPS Inundation Dashboard – <http://www.tidesandcurrents.noaa.gov/inundationdb/>



Recent modeling work has attempted to understand what future floodplains might look like under different sea level rise scenarios. This particular study used publicly available data from FEMA, but the findings are not regulatory and do not affect insurance rates or flood damage regulations. In the screenshot above, areas shown in grey, dark blue, or yellow estimate the possible extent of the future 1% annual chance floodplain after 16" (~40cm) of sea level rise. The areas shown in light blue estimate the future sea level and shoreline.

Source: The Nature Conservancy, Coastal Resilience Mapping Tool, 2016, <https://maps.coastalresilience.org/northcarolina/> and North Carolina Sea Level Rise Impact Study, NC Dept. of Public Safety, https://media.coastalresilience.org/NC/North%20Carolina%20Sea%20Level%20Rise%20Impact%20Study_FinalReport_20140627.pdf

Community Facilities

Water Supply & Wastewater Systems

Wastewater Treatment

The sewer infrastructure and wastewater is treated by the Town’s Wastewater Treatment Plant. The sewer collection system is comprised of approximately 25 miles of gravity lines, 28 miles of force mains, 21 pump stations, and approximately 3,330 sewer service connections. The Wastewater Treatment Plant is a permitted 1.5 million gallons per day facility that treats the collected sewage of the town and discharges the treated effluent into the eastern end of Taylor’s Creek, in accordance with state and federal regulations.

As seas rise, steps will need to be taken to ensure the proper function of septic systems on low-lying properties. Elevation modeling can help identify potential problem areas. Wastewater that is not fully treated can pollute local waters, which may lead to health and environmental impacts and/or property value declines. There are no documented chronic overflows, bypasses, or other problems, or areas experiencing chronic wastewater treatment malfunctions.

Public Water Supply, Wellhead Protection Areas, and Drinking Water

There are no public water supply watersheds in Beaufort’s planning jurisdiction. The water source for the town of Beaufort comes from four deep wells that draw water from the Castle Hayne - Aquia aquifer that range in ages from 6 to 42 years old. Two wells are used by Pine Street Water Facility and two wells used by the Glenda Drive Water

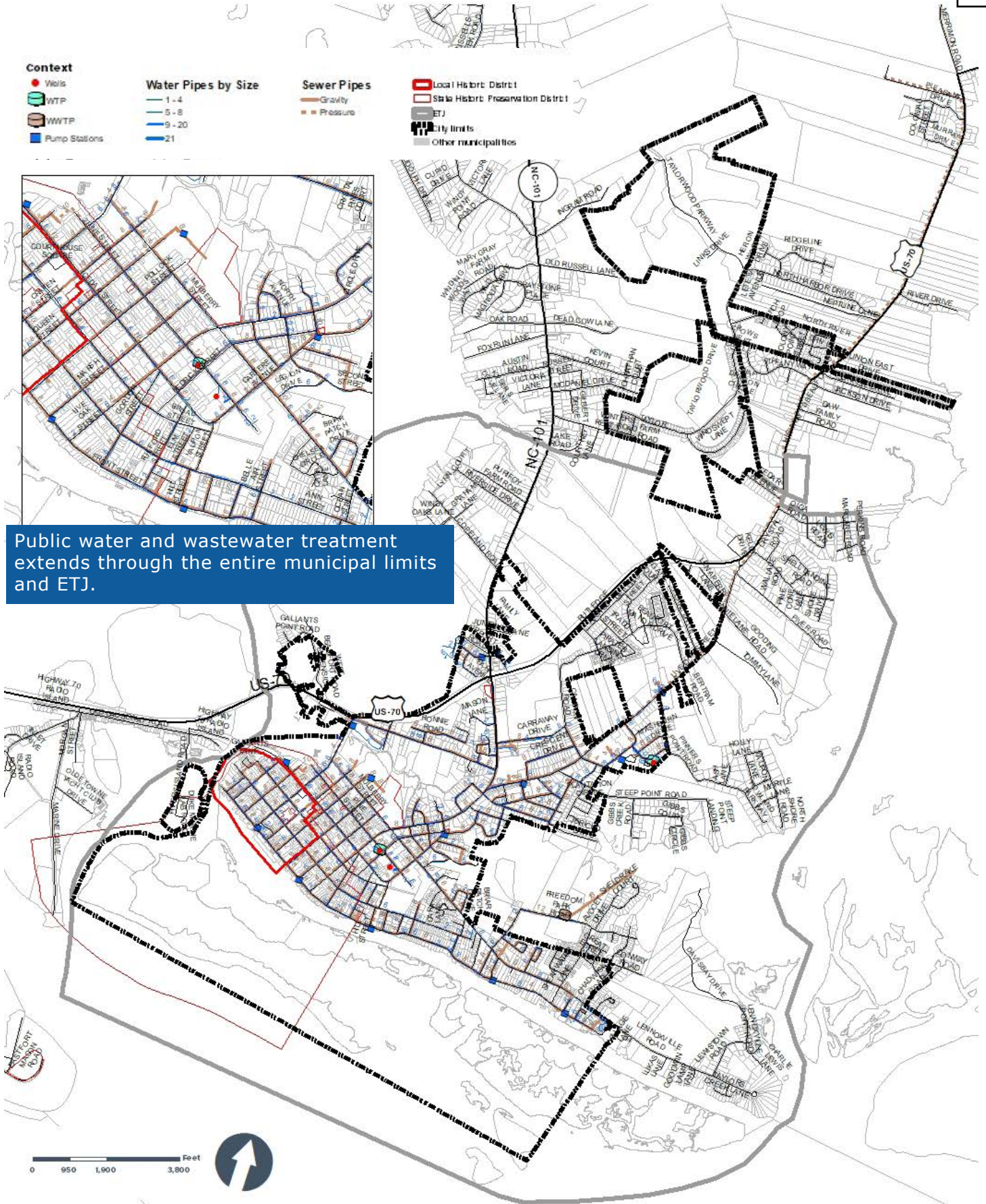
Facility (*Water Asset Management Plan Project, Rivers & Associations, Inc*). Two wells are at or nearing expected service life and will likely need additional maintenance or replacement in the near future. The Water Division for the Town of Beaufort Public Services Department is responsible for the treatment and distribution of potable water for all its utility customers; it operates two water treatment plants and has a designed permitted flow rate of 1.2 million gallons per day.

Stormwater Systems

The existing stormwater drainage facilities within the Town include a system of piping, catch basins, drainage ditches, and swales. Stormwater runoff is carried to the Newport River and North River delta estuaries, which are part of the White Oak River Basin. Runoff, especially in the very developed areas that feed Town and Taylor Creeks, can sometimes lead to water quality issues. The Town has been working to incrementally improve water quality through stormwater projects.

Electrical System

There are no electric generating plants located in Beaufort’s jurisdiction. The Town’s electricity is provided by a Duke electrical substation at Hendrick Street and another is planned for construction on Highway 101 soon.



Public water and wastewater treatment extends through the entire municipal limits and ETJ.

Environmentally Fragile Areas

Wetlands

While '404' of the Federal Clean Water Act regulates all types of wetlands, including coastal wetlands, North Carolina Coastal Area Management Act provides additional protection to coastal wetlands. Coastal wetlands are located adjacent to salt water and brackish water bodies. They are characterized by marsh grasses and rarely contain trees. Coastal wetlands are defined as any salt marsh or other marsh subject to regular or occasional flooding by tides, including wind tides, that reach the marshland areas through natural or artificial watercourses, provided this does not include hurricane or tropical storm tides. Coastal wetlands may include the presence of one or more of the following marsh plant species:

- » Cord Grass (*Spartina alterniflora*)
- » Black Needlerush (*Juncus roemerianus*)
- » Glasswort (*Salicornia* spp.)
- » Salt Grass (*Distichlis spicata*)
- » Sea Lavender (*Limonium* spp.)
- » Bulrush (*Scirpus* spp.)
- » Saw Grass (*Cladium jamaicense*)
- » Cat-tail (*Typha* spp.)
- » Salt Meadow Grass (*Spartina patens*) or
- » Salt Reed Grass (*Spartina cynosuroides*)

Since Beaufort is located on a peninsula, coastal wetlands encompass the Town's boundaries. The shorelines along Taylor Creek, North River, and Newport River and their estuarine waters and salt

marshes comprise the majority of the Areas of Environmental Concern (AECs) in Beaufort's jurisdiction. Uses that are not water dependent shall not be permitted in coastal wetlands, such as restaurants, apartments, hotels, motels, and parking lots. Uses that are water dependent include: utility crossings, fishing piers, docks, wildlife habitat management activities, and agricultural uses.

Non-coastal wetlands include all wetlands that are not classified as coastal wetlands. Non-coastal wetlands are not covered by CAMA regulations unless designated by the Coastal Resource Commission as a natural resource AEC. However, these wetlands are protected by the federal Clean Water Act. The US Army Corps of Engineers is responsible for regulating these 404' wetlands. An Army Corp of Engineers permit may be required prior to disturbing wetlands.

Like coastal wetlands, the precise location of non-coastal wetlands can only be determined through field investigation and analysis. However, the US Fish and Wildlife Service, through its National Wetlands Inventory, has identified the general location of wetlands. The National Wetlands Inventory Map can be found at the US Fish and Wildlife Service website. Non-coastal wetlands are primarily located in the northern portion within Beaufort's corporate limits with their majority lying beyond its corporate limits.

Wetlands are responsible for sheltering one-third of the country's threatened and endangered species, according to the Environmental Protection Agency. Without wetlands, a huge number of waterfowl and shellfish would not exist. These wetlands act as a sponge, soaking

Wetlands

1.



The area has many wetlands, both inland and coastal.

up the water that comes in with the tides and periodically flooding rivers. They also serve as a pollution filter and are beneficial for clean and plentiful drinking water.

The Division of Coastal Management developed a Wetlands Conservation Plan for the North Carolina coastal area which includes a wetlands inventory and a functional assessment (NC-CREWS) that examines the ecological significance of the wetlands. Additionally, the Division of Water Resources (DWR) established Wetland Water Quality Standards that provide some protection of wetlands. Coastal wetlands and non-coastal wetlands are identified on the map to identify their locations for planning purposes as well as a tool for wetland management, protection, and development decisions. The Division of Coastal Management has identified Beaufort as a potential wetlands restoration and enhancement site.

Estuarine Shoreline and Public Trust Areas

Estuarine shorelines include all lands within 75 feet of the normal high water level of estuarine waters. This includes all lands within 30 feet of the normal high water level of public trust waters located inland of the dividing line between coastal fishing waters and inland fishing waters. Public trust areas are the coastal waters and submerged lands that every North Carolinian has the right to use for activities such as boating, swimming, or fishing. Public trust shorelines are non-ocean shorelines immediately contiguous to public trust areas and extending from the normal high-water level or normal water level along the estuarine waters,

estuaries, sounds, bays, fresh and brackish waters and public areas up to 30 feet inland (15A NCAC 07H 0209). The estuarine and public trust shorelines for Beaufort include: Newport River, North River, and Taylor Creek, and associated water bodies.

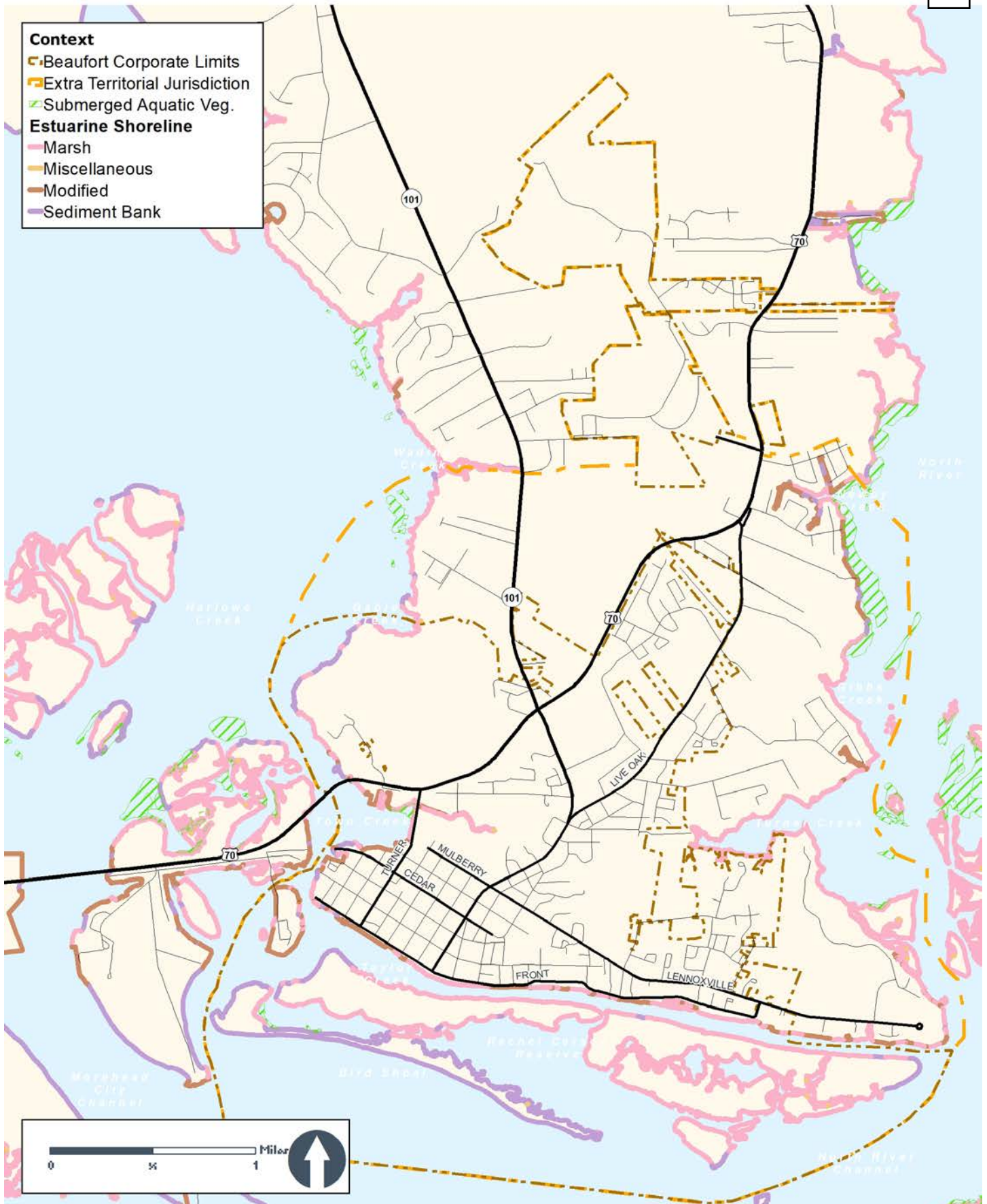
Areas of Environmental Concern literally encompass the entire Town. The shorelines of Newport River, North River, and Taylor Creek and their estuarine waters and salt marshes make up the majority of the AECs in Beaufort. The estuarine shoreline considered to be an AEC in the Beaufort area includes all shorelands within 75 feet landward of the mean high-water level, or normal water level of the estuarine waters. All of these areas are subject to stricter regulations controlling development to limit damage to estuarine resources.

Shoreline Modification

The most recent full dataset available, although dated, indicates that the Town of Beaufort has seen an increase in modified shorelines of a little over 5% in just two years. As sea levels continue to rise, additional shorelines will likely be converted in an attempt to prevent localized erosion and prevent loss of structures. Converting natural habitat to modified shoreline lowers quality habitat. Hardened shorelines decrease fishery habitats and biodiversity, structures like bulkheads prevent natural marsh migration and may create seaward erosion (NOAA). Shoreline calculations from two years are shown in the table below.

Estuarine Shoreline and Submerged Aquatic Vegetation

1.



Shoreline around the Town is more modified in more urban areas.

Modified Estuarine Shoreline		
2010	2012	% increase in modified shoreline
27,655 linear feet	29,213 linear feet	+5.6%

Within the Town, there are three broad classifications of Estuarine Shoreline along the estuarine shorelines of Taylor Creek, North River, and Newport River including:

- » Marsh
- » Modified (usually bulkheads or seawalls)
- » Sediment Bank (sediment deposited by floodwaters)

Priority Habitat and Species of Concern

-contributed by Kacy Cook, Land Conservation Biologist, NC Wildlife Resources Commission.

NOTE: For a full description of these habitats please refer to the current edition of the NC Natural Heritage Program in the Classification of the Natural Communities of North Carolina. Habitats found only on the Rachel Carson Reserve are not included.

Maritime forest

The natural dynamic state of this habitat has been all but eradicated across its historic, exclusively coastal range. As such even fragments are important to a variety of declining coastal wildlife species and should be conserved. All forests immediately adjacent to sounds and the coast are essential to the survival of migrant birds as stop-over

areas during migration. The NC Wildlife Action Plan describes the habitat as follows. "Canopies are dominated by live oak, sand laurel oak, and loblolly pine. Understories are typified by shrubby woody growth, vines are important and common and the herb layer is sparse (Schafale and Weakley 1990). Sites that have been recently logged often are dominated by loblolly pine, and storm disturbance produces canopy gaps. These communities apparently burned historically at irregular intervals and understories have become denser, although natural fire was probably less frequent than in mainland forests (Schafale and Weakley 1990)." Maritime forest types differ in their degree of canopy height, open grassy area, soil hydrology (wetland and upland types), and salt tolerance. They occur naturally occur on the landward side of dunes or estuary marshes, the second plant community in succession, between the dune system or marsh and pine and wetland forests. This habitat includes all types of maritime forests as described by the NC Natural Heritage Program in the Classification of the Natural



Marsh boardwalk in a maritime forest. Source: C. Damgen.

Environmentally Fragile Areas



The Reserve and other coastal habitats demonstrate high environmental value.

Communities of North Carolina. Canopies of maritime forests can be dominated by live oak, sand laurel oak, loblolly pine, beech, American holly or hickory. The understory is often dominated by dense shrubs and vines. Any forests or shrublands along the coast or islands meeting this description will be considered maritime forest. Painted buntings are currently documented in Beaufort and in NC are found almost exclusively in and near maritime shrub and forest habitats. They do not occur usually more than five miles from the coast in NC for this reason and their population abundance has declined by over 75 percent in the last fifty years due to habitat loss. These birds rely on these habitats and the plant species found in them to find sufficient food. They can use other nearby natural areas and even backyards that have native maritime shrub / forest plant species, however this leads to traveling much farther to find sufficient resources, which subjects them to more threats.



*Painted bunting.
Source: NPS.*

Conservation measures

Identify any areas of this habitat during the rezoning and development application process. At least offer an incentive, such as a density bonus, for developers to conserve these habitats, even fragments. It is optimal to avoid all impacts to this habitat. If development impacts will occur, the NCWRC recommends setting aside at least five acres as natural open space to conserve some habitat for painted buntings and other priority species. Any opportunities to acquire for conservation and / or encourage restoration of this habitat are highly recommended. To offer food sources and nesting areas for painted buntings,



*Bald eagle.
Source: NCWRC.*

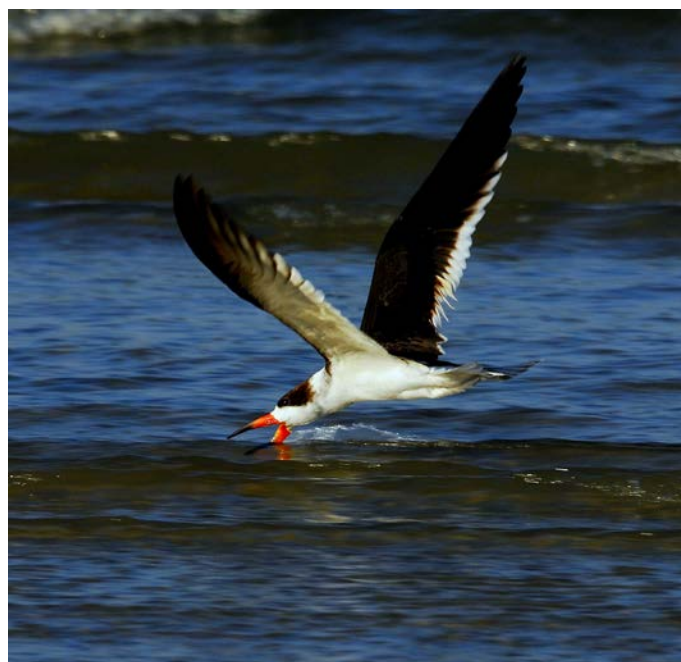
throughout Beaufort encourage planting of dense maritime shrub and tree species including live oak and wax myrtle as well as plantings of native coastal grasses and sedges. Discourage outdoor and feral cats as these are a significant source of wildlife mortality.

Estuarine Communities

Beaufort lies along the shores of the Albemarle-Pamlico Estuary and is in the White Oak River Basin. The estuarine habitats in and around Beaufort include salt marsh, brackish marsh, salt flat, sand flat, mud flats, algal mats, salt scrub, estuarine island communities, submerged aquatic vegetation and the sound. Estuarine communities provide important habitat for high priority wildlife Species of Greatest Conservation Need during some stage of their life cycle such as the following that are currently found in and around Beaufort: salt marsh sparrow, piping plover, Wilson’s plover, American oystercatcher, black skimmer, gull-billed tern, bald eagle, sea turtles, and diamond-backed terrapins. Areas of marsh that remain above the highest tide water level are essential for nesting diamondback terrapins and rail (bird) species so that their eggs are not drowned. Estuarine islands can be either natural or created by dredged material. These sites are particularly important for nesting terns, skimmers, pelicans, wading birds, and American oystercatchers. Dredged material islands are not only usually devoid of mammalian predators, but usually have the added advantage of being high enough in elevation that ground nesting birds do not lose their nests during high tides.

The NC Wildlife Action Plan (2015)

describes these priority habitats as follows. “Marsh habitats usually develop on the mainland side of the barrier islands after sand is deposited during storm events. They also develop on the mainland side of the sounds and in the lower reaches of our rivers as sea level rise, salt intrusion, or storms kill



Black skimmer.
Source: Andrea Westmoreland.



American Oystercatcher.
Source: NCWRC.

forested or shrub-scrub habitats. Salt marsh communities are often strongly dominated by saltmarsh cordgrass, while brackish marsh is dominated by black needlerush (Schafale and Weakley 1990). Vegetation may include salt meadow cordgrass, glasswort, saw grass, marsh elder, and wax myrtle, as determined by the salinity level of the water. Sand flats and mud flats are often created and maintained near inlets as flood tide or ebb tide deltas. These are very dynamic systems and can appear and disappear with each storm event, although most persist for 10-20 years at a time barring major dredging activities. Salt flats and algal mats are either found as shoals within the sounds or on very low stretches of the barrier beaches. These sites are particularly

important for foraging shorebirds. Salt marsh and brackish marsh habitats are important habitat year round for a variety of rails, bitterns, wading birds and marsh sparrows, several of which are species of conservation concern according to Partners in Flight (Hunter et al. 2000, Pashley et al. 2000, Rich et al. 2004 and Johns 2004)."

Submerged aquatic vegetation is the main food source for the West Indian Manatee found in the water around Beaufort. It also houses and offers critical forage for sea turtles, coastal birds, and of course all life in the sound, especially for bay scallops, shrimp, hard clams, blue crabs, sea trout, gag grouper, and flounder.



*Black necked stilt.
Source: NCWRC.*

Conservation measures

These habitats have been impacted so much to date and are highly threatened by sea level rise that it is recommended to avoid all impacts such as unnatural sedimentation, hardened structures, and docks, and to allow migration of the dynamic habitats further inland or northward. Allowing estuarine community migration will vastly increase protection of property from sea level rise and storms. Without these habitats to act as barriers to wave action, property will be lost. It is essential for the survival of coastal wildlife to reduce disturbance from people, require dogs to be on leash, and provide detailed signage. Protection of water quality is also essential and can be accomplished by retrofitting and using Low Impact Development techniques to treat stormwater, and reducing use of outboard motors, especially in shallow areas. Outboard motors are a primary source of mortality for manatees and Submerged Aquatic Vegetation.

References:

- Möller, I., Kudella, M., Rupprecht, F., Spencer, T., Paul, M., van, W. B. K., Wolters, G., et al. (2014). Wave attenuation over coastal salt marshes under storm surge conditions. *Nature Geoscience*, 7 727-731. <https://doi.org/10.1038/ngeo2251>
- North Carolina Natural Heritage Program (Schafale, M.). 2012. Guide to the Classification of the Natural Communities of North Carolina (4th Approximation). <https://www.ncnhp.org/publications/natural-heritage-program-publications>
- North Carolina Wildlife Resources Commission. 2015. North Carolina Wildlife Action Plan. Raleigh, NC.
- Schafale MP, Weakley AS. 1990. Classification of the natural communities of North Carolina, third approximation. Raleigh (NC): NC Department of

Environment and Natural Resources, Natural Heritage Program. http://portal.ncdenr.org/c/document_library/get_file?uuid=e4d28c3d-6f-4b83-8b8b-8c0c1afdea8d&groupId=61587.

Please Note: These comments are intended to assist developers and decision makers to proactively minimize adverse impacts to wildlife resources. Although following these measures may help development projects meet requirements of applicable environmental permits, these comments are not regulatory in nature, and do not represent all measures needed to meet requirements of environmental permits, where required for development. These comments may also not address all concerns of the NCWRC regarding this plan.

Parks and Open Space

Public Water Access and Overlook Locations

Currently there are six public water access sites located within Beaufort’s jurisdiction. These include:

- » Topsail Marine Park at S. Orange Street
- » Curtis Perry Park at the eastern end of Front Street (overlook and water access)
- » Derwoods Landing at W. Broad Street
- » Fisherman’s Park at S. Gordon Street
- » Grayden Paul Park at the intersection of Pollock Street with Front Street just east of the downtown area
- » West Beaufort at W. Beaufort Rd.

Parks

The Town of Beaufort operates nine park facilities used for recreational and tourism purposes. These include Curtis Perry Park, Fisherman’s Park, Grayden Paul Park, John Newton Park, Lynn Eury Park, Randolph Johnson Memorial Park, and Topsail Marine Park. The Town also operates basketball and tennis courts at the intersections of Cedar, Carteret, and Hedrick Streets.

Additional recreational facility improvements are planned for Cedar Street Park, a passive park at the site of former Gallant’s Channel drawbridge landing area begun in early 2022 once the property is secured from NCDOT. The Cedar Street Park is funded through a capital project fund established

by a \$2-million grant from a private foundation. Town Staff will apply for additional grants to supplement existing funding for construction of additional park elements for Cedar Street Park (*Town of Beaufort*).

Greenways and Trails

The East Coast Greenway is a walking and biking route that stretches 3,000 miles from Maine to Florida. It runs along NC 101, 3rd Street, Carteret Avenue, Cedar Street, Fulford Street, Front Street, Turner Street, and exits Beaufort on Arendell Street.

The Town has pursued the implementation of its Bicycle and Pedestrian Plan (2018) by dedicating two cents of the property tax levy toward road resurfacing, and committing additional property tax revenues to service the debt on \$6 million in loans for street improvements. In 2020, a 15-year loan was procured to fund \$3.8 million in street and pedestrian improvements, contracts were awarded, and work began. This includes resurfacing of 3.2 centerline miles in length and 3.4 miles of new sidewalk construction.



One of the Town’s waterfront parks.

Rachel Carson Reserve

The Rachel Carson Estuarine Research Reserve is part of the North Carolina National Estuarine Reserve system, which is a collection of coastal regions that have been preserved and protected to safeguard the wide variety of wildlife that these regions support. It is the most significant natural heritage area within Beaufort. The Rachel Carson Reserve includes a collection of islands, salt marshes, and surrounding water, and encompasses a total area of 2,315 acres. The complex of islands includes Carrot Island, Town Marsh, Middle Marsh, Bird Shoal, and Horse Island, and the entire site was completely acquired by the North Carolina National Estuarine Research Reserve system in 1989.

The reserve is situated close to Downtown Beaufort directly across Taylor’s Creek, and is in between the mouths of the Newport and North Rivers, with the Back Sound serving as its southern watery border. As a result of this geography, the estuaries and islands that comprise the reserve are heavily affected by river, tide, and inlet dynamics, with some areas becoming water-logged and soggy with every incoming or outgoing tide.

The result of this unique system of water flowing to and surrounding the Rachel Carson Reserve is a mix of fresh and salt waters that in turn allows a wide variety of marine life to thrive. Juvenile fish and invertebrates can be found in the marshes and just offshore, while the local mammals can include everything from gray foxes and otters to the famed wild horses.

An array of habitats can be found within the reserve as well, which includes



Wild horses of Rachel Carson Reserve

tidal flats, salt marshes, ocean beach, sand dunes, shrub thickets, submerged aquatic vegetation, and maritime forest. As a result, countless birds, mammals, reptiles, and fish species carve out a home on the desolate islands and can be admired by virtually any visitor who can make the trek to the isolated series of islands (*Town of Beaufort*).

Shackleford Banks

Shackleford Banks is located outside of Beaufort’s jurisdiction but serves as a barrier island which helps protect the coastal community from extreme weather. The Shackleford Banks is an 8-mile long barrier island system located south of Beaufort and Harkers Island, having lost length with the widening of Beaufort Inlet. The Banks are part of three components of the fifty-six mile long Cape Lookout National Seashore.

The island is undeveloped and serves as a popular tourist attraction. A number of ferry services depart from Downtown Beaufort to Shackleford Banks.

Barrier islands like this are beneficial because they absorb wave energy before hitting the mainland. This generally means smaller storm surge and less flooding. Barrier islands are disappearing at an alarming rate, these barrier islands not only provide beneficial habitat for the ecosystem but help protect the mainland. They serve as ecosystems for fish, plants, animals, help improve water quality, and improve local economies, all while protecting communities (NC DEQ & NOAA).



Rachel Carson Reserve

Historic, Cultural, & Scenic Areas

North Carolina’s third oldest town, Beaufort is rich in maritime culture and history. Originally a fishing village and port of safety dating from the late 1600’s, Beaufort is encompassed by Bahamian and West Indian style homes and public buildings *(Beaufort Historical Association)*.

Archaeological Resources

Significant coastal archaeological resources include, site number 31CR314 the underwater archaeological site of *Queen Anne’s Revenge*, former slave ship *La Concorde* captured by Blackbeard and abandoned at sea in 1718 and rediscovered almost 300 years later by Intersal in 1996 by magnetometer surveys and diver assessments. Artifacts from the ship are at the North Carolina Maritime Museum located in downtown Beaufort. The Rachel Carson Reserve is listed with the boundary of the National Register of Historic Places due to its aesthetic character and potential for archaeological resources.

Historic District and Individual National Register Listings

The Beaufort Historic District consists of 18th and 19th century architectural styles, including Greek Revival, Gothic Revival, and Queen Anne influenced buildings. There are roughly 16 contributing buildings in the Beaufort Historic District that are listed on the National Register of Historic Places. In addition to the Beaufort Historic District, the following structures are listed on the National Register of Historic Places. Some noteworthy structures are:

- » Carteret County Home, NC 101
- » Duncan House, 105 Front St
- » Gibbs House, 903 Front Street
- » Jacob Henry House, 229 Front Street
- » Old Burying Ground, Ann Street

The Duncan House is individually listed on the National Register and has statewide significance.

Within the National Register District boundaries is the Local Historic District which is under the purview and protection of the Beaufort Historic Preservation Commission. The Beaufort Historic Preservation Commission is composed of seven Beaufort residents and has adopted standards to promote, enhance, and preserve the historic and architectural character of the local historic district. These boundaries can be viewed on the historic resources map.

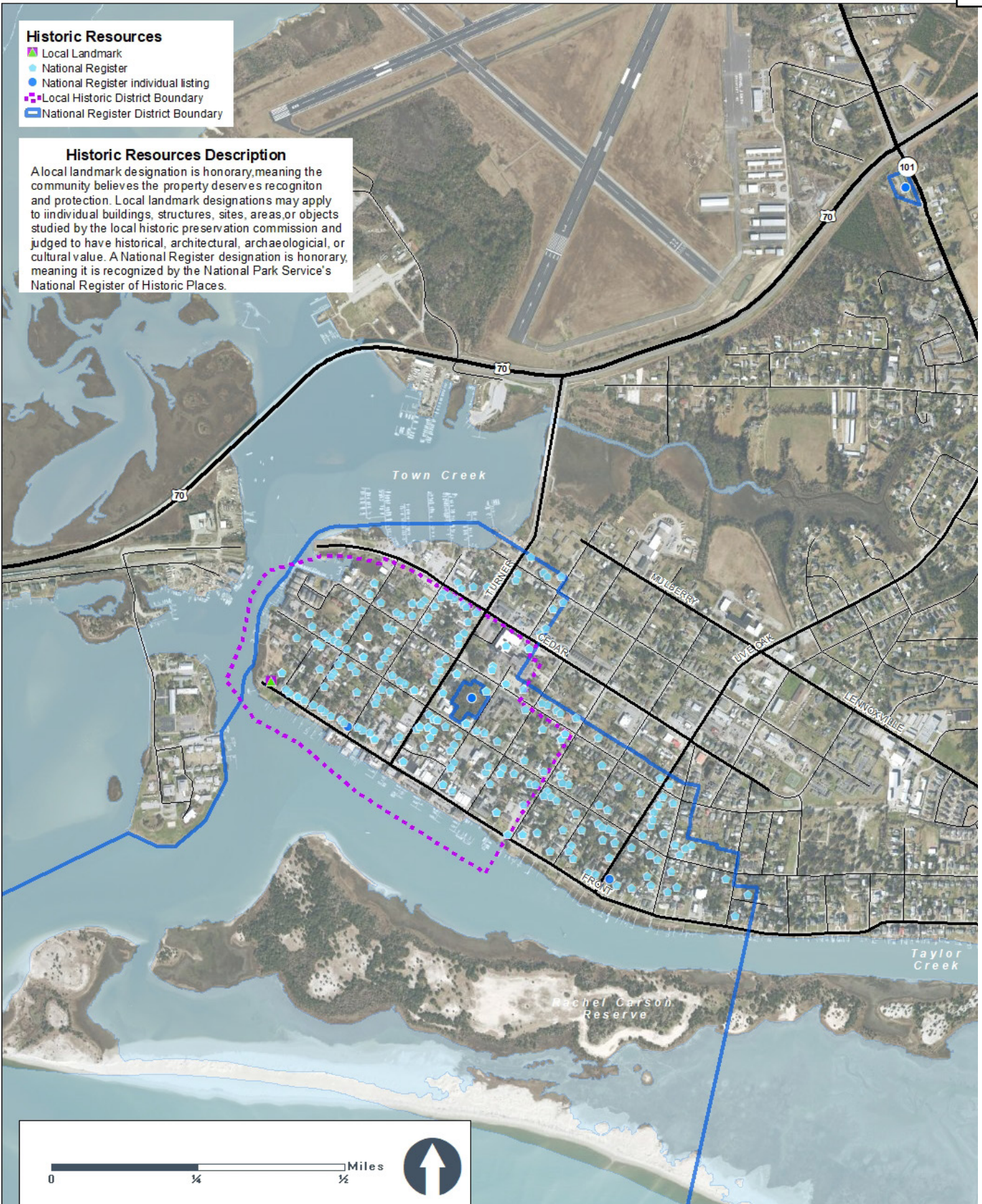
(Sources: Report from John P. Wood, SHPO, Beaufort Historical Association, United States Department of the Interior National Park Service, National Register of Historic Places-Nomination Form for Beaufort Historic District, North Carolina Department of Cultural Resources, and NC Underwater Archaeology Branch).



Historic Site marker

Historic Resources and Historic District Boundaries

1.



The National Register District and individually National Register properties are outlined in blue on the map.

Transportation Systems

The Town of Beaufort maintains about 20 miles of streets within its corporate limits. Major thoroughfares and other streets outside of the town limits are maintained by the North Carolina Department of Transportation (NCDOT). The state is also responsible for maintaining all bridges in the area. Existing and proposed streets are delineated on the Future Roads and Improvements map.

Proposed Major Highway Improvements

Transportation improvement projects, as determined by NCDOT, are cataloged in the *2020-2029 State Transportation Improvement Program*. This ten year state and federal mandated plan identifies the construction funding for and scheduling of transportation projects throughout the state.

Proposed projects included in the *2020-2029 State Transportation Improvement Program* that are not in progress yet include:

- » R-5962 Rural Project, roundabout Construction on US 70 (Live Oak Street), with a projected cost of \$5.3 million dollars.
- » R-5946 Rural Project, upgrade the intersection on Lennoxville Road, .5 mile length at a projected cost of \$7.8 million dollars.
- » U-6058 Urban Project, construction of one lane roundabout on NC 101 at a projected cost of \$4.1 million dollars.
- » R-5945 NC 101 to State Route 1429 (Olga Road), 2.1 miles in length of access management, at a projected cost of \$56 million dollars.
- » R-4746, 8.9 miles in length of

roadway upgrades on State Route 1429 (Olga Road) to State Route 1350 (Whitehurst Road) at a projected cost of \$19.4 million dollars.

- » W-5802A, State Route 1493 (Live Oak Street) at Campen Road, revise traffic signal, install pedestrian crossing with signal heads, and sidewalk upgrades at a projected cost of \$995,000.
- » AV-5746, a full parallel taxiway at Michael J. Smith Field at a projected cost of \$2.6 million dollars.

Major Streets with Capacity Deficiencies

The *Carteret County Comprehensive Transportation Plan* identified NC 101, US 70, Cedar Street, and Live Oak Street as having capacity deficiencies in 2014. The following streets have projected 2040 traffic volumes that will be near or exceed practical capacities:

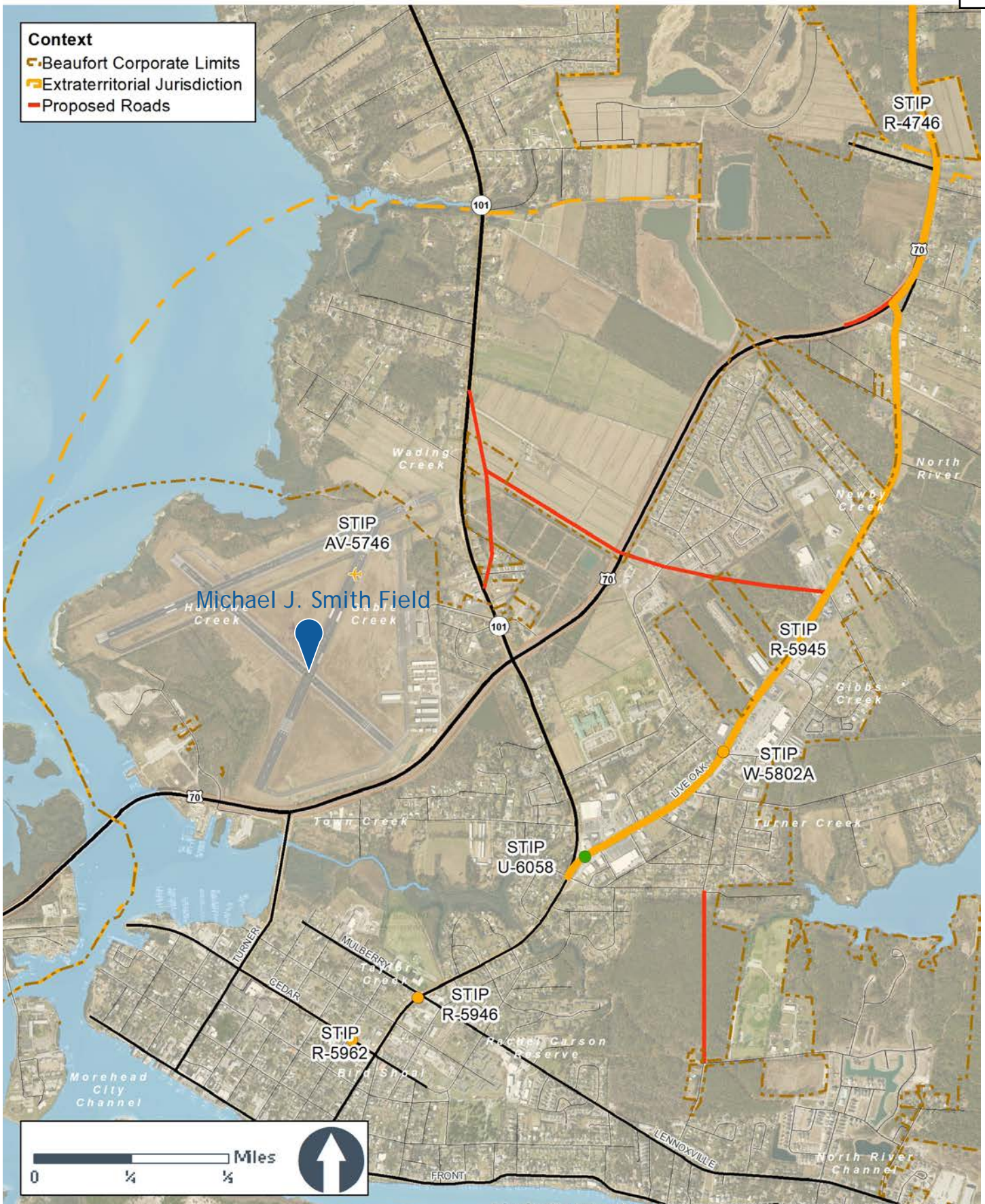
- » NC 101
- » US 70
- » Cedar Street
- » Live Oak Street

Traffic Volumes

The heaviest traffic volumes are on the Us 70, Hwy 101, and Live Oak Street. These range from 10,000 - 15,500 average trips per day in 2020.

Future Roads and Improvements

1.



The recent improvements to US 70, including the new bridge, will be followed with intersection improvements along Live Oak Street (Old Hwy 70).

Air Transportation

Commercial air service to Beaufort is available through Coastal Carolina Regional in New Bern. The Michael J. Smith Field owned and operated by Carteret County-Beaufort Airport Authority in Beaufort offers hangar rentals and ground leases for privately constructed hangars. Taxiway 8-26 is currently under construction.

Discussions in the past have explored the potential for extending the runway to accommodate larger aircraft. Currently that project is not funded in the state's Transportation Improvement Plan. If the runway is extended it will likely also involve a realignment of Hwy 101. If these events occur, it may be necessary to revisit the future land use plan for the area.



Entrance to the airport.



Airport location.

Existing Land Use & Development

Existing Land Use Designations

The Existing Land Use Map assigns a color designation to each property within Beaufort’s ETJ. These designations were assigned based on a staff survey of existing land use descriptions, use codes, planned developments, and existing structures, which was then cross checked by the Town staff. These designations are described here.

Agricultural

Agricultural lands include properties that are currently in use for crop or timber farming. This is one of the smaller portions of the land use for the Town of Beaufort at over **2%** of the area.

Vacant

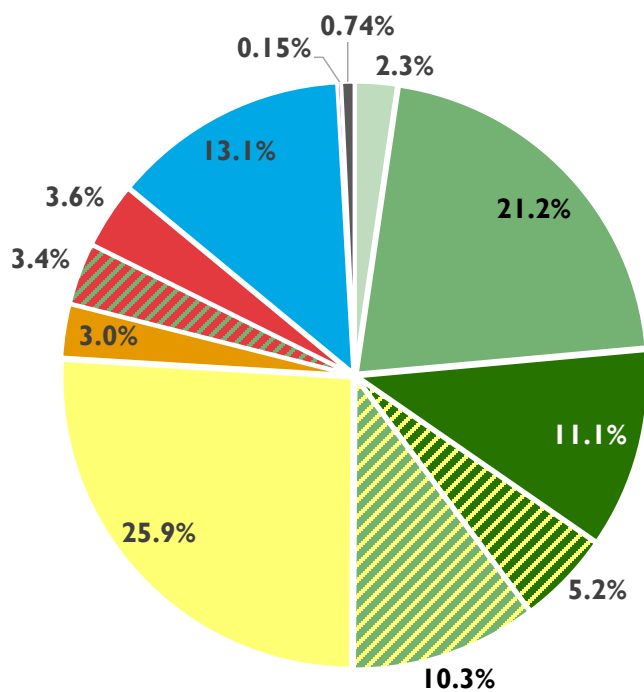
Vacant include properties that previously had a structure that has since been demolished, are cleared fields, or are predominately forested land that is neither government owned nor described has marshland. This makes up the largest land area of Beaufort at **36%** of the total acreage within the ETJ.

Parks, Open Space, and Conservation

This includes described cemeteries, marshlands, islands in and surrounding the Reserve, local parks and recreational sites open to the public, and government owned parcels with conservation descriptions. This is about **17%** of the total acreage.

Golf Course

This designation consists of the golf course within Beaufort’s ETJ limits. This was separated out from open space and conservation lands due to the association with detached residential development. The golf course takes up a little over **5%** of the Town area.



- Agricultural
- Vacant
- Parks, Open Space, and Conservation
- Golf Course
- Pending Residential
- Detached Residential
- Attached Residential
- Probable Development
- Commercial, Office, Service, Mixed Use
- Institutional, Government
- Industrial
- Utilities

Pending Residential

These currently vacant or already subdivided parcels are future occupied residential areas. Designated future expansion areas of existing neighborhoods and subsequent phases of new communities are included in this designation. Pending residential areas make up about **10%** of the Town’s existing land use.

Detached Residential

Detached residential includes all residential parcels wherein homes are detached, freestanding structures. This includes mobile homes, manufactured housing, and traditionally constructed single-family homes with no shared walls. Townhomes with no shared walls are included in this category. This makes no distinction between renter or owner-occupied homes.

This category also includes the neighborhood specific open and park spaces that would typically not be available for public use. This is the second most prevalent land use with **25%** of Beaufort’s land area being used for detached residential housing.

Attached Residential

Attached residential is defined here as all structures designed for living occupancy that house two or more units that are separated one or more shared walls. This includes multifamily structures and parcels with use descriptions such as apartment buildings, townhomes with shared walls, condominiums, duplex, triplex, and quadplex structures. This makes no distinction between renter or owner-occupied homes.

This category also includes the neighborhood specific open and park spaces that would typically not be available for public use. This occupies **3%** of the ETJ acreage.

Probable Development

This designation represents properties that are currently in flux. These are parcels that have a high likelihood of redeveloping or developing from vacant into non-residential uses or mixed uses. This could be new commercial and/or employment centers or businesses. This represents about **3.4%** of the Town area.

Commercial, Office, Service, Mixed Use

Commercial land use designation was applied to any property where commerce such as service, retail, sales, or office work is the primary use. This includes hotels, stores, medical offices, marinas, boat slips, and small office buildings. This is less than **4%** of the total acreage.

Institutional, Government

Institutional and Government land uses were defined to include government offices, churches and other places of worship, public or private schools, civic institutions, and public facilities. This also includes the local airport, local research facilities, town owned parks, and town owned utility access sites.

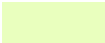












Government owned property that is not used for residential housing, agriculture, or conservation of natural environment was not included within this designation. Around **13%** of the total acreage falls under this category.

Industrial

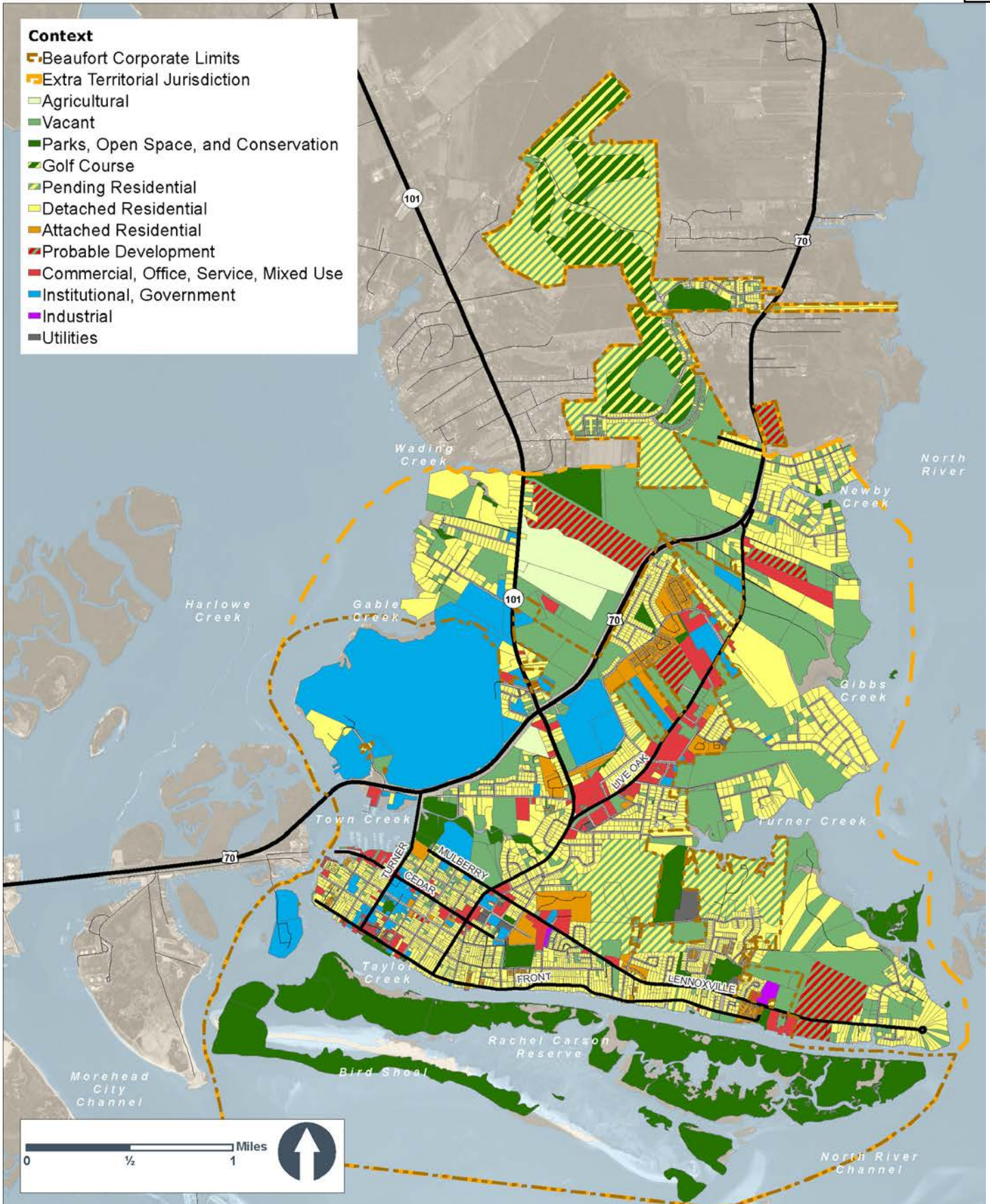
Industrial designation includes all properties where industrial manufacturing or processing occurs. This does not include the former Atlantic Veneer property.

Utilities

This designation applies to the major utility sites that serve the Town of Beaufort. This includes the Wastewater Treatment plant, properties owned by utility companies, properties with significant utility structures like substations and water towers. This makes up less than *one percent* of the total acreage.

Land Use by Percent of Total Acreage		Acres	%
	Agricultural	103.52	2.32%
	Vacant	946.62	21.2%
	Parks, Open Space, and Conservation	493.65	11.1%
	Golf Course	230.26	5.2%
	Pending Residential	458.50	10.3%
	Detached Residential	1,153.66	25.9%
	Attached Residential	132.03	3.0%
	Probable Development	152.70	3.4%
	Commercial, Office, Service, Mixed Use	162.31	3.6%
	Institutional, Government	584.66	13.1%
	Industrial	6.71	0.2%
	Utilities	32.88	0.7%
	Total	4,457.50	100%

Existing Land Use Map



Due to the nature of pending, anticipated, and approved developments, existing land use in the Town is in a state of flux.



5

Community Values, Vision, and Goals

Community Vision

Based on what the project team heard during public engagement, the Beaufort community has many values. Beaufort residents value the Town’s character while focusing on improvement of existing infrastructure, preservation of the natural and built environment, managing growth, and housing affordability. Beaufort residents also feel that economic growth, more recreational opportunities, equity and inclusion, tourism, public health, and controlling short term rentals are important.

The eight goals in the following pages exemplify the values and standards the community would like to prioritize during the duration of this plan.

Community Goals

Purpose:

The Beaufort CAMA Land Use Plan is a comprehensive planning document that establishes a high-level vision, goals and objectives for the community. It serves as a long-range policy tool to guide Town decisions regarding environmental concerns, housing, land use, recreation, town services, transportation, and economic development.

The adoption of this plan will fulfill the requirement of the Coastal Area Management Act and implement the new requirements of North Carolina General Statue 160D-501, which requires any North Carolina community to have an adopted “comprehensive plan” in order to apply zoning regulations.

The plan is based on community feedback and captures a vision of the Town created by its residents, boards and staff. When Town staff and appointed or elected boards are making development and budget decisions, they will analyze how those decisions will or will not support the vision, goals and policies in this plan.

Over time, this planning document is meant to be implemented incrementally through actions of the Town, its partners, members of non-profit organizations and private businesses/landowners. The plan is also meant to be regularly analyzed to account for new development, future conditions, as well as changes in conditions or market trends.

How to Use This Section:

This section is organized by goals which were formed through the community engagement process of this plan and reflect the desired community outcomes. These goals reflect desired outcomes as a result of implementing this plan. Within each goal, objectives, policies, and actions are enumerated that will guide the Town toward achieving the goals for the lifespan of this plan.

This section can be read as follows:

1 Goal – a desired outcome to be achieved over the lifespan of this plan.

1.1 Objective – More specific than goals, these are measurable outcomes of different elements that contribute toward a goal.

1.1.1 Policy – A principle or guideline that will be used for making a variety of local decisions designed to accomplish the goals and objectives. These policies guide the Board of Commissioners, Planning Board, and town staff.

1.1.1.1 Action – Specific actions and activities to implement and advance the plan’s policies.

Regarding the Coastal Area Management Act

The Coastal Resources Commission (CRC) outlines five Land Use Plan Management Topics that must be addressed in a Coastal Area Management Act (CAMA) land use plan. They include: Public Access, Land Use Compatibility, Infrastructure Carrying Capacity, Natural Hazard Areas, and Water Quality.

A CAMA-compliant comprehensive land use plan must address these management topics to ensure that plans support the goals of the CRC. Each required management topic includes a Management Goal and a Planning Objective, which are specified in the North Carolina State Statutes governing land use planning in coastal communities, followed by recommendations for future action. Some recommendations may align with more than one management topic.

A CAMA land use plan also affords the opportunity for a community to address areas or issues of local concern, which may be asset-based, programmatic, regulatory, geographic, or otherwise. These issues were identified during the plan development process and are included herein. The issues do

not necessarily align with the exact CAMA management topic structure, but are still locally important. These recommendations are not required to have associated timelines for completion or implementation, although in some cases timelines may be provided. Not all of the recommendations contain specific action items, but that should not be perceived as any less a call to action. In addition, not all of the recommendations outlined herein are immediately ripe for implementation, and (as with the Future Land Use Map) local discretion and Town leadership will determine priorities and timelines. Policies that are not able to be implemented in the short-term will guide future development decisions, so that future development will bring the reality of the Town closer to its vision.

GOALS

The eight goals of the plan area shown below and detailed with each of their own objectives, policies, and actions throughout the rest of Chapter 5.



**Goal 1:
Environmental
Protection**



**Goal 2:
Resiliency**



Goal 3: Housing



**Goal 4:
Infrastructure**



**Goal 5:
Economic
Development**



**Goal 6:
Transportation**



**Goal 7: Town
Character**



**Goal 8:
Diversity and
Inclusion**



GOAL 1: Environmental Protection

Protect, preserve, and restore our shorelines, sensitive habitats, and waterways.

Introduction

Beaufort’s past, present, and future have all benefited from the area’s rich natural resources. As the Town continues to grow, pollution, tourism, and recreation threaten the waterways, forests, and wetlands. Of these, the Rachel Carson Reserve is of great importance. The Town should work with Reserve stewards to continue to protect this pristine land. The public should be educated on how their individual actions affect the natural environment, and how they can protect it by making smart decisions around recreation and plastic use. Recommendations also endorse partnerships, because just as the residents of Beaufort are not the only beneficiaries of its resources, they are not the only stewards either, and partnerships can help multiply conservation efforts.

Objective 1.1: Protect and improve water quality in the creeks, wetlands, and waterways in and around Beaufort.

Success in this objective can be measured by a reduction in the shellfish closure areas and number of swimming advisories issued for the waterways.

Policy 1.1.1: Reduce and address non-point source pollution.

Action 1.1.1.1: Explore and utilize Low Impact Development (LID) strategies and on-site storage for stormwater management. For high intensity areas, like downtown, a regional stormwater approach should be considered.

Action 1.1.1.2: Implement Watershed Restoration Plan actions. (<https://www.beaufortnc.org/publicworks/page/beaufort-watershed-restoration-plan>)

Action 1.1.1.3: Work with local researchers to continually monitor water quality in creeks and North

River.

Action 1.1.1.4: Outreach initiative focused on minimized use and release of residential pollutants such as fertilizers, pesticides, herbicides, soaps, paints, oils, etc.

Action 1.1.1.5: Encourage reduction of impervious surface cover and increased use of permeable surfaces in new development and reconstruction



Marsh boardwalk in a maritime forest. Source: C. Damgen.

Low-Impact Development and Green Infrastructure

Low-impact development and green infrastructure are environmentally-sensitive approaches to managing development stormwater runoff, and shoreline stabilization. Examples include: rain gardens, stormwater bioretention cells, living shorelines, green roofs, rain barrels, stormwater planters, permeable pavement, disconnected impervious surfaces, stormwater bumpouts, and grassed swales.

or redevelopment.

Action 1.1.1.6: Enhance standards for implementation of Low Impact Development, green infrastructure, and water quality measures in sites. Tie requirements to impervious surface percentages in sites, in which larger percentages of impervious surface must provide increased amounts of stormwater management and green infrastructure.

Action 1.1.1.7: Retrofit streets and other publicly-owned areas with new or improved stormwater control measures, in particular those that improve water quality.

Action 1.1.1.8: Consider expanding impervious surface restrictions and

regulation to all zoning districts.

Policy 1.1.2: Protect and improve the health of vulnerable natural environments such as maritime forests and coastal marshes.

Action 1.1.2.1: Actively document marsh and maritime forest areas and loss. Identify restorable areas of each type.

Action 1.1.2.2: Identify areas for wetland/habitat restoration, partnering with local agencies, like NC Coastal Federation.

Action 1.1.2.3: Identify areas of terrestrial habitat that are irreplaceable or otherwise significant and to preserve those areas, possibly through partnerships with other agencies.

Action 1.1.2.4: Give enhanced priority to mature forests, and particularly maritime forests, in subdivision and site plan review when meeting preserved open space area requirements.

Action 1.1.2.5: Consider ordinance updates to prioritize protection of existing stands of mature maritime forest as land is developed.



Horses at Rachel Carson Reserve

Pine Knoll Shores: Tree Preservation and Protection

The Town of Pine Knoll Shores has a tree preservation ordinance that prohibits subdivision of land that has been timbered or clear-cut for 3 years. There are also standards requiring landscape plans and tree plantings that help maintain a lush urban tree canopy. This includes standards for preservation of heritage or specimen trees.

Action 1.1.2.6: Clearly identify areas where shoreline armoring will and will not be permitted, and where structures will have to relocate as shorelines erode. See Obj. 2.4 for details.

Action 1.1.2.7: Encourage landowners to utilize living shorelines where appropriate.

Action 1.1.2.8: Enhance development standards to reduce environmental impacts (e.g., tree preservation ordinance).

Objective 1.2: Preserve, maintain, and enhance Rachel Carson Reserve (RCR).

Policy 1.2.1: Partner with NC DEQ and/or the RCR Local Advisory Committee to continue efforts to protect and enhance the Reserve, especially its habitat quality and storm mitigation features.

Action 1.2.1.1: Town administrative and/or planning staff should maintain an active presence on the RCR Local Advisory Committee.

Action 1.2.1.2: Participate in habitat resilience planning and restoration implementation and enhancement projects.

Policy 1.2.2: Educate the public about the ecological and storm protection benefits of the Reserve.

Policy 1.2.3: Continue to work with the RCR on addressing abandoned and derelict vessels to protect sensitive habitats.

- These vessels often damage large areas of shoreline when they are removed without using best management practices. This is most notable along areas of Taylor’s Creek.

Objective 1.3: Minimize the impacts of tourism and active recreation on the natural environment.

- These natural environment include protected lands as well as undeveloped coastline, marshes, wooded areas, waterways and more.

Tourism Impacts

Tourism is a large part of Beaufort’s economy; it generates a large amount of wealth and provides growth in the job sector through heritage tourism, ecotourism, and more. Along with the positive impacts, there are also negative impacts to take into consideration.

Tourism also can lead to environmental damage, including soil erosion, increased pollution, natural habitat loss, and negative impacts on protected species.

The promotion of ecotourism and heritage tourism draws in tourists that respect protected lands while providing additional funding to the area.

Policy 1.3.1: Mitigate the negative impacts of water and recreation access points in sensitive environmental areas.

Action 1.3.1.1: Educate tourists on their impacts by partnering with

realtor’s and technical agencies to provide training (e.g., Coastal Training Program).

Policy 1.3.2: Partner with local watersports businesses to direct recreation away from sensitive environments.

Action 1.3.2.1: Provide educational materials for businesses on areas for recreation away from sensitive environmental areas.

Policy 1.3.3: Investigate the carrying capacity of local natural resources with regard to ecotourism and visitation.

Objective 1.4: Track shoreline and habitat change to minimize loss and inform potential habitat protection or restoration interventions.

Policy 1.4.1: Create an educational program to inform the public about the public rights to the estuarine habitat and public benefits (property values (even in-land), fisheries value, quality-of-life, etc.) and take a firm stance on not perpetuating further shoreline habitat degradation.

Action 1.4.1.1: Partner with local agencies, such as the Rachel Carson Reserve, to increase the effectiveness of these efforts.

- Based on those findings, evaluate policy options to address shoreline and habitat degradation.

Policy 1.4.2: Map shoreline habitat using best available science and designate where certain types of erosion control measures are likely to optimize protective benefits.

Action 1.4.2.1: Clearly designate where the least impactful intervention is needed and/or allowable including:

- First option: Natural shorelines

only (natural processes: erosion control prohibited, managed retreat of structures)

- Second option: Living shorelines (moderately impactful: marsh building, off-shore oyster beds, plantings, etc.), and
- Last option: Hardened shorelines (most impactful and habitat destructive: Bulkheads, seawalls, rip rap, hardened shorelines, sills, etc.) should be utilized in only the most urban settings.

Action 1.4.2.2: Identify shoreline areas that are not of high or irreplaceable community value and communicate to those property owners that starting 10 years from adoption of this plan, repair or replacement of erosion control structures that are not living shorelines will be discouraged in favor of replacement with living shorelines.

- This will help begin restoring shoreline habitat that has been damaged by man-made erosion control structures (such as seawalls or bulkheads) and allow natural habitat to re-establish itself and enhance quality of life. It will likely also mean that some structures will need to be relocated to avoid coastal erosion.

Policy 1.4.3: Hardened shorelines should be utilized in only the most urban and/or high energy settings.

Action 1.4.3.1: Develop an Estuarine Shoreline Management Plan identifying areas most appropriate for hardened shorelines.

Action 1.4.3.2: Update relevant ordinances to include standards on shoreline stabilization.

North Carolina Coastal Federation Coastal Cleanups

The NC Coastal Federation seeks to involve the community in collecting marine debris to protect local wildlife and salt marshes. These cleanups are made possible through the help of local volunteers who want to protect the local wildlife, salt marshes, marine life, and waterways.



North Carolina Coastal Federation Coastal Cleanups
Source: NC Coastal Federation

Charleston Area Plastic Ban

Coastal communities around Charleston, South Carolina have adopted their own ordinances to address the presence of plastics on their beaches. Communities have prohibited the presence of single-use plastics at their beaches, while other have banned them completely from distribution. Beaufort can phase its restrictions, starting with plastic bags and expanding as the population adapts to restrictions.

litter.

Action 1.5.1.2: Encourage voluntary certification program for businesses to generate less waste (e.g., NC Green Travel, Ocean Friendly Establishments).

Action 1.5.1.3: Provide waste reduction toolkits for businesses and households.

Action 1.5.1.4: Prohibit the sale of single use plastics in the Town.

- This would specifically include single use drink containers, straws, plastic utensils, and grocery bags.
- Food containers in grocery stores would be exempted.

Action 1.5.1.5: Recruit volunteer groups to install and manage bins for recycling.

Action 1.5.1.6: Equip water fountains with water bottle refill stations which can encourage adoption of reusable water bottles.

Objective 1.5: Manage litter and water-related debris.

Policy 1.5.1: Enforce anti-littering ordinances and promote education on the impacts of trash on the natural environment.

Action 1.5.1.1: Increase signage in and around outdoor recreation areas that describe the problems caused by

Did you know?

Nearly **164,000** pounds of debris, primarily associated with storm-damaged shoreline infrastructure, was removed from the Rachel Carson Reserve and along Taylor’s Creek in 2020-21.

Source: Paula Gilikin, project manager for USDA-NRCS grant to remove storm debris from Brunswick north through Carteret Counties

Policy 1.5.2: Implement recommendations and steps from the North Carolina Marine Debris Action Plan.

Action 1.5.2.1: Launch a stewardship and signage program to engage neighborhoods, property owners, businesses, visitors, and institutions around debris prevention and cleanup.

Policy 1.5.3: Coordinate enhanced standards with neighboring municipalities and the County to further reduce potential litter and debris.

Policy 1.5.4: Continue to work on addressing and removing abandoned and derelict vessels in a timely fashion.

Policy 1.5.5: Conduct town-sponsored cleanup events, possibly in partnership with other agencies, such as the RCR, NC Coastal Federation, and/or dedicate maintenance staff to maritime cleanup.

Policy 1.5.6: Implement enhanced construction standards for docks and sea walls so that they have less chance of becoming marine debris after major storms.

Policy 1.5.7: Coordinate enhanced standards with neighboring municipalities and the County to further reduce potential debris.

Objective 1.6: Explore the potential to conserve working lands (agriculture, silviculture, ranch lands, etc.) through partnership with other agencies, such as land trusts or land conservancies, especially lands north of town on the North River and west of US 70.

- These conservation areas might also be opportunities for additional outdoor recreation spaces or water access and could help with storm buffering and mitigation

North Carolina Marine Debris Action Plan
January 2020

North Carolina Marine Debris Action Plan

The [North Carolina Marine Debris Action Plan](#) was completed in 2020 and the Town of Beaufort participated in the planning process. The full list of action items can be found in Appendix D of the Action Plan.

of climate change impacts.



GOAL 2: Resiliency

Increase resiliency to natural hazards and climate change impacts for natural and built areas.

Introduction

In addition to protecting the natural environment, Beaufort must be proactive to protect its assets and people from the increasingly intense impacts of climate change. FEMA's National Risk Index puts Beaufort at a "Relatively Moderate" to "Relatively High" risk for coastal flooding. Storms are intensifying, bringing heavier winds, rain, and surges. Sunny day flooding from wind-driven and King Tide events are becoming more frequent. Sea level rise and erosion also pose increasing threats. Employing ideas in the Future Land Use Map and character areas is a good start, but resilience will also be built by the many smaller decisions made during individual capital and real estate development projects. Employing incremental strategies as construction happens, and directing that construction away from the most vulnerable areas, is a good foundation for building resiliency. Resiliency policies are also embedded throughout other areas of these recommendations, including in Goals 4 and 8.

Obj. 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 (see Non-Intensification Zone).

Policy 2.1.1: Keep zoning densities lower in vulnerable areas, using the Non-Intensification Zone, floodplains, and best available sea level rise projections as guidance.

Policy 2.1.2: Direct vulnerable land uses, including hospitals, age-restricted housing, group homes, and schools away from vulnerable areas and/or provide support to ensure they can sustain and recover more quickly from storms.

Defining Coastal Resilience

Coastal resilience in a community means that all members and systems within it can better withstand major events and long-term stressors in a way that helps meet larger community goals. Hazards include coastal and climate hazards such as, hurricanes, sea level rise, storm surge, tidal "sunny day" flooding, and erosion.

Policy 2.1.3: Relocate or place sensitive community infrastructure (critical public services and facilities, etc.) outside of vulnerable areas.

Policy 2.1.4: The Town's Board of Commissioners should consider downzoning undeveloped, unvested properties in the Non-Intensification Zone in order to communicate that these areas are not intended to accommodate high intensity development.

Obj. 2.2: Adapt to rising seas.

Policy 2.2.1: Manage retreat and contraction of public infrastructure and services away from high vulnerability areas.

Policy 2.2.2: Use current, best available sea level rise projections and environmental vulnerability knowledge when making public infrastructure investment decisions.

Policy 2.2.3: Direct public and private investment and capital improvement projects away from vulnerable areas and ensure any public investment in these areas is capable of surviving anticipated future conditions.

Policy 2.2.4: Mitigate tidal and storm surge flooding through structural improvements that prepare infrastructure for long-term resistance to environmental threats.

Action 2.2.4.1: Identify and map priority areas, such as at key locations along Front Street or Town Creek.

IIBHS Fortified Home Criteria

The Insurance Institute for Business & Home Safety created an above-code voluntary program called FORTIFIED Home, which contractors can be certified in. This program is designed to help individuals build, re-roof, or retrofit homes to protect against severe weather, and offers a commercial property program as well. The FORTIFIED roof requirements include specific material and installation methods for stronger edges, sealed roof decks, better attachment, and impact-resistant shingles in hail-prone areas. Homeowners receive discounts based on the level of IIBHS methods that are implemented.

Florida Building Code

The State of Florida has the highest chance of hurricane landfall and is often on the receiving end of around 40% of all US hurricanes in a typical year. Communities in Florida have a vested interest in ensuring construction standards are adapted to modern hurricanes, particularly with the frequency and intensity of storms increasing due to climate change.

As such, the Florida Building Code has been regularly updated every three years since 2001, with the 7th edition being released in 2020. It is widely recognized as having some of the most stringent standards in storm resilient building construction (for both new builds and retrofits) in the country, while still based on the International Building Code (IBC) that is used in the US. Many states reference FBC standards or developed their own requirements using the FBC as a framework.

The Town of Beaufort could utilize this resource when making updates to local construction standards.

Action 2.2.4.2: Identify vulnerable roads, water, sewer, and stormwater pipes, electric facilities, and other public infrastructure and elevate/armor against rising seas.

Obj. 2.3: Protect against future storm damage.

Policy 2.3.1: Increase storm-safe construction standards, utilizing the most up-to-date code language by industry leaders, such as the Florida Building Code or the IBHS FORTIFIED Home criteria.

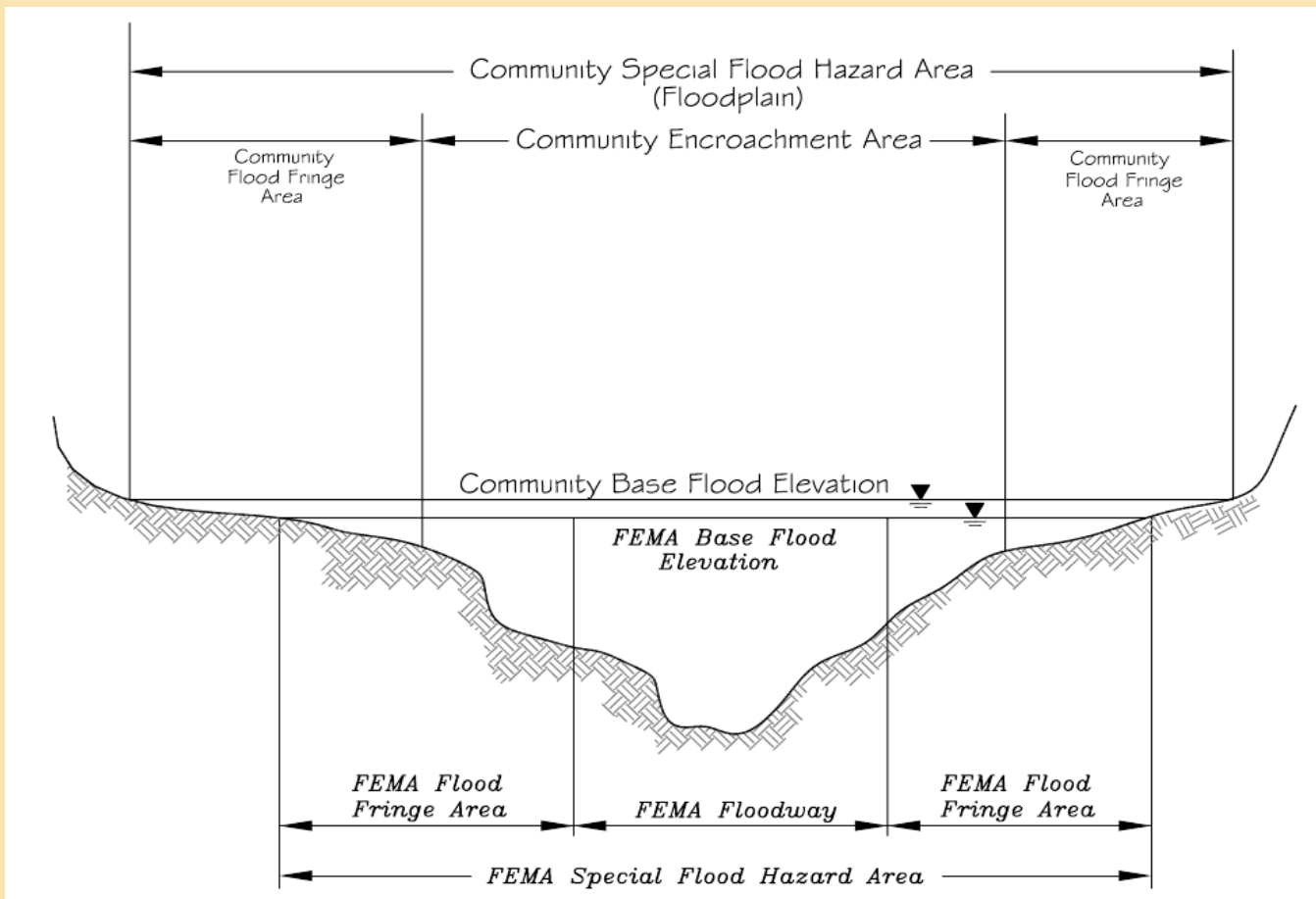
Action 2.3.1.1: Launch a town-led retrofitting campaign that encourages residents to brace their homes against storms.

Additional Elevation Requirements

Elevating beyond National Flood Insurance Program (NFIP) standards is an increasingly common regulation to prevent damage from high flood waters. According to FEMA, over 20% of flood claims are outside of flood zones. An additional elevation requirement beyond the Base Flood Elevation (the minimum finished floor elevation of a structure) accounts for unpredictable flood conditions and help protect structures. The State of North Carolina recommends a 2-foot freeboard requirement, while Beaufort currently requires 1 foot. Other coastal Carolina communities are currently debating higher freeboard standards. These additional requirements also result in lower flood insurance rates for the communities that adopt them, through FEMA’s Community Rating System, of which the Town is an active participant. In addition, the National Park Service released guidelines on flood adaptation for rehabilitating historic properties in Spring 2021 that could serve as a guide in the historic districts.

Charlotte’s Community Floodplain

Charlotte goes beyond FEMA SFHA floodplain requirements. They require new construction or any substantial improvements to place the lowest floor level at one or two feet above the 1% annual chance flood level (i.e. 1 to 2 foot freeboard required). It bases regulation on future land use conditions, which are divided into different areas bases on water’s ability to soak into the ground.



Action 2.3.1.2: Explore funding opportunities to increase residential fortification and elevation of structures.

Action 2.3.1.3: Increase the flood-proofing and freeboard requirement in 100- and 500-year floodplain (aka 1% annual chance and 0.2% annual chance, respectively).

- Extend structure elevation requirements outside of the special flood hazard area (aka 1% annual flood chance area).
- Residential structures, 1- and 2-family structures:
 - One option would be to require single family and duplex structures within the 1% and 0.2% annual chance floodplains to be elevated at least 4 feet above the elevation of the 100-year floodplain.
 - Properties elsewhere in the town could also be required to be elevated to this level or at least 1 foot above adjacent grade at the time of construction or reconstruction.
- Nonresidential and multi-family structures
 - Nonresidential structures would be required to either elevate or floodproof the ground floor. New structures should be graded at least 1 foot above adjacent grade.
 - Existing nonresidential structures within the 0.2% annual chance floodplain should be required to floodproof their ground floors within 10 years of adoption of the comprehensive plan.
- Extend these types of enhanced building standards to docks and marine infrastructure, which are often damaged in storms and can end up littering the coastline. This will also help protect the



*Living shoreline in North Carolina
Source: NOAA*

RCR from marine debris.

Policy 2.3.2: Establish a localized program to rapidly clean up debris from destroyed structures that are in highly vulnerable areas.

- 85% of debris generated by recent storms was found to be associated with shoreline infrastructure according to a [study conducted by NCCF](#).

Obj. 2.4: Adapt to shoreline erosion.

Policy 2.4.1: Increase armoring of vulnerable, immovable areas that have high or irreplaceable community value (i.e. – key roads or evacuation routes, historic downtown).

Policy 2.4.2: Establish a prohibition on hardening shorelines in all locations other than immovable areas that have high or irreplaceable community

value. This may involve relocating or removing public infrastructure from these locations.

Policy 2.4.3: Refine standards for when shoreline armoring or coastal erosion control structures should be removed, restricted, or allowed to rebuild.

Policy 2.4.4: Develop and adopt a shoreline management plan.

Policy 2.4.5: Optimize the potential efficacy of natural shoreline stabilization methods through using the best available science such as the Living Shorelines Application and partnerships with local scientists and coastal protection organizations.



Natural shorelines converted to rock vetments to combat erosion.

Obj. 2.5: Expand emergency preparedness efforts.

Policy 2.5.1: Develop an annual education and outreach program for residents and property owners that includes sea level rise, storms, shoreline erosion, evacuation procedures, and preparedness materials.

Obj. 2.6: Coordinate fast, equitable disaster recovery.

Policy 2.6.1: Examine and update policy standards surrounding resiliency.

Policy 2.6.2: Examine infrastructure and services redundancy measures and incorporate new technologies as necessary.

Policy 2.6.3: Incorporate methods of targeting vulnerable communities into Town emergency preparedness efforts.

Implementing Policy 2.4.2

Example code language might look something like this:

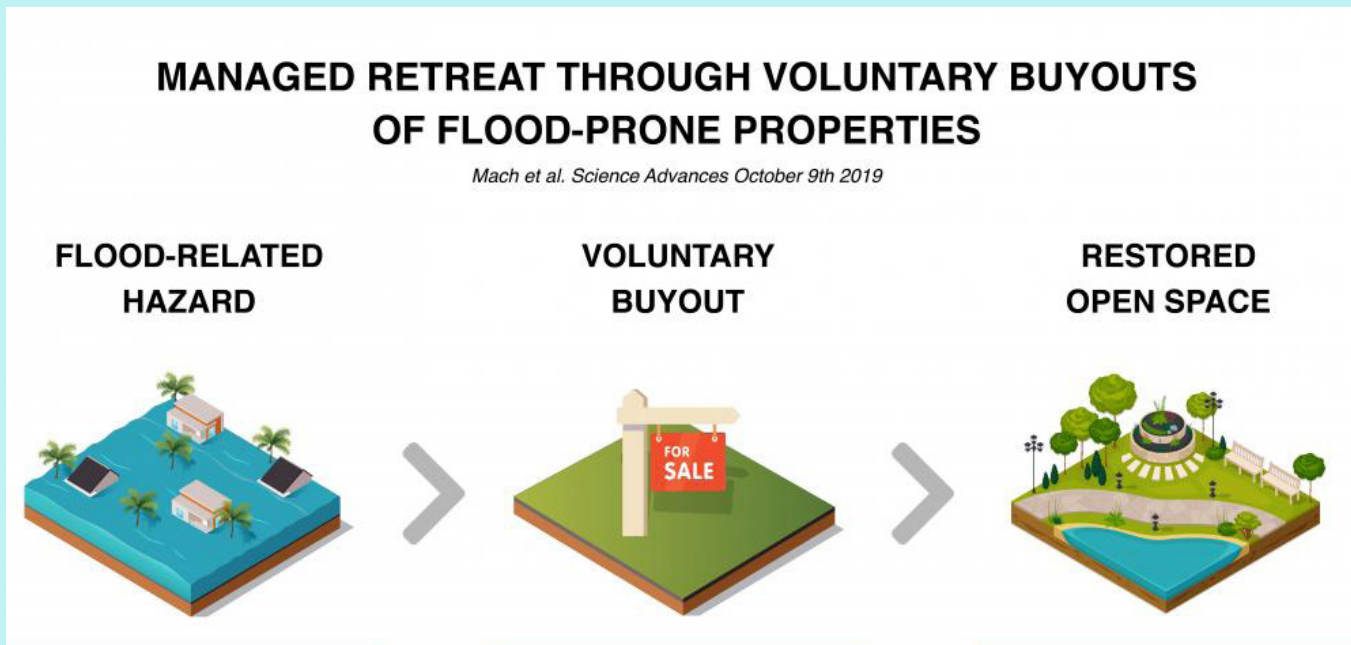
- Shoreline-adjacent structures (homes, businesses, utilities, etc.) that are damaged beyond 50% of structure value should be required to remove any shoreline armoring and allowed to rebuild the primary structure in a way that is more sustainable and resilient to coastal storms, rising seas, and erosion.
- At the time a shoreline-adjacent structure is damaged beyond 50% of its value, the Town should decide if public facilities (utility taps, streets, etc.) will be deconstructed and removed as well.

After the Buyout

As Beaufort plans in the time of climate change, the Town will likely consider buyouts as a tool. Buyouts of vulnerable properties in flood-prone areas, primarily through state and local government-run programs, are an increasingly utilized method of land use planning for vulnerable properties. Buyouts happen either after a property has been significantly damaged in an event or preemptively as part of strategic resilience planning. Funding sources are varied, but the question of what to do with the properties after the completed buyout is universal. Often, a stipulation of the buyout is that the property will remain open space in perpetuity, but that does not mean the property cannot be used.

Several questions must be answered in order to have successful property acquisitions, including future use and maintenance. Zoning restrictions on buyout properties can help clarify their status to the community. Once purchased, cities must at the very minimum maintain the properties, which means incurring those costs. Some towns have implemented creative strategies to address both issues. Some places partner with land conservancies or management trusts to maintain the properties, or have even made agreements with local citizens who mow in exchange for a reasonable use of the property. Others have started community gardens on the land. Or these properties may simply be left alone as natural habitats, though neighbors are not always pleased about this option. Whatever option is chosen, it is important to have a plan for these properties, be strategic about which ones are bought, and to use buying out property as part of a larger resilience strategy.

Source: Mach et al. *Science Advances*, October 2019. Rosenstiel School of Marine and Atmospheric Science, www.rsmas.miami.edu



Case Study: Bulkheads May Not Be As Cheap or Effective As Nature-Based Coastal Protections

Despite homeowners’ perception that bulkheads (i.e. seawalls) are the most durable and effective method of preventing coastal erosion, research shows them to be costly financially and environmentally, and they do not perform like living shorelines do. Compared to residents with revetments and natural shorelines, property owners with bulkheads reported double the price to repair hurricane damage to their property and four times the cost for annual shoreline maintenance. Ninety-three percent of evident post-hurricane shoreline damage was attributable to bulkheads or bulkhead hybrids and a higher proportion of surveyed homeowners with bulkheads reported having property damage from hurricanes. Regardless, shoreline hardening increased by 3.5% from 2011 to 2016 along 39 km (over 24 miles) of the Outer Banks. These results suggest that despite continued use bulkheads are not meeting waterfront property-owner expectations and that nature-based coastal protection schemes may be able to more effectively align with homeowner needs.

Source: Carter S. Smith^a, Rachel K. Gittman^b, Isabelle P. Neylan^a, Steven B. Scyphers^b, Joseph P. Morton^c, F. Joel Fodrie^a, Jonathan H. Grabowski^b, Charles H. Peterson^a. “Hurricane damage along natural and hardened estuarine shorelines: Using homeowner experiences to promote nature-based coastal protection”. *Marine Policy* 81, (2017), 350-358. <https://doi.org/10.1016/j.marpol.2017.04.013>

^a Institute of Marine Sciences, University of North Carolina at Chapel Hill, Morehead City, NC 28557, United States

^b Marine Science Center, Northeastern University, Nahant, MA 01908, United States

^c Duke Marine Laboratory, Duke University, Beaufort, NC 28516, United States



Bulkhead. Photo: N.C. Division of Coastal Management

	Benefits	Costs
Bulkheads	Quicker permitting process Better in higher wave energy locations Smaller footprint	Negative impacts to natural habitats, food webs Increased erosion of shoreline at the base and ends of the structure Expensive to maintain
Marsh Sills	Surface water storage, habitat protection, preservation of natural ecosystems Perform better in storm events Better in lower wave energy locations	Larger footprint Less public education about benefits

Living Shorelines Versus Hardened Shorelines

As the pressure rises to make shorelines resilient, the debate of living shorelines versus more typical methods such as bulkheads arises. As discussed elsewhere, Beaufort’s natural shorelines are increasingly becoming hardened through the use of bulkheads or similar structures. Meanwhile, marsh sill and similar living shorelines are a less common but more beneficial shoreline stabilization techniques, as they are more cost-effective, provide habitats, and have been shown to outperform bulkheads during storm events. Hardened shorelines protect less efficiently, at the cost of habitat loss and potential to increase erosion on neighboring properties.

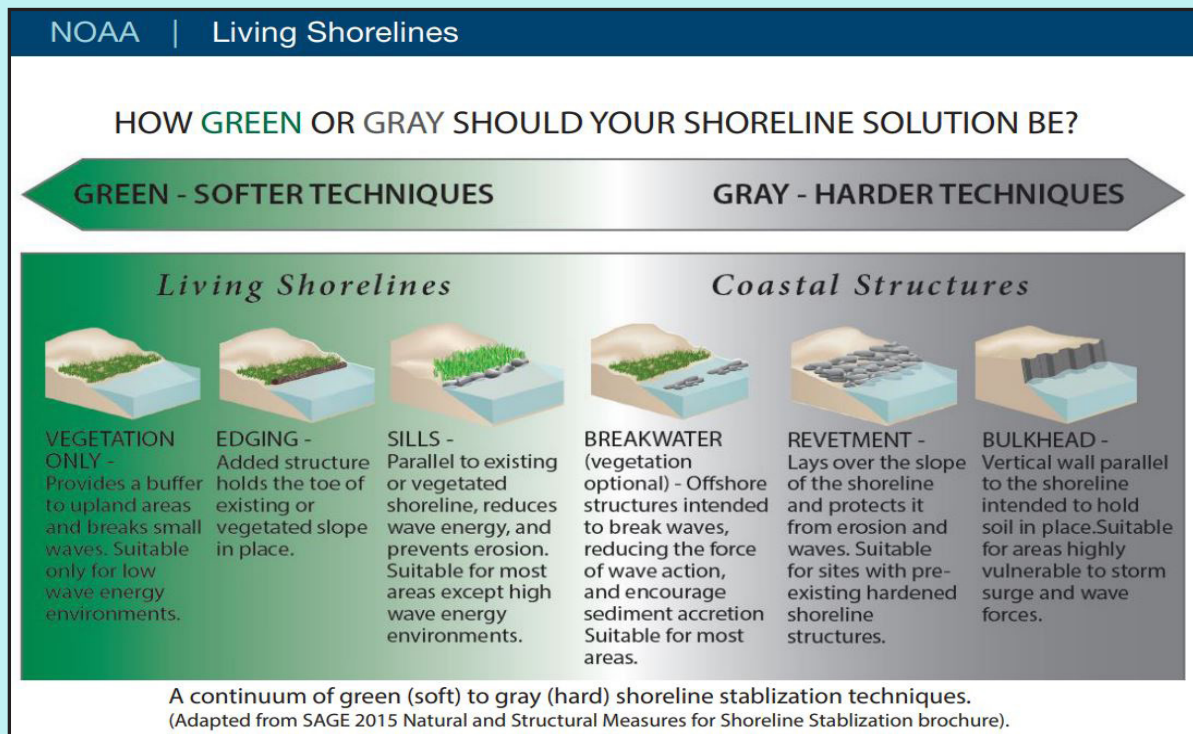
Bulkheads work by halting shoreline erosion at a fixed point through a vertical wall-like structure.

Vegetated structures or living shorelines such as marsh sills mimic natural shorelines. They help disperse wave energy and collect sediment and water to prevent erosion, all while creating a habitat that has many of the functions as a natural shoreline.

Unfortunately, current regulations and permitting processes do not encourage living shorelines, and in some ways favor hardened structures. For example, permitting processes for bulkheads are as quick as one to two days, and can often be done on-site. Fortunately, North Carolina recently adopted a streamlined permitting process for living shorelines that makes permitting them as quick as it is for bulkheads. This is an important step in encouraging the use of living shorelines rather than bulkheads.

This graphic shows the spectrum of stabilization options. Projects on the left side of this continuum represent more “natural”, “green”, and “living” shoreline stabilization techniques, and projects on the right represent “gray” and “harder” shoreline stabilization techniques.

Often the least intrusive intervention is most desirable. Note that these interventions are only necessary when there is a need to protect against natural shoreline movements threatened by development that encroaches on the water.





GOAL 3: Housing

Encourage a diverse and affordable housing stock that serves the needs of residents.

Introduction

Community engagement, coupled with demographic and housing data, indicated that home prices in Beaufort are rising at a rate that threatens its existing residents. While the Town does not have direct control over home prices, as they are a product of the market, the Town can adopt practices and land use policies that affect home prices by introducing more housing stock, increasing housing diversity, and being proactive as short-term vacation rentals become more popular. Recommendations also take aim at neighborhood character, which is addressed in further detail in Goal 7.

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

Policy 3.1.1: Create a Town Affordable Housing assessment and/or plan.

Policy 3.1.2: Increase options for workforce housing.

Action 3.1.2.1: Allow a diversity of home types such as Accessory Dwelling Units (ADUs), small-scale townhomes (up to 4 dwellings in a structure), and

house-scaled multi-family units (up to four dwellings in a structure) as context sensitive development or redevelopment.

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

Action 3.1.2.3: Adopt standards for small-scale, context appropriate, vertical mixed use (aka "live/work") in appropriate locations. Cedar Street is a good example of the type of neighborhood diversity that is desired.



Multifamily housing, such as this project in a historic neighborhood in Raleigh, can easily blend in with single-family neighborhoods, adding valuable density without altering character.

Short Term Rental (STR) Regulation

Public feedback indicated a desire to maintain the character of Beaufort, both in terms of its built environment and its community. The transition of homes to dedicated STRs is in conflict with both this desire and the desire for lower housing costs.

Despite limits on municipalities’ regulatory power set by the State of North Carolina, there are still several regulation options for STRs that local governments can consider. These options differ in implementation effort, cost to municipalities, and likely effectiveness. Options are described below. They have been organized into tiers, with Tier 1 being the easiest to implement, though likely less effective, to Tier 3 being the most involved to implement, but offering the most control. A full explanation of STR regulation is located in the Appendix.

Tier 1

- Creating a city-maintained STR registry that landlords opt in to.
- Tracking nuisance complaints and referencing them with known STRs.
- Providing better education and resources for landlords and STR tenants.

Tier 2

- Using a third-party service to track STRs and nuisance complaints.

Tier 3

- Using zoning ordinances to regulate STRs. This can include:
 - Defining STRs as a distinct use.
 - Implementing rental minimum lengths of stay.
 - Restricting zoning districts in which STRs can locate as a permitted use.
- Can also be used to dictate requirements related to parking, buffers, fire code, and density.

Policy 3.1.3: Consider a local public/private partnership to build and operate affordable housing.

Policy 3.1.4: Explore potential regional partnerships for creating affordable housing.

Objective 3.2: Regulate short term rentals so that housing is preserved for local occupation. (See callout box)

Policy 3.2.1: In single family neighborhoods not near tourist attractions:

- Define short-term rentals in the Town’s development ordinances as whole-home rentals for less than a one month period.
- Restrict short term rentals in R-20 and possibly R-8 districts.
- Allow short term rental of up to two bedrooms where the operator resides on-site (i.e. – similar to bed-n-breakfast).

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

It is possible to encourage context sensitive yet more dense infill housing and development/ redevelopment of substandard, undeveloped, or underutilized sites.

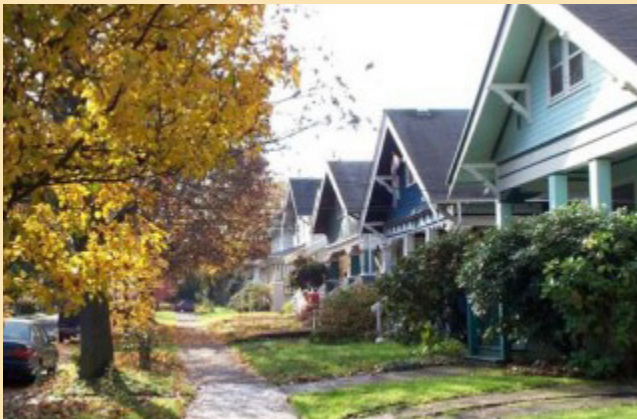
Policy 3.3.1: Consider specific by-right policies to allow for higher density infill in existing neighborhoods, while respecting the existing context, such as building setbacks, driveway widths, and building height.

Action 3.3.1.1: Identify barriers to infill development within town development codes and ordinances, and make updates.

Preserving Neighborhood Character through Design

The State of North Carolina limits how municipalities can regulate residential architecture. Elements such as style, material, and windows cannot be dictated by local law. However, the larger elements that define neighborhood character, such as setback and building height, can be regulated for residential units. The image below shows a street where the front of the houses are all the same distance from the street, meaning the setback is consistent. Having consistent setbacks is a primary means of guiding neighborhood character, both for new developments and when constructing infill in older existing neighborhoods.

Historic overlays (see Preservation Options box in Goal 7) are exempt from these



regulations, which is an option the historic neighborhoods can explore if they choose.

Objective 3.4: Increase walkability in neighborhoods.

Policy 3.4.1: Adjust subdivision and/or zoning district standards to reflect the block lengths consistent with the future land use character areas. Block lengths 750 feet or shorter are preferred.

Policy 3.4.2: Set standards for requiring greenway connections in new development (see recommendations in Goal 7).



Affordable Housing Case Study: Dare County

Municipalities’ best weapon for keeping home prices down is adopting land use and zoning codes that encourage housing stock and infill. To actually build homes for families with lower incomes requires significant capital and is most easily done with a partnership. Currently, Dare County is planning to work with partners to build affordable housing on County-owned sites, thanks for efforts from UNC Chapel Hill’s Development Finance Initiative, which helped the County find partners. Any such efforts around Beaufort would likely require similar partnerships and process.

This page intentionally left blank



GOAL 4: Infrastructure & Public Utilities

Ensure infrastructure and public facilities keep up with increasing demand and changing environmental conditions.

Introduction

Public services and infrastructure such as stormwater management, water treatment, streets, and parks are town services residents use most, serving the most everyday needs and which are barely noticeable when things are working correctly. As Beaufort's population grows, the demand for these public services will also grow. Additionally, the capacity of the infrastructure will also be consumed, thereby necessitating upgrades to keep pace with demand. Lastly, climate change will particularly impact and put stress on the stormwater management system. Fortunately, Beaufort has recently conducted water, wastewater, and stormwater assessments to help address these issues and this goal.

Obj. 4.1: Foster a safe, connected street network where roads are in good condition and accommodate typical users.

Policy 4.1.1: Introduce traffic calming measures downtown.

Policy 4.1.2: Maintain an updated street condition survey to prioritize street maintenance and resurfacing.

Policy 4.1.3: Improve sidewalks connectivity, accessibility, and condition.

- See GOAL 5 for more recommendations on this topic.

Policy 4.1.4: Continue coordination with NCDOT on priority street improvement projects and funding.

Obj. 4.2: Increase stormwater management and resiliency methods.

Policy 4.2.1: Continue to implement recommendations from the 2019 Stormwater CIP.

Policy 4.2.2: Assess stormwater facilities' resiliency to coastal and climate hazards and identify needed upgrades.

Action 4.2.2.1: Identify and codify priority for low-lying areas such as Front Street.

Action 4.2.2.2: Implement Watershed Restoration Plan.

Policy 4.2.3: Continue to manage and expand existing stormwater infrastructure, including the potential for regional stormwater management for built-out, troubled or vulnerable areas.

Policy 4.2.4: Evaluate and update impervious surface standards.

Policy 4.2.5: Encourage and utilize Low Impact Development strategies for stormwater management, if feasible.

Facilities and Components and Associated Climate Change Projections

In addition to the regular lifecycle of town infrastructure, climate change will also impact the lifespan of certain capital improvements. The table below provides examples of how to select climate change projections for specific facilities and components, to aid with long-term replacement planning.

Source: *Climate Resiliency Design Guidelines - Version 3.0, NYC Mayor’s Office of Recovery and Resiliency, 2019.*

Timeframe	Examples of building, infrastructure, landscape, and components grouped by typical useful life	
<p>Present to 2039</p>	<p><i>Temporary or rapidly replaced components and finishings</i></p>	<ul style="list-style-type: none"> • Interim and deployable flood protection measures • Asphalt pavements, pavers, and other ROW finishings • Green infrastructure • Street furniture • Temporary building structures • Storage facilities • Developing technology components (eg. telecommunications equipment, batteries, fuel cells, etc.)
<p>2040 to 2069</p>	<p><i>Facility improvements, and components on a regular replacements cycle</i></p>	<ul style="list-style-type: none"> • Electrical, HVAC, and mechanical components • Most buildings retrofits (substantial improvements) • Concrete paving • Infrastructural mechanical components (eg. compressors, lifts, pumps) • Outdoor recreational facilities • At-site energy equipment (e.g. fuel tanks, conduit, emergency generators) • Stormwater detention systems
<p>2070 to 2099</p>	<p><i>Long-lived buildings and infrastructure</i></p>	<ul style="list-style-type: none"> • Most buildings • Piers, wharfs, and bulkheads • Plazas • Retaining walls • Culverts • On-site energy generation plants
<p>2100 and Beyond</p>	<p><i>Assets that cannot be relocated</i></p>	<ul style="list-style-type: none"> • Major infrastructure (e.g. tunnels, bridges, wastewater treatment plants) • Monumental buildings • Road reconstruction • Below grade sewer infrastructure (e.g. sewers, catch basins, outfalls)

Obj. 4.3: Continue to support the Public Utilities and Engineering Departments in providing adequate drinking water and sewer treatment capacity to support appropriate levels of growth.

Policy 4.3.1: Upgrade facilities according to leadership direction and established departmental policies and standards.

Policy 4.3.2: Plan to increase capacity as needed to accommodate desired levels of growth. Conduct a preliminary GIS-based analysis to estimate the amount of water and sewer capacity that could be added to the utility system based on existing zoning and utilization of land. Thereafter, update this assessment to reflect new rezoning and development requests and approvals while also using it when deciding on land use change and development requests.

Policy 4.3.3: When upgrading facilities, relocate, elevate, or armor against projected future hazardous conditions or storm events.

Policy 4.3.4: Continue to monitor sewer system inflow and infiltration and mitigate and/or plan accordingly.

Obj. 4.4: Evaluate parks and recreation needs and facilities and establish a level-of-service standards for parks.

Policy 4.4.1: Identify priority acquisition and/or facilities development based on current and future needs and pursue those projects.

Obj. 4.5: Continue to provide adequate, responsive public emergency services, including police, fire, and EMS for land and sea activities.

Obj. 4.6: Re-envision parking areas (especially large surface lots) so that they reduce stormwater runoff and pollution and instead function to retain and filter stormwater.

- This may also involve re-evaluation of public and private parking standards and resources. Consider how much area of town (especially downtown and commercial areas) should be devoted to parking areas and the implications for community and environment.



Randolph Johnson Memorial Park is rocking!

- Adopt stricter impervious surface standards.
- Encourage use of pervious pavement in parking lots.

This page intentionally left blank



GOAL 5: Economic Development

Embrace and leverage our unique economic assets and opportunities.

Introduction

Beaufort’s history and historic downtown are huge economic assets to the Town and should continue to be supported. However, a diverse economy will better help the Town in the long run. While the policies below support local businesses in the downtown area, they also address other elements of Beaufort’s economy. Stakeholder and community feedback expressed the desire for more jobs outside the tourism sector, that pay living wages and are not susceptible to interruptions such as a down tourism season. By addressing the airport and workforce development, this plan recognizes that there is more to Beaufort’s long-term economy than just Front Street.

Obj. 5.1: Identify and promote Beaufort’s historical, cultural, and artistic assets to develop a sustainable economy that supports a high quality of life for year-round residents.

Policy 5.1.1: Partner with Carteret County and the Chamber of Commerce to conduct a formal economic evaluation of assets, opportunities, obstacles, and competitive positioning, with particular focus on ecotourism, arts and crafts (especially environmentally-inspired and

sustainably-sourced arts), maritime industry, remote work, airport, port-related, etc.

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

Policy 5.2.1: Promote events that help to increase commerce for local businesses.

Policy 5.2.2: Research and update ordinances that might inhibit local business growth or expansion.



*The arts community is an economic contributor.
Photo: Beaufort Hotel*

Obj. 5.3: Explore economic development opportunities that create non-tourism jobs.

Policy 5.3.1: Target businesses that employ workers year-round at living wages.

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

Obj. 5.5: Support workforce training programs and/or encourage education through incentive policies.

Policy 5.5.1: Coordinate with similar local and regional initiatives to expand program visibility and participation.

Obj. 5.6: Explore opportunities for increasing high-speed internet and broadband service. This will likely involve a regional planning effort in coordination with neighboring jurisdictions.

Obj. 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.

Case Study

Beaufort is not alone among coastal towns experiencing significant residential development pressure that has transformed some commercial properties to residential uses. From a current resident’s perspective, this can create negative outcomes. The Town of Manteo has countered this, in part, through use of a zoning district that requires commercial/nonresidential space on the ground floor, but allows residential above. Although sometimes unpopular among residentially-specialized developers who would rather not incorporate commercial components, this can be a strategy to maintain commercial space while also creating residential supply.



Local businesses on Front Street exemplify the type of economic development the community indicated they would like to see.



GOAL 6: Transportation

Support a multi-modal transportation system that is convenient, safe, and accessible, especially for non-automobile (walking, biking, etc.) transportation.

Introduction

Beaufort benefits from a walkable downtown, but getting to downtown, and between neighborhoods and other commercial areas, can be a challenge for cyclists and pedestrians. Traffic speeds, frequent driveways along roads, and a general lack of facilities for these users inhibits the non-motorized travel of even those who are most willing to do so. As improvements are made, facilities should be planned to be safe and accessible to every user by meeting ADA standards. Boat travel is also factored into these policies, and should be made accessible as well.

Obj. 6.1: Increase multi-modal connections between destinations and neighborhoods.

Policy 6.1.1: Create new connections and opportunities for future connections.

Action 6.1.1.1: Create and improve connections to parking facilities, hotels, commercial areas, employment centers, parks, the waterfront, and water transport destinations.

Action 6.1.1.2: Connect Town greenways to nearby networks and implement state greenway network recommendations.

Action 6.1.1.3: Ensure safe pedestrian facilities along all of Front Street.

Obj. 6.2: Enhance cycle and pedestrian facilities to meet current design standards.

Policy 6.2.1: Implement Bike/ Pedestrian Plan improvements where possible.

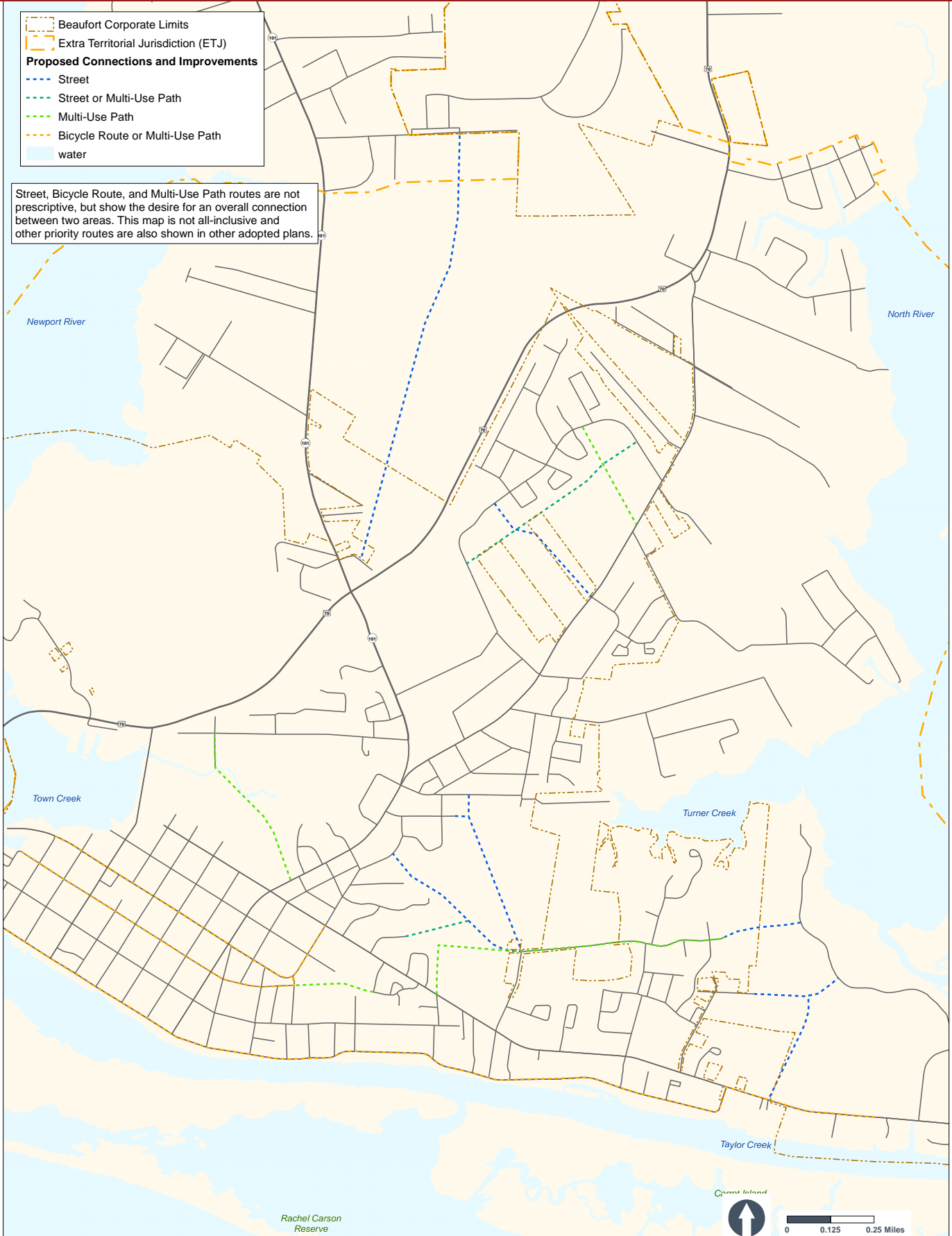
Policy 6.2.2: Install pedestrian crosswalks and signals at major intersections.



Enhanced Crosswalk

Proposed Connections

1.



Future transportation connections will be necessary.

Obj. 6.3: Increase safe cycling facilities and designate primary routes throughout Town.

Policy 6.3.1: Follow latest NCDOT standards in bike facility design (WalkBikeNC Plan, see Design Toolbox).

Policy 6.3.2: Focus on facilities that improve safety and comfort for users of all ages and abilities.

Obj. 6.4: Utilize Universal Design principles to expand accessibility.

Policy 6.4.1: Upgrade existing sidewalks, crosswalks, town parking lots, and town indoor facilities to meet ADA standards.

Policy 6.4.2: Require new facilities to meet or exceed ADA standards and apply Universal Design when able.

Policy 6.4.3: Use the ADA transition plan as guidance.

Obj. 6.5: Implement active parking

Universal Design

Defined originally as “the design of products and environments to be usable by all people, to the greatest extent possible, without the need for adaptation or specialized design.” Universal Design, when applied to the built realm, describes a place without ramps, outdoor lifts, or costly additions and alterations. Universal Design should be a forethought in master planning and site design, and when done well, no accessible route is needed.

management solutions downtown.

Policy 6.5.1: Optimally utilize existing parking by encouraging satellite or shared parking.

Policy 6.5.2: Encourage parking turnover using techniques such as time limits for spots in desirable areas.

Obj. 6.6: Improve and maintain maritime facilities, safety, and



This rendering from the 2018 Cedar Street Small Area Plan shows the potential of existing streets to accommodate automobiles, cyclists, and pedestrians.

services as a means of transportation.

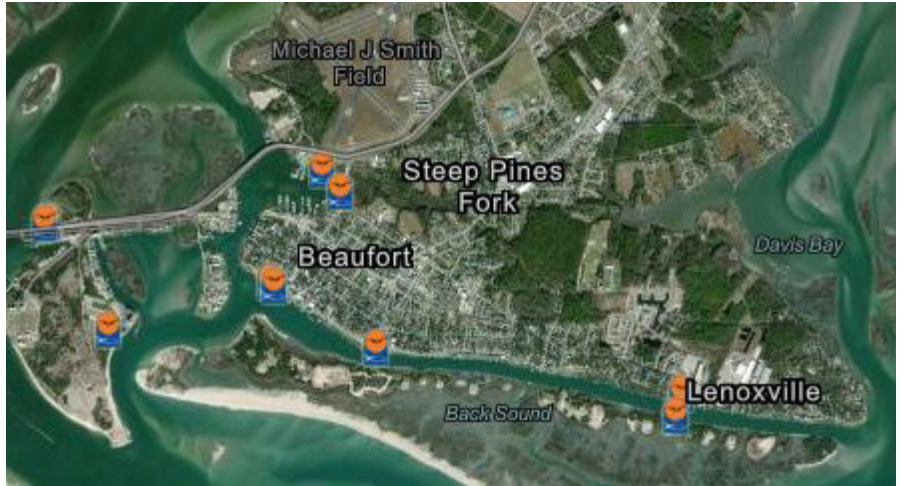
Policy 6.6.1: Complete the Harbor Management Plan and upgrade Town-owned docks and infrastructure as needed.

Policy 6.6.2: Connect multi-modal transportation network to marinas and ferry dock.

Action 6.6.2.1: Work with local ferry services to plan for increasing use.

Policy 6.6.3: Increase launch locations for non-motorized vessels.

Policy 6.6.4: Expand convenient kayak storage areas.

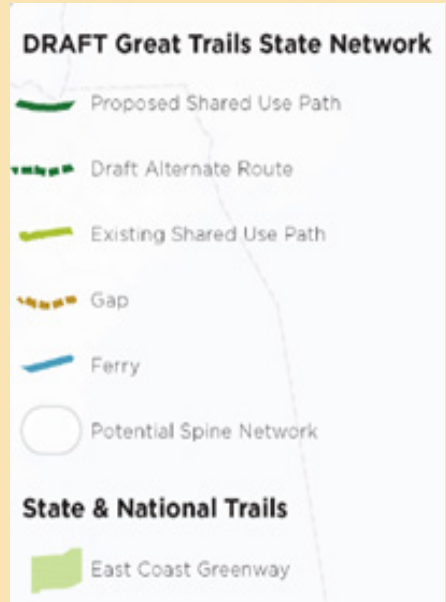
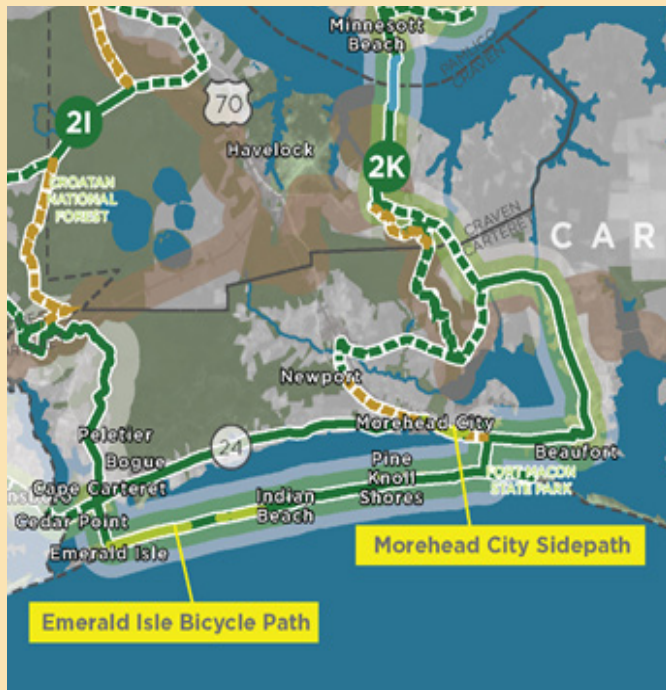


Current public, CAMA waterfront access points.

Tying into the State Trails Network

The NCDOT is currently in the process of creating a state trails plan to connect all 100 counties and major destinations with a separated cycling- and hiking-dedicated trail facility.

At the time of writing, the plan has not yet been adopted, but a draft of the network is shown below. Being a part of this state recreational network has the potential to enhance the quality of life and recreational tourism opportunities for residents and visitors.





GOAL 7: Town Character

Protect our unique character by enhancing and maintaining our natural resources, recreational opportunities, historic downtown, and cultural resources.

Introduction

Beaufort realizes that its unique character is a fundamental part of its DNA, and contributes to its dynamic community feel for year-round residents as well as being a draw for tourists. The Town’s character is an intangible entity, but residents know that the existing neighborhoods, architectural character, downtown, and access to natural resources are important building blocks of this character. By studying, defining, and pledging to maintain aspects of the existing character, Beaufort will protect its character into the future.

Obj. 7.1: Preserve the character of Beaufort’s built environment.

Policy 7.1.1: Update town ordinances to include design standards that help ensure new development fits its context.

Policy 7.1.2: Identify and inventory character-defining building stock in existing character areas such as the Live Oak Street and Cedar Street corridors.

- Action 7.1.2.1:** Create a list of contributing building features that the town can incorporate into ordinances.
 - Examples include setbacks, parking location, materials, transparency, roofline, and massing standards from building design inventory.
 - Incorporate guidance from the Future Land Use Character Areas.

Action 7.1.2.2: Support policies that allow the Cedar Street area to evolve into an arts district.

Obj. 7.2: Continue to support downtown as a cultural, economic, and community asset.

Policy 7.2.1: Continue to offer public events and activities downtown and expand offerings to make events more inclusive and accessible.

Policy 7.2.2: Enhance connections between natural and recreational assets and downtown Beaufort for non-motorized users.

Action 7.2.2.1: Identify areas where cycle and pedestrian access between these points is lacking or unsafe and implement upgrades.

Policy 7.2.3: Expand public art opportunities downtown.

Obj. 7.3: Preserve Historic Beaufort.

Policy 7.3.1: Continue local-level protections of historic assets and districts.

Action 7.3.1.1: Consider national register and/or local historic preservation boundaries expansions to increase community character.

Action 7.3.1.2: Address historic properties in resiliency planning. Historic properties are among the community assets that should specifically be considered and integrated into resiliency planning.

Action 7.3.1.3: Educate the public about how to access public funding sources to upgrade eligible (usually nonresidential) historic properties.

Action 7.3.1.4: Consider the benefits from additional preservation planning expertise. This could be through hiring a dedicated preservation planner, or perhaps through partnering with other organizations (regional planning organizations, tourism bureau, private consulting firms, etc.) to leverage the expertise of a preservation planner as needed.

Obj. 7.4: Protect existing neighborhoods and Beaufort’s small-town charm.

Policy 7.4.1: Implement recommendations from the 2018 Small Area Plan.

Policy 7.4.2: Within the national register boundary, update land development and subdivision ordinances to require archaeological and historic surveys prior to approval of work.

Policy 7.4.3: Protect the Town’s residential character through the regulation of Short-Term Rentals.

If the Town pursues the more stringent policy options defined in Goal 3 - Housing, regulations of short-term rentals can:

Action 7.4.3.1: Codify standards that address parking, noise, trash, etc.

Action 7.4.3.2: Require that STRs meet their parking requirements with off-street spaces.

Policy 7.4.4: Evaluate existing zoning of undeveloped properties and ensure that it matches with available sewer and public services capacity and the community tolerance for growth.

Obj. 7.5: Increase parks and recreation access to increase the level of service for all residents.

North Carolina State Historic Preservation Office

Grants are available to Certified Local Governments through the North Carolina State Historic Preservation Office.



Historic signage

Policy 7.5.1: Identify areas under-served by parks (more than 1/2 miles from a park) and incorporate solutions into future park planning.

Policy 7.5.2: During subdivision and land development review, explore opportunities to co-locate conservation areas and recreation areas.

Policy 7.5.3: Balance active and passive recreation opportunities, including areas for pet recreation (dog parks).

Policy 6.6.5: Continue implementation of the Bicycle/Pedestrian Plan, including the creation of multi-use paths (aka greenways) around town (see Proposed Connections on page 155).

Policy 7.5.4: Establish a goal to incrementally increase the percentage of existing and new residential structures within 1/2-mile of a greenway/bicycle route or park or trail access point.

Action 7.5.4.1: Identify current percentage of existing homes within 1/2 mile of access points.

Action 7.5.4.2: Determine where potential connections are most needed and where they can be created.

Policy 7.5.5: Maintain and expand recreational facilities and programming.

Action 7.5.5.1: Consider creating a dedicated parks position at the Town.

Action 7.5.5.2: Expand programming for senior and the under-18 demographic.

Obj. 7.6: Increase public water and natural resources access while balancing the need for preservation.

Policy 7.6.1: Update the Town Waterfront Access Plan to improve, identify, and pursue existing and

additional public access points and amenities.

Policy 7.6.2: Secure street terminations with signage, maintenance, parking areas, simple amenities (ex - benches), and clear demarcation of boundaries. Where possible, reclaim street ends that have been encroached upon.

Policy 7.6.3: Pursue extension of existing dead-end streets to provide additional access points and create interconnection opportunities.

Obj. 7.7: Minimize light pollution.

Policy 7.7.1: Update Town lighting ordinances to include International Dark Sky standards for all lighting.

Policy 7.7.2: Update residential lighting standards to limit light level at property lines in all residential districts and to encourage the use of motion-activated lighting, where appropriate.



The town should strive to increase and maintain public water access points

Obj. 7.8: Continue to beautify Beaufort.

Policy 7.8.1: Implement recommendations from the Beaufort Entry Master Plan

Action 7.8.1.1: Incorporate necessary work identified in the Beaufort Entry Master Plan into the Town’s CIP.

Importance of Historic Preservation

An important part of what gives a town or city character and a sense of community is its history. One way to acknowledge this history is by preserving historic buildings and structures that tell the story of how a city has progressed and grown overtime. These structures create a sense of place and connection to the past.

There are economic advantages to preserving old buildings; new businesses such as bookstores, ethnic restaurants, antique stores, neighborhood pubs, food halls, and small start-ups thrive in old buildings. Often buildings built prior to World War II are made of higher quality materials, replacing these structures with similar rare hardwoods is impractical and unaffordable. These buildings were built to last 100+ years where newer construction buildings typically last 30-40 years. When historic districts are stabilized property values increase. Old buildings also attract people and encourage heritage tourism, as can be seen in Historic Beaufort. The following preservation options would help Beaufort reach its goals.

Preservation Options

Neighborhood Conservation Overlay District - A local ordinance intended to preserve appearance by regulating lot size, building setbacks, height, and frontage.

Local Historic Preservation District - A local ordinance that more strictly regulates local historic character. This option requires oversight from town staff and/or a local historic commission. This protection is currently employed in Beaufort.

Shop-Front Overlay District - An overlay district intended to create an active commercial street.

Pedestrian Scale Overlay District - Establishes standards in a commercial or mixed-use district that support pedestrian scaled activity.



GOAL 8: Diversity & Inclusion

Celebrate, recognize, and amplify the voices of our diverse community.

Introduction

Beaufort will continue to expand its efforts to be racially, socially, and economically diverse. It recognizes the need for community participation from every group, and that natural disasters have a disproportionate impact on vulnerable communities. The Town will involve all community members in public engagement processes, and ensure that resources are distributed equitably.

Obj. 8.1: Increase public participation from minority groups.

Policy 8.1.1: Set targets for representation on citizen boards and volunteering where minority representation is at least consistent with the Town’s demographics.

Action 8.1.1.1: Track demographic information on participants involved in town public engagement events. Aim to have participation that matches town’s demographics.

Action 8.1.1.2: Incorporate new public engagement strategies such as community group outreach, neighborhood meetings or pop-ups, and translation services to increase participation among minority groups.

Obj. 8.2: Incorporate equitable hiring practices for Town staff positions.

Obj. 8.3: Address flooding and slow storm recovery in vulnerable

communities.

Policy 8.3.1: Consider a Community Recovery and Development Plan that includes specific recommendations for vulnerable communities. See the Community Recovery Management Toolkit provided by FEMA for more information and case studies.

Policy 8.3.2: Implement a program that provides recovery resources to low-income residents.

Action 8.3.2.1: Partner with the North Carolina Housing Coalition to address localized affordable housing issues.

Policy 8.3.3: Prioritize stormwater infrastructure improvements where it will directly impact vulnerable communities. Some types of infrastructure investments can be

According to the 2020 U.S. Census, approximately **20%** of Beaufort’s population is non-white, hispanic, or minority.

more cost-effective and contextually appropriate than others, like expansion of natural areas or permeable green infrastructure.

Obj. 8.4: Celebrate local and regional Black and minority history and historical contributions to Beaufort and the region.

Policy 8.4.1: Provide educational signage at historical sites that illustrates the historical contributions, struggles, and victories of Black and minority residents.

Policy 8.4.2: Encourage National Register nominations to tell the story of underrepresented communities.

Obj. 8.5: Support community organizations that represent economically, socially, and racially diverse groups.

Policy 8.5.1: Create and maintain

an updated list of community organizations that represent these groups and include them on sunshine list email communications.

Action 8.5.1.1: Identify and address barriers that prevent these groups from receiving Town communications.

Action 8.5.1.2: Prioritize outreach to these groups during public engagement processes.

Policy 8.5.2: Provide Town support for these groups when they host public events.

Obj. 8.6: Equitably distribute town funds, projects, and investments.

Policy 8.6.1: Track public investments to ensure they are equitably distributed in the community.

Policy 8.6.2: Establish an equity standard for projects using town funding.

Case Study: City of Creedmoor

The City of Creedmoor established the Creedmoor Diversity, Equity, and Inclusion Commission to advance the principals of diversity, inclusion, and equity within the municipal and extraterritorial jurisdiction of Creedmoor. The responsibility of the commission is to make recommendations to the City Manager and the Creedmoor Board of Commissioners on how the City of Creedmoor can better inclusively serve its citizens. Initial commission actions have involved the development of policies to be used in hiring decisions in an attempt to encourage the employment of qualified *people regardless of race*.

Mission Statement:

To create an environment where all people can find representation and solidarity in community policies, programs, and initiatives. We envision a community where diversity, equity and inclusion are:

- Recognized as shared values and incorporated into event programming, resource allocation, and the development of all policies and practices.
- Tools for recruitment, retention, and support for diversity in all city endeavors.
- Pillars for collaboration with community leadership to address local interests and needs.

Beaufort's African American History

Beaufort, North Carolina is rich in African American history, but little research has been completed on the subject. In the 18th century, the Town's black population consisted entirely of slaves; they may have played a large role in the development of the Town. However, there is no written history and as a result most likely they will remain anonymous.

After the 19th century, five out of 122 free blacks had become property owners. Occupations for free blacks ranged from house-carpenter, shoemaker, fisherman, farmer, and musician. After the siege of Fort Macon, Beaufort had become a safe haven for freedmen or refuge slaves; a refugee camp was established at the north side of town. The area north of Cedar Street was developed as a camp or "tent city, earning that area the nickname of "Union Town".

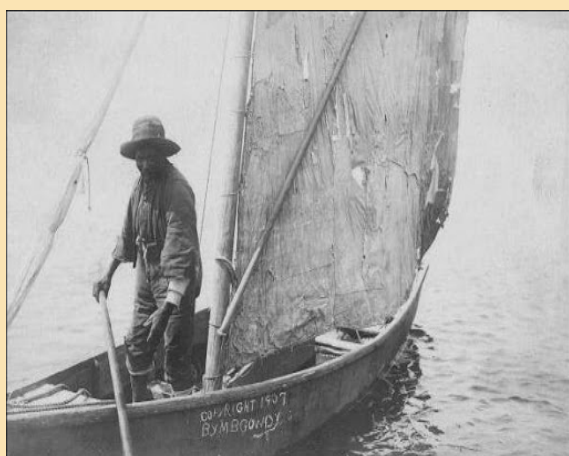
Union Town was bounded by Broad Street and Cedar Street on the south, Turner at the west, Town Creek or Mulberry Street at the north, and Live Oak Street at the east. The neighborhood consisted of homes, churches, stores, fraternal lodges, and their own schools.

The late 19th century brought job opportunities for blacks in the mullet fishery and later in the menhaden factories. This enabled the black population to rebuild and improve their Reconstruction-era neighborhood. Economic opportunities continued to grow throughout the 20th century.

The late 20th century brought more change to Beaufort's African American community; Abe Thurman was appointed Town Commissioner in 1992 and Charles MacDonald as Chief of Police.

Today the African American population makes up 21% of the population in Beaufort, with majority of the African Americans living in the area north of Cedar Street. This community has been surveyed and may meet the criteria for being listed on the National Register of Historic Places.

Source: Beaufort NC's African-American History website by Peter B. Sandbeck and Mary Warshaw



Black fishermen 1907

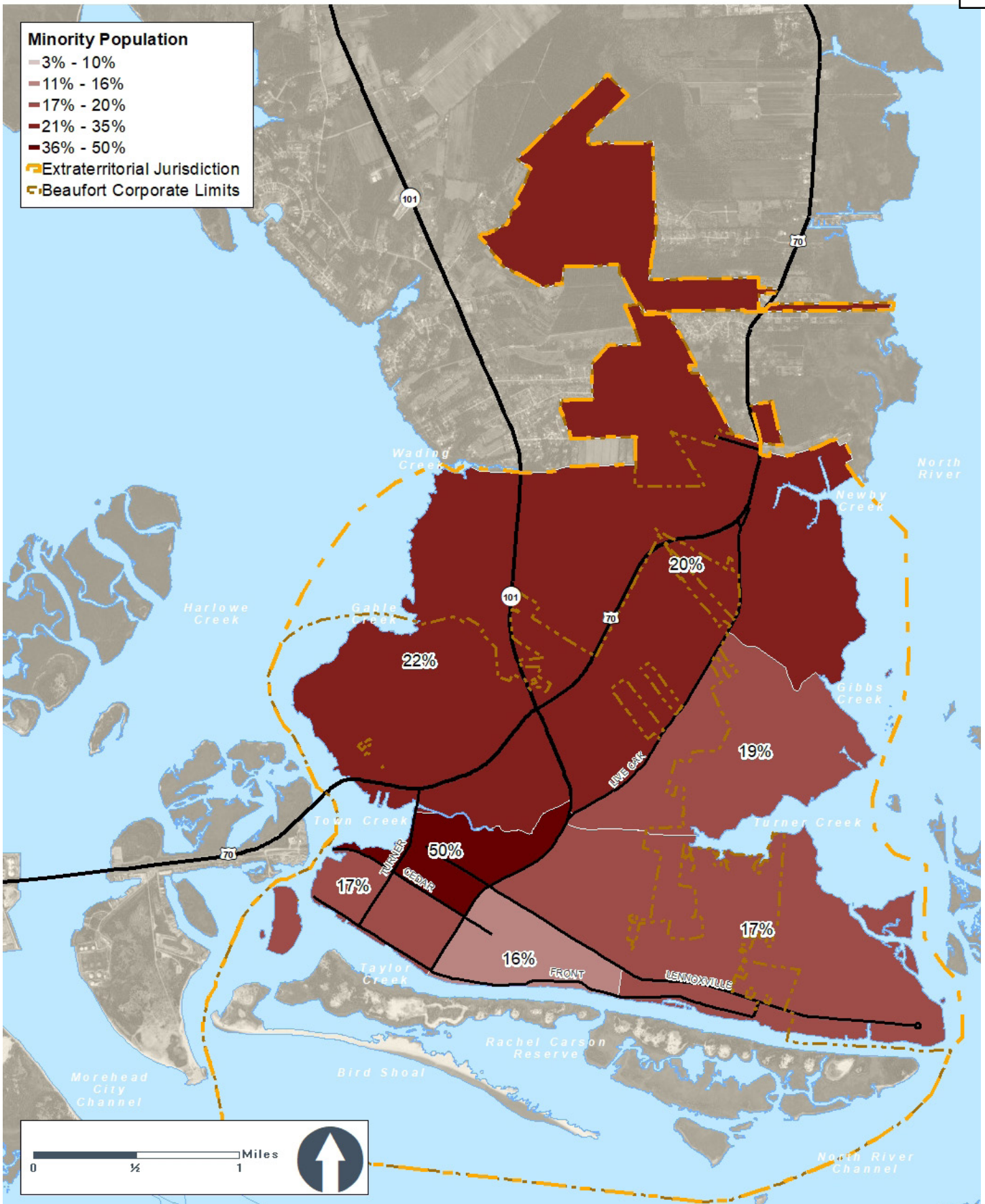
Source: Beaufort's NC African-American History website



Abe Thurman, Beaufort's First Black Commissioner.

Source: R.A. Fountain

Minority Population



Minority population is not evenly distributed, as shown in this 2010 U.S. Census dataset.

FREE DAILY BOAT PARKING WELCOME!

- For non-motorized vessels only
- Please keep vessels within roped area
 - 24-hour time limit
- All dinghies, please use designated dinghy dock
- All other motorized vessels, please use Beaufort Town Docks

Vessels remaining longer than 24-hours will be removed.
To retrieve, call Town Hall 252 728 2141 M-F, 8 am - 5 pm.

BEAUFORT
NORTH CAROLINA

ISLAND EXPRESS FERRY SERVICE

6

Future Land Use and Character Areas

The Future Land Use Map (FLUM) and character areas represent the community’s vision for the future and are one of the factors that guide decision makers and town staff in future rezoning, land use, or permit issuance decisions. A FLUM is also valuable for communicating public investment priorities (including possible future extensions of public facilities and services) and the community’s vision to private sector investors. The FLUM is descriptive and not prescriptive. It identifies the predominant land use types and character intended for different

parts of the study area, but as conditions evolve, other recommendations may be more relevant.

The FLUM will help guide the transition from present day to the desired future state. It is not advisable to immediately rezone properties to reflect the FLUM, but rather to evaluate each rezoning request individually based on a variety of factors, including the request’s individual merits, surrounding context, presence (or absence) of adequate public facilities, potential financial impact (or burden) of the project, vested rights, environmental impact, timing, etc.

The character areas should also be used to further refine the land use vernacular and preserve and enhance the local character. These character areas also provide direction for updates to the Town’s land development regulations to help make the community vision a reality.

Living “on the Water”

An especially important consideration in Beaufort is the relationship of the use or structure to the water and environment. Some uses are water-dependent (marinas, commercial fishing operations, etc.) and must be located in these vulnerable areas. In this case, “vulnerable” refers not only to the impact on the natural environment, but also the natural hazards vulnerability that the use or structure might encounter due to storm surge and other water-related hazards. Other uses are not water-dependent, such as general commercial operations, or residential units, and should not be located or allowed in areas where they will have a negative impact on the natural environment. This negative impact can occur both in present day (use of fertilizers leading to nutrient pollution of local water bodies, increased stormwater runoff because of increased impervious surfaces, etc.) or in the future (loss of natural shoreline as sea level rises and erosion prompts owners to convert natural shoreline to altered shoreline which reduces natural habitat, decreases water quality, prevents coastal marshland migration, etc.).

Even elevating a structure “out of” any regulatory floodplain can still have a long-term negative impact on the natural environment, especially if natural shoreline is converted to an

artificial shoreline to prevent erosion from undermining structures. In these instances, a better approach might be to prohibit the location of non-water dependent uses in areas that will likely experience these conditions. Many dwellings in Beaufort are already located in these areas and developers will confirm that the premium lots are right on the water. A community conversation is needed about the role of the public sector in encouraging development in these locations (through the extension of public services, primarily sewer service, into these higher risk or higher maintenance areas) as well as options for accommodating individual profit and development, but perhaps with a greater weight given to community values and long-term considerations.

Some uses, such as wastewater treatment plants or sewer lift stations, are caught between competing priorities. Placing these facilities in low-lying areas is advisable from the perspective of operations, since water flows to the lowest point. However, these low-lying areas are also more prone to flooding and will become increasingly vulnerable as seas continue to rise and storms become more severe. When a wastewater treatment plant or sewer lift station is affected by flooding, it can have significant and severe impacts on the environment and human health. The placement and/or expansion of these uses and structures should be carefully considered in order to ensure operational and financial viability over the lifespan of the infrastructure balanced against current and future environmental vulnerabilities.

Avoiding Preemptive Zoning

The temptation often exists to preemptively up-zone all property fronting a highway or major road to widely allow commercial uses. The argument is usually that this highly-visible and accessible property is suited to commercial use and that by speculatively up-zoning property, it will generate new development and investment, and possibly even diversify the economy or balance of land uses. The reality is that speculative up-zoning does not create quality places and developers and business owners will pursue rezoning to suit market needs when necessary.

Is preemptive up-zoning ever advisable? In extremely limited instances – for example, perhaps for a specific, economic development catalyst project or other government-sponsored catalyst site that involves major public investment.


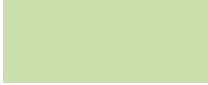











What are the effects of preemptive up-zoning? Preemptive up-zoning often creates traffic congestion and degrades quality of life rather than generating lasting wealth. Strip commercial zoning creates sprawling, low-quality commercial development that is in excess of market demand and thus does not attract high-value tenants. It results in a congested, automobile-dependent area that never achieves the commercial density or mass necessary to build a place the community will value. The excess of commercially zoned land also depresses the overall price of that land, leading to reduced revenue from land sales per acre.

Is there a better solution? Towns should only up-zone properties abutting existing commercial development in areas where the appropriate conditions exist. The necessary conditions include but are not limited to:

- A supportive street network with maximum block length standards (to disperse traffic);
- Shared driveways that serve multiple businesses (to reduce traffic congestion);
- Cross access that connects adjacent businesses;
- Sufficient sewer service;
- Quality design standards;
- Pedestrian facilities;
- Fire suppression infrastructure;
- Public spaces; and
- Proximity to customers.

Future Land Use Map and Character Areas

The following pages provide an overview of Future Land Use Character Areas. While typical and potential uses are described, these lists are not exhaustive or prohibitive. For instance, some uses may be appropriate in many (or all) future land use character areas. These might include uses such as government maintenance buildings and small utility substations (electric, natural gas, sewer lift stations, water towers, etc.). However, some uses should be carefully considered so that they do not unintentionally create a demand for development in inappropriate areas. For instance, institutional uses such as churches, primary and secondary schools, or clinics might be appropriate in most residential areas, but if located in rural areas would invite inappropriate additional development. The size of operations is also a consideration. For example, a small church might be appropriate in a rural context, but a mega church may not. It is up to the governing boards at the time of the application to decide what will most accurately promote the goals established in this plan.

-  Conservation, Open Space, Parks, Environmental, and Recreation
-  Rural / Working Lands
-  Suburban Residential
-  Traditional Neighborhood Residential
-  Compact/Multi-Family Neighborhood
-  Cedar Street Mixed Use Area
-  Village Commercial
-  Commercial Center
-  Downtown Commercial
-  Waterfront Commercial
-  Employment Center, Utility, & Infrastructure
-  Employment Center or Suburban Residential
-  Non-Intensification Zone

Future Land Use Map

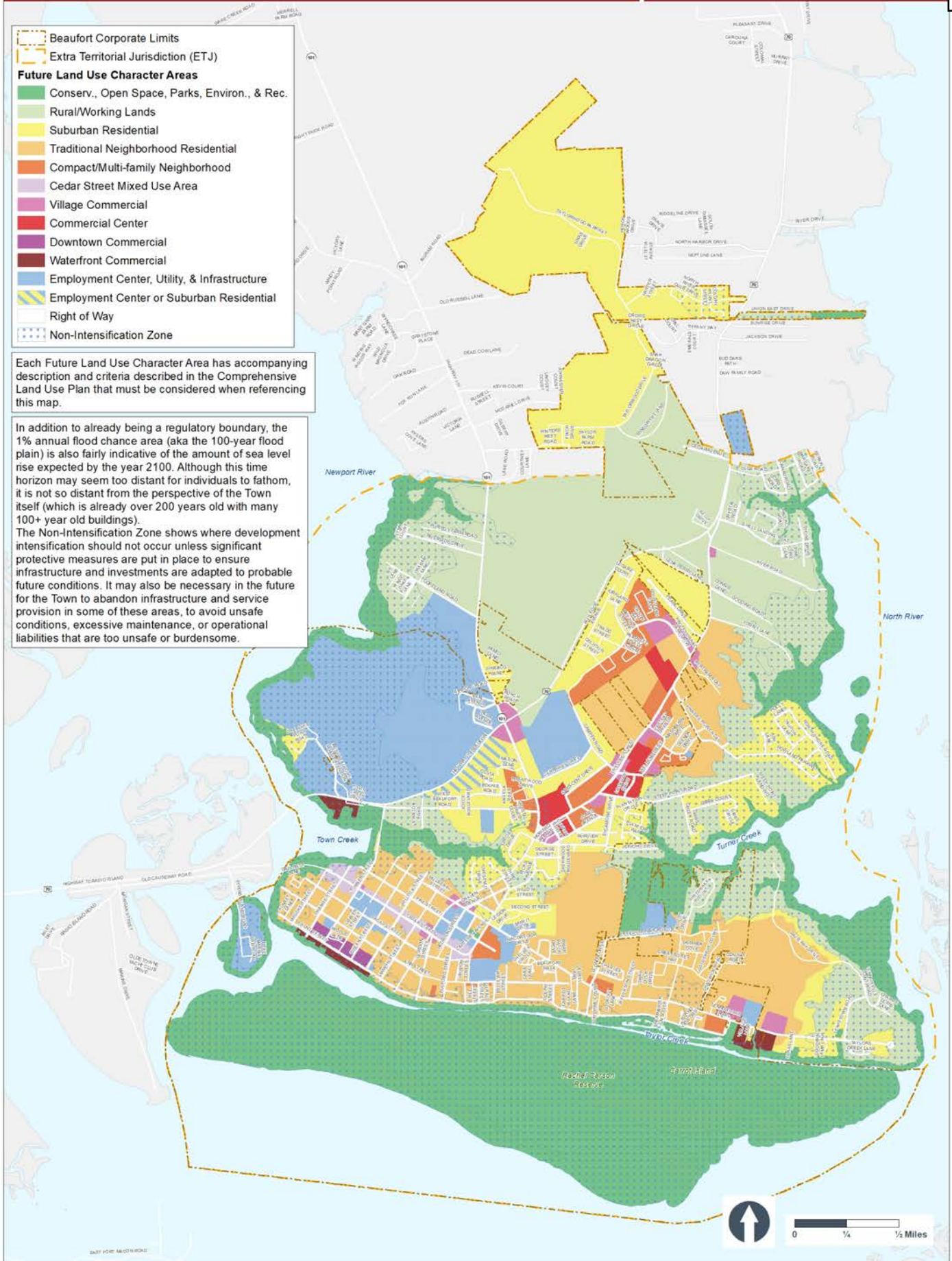
Beaufort Corporate Limits
 Extra Territorial Jurisdiction (ETJ)

Future Land Use Character Areas

- Conserv., Open Space, Parks, Environ., & Rec.
- Rural/Working Lands
- Suburban Residential
- Traditional Neighborhood Residential
- Compact/Multi-family Neighborhood
- Cedar Street Mixed Use Area
- Village Commercial
- Commercial Center
- Downtown Commercial
- Waterfront Commercial
- Employment Center, Utility, & Infrastructure
- Employment Center or Suburban Residential
- Right of Way
- Non-Intensification Zone

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.



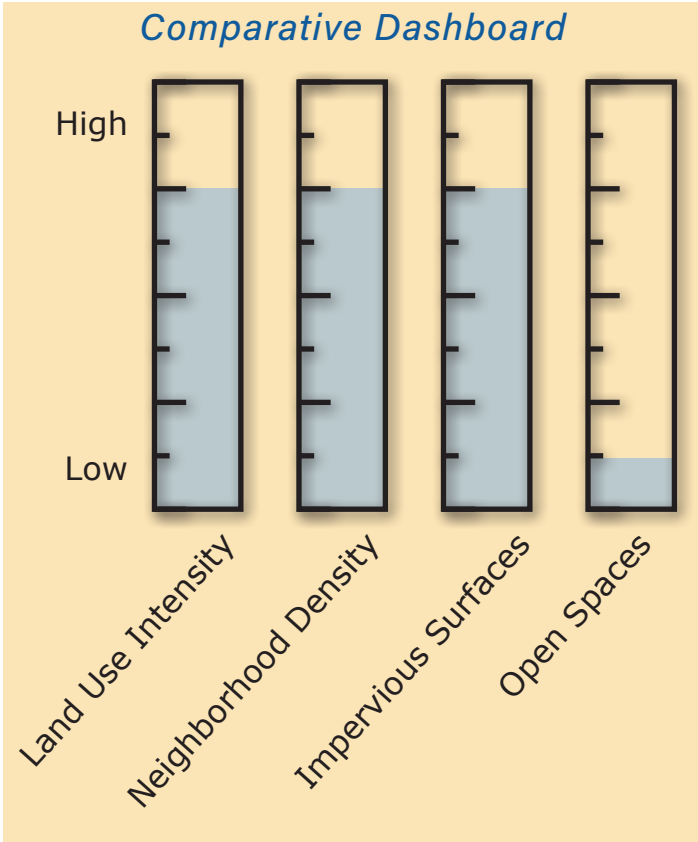
Traditional Neighborhood Residential

General Description:

These neighborhoods are walkable with structures situated close to each other. The residential areas exemplify the character found in the historic district and closer to downtown. Lots are typically smaller and closely packed with residential densities generally around 3 to 5 dwelling units per acre, although some areas may approach 7 dwelling units per acre. The historic development pattern prioritizes people and accommodates cars. Off-street parking is often to the side or around back, with homes pulled up close enough to the street to allow neighbors to engage with people on the sidewalk.

Streets and Circulation:

Streets are typically low volume and prioritize pedestrians, with sidewalks on both sides and street trees whenever possible. Connectivity is high because blocks are generally 500' or less. On-street parking is either formal or informal, depending on context. Low speed limits allow bicycles to share the travel lanes.



EXAMPLE USES:

Typical Uses:

Primarily single family detached residential, with a mix of other highly compatible residential uses scattered throughout, including duplexes, accessory dwellings, garage apartments, and occasionally even larger homes that have been converted to discrete multi-family structures or even small bed-n-breakfast businesses.

Traditional Neighborhood Residential

Other Concerns:

In the historic district, these neighborhoods have significant restrictions that preserve their quaint appearance and character. Although there may not be full support to extend all of these requirements to other areas, it may be possible to extract some of the more defining characteristics (buildings close to the street, parking in the rear, street trees, narrow streets, etc.) and bring those design elements to other neighborhoods.



Examples of the traditional neighborhood development style.

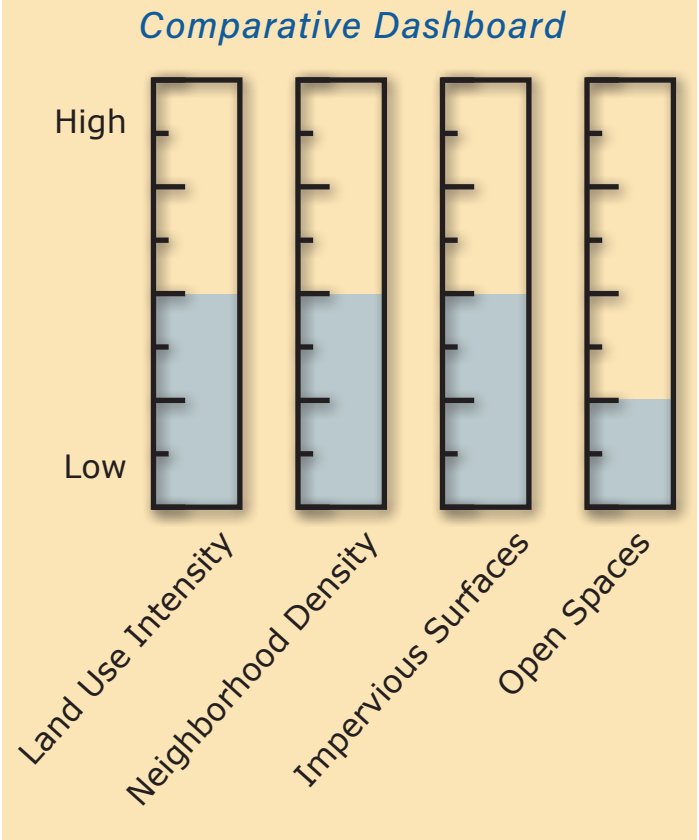
Suburban Residential

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.

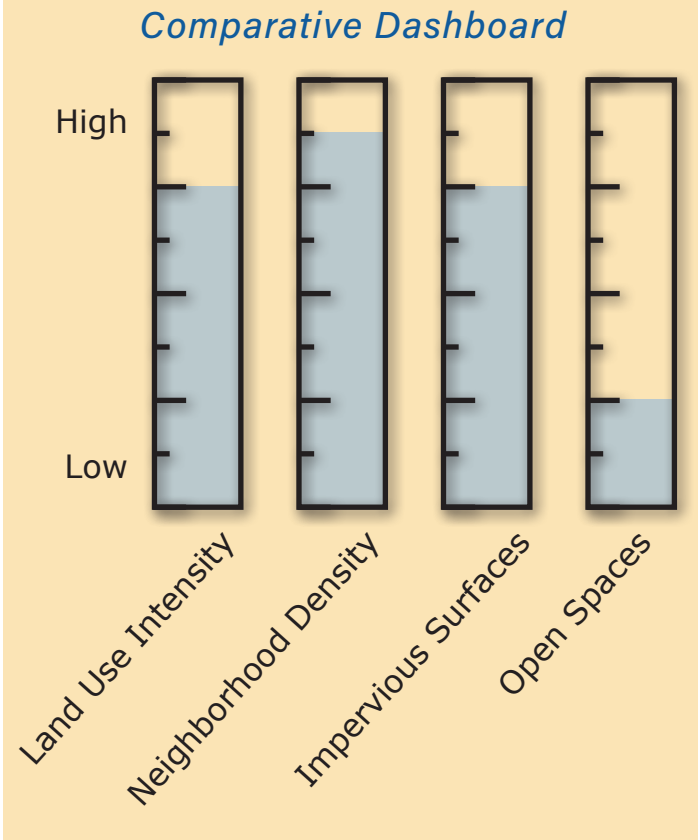


Examples of Suburban Residential.

Compact/Multi-Family Neighborhood

General Description:

These higher density areas are appropriate for multi-family residential dwellings such as apartments, condominiums, townhomes, duplexes or other attached residential. Densities should be higher than all other residential districts and as such will require less land to accommodate more households. Where waterfront adjacent, buildings are likely to be oriented to the water with their backs turned to the street. In all other locations, structures should be pulled up to and oriented to the street (e.g. – individual entrances for ground floor units, stoops or porches, living areas located on the street side of the unit, etc.) with parking in the rear or internal to the development and not visible from the street. Balconies, porches, and decks should also be provided to encourage interaction with neighbors. When these higher density neighborhoods are designed in this way, it enhances public safety by providing a sense of “eyes on the street” while also encouraging the sense of community that residents value so much. These neighborhoods should also have adequate pedestrian facilities and convenient



When these higher density neighborhoods are designed in this way, it enhances public safety by providing a sense of “eyes on the street” while also encouraging the sense of community that residents value so much. These neighborhoods should also have adequate pedestrian facilities and convenient

EXAMPLE USES:

Typical Uses:

Primarily higher density (relatively speaking) attached residential uses (apartments, condominiums, townhomes, patio homes, etc.) with duplexes also appropriate as long as they can be provided at high enough densities to be context appropriate. Single family residential and other low density uses should be discouraged as it does not create the density of households to support adjacent commercial areas.

If Context Appropriate:

- » Institutional uses (churches, primary or secondary schools, hospital, government buildings, etc.)
- » Hotels
- » House-scale multi-family residential and duplexes, if higher density
- » Low-intensity neighborhoods serving commercial uses on the corners of higher activity intersections

Compact / Multi-Family Neighborhood



Examples of Compact/Multi-Family Neighborhoods.

access to public, semi-public, or private open spaces and recreational facilities.

Location adjacent to commercial centers is a win-win because it promotes walkability and creates easy access for businesses to the customers that support them. Public sewer is a requirement, but long extensions to distant properties should be avoided unless higher density uses are specifically desired, planned for, and immediately anticipated to fill in the stretch between activity nodes.

Streets and Circulation:

Streets are typically low volume and prioritize pedestrians through the provision of wider sidewalks on both sides. Street trees soften the streetscape and further enhance pedestrian comfort. Street trees may be in tree grates where sidewalks are paved up to the curb – occurs when adjacent to on-street parking. Because of the high density of pedestrians and proximity to commercial centers, connectivity should be high, utilizing a grid network which very rarely has blocks longer than 500'-600' on a side. On-street parking should be formalized (striping, landscaped tree islands every so often, etc.) and will typically serve visitors. Bicycles should have dedicated facilities but may share the vehicular travel lanes where speed limits and traffic volumes are low enough to accommodate them safely. Eventually, some of these areas may incorporate transit service. In the interim, it is important to consider centralized school bus stop locations.

Other Concerns:

In Beaufort, these higher density areas are often limited by density caps as well as minimum parking requirements and restrictions on structure height. Parking decks are typically not viable in the current market. These density-limiting factors reduce the potential for these areas to provide their maximum value in terms of maximizing public infrastructure investments (water, sewer, sidewalks, etc.), and being a potentially more affordable option for residents (less density means higher cost per dwelling because land costs are fixed). Clustering these higher density land uses directly adjacent to commercial nodes and public parks can maximize walkability and livability.

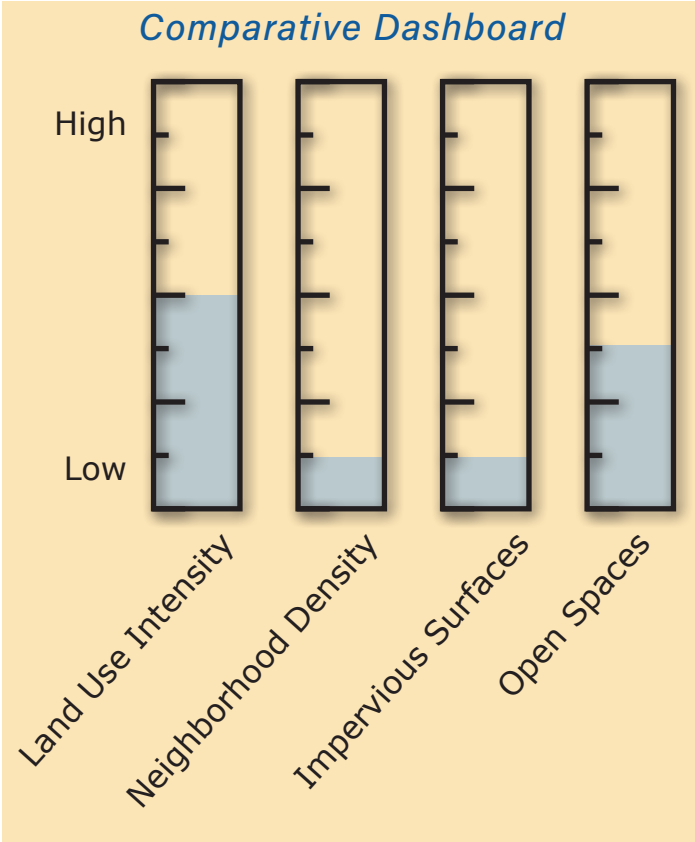
Rural/Working Lands

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.

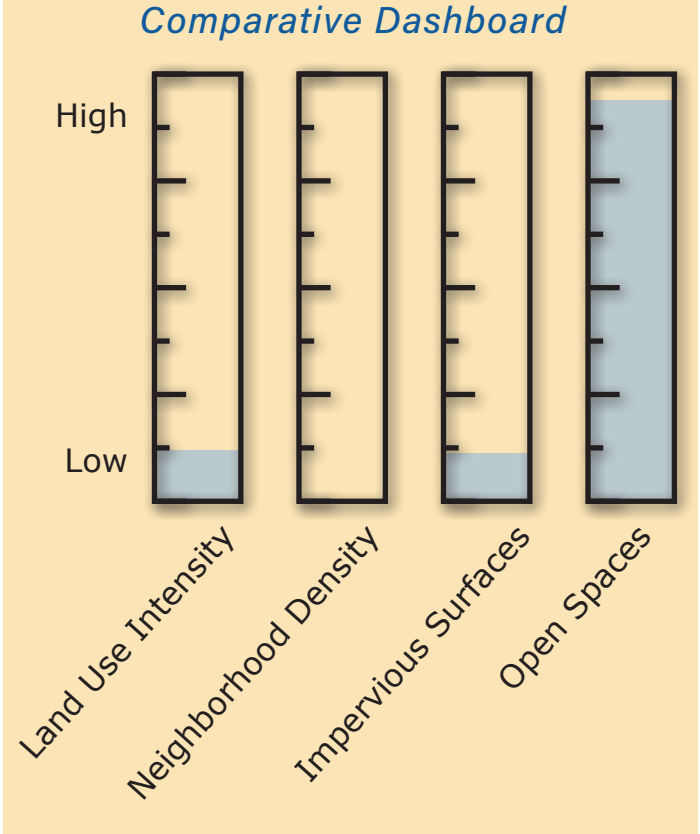


Examples of Rural/Working Lands.

Conservation / Open Space / Parks / Environmental / Recreation

General Description:

Floodplains, wetlands, and sensitive environmental areas (shoreline, coastal marshes, etc.) are important to the identity and natural character of the community. In fact, the natural environment is probably one of the top three reasons that people treasure Beaufort so much. These natural spaces also provide vital community support services, such as floodwater storage, air purification, wildlife habitat and nurseries, passive recreation, storm protection, and others. This character area contains several types of typically “undevelopable” areas, in the traditional sense, as well as other areas where traditional development should not occur or where development should be low-impact, community oriented, and/or recreation-oriented. Great care should be taken to ensure development in these areas does not degrade the natural environment and that public investment does not encourage development of these areas. At some



EXAMPLE USES:

Typical Uses:

Traditional parks, such as sports fields, playgrounds, public water access points, or recreation facilities, may be appropriate in some locations. Open space may include passive parks, wildlife viewing areas, natural area access, or low-impact walking or bicycling trails. Environmental areas are those sensitive, natural areas that should not be developed in the traditional sense, and if they must be, then development should have as little impact on these sensitive

areas as is absolutely necessary. This includes regulatory floodplains, shorelines, and coastal marshes and wetlands, where the highest and best use may be the accommodation of floodwaters and/or natural habitat.

If Context Appropriate:

- » Water dependent uses (marinas, boat launches, public water access, docks, boat houses, piers or jetties, fishing operations, ferries, etc.)
- » Public restrooms or public pavilions
- » Interpretive center

Conservation / Open Space / Parks / Environmental / Recreation

point in the future, conversations may also be needed about the potential costs and consequences of armoring or retraction of public services from areas that are environmentally vulnerable, especially if those areas are projected to be even more vulnerable as time passes.

Streets and Circulation:

Public streets should be very limited in these areas. Driveways, if unavoidable, should appropriately handle stormwater so that it does not degrade the environment. Pedestrian and cyclist movement is typically by trails or sidewalks.

Other Concerns:

The natural environment has been clearly identified by the community as one of their most valued assets. Any efforts to protect or enhance it, especially efforts that restore water quality or natural habitat, will no doubt be embraced. Ultimately, the economy of Beaufort rests on people wanting to live in a beautiful place. The natural environment, built environment, and people of the community make it beautiful.



Rachel Carson Reserve

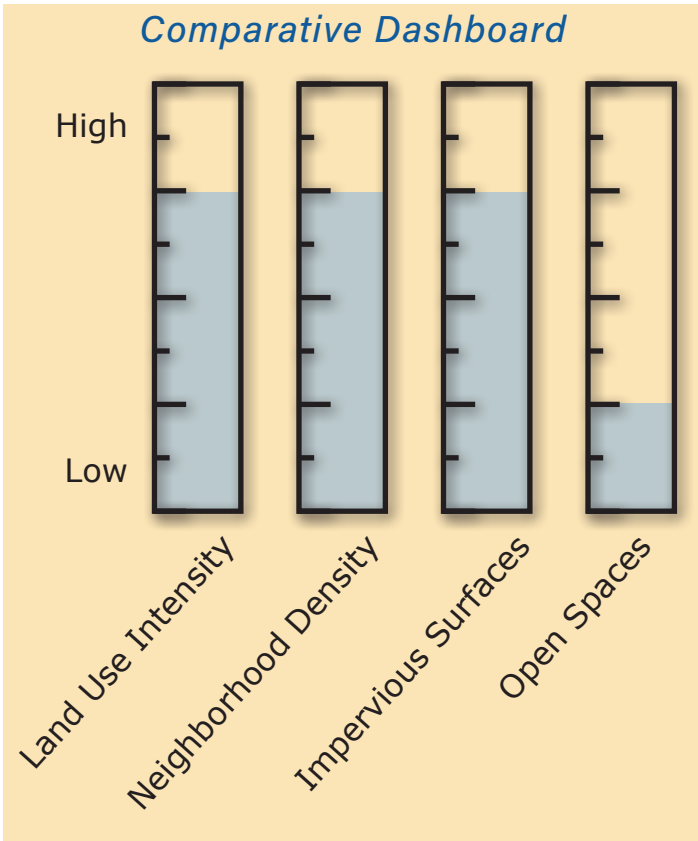
Cedar Street Mixed-Use Area

General Description:

These areas have a mix of non-residential and residential uses that serve the existing neighborhood and the greater area. These sites are occupied by single-family attached dwellings, duplexes, apartments, lofts, condominiums, and commercial uses such as retail, office, business services, and personal services. Density is medium-to-high, similar to traditional neighborhoods near the downtown area. The area is walkable and good for cycling, with a few neighborhood-oriented businesses. Structures should front the street to enhance public safety by having “eyes on the street” while parking should be located in the rear to promote walking and biking. Public water and sewer services are necessary.

Streets and Circulation:

Streets are typically low volume and prioritize pedestrians through the provision of sidewalks on both sides. Street trees soften the streetscape and further enhance pedestrian comfort. Connectivity is high because of the grid network which very rarely has blocks longer than 500’ on a side.



EXAMPLE USES:

Typical Uses:

Medium- to high-density residential dwelling units such as single-family homes, duplexes, apartments, townhomes, condominiums, and neighborhood serving commercial, retail, services (e.g. – brew pub, restaurant, small stores). Pedestrian oriented commercial uses such as cafés, boutique shops, hardware stores, flower shops, and personal care businesses. Vertical mixed use, including upper-story residences or offices, are appropriate.

If Context Appropriate:

- » Neighborhood-serving, small-scale commercial uses
- » Accessory dwellings
- » House-scale multi-family residential
- » Small hotels or bed-n-breakfasts

Cedar Street Mixed-Use Area

On-street parking serves both visitors and residents. Bicycles will have dedicated facilities but may share the vehicular travel lanes where speed limits and traffic volumes are low enough to accommodate them safely. It is important to prepare the area for potential future transit.

Other Concerns:

Vertically integrating residential uses with commercial uses can maximize walkability and livability. Nearby public parks and access to the water provide outdoor recreational opportunities. It is possible that in the future, Cedar Street becomes a second downtown hub similar to Front Street.



Examples of Cedar Street Mixed-Use Areas.

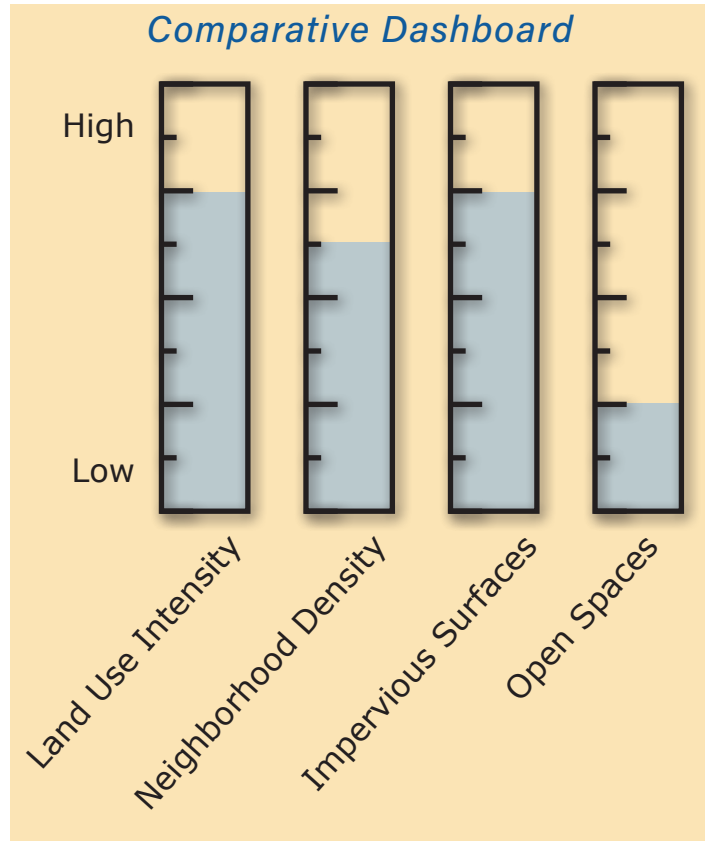
Village Commercial

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 might even have a transit stop nearby. Accommodating a mix of transportation options



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

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.

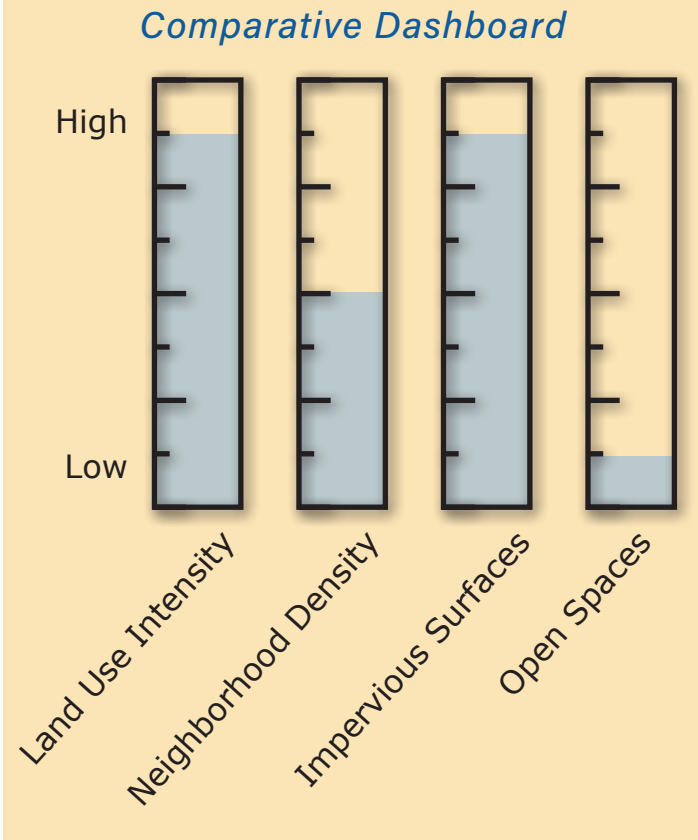


Examples of Village Commercial

Commercial Center

General Description:

These areas have large-scale non-residential uses that serve the entire community and larger region. These sites are often occupied or anchored by a large tenant (“big box”) and the development may span the entire block. Often it is a multi-tenant development with outparcels and large swaths of shared parking, but it can have other, more pedestrian-friendly configurations, as well. Buildings are generally set back from the public street and often front on individual or shared parking lots. Some developments may have buildings pulled up to the street, with parking in the rear, especially at busy intersections or in particularly active nodes that are accessible by nearby residents via walking. However, these places are typically automobile-oriented, generate large volumes of traffic, and are not particularly walkable.



EXAMPLE USES:

Typical Uses:

Large footprint, higher intensity, regional commercial, retail, services, or offices, including less pedestrian friendly uses such as vehicle and machinery repair, sales, and rental, lumber yards, commercial nurseries, fast food restaurants, etc. Hotels are also appropriate. Automobile-dependent businesses predominate.

If Context Appropriate:

- Institutional uses (churches, primary or secondary schools, hospital, government buildings, etc.), provided they do not detract from the overall

commercial nature of an area.

- On parcels directly adjacent to this character area, multi-family residential is often appropriate, particularly if it is walkable to nearby businesses. Higher density residential development, whether as detached or attached residential, is usually appropriate within a ¼ mile network walking distance of these areas.
- Upper story dwellings (aka “live/work”) may be appropriate in extremely limited instances.

Commercial Center

Streets and Circulation:

Streets should be (or have easy access to) higher volume streets or highways. Business frontages should have pedestrian connections to each other and to the surrounding sidewalk network, even if walking is not as convenient because of the longer distances. Automobiles are usually prioritized, but pedestrians should not be forgotten. If developments use extensive private drives or have adjacent parking areas, cross-access (automobile and pedestrian) should be required to adjacent nonresidential or multi-family residential uses, in order to reduce traffic congestion on the main roads. Due to the high attraction of these centers, there might even be a transit stop nearby one day. Blocks should not exceed 700' feet on a side. If they do, the site may need to be redesigned to accommodate the public street network. Landscaping and proper stormwater management are key to ensuring attractive parking areas that do not contribute to excessive runoff.

Other Concerns:

Maintaining connectivity through these developments and to surrounding and adjacent neighborhoods and parcels is important. Allowing these developments to connect only to the main thoroughfare will contribute to additional traffic congestion as neighboring developments will have to travel the major thoroughfare to enter through the front, instead of having access from the sides and/or rear of the parcel. The connectivity, longevity, and public utility of the public street network must be a top consideration during the development process. Commercial areas are developed and redeveloped, but the right-of-way network established at the subdivision or site plan stage of development defines the built environment into the foreseeable future and beyond.

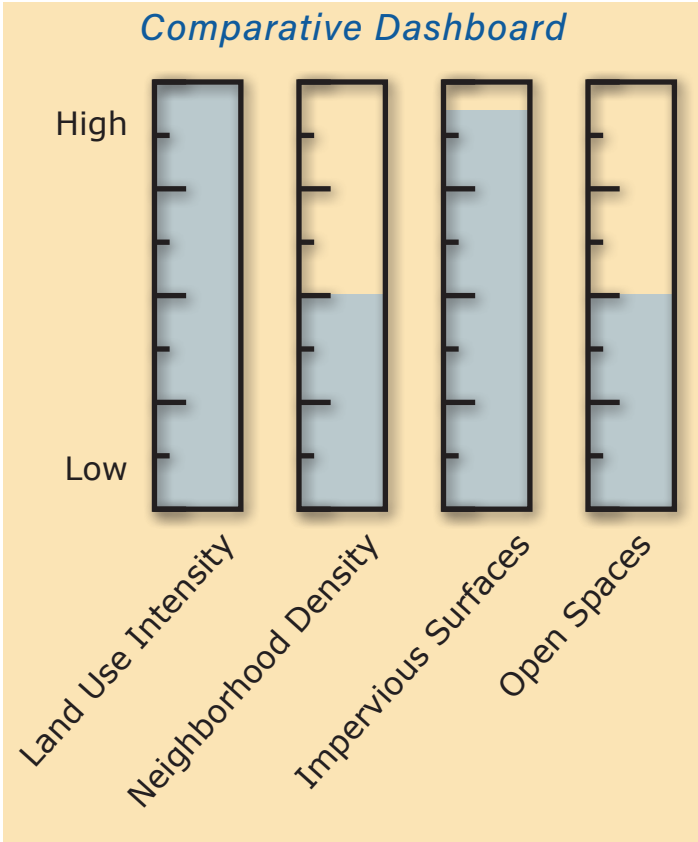


Examples of Commercial Centers

Downtown Commercial

General Description:

This area is characterized by walkable, active streets with high activity in the day and night. It is the social hub of the Town and is a major attraction, not only for its historic development character and beautiful streets, but also for the activity and pleasant, pedestrians-first environment. Comfortable outdoor public spaces, dining, and shopping abound. Shops are primarily small footprint, boutique, local operations. The tightly packed businesses maximize public infrastructure and services and likely generate more taxable value per linear foot of infrastructure than any other location in Town. The buildings are pulled close to the sidewalks and directly interact with the public right-of-way. Parking is at a premium and is located primarily in formalized on-street spaces or in shared or public lots in the rear yard



EXAMPLE USES:

Typical Uses:

Active storefront uses (retail, restaurants, shopping, etc.) are a must, but it's not uncommon to have other commercial, office, service, or even residential uses on upper floors. Accessory uses that cater to the public (instructional classes, etc.) are appropriate, too. Anything that encourages visitation, activity, relaxation, dining, and/or recreational shopping is encouraged. Drive-thru facilities (banks, drive-thru restaurant, etc.) or low-activity uses that do not cater to the general public (churches, schools, offices, etc.) or are by appointment only (dentists, architects,

hair salon, etc.) and are rarely, if ever, appropriate on ground floors.

If Context Appropriate:

- » On parcels directly adjacent to this character area, multi-family residential may be appropriate, particularly if it is likely to support adjacent businesses.
- » Higher density residential development, such as detached or low-impact attached residential is usually appropriate within a ¼ mile walking distance of these areas.
- » Any development in or near this district should consider historic character and development requirements.

Downtown Commercial

or on separate parcels nearby.

Streets and Circulation:

Streets have exceptional pedestrian facilities to support walking from business-to-business or from residence-to-business. Pedestrians and cyclists are prioritized, but automobiles are accommodated. Landscaping and street furniture (benches, trash cans, etc.) should be prevalent. Parking is primarily in formalized, on-street spaces. Blocks should rarely exceed 500 feet on a side but more often are closer to 400' or 450'. Alleys may be necessary for services and operations, and utilities (especially overhead utilities) should be placed here if possible, so that they do not interfere with the public experience.

Other Concerns:

Although this character area currently focuses on (and is named for) the downtown, it may be appropriate in the future to extend it to other, select, and geographically limited locations within Town that have similar characteristics and/or where this type of character is desired. If this occurs, it will be essential to ensure that these areas are both allowed and required to create a development character and experience that mimics the original downtown. Caution should be taken when designating these areas because the Town can only support so much of this high-intensity district. If there is too much supply of this type of character area it can lead to a decentralization of supply that creates disinvestment in the existing downtown. Any expansion of this character area should be directly adjacent to the existing downtown.



Examples of Downtown Commercial



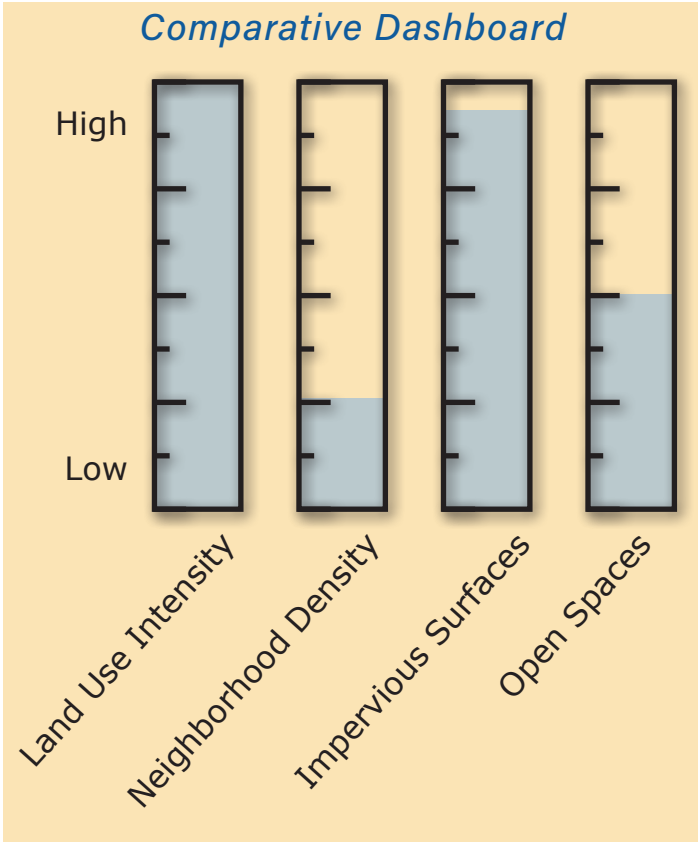
Waterfront Commercial

General Description:

This character area is similar to Downtown Commercial, with other water-dependent, nonresidential areas which exhibit the distinct historical character of the downtown. The uses and structures in this character area are usually water-dependent but are always water-oriented and are typically accessible by boat. The shoreline has nearly been converted from a natural condition to a hardened, engineered condition (bulkheads, seawalls, riprap, docks, piers, etc.), but efforts should be made to increase habitat and ecological function if possible. The public should have visual and physical access to the entire waterfront.

Streets and Circulation:

Since the shoreline and waterways are public resources, public and pedestrian access along the entire waterfront should be prioritized. Streets could be extended through to the water and used as street end CAMA access points with signage.



EXAMPLE USES:

Typical Uses:

Public boat docks and boat ramps, marinas, waterfront restaurants, commercial fishing operations, public parks and boardwalks, public water access, boat manufacturing and public boat houses, boat rentals, ferry docks and water-based ecotourism.

If Context Appropriate:

- » Water-dependent institutional uses (fire, police, or U.S. Coast Guard operations, etc.)
- » Hotels, in a very limited capacity and such that hotels are not built next to each other where possible
- » Upper story residential

Waterfront Commercial

Other Concerns:

The conversion of shoreline from natural to artificial should be avoided due to the negative impacts associated with loss of habitat and the vital ecosystem services they provide. Some of these uses and structures are located in environmentally vulnerable areas that will become further challenged as seas rise. Careful consideration should be given to which places should be armored in place and which should retreat or retract. Public infrastructure investments in these areas will likely also carry greater maintenance costs and could potentially have cascading impacts that affect overall operations. For instance, saltwater intrusion can contaminate drinking water wells, deteriorate water supply pipes and concrete sewer pipes, and can also negatively impact operations at the wastewater treatment plant.



Examples of Waterfront Commercial.

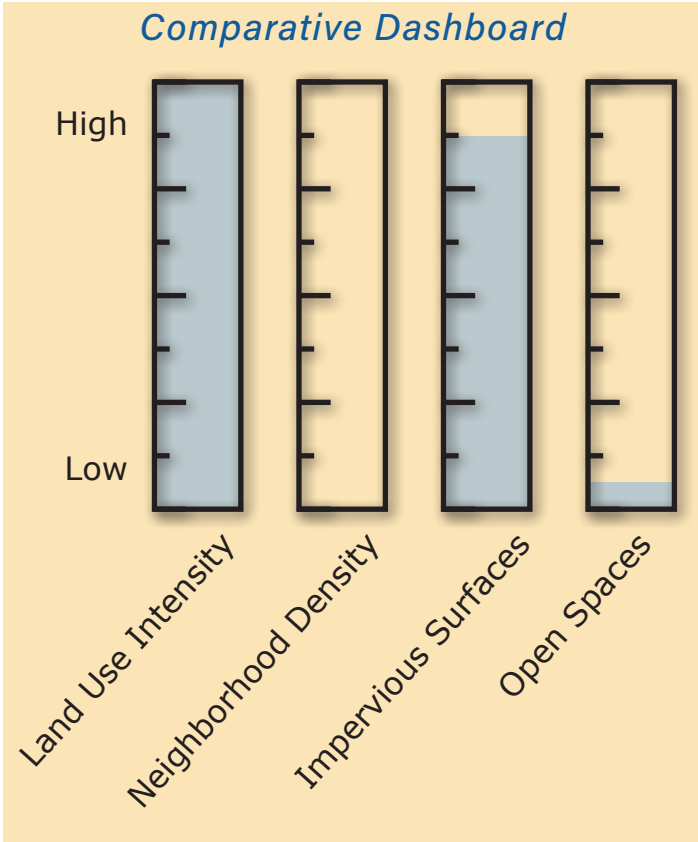
Employment Center / Utility/Infrastructure

General Description:

These employment-supporting land uses provide jobs and centers for economic growth. In many other Towns, these types of uses are heavily screened or separated from different uses, but in Beaufort they are typically pre-existing and/or are already closely located to neighboring structures. These areas should not be allowed to develop for lower intensity uses to infiltrate, since this type of land usually already has the unique combination of factors needed to support these higher intensity uses, and the value to the community of these larger employment-generating uses is significant.

Streets and Circulation:

Because these uses have requirements



EXAMPLE USES:

Typical Uses:

Offices, manufacturing, fabrication, and industrial uses, lumber yards or high intensity contractor’s offices, breweries and distilleries, transportation, logistics, and warehousing. Industrial-supportive commercial uses, such as wholesale operations. Larger institutional uses, such as hospitals or technical colleges involving industrial uses, but excluding non-intensive uses such as churches and primary and secondary schools.

If Context Appropriate:

- » Institutional operations (government maintenance buildings, etc.), provided they

do not detract from the overall commercial nature of an area.

- » Some outside industrial operations may be permissible, depending on location and the extent of external impacts. Otherwise, indoor operations are preferable.
- » Lay-down yards and outdoor storage of heavy equipment or materials.
- » Storage of hazardous materials should only occur outside of areas susceptible to flooding. Best practices would exclude more than just areas in the 100-year floodplain to ensure the risk of environmental pollution is tightly managed.

Employment Center / Utility/Infrastructure

that are often specific to the occupant, care should be taken at development to maintain efficient traffic flow and cross access, while also respecting occupant needs. Automobiles and freight are prioritized over pedestrians, although pedestrian linkages may still be necessary in some locations. Streets are designed to accommodate larger vehicles and delivery trucks. Typically, blocks should not need to exceed 500' to 600', but in some locations (such as the old Atlantic Veneer campus) these areas have grown through the years with much larger block sizes.

Other Concerns:

With the ever-present high demand for residential properties in coastal communities, it is difficult to argue against old industrial or manufacturing properties converting to residential neighborhoods. This is especially difficult if buildings are vacant and there is limited demand for manufacturing business space. However, it is important to realize that once these industrially-suited areas are lost they will likely never return. This may be tolerable and/or even appropriate, based on the specific situation, but it is a consideration to be discussed, especially given some community members' desire to diversify the employment base of the community away from a heavy reliance on tourism. If these properties are lost and demand for those uses still exists, it is likely new sites will be developed elsewhere, potentially not in Town limits.



Examples of Employment Center/Utility/Infrastructure

Non-Intensification Zone

General Description

Beaufort is closely intertwined with the sea, shoreline, and estuaries that surround it. As sea level rise continues, the Town becomes increasingly vulnerable to natural disasters, property damage, and population displacement. The community understands the need to balance these needs of the present against the uncertainties and risks of an uncertain climate future. The Non-Intensification Zone recognizes this vulnerability and seeks to minimize the threats to the health, safety, and financial security of current and future residents and the Town itself.

The 1% annual flood chance area (the 100-year floodplain) is already a regulatory boundary. In addition, this boundary is a decent approximation for the amount of sea level rise possible by the year 2100. Although this timeframe may seem too distant for individual property owners to fathom, it is not so distant from the perspective of the Town itself (which is already over 200 years old with some structures even older than that). Infrastructure and structures built over 100 years ago are still operational and the Town must plan for a future that will be different from the present and past. The fundamental role of the Town is to protect public health, safety, and welfare by minimizing these negative externalities. As development in the Town continues to

EXAMPLE USES:

Typical Uses:

Single family detached residential of low densities (i.e. – without public utilities) and other lower intensity uses (parks, open space, hunting stands, docks and fishing areas, day-use areas, flood absorption, etc.) should be the only uses allowed in the Non-Intensification Zone, with the exception of existing nonconformities. As uses in these areas are ceased or abandoned, public utilities should be disconnected and any re-use of that property should occur as described above. New development should only occur with the explicit acknowledgment that these properties will not be allowed to install bulkheads and that any structures placed in these areas will need to be designed such that they can be abandoned or relocated, in order to allow the natural shoreline to migrate as seas rise. In general, public

infrastructure should not be expanded or extended further. In areas that are already intensely developed and are deemed essential to the identity of the Town, such as the Downtown Commercial and Waterfront Commercial areas, it may be appropriate to continue to maintain existing public infrastructure so long as measures are taken to protect such infrastructure against probable future conditions. This may involve elevation of roadways, pipes, and floodproofing of infrastructure.

If Context Appropriate:

- » Water-dependent uses, but only if public infrastructure is adequately protected and/or any additional maintenance burden or liability is covered by the private landowner or deemed to be in the public’s best interest.

Non-Intensification Zone

intensify, there must be accounting for the associated negative impacts, including, but not limited to, loss of the natural environment and vulnerability of the built environment, homes, and lives to storms and sea level rise.

The Non-intensification Zone describes an area where future development should be limited and public infrastructure should not continue to be intensified unless significant protective measures are put in place to ensure infrastructure and investments are adapted to probable future conditions. The purpose of the Non-Intensification Zones is to protect the residents’ safety and quality of life, the community’s fiscal well-being, and environmental quality through the recognition of the changing climate and the community’s unique vulnerability to it.

Other Concerns:

As sea levels rise and coastal and climate hazards intensify, the floodplains will expand into areas of Town that are not now currently subject to the requirements of the FEMA Special Flood Hazard Area (aka 1% annual flood chance, or 1-in-100 year storm). The Non-Intensification Zone as currently proposed does not raise the bar too high, in terms of protection (or even retraction) of public infrastructure from high-risk, high-maintenance areas, but it is a step forward. The Special Flood Hazard Area is not the highest level of protection against flooding, it is the minimum required by the federal government. Other communities around the world take flood risk much more seriously than the United States. For instance, the Netherlands designs for the 1-in-4,000 year storm. However, as the frequency and severity of storms have

increased, some communities in the United States are beginning to take flood risk more seriously. After recent flooding during a hurricane in Texas, the Galveston area is considering up to 22-foot high gates over the entrance to the bay, coupled with up to 17-foot tall levees to protect against future extreme storm surge events. Similarly, the Town could decide to be more proactive in their resilience to flooding and storms by choosing a higher benchmark for the Non-Intensification Zone (e.g. the 0.2% annual flood chance area) and/or could



Example of a Non-Intensification Zone.

Non-Intensification Zone

implement higher flood protection standards, even expanding those requirements to areas beyond the Special Flood Hazard Area.

The financial cost of floodproofing all of the Town’s infrastructure is likely beyond the capabilities of the Town without significant outside investment, and outside investment is unlikely to occur in areas that are of high flood risk. It may also be necessary or prudent in the future for the Town to abandon public infrastructure and service provision in some of areas, to avoid unsafe conditions or maintenance liabilities that are insurmountable. This type of decision will have significant impacts on private investments as well as public financial interests. However, as private and public entities (Moody’s, FEMA, etc.) continue to better understand and communicate the financial risks associated with sea level rise and future climate conditions, communities that take measurable actions to minimize their liabilities will surely be viewed more favorably than if they had not.

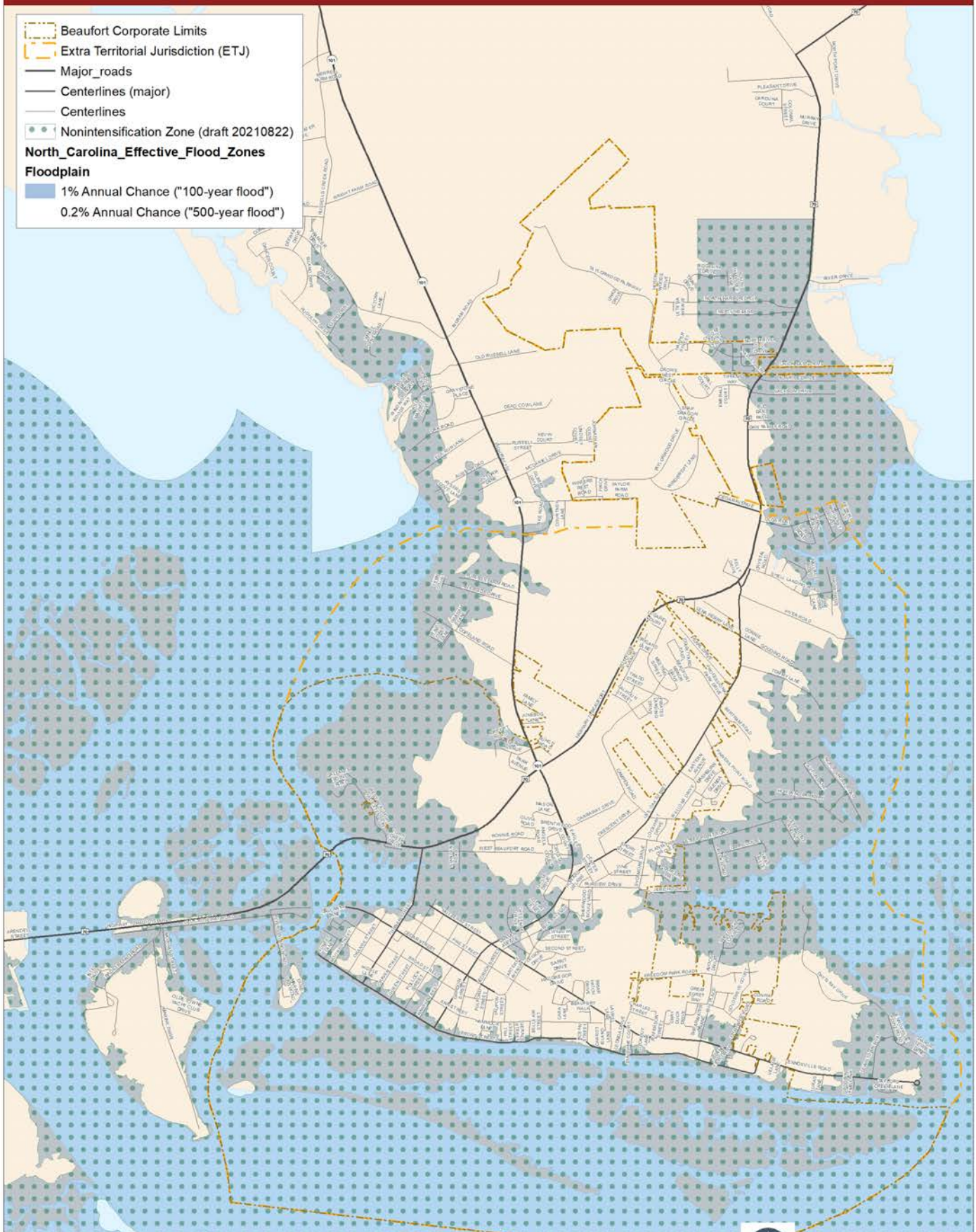
Precedents for using comprehensive plans and zoning to redirect growth to lower vulnerability areas and/or establish enhanced flood protection requirements outside of the Special Flood Hazard Area can be found in places such as Norfolk, Charlotte, Boston, Miami, and Charleston. Even towns on the northern Outer Banks have explored requiring higher than bare minimum structure elevation in order to become more storm resilient.



Rachel Carson Reserve.

Non Intensification Zone

1.



The Non-Intensification Zone is a response to natural hazards associated with climate change and coastal storms and protection of the unique coastal environment.



7

CAMA Topics and Policies

CAMA Land Use Management Topics and Policies

The Coastal Resources Commission (CRC) outlines five Land Use Plan Management Topics that must be addressed in a Coastal Area Management Act (CAMA) land use plan, including Public Access, Land Use Compatibility, Infrastructure Carrying Capacity, Natural Hazard Areas, and Water Quality. A CAMA-compliant land use plan must address these management topics to ensure

that plans support the goals of the CRC. Each CAMA-required management topic includes a Management Goal and a Planning Objective, which are specified in the state statutes governing land use planning in coastal communities, followed by recommendations for future action. Some recommendations may align with more than one management topic.

Land Use Management Topics for CRC Review Purposes

A CAMA land use plan also affords the opportunity for a local government to address areas or issues of local concern, which may be asset-based, programmatic, regulatory, geographic, or otherwise. These issues were identified during the land use plan development process and are included herein. The issues do not necessarily directly align with the CAMA management topic structure, but are locally important nonetheless. These recommendations are not required to have associated timelines for completion or implementation, although in some cases these may be provided. Not all of the recommendations contain specific action items, but that should not be perceived as any less a call to action. In addition, not all of the recommendations outlined herein are immediately ripe for implementation, and (as with the Future Land Use Map, or FLUM) local discretion and leadership will determine priorities and timelines. Policies that are not able to be implemented immediately will guide future development decisions on the Town level, so that all future development will bring the reality closer to the vision. While the FLUM and policies are intended to provide guidance during land use decisions, the issuance of CAMA and development permits will be based on adopted standards in the Town’s Code of Ordinances and the CRC’s permitting rules that implement the Coastal Area Management Act.

In the following pages, policies and implementation steps are identified by the following, with relevant CAMA Topics and implementation year(s) indicated:

(P) - policy

(I) - implementation step

Where no entry is provided, the topic is not considered relevant to the CAMA Land Use Management Topics. Only CAMA policies have the association to the relevant CAMA Land Use Management Topic show, as the implementation steps are covered by that policy.

Goals for: Land Use Compatibility (LUC)
Management Goal: Ensure that development and use of resources or preservation of land balance protection of natural resources and fragile areas with economic development, and avoids risks to public health, safety, and welfare.
Planning Objectives: The plan shall include policies that characterize future land use development patterns and establish mitigation concepts to minimize conflicts.

Goals for: Public Access (PA)
Management Goal: Maximize access to the beaches and the public trust waters of the coastal region.
Planning Objectives: The plan shall include policies that address access needs and opportunities, with strategies to develop public access and provisions for all segments of the community, including persons with disabilities. Oceanfront communities shall establish access policies for beach areas targeted for nourishment.

Goals for: Infrastructure Carrying Capacity (ICC)
Management Goal: Ensure that public infrastructure systems are sized, located, and managed so the quality and productivity of areas of environmental concern (AECs) and other fragile areas are protected or restored.
Planning Objectives: The plan shall include policies that establish service criteria and ensure improvements minimize impacts to AECs and other fragile areas.

Goals for: Natural Hazard Areas (NHA)
Management Goal: Conserve and maintain the barrier dune system, beaches, flood plains, and other coastal features for their natural storm protection functions and their natural resources giving recognition to public health, safety, and welfare issues.
Planning Objectives: The plan shall include policies that establish mitigation and adaptation concepts and criteria for development and redevelopment, including public facilities, and that minimize threats to life, property, and natural resources resulting from erosion, high winds, storm surge, flooding, or other natural hazards.

Goals for: Water Quality (WC)
Management Goal: Maintain, protect, and where possible enhance water quality in coastal wetlands, oceans, and estuaries.
Planning Objectives: The plan shall include policies that establish strategies and practices to prevent or control non-point source pollution and maintain or improve water quality.

Item	Applicable CAMA Land Use Management Topic					CAMA Policy or Implementation	Time Frame (Fiscal Year)
	LUC	PA	ICC	NHA	WC		
Goal 1: Environmental Protection							
1.1: Protect and improve water quality in the creeks, wetlands, and waterways in and around Beaufort.					X	P	Ongoing
1.1.1: Reduce and address non-point source pollution.				X	X	P	Ongoing
1.1.1.1: Explore and utilize Low Impact Development (LID) strategies and on-site storage for stormwater management.						I	Ongoing
1.1.1.2: Implement Watershed Restoration Plan actions.						I	Ongoing
1.1.1.3: Work with local researchers to continually monitor water quality in creeks and North River.						I	Ongoing
1.1.1.4: Outreach initiative focused on minimized use and release of residential pollutants.						I	2023-24
1.1.1.5: Encourage reduction of impervious surface cover and increased use of permeable surfaces in new development and reconstruction or redevelopment.					X	P	Ongoing
1.1.1.6: Enhance standards for implementation of Low Impact Development, green infrastructure, and water quality measures in sites.						I	2022-23
1.1.1.7: Tie requirements to impervious surface percentages in sites, which larger percentages of impervious surface must provide increased amounts of stormwater management and green infrastructure.						I	2022-23
1.1.1.8: Retrofit streets and other publicly-owned areas with new or improved stormwater control measures, in particular those that improve water quality.						I	2023-Ongoing
1.1.1.9: Consider expanding impervious surface restrictions and regulation to all zoning districts.						I	2022-23
1.1.2: Protect and improve the health of vulnerable natural environments such as maritime forests and coastal marshes.				X	X	P	Ongoing
1.1.2.1: Actively document marsh and maritime forest areas and loss. Identify restorable areas of each type.						I	2027-28
1.1.2.2: Identify areas for wetland/habitat restoration, partnering with local agencies, like NC Coastal Federation.						I	Ongoing
1.1.2.3: Identify areas of terrestrial habitat that are irreplaceable or otherwise significant and to preserve those areas, possibly through partnerships with other agencies.						I	Ongoing

Item	Applicable CAMA Land Use Management Topic					CAMA Policy or Implementation	Time Frame (Fiscal Year)
	LUC	PA	ICC	NHA	WC		
1.1.2.4: Give enhanced priority to mature forests, and maritime forests in particular, in subdivision and site plan review when meeting preserved open space area requirements.	X			X	X	P	Ongoing
1.1.2.5: Consider ordinance updates to prioritize protection of existing stands of mature maritime forest as land is developed.						I	2022-23
1.1.2.6: Clearly identify areas where shoreline armoring will and will not be permitted, and where structures will have to relocate as shorelines erode.						I	2030-31
1.1.2.7: Encourage landowners to utilize living shorelines where appropriate.				X	X	P	Ongoing
1.1.2.8: Enhance development standards to reduce environmental impacts (e.g., tree preservation ordinance).						I	2022-23
1.2: Preserve, maintain, and enhance Rachel Carson Reserve (RCR).		X		X	X	P	Ongoing
1.2.1: Partner with NC DEQ and/or the RCR Local Advisory Committee to continue efforts to protect and enhance the Reserve, especially its habitat quality and storm mitigation features.						I	Ongoing
1.2.1.1: Town administrative and/or planning staff should maintain an active presence on the RCR Local Advisory Committee.						I	Ongoing
1.2.1.2: Participate in habitat resilience planning and restoration implementation and enhancement projects.						I	Ongoing
1.2.2: Educate the public about the ecological and storm protection benefits of the Reserve.						I	Ongoing
1.2.3: Continue to work with the RCR on addressing abandoned and derelict vessels to protect sensitive habitats .						I	Ongoing
1.3: Minimize the impacts of tourism and active recreation on the natural environment.		X		X	X	P	Ongoing
1.3.1: Mitigate the negative impacts of water and recreation access points in sensitive environmental areas.		X		X		P	Ongoing
1.3.1.1: Educate tourists on their impacts by partnering with realtor’s and technical agencies to provide training (e.g., Coastal Training Program).						I	2025-26
1.3.2: Partner with local watersports businesses to direct recreation away from sensitive environments.						I	2025-26

Item	Applicable CAMA Land Use Management Topic					CAMA Policy or Implementation	Time Frame (Fiscal Year)
	LUC	PA	ICC	NHA	WC		
1.3.2.1: Provide educational materials for businesses on areas for recreation away from sensitive environmental areas.						I	2027-28
1.3.3: Investigate the carrying capacity of local natural resources with regard to ecotourism and visitation.						I	2024-25
1.4: Track shoreline and habitat change to minimize loss and inform potential habitat protection or restoration interventions.						I	2027-28
1.4.1: Create an educational program to inform the public about the public rights to the estuarine habitat and public benefits (property values (even in-land), fisheries value, quality-of-life, etc.) and take a firm stance on not perpetuating further shoreline habitat degradation.						I	2028-29
1.4.1.1: Partner with local agencies, such as the Rachel Carson Reserve, to increase the effectiveness of these efforts.						I	Ongoing
1.4.2: Map shoreline habitat and using best available local science, designate where certain types of erosion control measures are likely to optimize protective benefits.						I	2024-25
1.4.2.1: Clearly designate where the least impactful intervention is needed and/or allowable.						I	2029-30
1.4.3: Hardened shorelines should be utilized in only the most urban and/or high energy settings.				X		P	Ongoing
1.4.3.1: Develop an Estuarine Shoreline Management Plan identifying areas most appropriate for hardened shorelines.						I	2026-27
1.4.3.2: Update relevant ordinances to include standards on shoreline stabilization.						I	2024-25
1.5.2: Implement recommendations and steps from the North Carolina Marine Debris Action Plan.						I	Ongoing
1.5.4: Continue to work on addressing and removing abandoned and derelict vessels in a timely fashion.						I	Ongoing
1.5.6: Implement enhanced construction standards for docks and sea walls so that they have less chance of becoming marine debris after major storms.						I	2026-27
Goal 2: Resiliency							

Item	Applicable CAMA Land Use Management Topic					CAMA Policy or Implementation	Time Frame (Fiscal Year)
	LUC	PA	ICC	NHA	WC		
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 (see Non-Intensification Zone).	X		X	X	X	P	Ongoing
2.1.1: Keep zoning densities lower in vulnerable areas, using the Non-Intensification Zone, floodplains, and best available sea level rise projections as guidance.	X					P	Ongoing
2.1.2: Direct vulnerable land uses, including hospitals, age-restricted housing, group homes, and schools away from vulnerable areas and/or provide support to ensure they can sustain and recover more quickly from storms.	X					P	Ongoing
2.1.3: Relocate and site sensitive community infrastructure (critical public services and facilities, etc.) outside of vulnerable areas.						I	Ongoing
2.1.4: Consider downzoning undeveloped, unvested properties in the Non-Intensification Zone in order to communicate that these areas are not intended to accommodate high intensity development.						I	Ongoing
2.2.1: Manage retreat and contraction of public infrastructure and services away from high vulnerability areas.	X			X		P	Ongoing
2.2.2: Use current, best available sea level rise projections and environmental vulnerability knowledge when making public infrastructure investment decisions.			X			P	Ongoing
2.2.3: Direct public and private investment and capital improvement projects away from vulnerable areas and ensure any public investment in these areas is capable of surviving anticipated future conditions.				X		P	Ongoing
2.2.4: Mitigate tidal and storm surge flooding through structural improvements that prepare infrastructure for long-term resistance to environmental threats.				X		P	2024-25
2.2.4.1: Identify and map priority areas, such as at key locations along Front Street or Town Creek.						I	2023-24
2.2.4.2: Identify vulnerable roads, water, sewer, and stormwater pipes, electric facilities, and other public infrastructure and elevate/armor against rising seas.						I	Ongoing
2.3.1: Increase storm-safe construction standards, utilizing the most up-to-date code language by industry leaders, such as the Florida Building Code or the IBHS FORTIFIED Home criteria.						I	2028-29

Item	Applicable CAMA Land Use Management Topic					CAMA Policy or Implementation	Time Frame (Fiscal Year)
	LUC	PA	ICC	NHA	WC		
2.3.1.1: Launch a town-led retrofitting campaign that encourages residents to brace their homes against storms.						I	2024-25
2.3.1.3: Increase the flood-proofing and freeboard requirement in 100- and 500-year floodplain (aka 1% annual chance and 0.2% annual chance, respectively).						I	2022-23
2.4.2: Establish a prohibition on hardening shorelines in all locations other than immovable areas that have high or irreplaceable community value. This may involve relocating or removing public infrastructure from these locations.				X		P	Ongoing
2.4.3: Refine standards for when shoreline armoring or coastal erosion control structures should be removed, restricted, or allowed to rebuild.						I	2025-26
2.4.4: Develop and adopt a shoreline management plan.						I	2028-29
2.6.2: Examine infrastructure and services redundancy measures and incorporate new technologies as necessary.						I	Ongoing
Goal 4: Infrastructure & Public Utilities							
4.2.1: Continue to implement recommendations from the 2019 Stormwater CIP.			X			P	Ongoing
4.2.2: Assess stormwater facilities' resiliency to coastal and climate hazards and identify needed upgrades.			X		X	P	Ongoing
4.2.2.1: Identify and codify priority for low-lying areas such as Front Street.						I	Ongoing
4.2.2.2: Implement Watershed Restoration Plan.						I	Ongoing
4.2.3: Continue to manage and expand existing stormwater infrastructure, including the potential for regional stormwater management for built-out, troubled or vulnerable areas.	X		X		X	P	Ongoing
4.2.4: Evaluate and update impervious surface standards.			X		X	P	2022-23
4.3.1: Upgrade facilities according to leadership direction and established departmental policies and standards.			X			P, I	Ongoing

Item	Applicable CAMA Land Use Management Topic					CAMA Policy or Implementation	Time Frame (Fiscal Year)
	LUC	PA	ICC	NHA	WC		
4.3.2: Plan to increase capacity as needed to accommodate desired levels of growth. Conduct a preliminary GIS-based analysis to estimate the amount of water and sewer capacity that could be added to the utility system based on existing zoning and utilization of land. Update this assessment with new rezoning and development requests and approvals and consider it when deciding on new land use and development requests.			X			P	Ongoing
4.3.3: When upgrading facilities, relocate, elevate, or armor against projected future hazardous conditions or storm events.			X		X	P	Ongoing
4.3.4: Continue to monitor sewer system inflow and infiltration and mitigate and/or plan accordingly.						I	Ongoing
4.6: Re-envision parking areas (especially large surface lots) so that they reduce stormwater runoff and pollution and instead function to retain and filter stormwater.			X		X	P	Ongoing
4.6.1: Adopt stricter impervious surface standards.						I	2024-45
Goal 6: Transportation							
6.6.3: Increase launch locations for non-motorized vessels.						I	Ongoing
Goal 7: Town Character							
7.6: Increase public water and natural resources access while balancing the need for preservation.		X		X		P	Ongoing
7.6.1: Update the Town Waterfront Access Plan to improve, identify, and pursue existing and additional public access points and amenities.						I	2028-29
7.6.3: Pursue extension of existing dead-end streets to provide additional access points and create interconnection opportunities.						I	Ongoing



Appendix

Appendix A: Population Projection Methods..... 212
Appendix B: Affordable Housing Primer 216
Appendix C: Short Term Rental Primer222
Appendix D: Rachel Carson Reserve Resilience.....224
Appendix E: CAMA Land Use Plan Matrix228

Appendix A: Population Projection Methods

Seasonal Population Estimate

Beaufort, like other coastal North Carolina communities, experiences large seasonal surges in population. Seasonal population in Beaufort is driven by hotels and other lodgings, the short-term rental market, and seasonal occupants and second homeowners who classify their primary residence elsewhere. Data was gathered from short-term rental databases and combined with information about known lodging in Beaufort. Day-travelers are not accounted for in these calculations and may be significant, especially for popular festivals and events. By combining the number of year-round residents with the average peak seasonal population estimate described in greater detail below yields a peak seasonal population estimate of 8,794 for the Town of Beaufort.

Population Type	Definition	2019 Estimate (Town Limits)
Peak Seasonal Population	Permanent plus visitor population. This is an approximation of the planning area’s population on a “typical” peak day during the high season.	8,794
Permanent Population	Persons who usually reside in the planning area.	4,343
Peak Visitor Population	Persons who are temporarily residing in the planning area, such as tourists and vacationers, but who normally reside in another location. This estimate does not include day-trippers.	4,451

The 2019 American Community Survey housing data provides detailed insight into the housing stock in Beaufort. This includes the distribution of homes by bedroom count. These counts were used to calculate counts in parts A and B.

Total Overnight Visitors in the Peak Month (Town Limits)		
	Low Estimate	High Estimate
A. Short-Term Rentals & Seasonally Occupied Units	1870	2879
B. Guests of Year-Round Residents	532	1596
C. Other Lodging (ex. hotels, inns, marina slips)	1013	
Total	3415	5488
Average – Peak Seasonal Visitor Population	4451	

Short-Term Rentals & Seasonally Occupied Units

Data on the overall number of short-term rentals is difficult to ascertain. The most current data from the 2019 American Community Survey Estimates indicates there are 497 vacant housing units for seasonal or recreational use. For comparison, AirDNA data, a website that provides data insight into local AirBNB and VRBO use, pulled in January 2021 indicates 154 active rentals, though this only accounts for listings active on Airbnb and VRBO, not the whole short-term rental market or seasonally occupied second homes. AirDNA data also indicates that July is the peak month for short-term rentals, a 94% occupancy rate. “Whole house rentals” are classified as 90% of the rental market. This information is corroborated based on conversations relating to the short-term rental market in the area. The following assumptions are made:

- The 497 housing units in Beaufort are used for visitors.
- The short-term rentals reflect the general housing stock within Beaufort (based on the number of bedrooms and unit distribution).
- Peak occupancy rate for units used is 94%. (AirDNA)
- July is assumed to be the peak month which correlates with AirDNA data and Carteret County occupancy tax data.

A. Short-Term Rental & Seasonal Occupants (Town Limits)

To develop the seasonal population that corresponds to the short-term rental (STR) occupants, a low and high estimate of STR users was found based on bedrooms for each type of housing unit. These estimates for total capacity were found using ranges from 1-14 persons per housing unit. These were assigned based on the number of bedrooms per unit. This resulted in a total potential housing capacity (Row A), then the numbers were adjusted for the portion of housing units that are estimated to be secondary and rental units (17%) at 94% peak occupancy (Row B). This multiplier was derived by using the aforementioned 2019 American Community Survey Estimates figure of 497 for vacant housing units available for seasonal or recreational use in conjunction with the total number of housing units in Beaufort (i.e. 497 units ÷ 2926 units = 0.17. 0.17*0.94=.1598).

Short-Term Rental & Seasonal Occupants (Town Limits)						
Number of Bedrooms	Peak Occupancy Rate	Housing Unit Distribution (j)	Housing Units	Persons/Unit (Low & High Estimates)	Low Occupancy Estimate	High Occupancy Estimate
Studio	94%	2.5%	73	1 & 1.9	73	139
1 bedroom		9.3%	272	1.9 & 2.8	517	762
2 bedrooms		38.1%	1115	2.8 & 4.7	3122	5241
3 bedrooms		37.9%	1108	4.7 & 7.5	5208	8310
4 bedrooms		10.5%	306	7.5 & 9.4	2295	2876
5 or more bedrooms		1.8%	52	9.4 & 13.2	489	686
A. Total Potential Capacity			2926	X	11703	18014
B. Total assuming 17% recreation usage at 94% peak occupancy (0.1598)			468		1870	2879

j) American Community Survey 2019 data on unit distribution in Beaufort

B. Guests of Year-Round Residents (Town Limits)

Another factor that contributes to the seasonal population in the peak months are overnight guests of the permanent population. Assumptions to calculate this group:

- 25% of the households in Beaufort would host guests on a typical summer weekend. (Precedent for this statistic: 2009 Dare County Land Use Plan)
- Most homes would host between 1 and 3 guests. This is based on 76% of the housing stock having 2-3 bedrooms (see table in Section A) with an average permanent household size of only 1.8 residents (2019 5-year ACS estimates). This infers that there should be one to two bedrooms available for guests.

A low estimate of 1 guest per permanently occupied housing unit and a high estimate of 3 guests per unit is used to estimate peak seasonal guests.

Estimated Guests of Year-Round Beaufort Residents in the Peak Month (Town Limits)		
Permanently occupied housing units	2126	
	Low Estimate	High Estimate
	1 per Unit	3 per Unit
25% of units hosting guests	532	
Guests of Year-Round Residents	532	1596

C. Traditional Lodging (Town Limits)

Traditional lodging options in Beaufort are consistent of several inns, hotels, transient marina slips, and a campground that allows RVs. Based on available data, there are approximately 247 hotel rooms in Beaufort, where each room hosts a variable number of people based on beds.

- To account for varying number of beds per hotel room, an average of three people per night per hotel room was assumed, to account for an even split between 2- and 4-person hotel rooms. Per the 2006 Beaufort land use plan, there are 179 transient marina slips as well in town, housing an average of 2 people each.
- Like AirBNB, lodging options also have a 94% occupancy rate in peak months.

Using these numbers, the total amount of people found in “Other Lodging” is estimated as follows:

Other Lodging Occupants			
	Rooms/Slips	Average Occupants	Total Capacity
Hotels	247	3	720
Marina Slips	179	2	358
Total Capacity			1078
94% Occupancy			1013

Source: crytalcoastnc.org, 2006 CAMA plan (for marina slips)

D. Peak Population Projections (Town Limits)

Any increase in seasonal population in the future will be largely tied to the residential development market and overall housing economy. There are some large housing developments currently permitted in Beaufort, which are accounted for in the adjusted base population used for this estimate. If historical trends continue, rental and secondary housing will represent an increasing share of the total housing stock.

Beaufort Peak Population Projection (Permanent and Visitors)							
2019	2020	2025	2030	2035	2040	2045	2050
8,794	8,832	9,574	10,424	11,274	12,398	12,702	13,006

E. Peak Population Projection Methods (Town Limits)

The permanent population for 2019 is estimated at 4,343 within the municipal limits and 5,839 including those within the extraterritorial jurisdiction (2019 ACS 5-year estimates, ESRI). The annual growth rate for permanent residents was 0.9% from 2010 to 2020 within the municipal limits, which shows that while the permanent population is growing, it is not growing very quickly.

Permanent population projections were done by projecting these historical growth rates thirty years into the future. However, extrapolating population growth based on historical growth and government projections does not tell the whole story for Beaufort’s population. The town has permitted two very large residential developments that together will bring almost 800 homes to town, which is roughly equal to the number of homes than were built in Beaufort between 2000 and 2019.

To account for the impact of these developments, an average was added to the population estimate in the new developments based on known quantities:

- 40 New homes per year (based on 2018-2020 average) (Town of Beaufort)
- 1.8 person average household size (2019 ACS 5-year estimates)
- 75% of homes are permanently occupied (2019 ACS 5-year estimates)

Adding this additional population to the average permanent projected population gave the new based permanent population shown in the table above.

Appendix B: Affordable Housing Primer



Intro

Affordable housing is a complex subject, both in terms of its causes and means of addressing it, especially in local governments. As the Southeast continues to attract more and more full-time residents, affordable housing is discussed in almost every community. Local governments in North Carolina are limited in their means of addressing housing affordability, primarily because of limits on how land use, private property rights, home design and prices may be regulated. These regulatory and market related barriers often mean that popular solutions from other states are not necessarily available in North Carolina.

A one-size-fits all method is not a practical approach to address affordable housing concerns and should be tailored to the housing market conditions of an area. Below are some potential means of addressing housing affordability, and how they may be applied in North Carolina. This is by no means an exhaustive list of remedies. This document explores options for local governments to increase the proportion of affordable housing and/or workforce housing in communities.

Terminology

“Affordable housing” has become a blanket term used when discussing how to best combat rising housing cost, however, it is beneficial to distinguish locally between different types. It has its roots in the public subsidized housing terminology. Typically, public subsidized housing has eligibility requirements for income. However, “affordable housing” has been co-opted by the larger discussion of housing cost and now is often used interchangeably with “attainable housing”, which is a broader concept.

Below are some common terms used when referring to affordable housing:

“**Area Median Income (AMI)**” the midpoint of the income distribution for a specific geographic area, as defined by the U.S. Department of Housing and Urban Development (HUD) using data from the U.S. Census Bureau. This statistic is used by HUD for purposes of determining the eligibility of applicants for certain federal housing programs.

“**Affordable housing**” is housing that costs no more than 30% of a household’s income, including utilities.¹

- Affordable housing can be income-restricted, meaning it is specifically developed as affordable housing and is only available to households that meet specific income limits. (see section Income-Restricted Housing Tools)
- Affordable housing can also be market rate, meaning it is affordable based on market price and is not restricted based on household income. These housing units are susceptible to market fluctuations and may increase in price, rendering them unaffordable.

“**Workforce housing**” is housing affordable to households earning between 60% and 120% of the AMI.² Workforce housing is generally thought to be for middle-income workers which includes professions

¹ “HUD Archives: Glossary of Terms to Affordable Housing.” HUD. Accessed April 21, 2021. <https://archives.hud.gov/local/nv/goodstories/2006-04-06glos.cfm>.

² “What Exactly is Workforce Housing and Why is it so Important”, University of North Carolina, School of Government, 07/12/2018. <https://ced.sog.unc.edu/what-exactly-is-workforce-housing-and-why-is-it-important/>.

such as police officers, firefighters, teachers, health care workers, retail clerks, and the like.³ Households that need workforce housing may not always qualify for subsidized housing.

“Attainable housing” consists of unsubsidized, market-rate housing developments that meet the needs of those with incomes between 80% and 120% of the AMI.⁴

Maintenance of Affordability

Income-restricted affordable housing can be preserved long-term in different ways depending on ownership structure:

- Ownership: Deed restrictions that limit any subsequent sales of the home to income-eligible borrowers at an affordable price. The resale restrictions are attached to the property’s deed and may be enforced for decades. Limiting the sale price of a home can limit the ability of the seller to build wealth because home value appreciation is limited.
- Rentals: Rental housing restricted to households meeting certain income eligibility requirements. These units can be owned by local governments, non-governmental organizations, or by private owners. Owners may receive a subsidy payment from the state or a federal tax credit for keeping the rent at lower than market rate.
 - The Low-income Housing Tax Credit, or LIHTC, is a federal income tax credit for companies that invest in affordable rental housing that meets specific program guidelines. LIHTC properties account for the majority of affordable housing in the United States today.⁵

Policy Options for Encouraging Affordable Housing

Inclusionary Zoning

Inclusionary zoning policies are written into local ordinances and require developers to provide a certain number or percentage of affordable units in housing projects. Permits and development approvals are contingent upon the incorporation of affordable housing. It results in income-restricted affordable housing. There are three general categories of inclusionary zoning in North Carolina: voluntary, conditional, and mandatory. They are loosely classified based on the zoning mechanism employed and the compulsory nature of their inclusionary requirements.

The positive aspects of inclusionary zoning include the production of affordable housing at little cost to local government, the creation of income-integrated communities, and the lessening of sprawl. Negative

³ Matthew J. Parlow, *Whither Workforce Housing?*, 40 FORDHAM URB. L.J. 1645 (2013). Available at: <https://ir.lawnet.fordham.edu/ulj/vol40/iss5/9>.

⁴ Drucker, Adam, Lorry Lynn, and Kelly Mangold. “Attainable Housing: Challenges, Perceptions, and Solutions.” Web log. *Real Estate Advisors* (blog). Accessed April 21, 2021. <https://www.rclco.com/publication/attainable-housing-challenges-perceptions-and-solutions/>.

⁵ “An Intro to the Low-Income Housing Tax Credit.” Congressional Research Service, January 26, 2021.

aspects of inclusionary zoning may include shifting the cost of providing affordable housing, segmenting the upwardly mobile poor, and inducing growth.⁶

Inclusionary zoning is a legal gray area in North Carolina, being neither expressly allowed nor forbidden by state statutes. Challengers argue that inclusionary zoning is a form of rent control, a practice illegal in North Carolina. The answer remains unclear as this argument has yet to be tested in North Carolina courts. Inclusionary zoning has been attempted by Towns like Chapel Hill and Davidson and met with varied reception. Some residents and scholars have been critical of the Towns’ policies and questioned the programs’ efficacy.

Rent Control

Rent control laws are local legislation that limits the maximum rent that can be charged for a unit. These limits create affordable housing that is not income-restricted. As described above, inclusionary zoning is sometimes conflated with rent control but can be a tool used on its own. However, North Carolina state statute [G.S. 42-14.1](#) expressly prohibits rent control. Additionally, rent control has been known to have negative long-term effects on affordable housing supply.⁷

Conditional Zoning

Conditional zoning can serve as the mechanism for encouraging the development of affordable housing in places where inclusionary zoning is not being used. Developers can voluntarily provide affordable housing units, generally in exchange for a regulatory incentive (see below). Due to its voluntary nature, this type of program is usually considered the safest—politically and legally—for a local government to enact, but also cannot guarantee income-restricted affordable housing. The down side to this method is that it can be a difficult condition for a local government to enforce due to the private nature of the condition(s).

Regulatory Incentives

Regulatory incentives can be used to encourage the building of income-restricted affordable housing either explicitly or through conditional zoning processes. In places where incentives are explicitly written into local development ordinances, developers receive these benefits when they supply a certain amount of affordable housing units. These incentives help to offset the cost to the developers of providing the affordable units.

Density Bonuses

A very common way of incentivizing developers to build affordable units is by offering density bonuses, which allow developers to build more housing units than would otherwise be allowed in the zoning district. This often involves taller buildings to accommodate the extra housing units.

⁶ HUD

⁷ Block, Walter. “Rent Control.” The Library of Economics and Liberty. Accessed April 21, 2021. <https://www.econlib.org/library/Enc/RentControl.html>.

Procedural Incentives

Municipalities can offer development review and construction incentives to projects that incorporate affordable housing. These include expedited development review and approval, fee reductions, and fee waivers.

Zoning Modification Incentives

Local governments can offer modified zoning requirements for projects that include affordable housing. These can include increased building height bonuses or reductions in parking, design standards, and square footage requirements.

Direct Intervention Measures

In addition to enacting ordinances to bring about affordable housing, municipalities can take other measures to directly increase affordable housing supply, particularly income-restricted affordable housing.

Community Land Trust

Local governments can consider land acquisition or establishing a community land trust to preserve sites for affordable housing. These programs typically require significant financial and staffing commitments.

Funding

The largest obstacle to direct intervention measures is often funding. Local governments can enact small tax increases, leverage bonds, or establish fees which are collected and put directly toward affordable housing efforts.

Impact Fees

Some cities around the country have imposed impact fees, which are upfront charges for infrastructure related to new development, and earmarked those funds for increasing the supply of affordable housing. The State of North Carolina does not explicitly authorize impact fees for affordable housing, so local governments wishing to do so may need to seek special legislation from the General Assembly if they wish to implement affordable housing impact fees.

Grants

For local governments meeting the requirements, the US Department of Housing and Urban Development provides annual grants for improving housing for low-income residents through the Community Development Block Grant (CDBG) Entitlement Program.

Public-Private-Partnerships

Another way a local government can directly increase the supply of below market rate housing is to enter into direct partnership with developers to subsidize the development of affordable housing units.

Additional Considerations

Many factors affect housing costs. Major influences include location, local economy, land and building costs, housing type, and market trends. To some extent, housing costs are very basically a result of supply and demand. Where there is more demand, prices will rise, and increasing supply can help lower

demand. Conversely, local policies or conditions that restrict housing supply or housing density contribute to higher housing costs.

Short Term Rentals

The explosion in popularity of the short-term rental market (ex – AirBNB, VRBO, HomeAway, etc.) has a direct effect on housing supply. As more housing units are converted to vacation rental properties, they are not available as primary residences. In communities that are popular tourist destinations, a higher proportion of homes are being used as short-term rentals, which can lower local housing supply for residents.

Land Costs

As demand for land in certain desirable locations increases, such as in cities or along the coast, the price of new housing rises as well.

Additional Resources

- Summary of Inclusionary Zoning as it relates to North Carolina Law - <https://canons.sog.unc.edu/a-primer-on-inclusionary-zoning/>
- Missing Middle Housing - <https://missingmiddlehousing.com/>
A website addressing Missing Middle Housing, or house-scale residential building types with multiple units that can be used to increase housing unit density and housing type diversity.
- Center for Neighborhood Technology Housing & Transportation Index - <https://htaindex.cnt.org/about/>
Index that rates affordability of places based on combined expense of housing and transportation.

Appendix C: Short Term Rental Primer

Often short-term rentals are zoned residential and developed to residential standards, but function as small hotels or other accommodation business. While short-term rentals (STRs) are not a new concept, new technologies such as AirBNB and VRBO have given rise to a new era of short-term rentals. They are increasingly popular and have the potential to be strong economic engines for tourism revenue. However, they also have the potential to diminish the character of established neighborhoods and come with zoning, nuisance, and fire safety concerns, among others.

This new era of STR popularity brings questions about regulation. Homeowners in residential areas who have experienced their communities change and nuisances grow cry for more regulation, while landlords and those benefitting from STRs disagree, with local governments caught in the middle. The state of North Carolina limits more than other states do the ways that local governments can regulate STRs. The following case studies illustrate ways that this has manifested throughout the state in Raleigh, Asheville, Wilmington, and Charlotte.

ASHEVILLE

Asheville’s STR approach is arguably the most successful in the state so far. The City has utilized zoning law and language to classify whole-home rentals for under 30 days as a separate zoning use, which is only allowed in one zoning district. The City also maintains a database of known STRs as they appear on rental websites via a third-party service. It should be noted that though the City’s STR ordinance still stands at this time, it has been challenged in court.

RALEIGH

The city updated its STR laws in January 2020, allowing whole-home rentals but requiring that owners pay for an annual permit from the City. The update to the Vacation Rental Act in July 2020, which outlawed required permits, renders this illegal and unenforceable according to some. In September 2020, it was announced that Raleigh would be one of 15 pilot cities for an AirBNB program call City Portal, a platform for governments and tourism organizations that provides exclusive data about the rental market, information about local regulations and enforcement resources.



CHARLOTTE

The City of Charlotte requires owners that meet certain “disorder risk” thresholds to register their rentals with the city. This threshold is determined by looking at quarterly police reports. The City also encourages all rental property owners to register, but does not require it.

WILMINGTON

A 2019 local ordinance mandated that owner of whole-home rentals but register with the city and limited whole-home rentals to 2% of the housing stock, with a lottery to determine which homeowners were allowed to continue their rentals. The ordinance also stated that whole-home rentals were subject to a 400-foot separation requirement. Following a lawsuit by city homeowners, a Superior Court judge ruled these requirements were “void and unenforceable” per the state Vacation Rental Act. Wilmington is currently working on updating the ordinance.

NORTH CAROLINA STR REGULATIONS

North Carolina has unique strict laws regarding how local governments can regulate short-term rentals. As such, many solutions found in other states are not applicable to the state, increasing the challenge of regulations STRs. The state regulates STRs through the Vacation Rental Act, and updated it in 2020 with new limitations. The most salient points from the act are:

- » Requiring rentals to register is unlawful
- » Local governments cannot levy a tax or fee on residential rental property that is not levied against other commercial and residential properties

It is widely argued that the Vacation Rental Act leaves room for regulating STRs via local zoning, which is similar to Asheville’s strategy.



North Carolina’s mountains and beaches make it a hotspot for short-term vacation rentals.

REGULATION OPTIONS

Taking into account the current limitations set by the State of North Carolina, there are still several regulation options for local governments. These options differ in implementation effort, cost to the towns, and likely, effectivity. They have been organized into tiers, with Tier 1 being the easiest to implement, though likely less effective, to Tier 3 being the most involved to implement, but most effective.

TIER 1

- » Creating a city-maintained STR registry that landlords opt in to.
- » Tracking nuisance complaints and referencing them with known STRs.
- » Providing better education and resources for landlords.

TIER 2

- » Using a third-party service to track STRs and nuisance complaints.

TIER 3

- » Using zoning ordinances to regulate STRs. This can include:
 - Reclassifying zoning uses for STRs.
 - Implementing rental minimum lengths of stay.
 - Restricting zoning districts in which STRs can locate.
 - Can also be used to dictate requirements related to qualities such as parking, fire code, and density.

Appendix D: Rachel Carson Reserve Resilience

This information was provided to the Steering Committee to help expand awareness of the adjacent ecological resources and planning efforts for the Reserve.

A briefing on the concurrent resiliency planning at the Rachel Carson Reserve.

A brief on
Rachel Carson Reserve Habitat Resilience
for the Town of Beaufort’s comprehensive plan steering committee

The [Rachel Carson Reserve](#) functions as a nature preserve, outdoor laboratory and classroom, and protective storm barrier for the Town of Beaufort. As environmental and human conditions change, it is important to understand where, why, and how habitats of the Rachel Carson Reserve have been or may be affected. These answers will help guide future actions that will support local environmental and social resilience.

Assessing Vulnerability

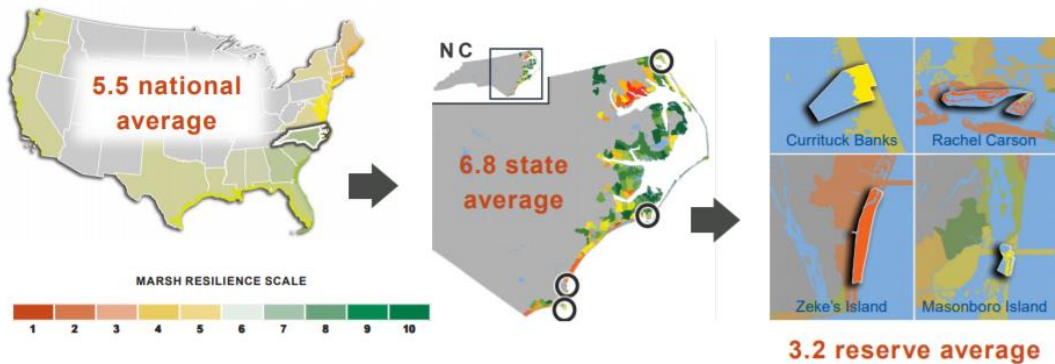
An understanding of the Reserve’s habitats and their vulnerability to coastal flooding and severe weather is an important first step in planning for future impacts. Vulnerability assessment project examples are found, below.

Marsh Vulnerability on a Site and Regional Scale

The [Climate Change Vulnerability Assessment Tool for Coastal Habitats](#) decision support tool revealed that marsh at the Rachel Carson Reserve shares a “high or very high” vulnerability with other Reserve site marshes in NC, except for the Reserve site at Currituck Banks which is “moderately vulnerable.” The process also revealed that the main part of the site (Town Marsh, Carrot Island) is less vulnerable than Middle Marsh (separated from the rest of the site by the North River Channel). [More details.](#)



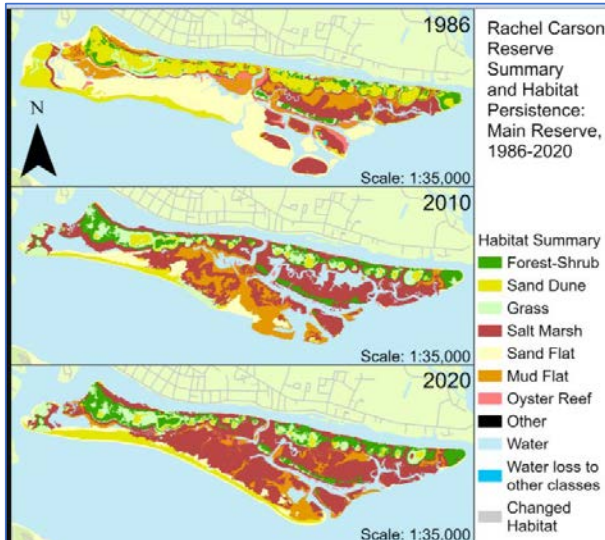
Marsh Vulnerability on a Landscape Scale



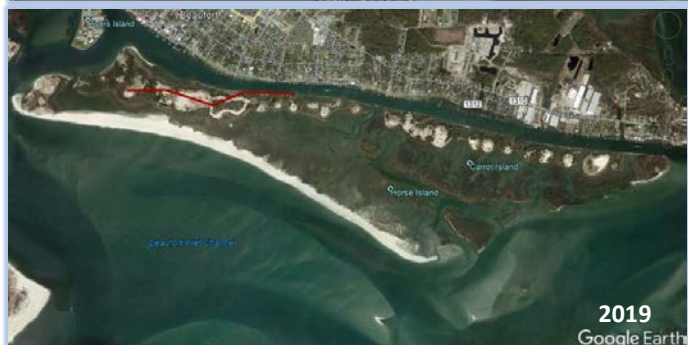
Marsh at the Rachel Carson Reserve is less resilient than marshes nationwide (average score 5.5), at the state-level (average score of 6.8) and is among the least resilient of the State’s 4 federal Reserve sites (score less than 3.2). [More details.](#)

Analyzing Habitat & Shoreline Change

Understanding how habitats have changed and why is key to understanding how they will respond to future conditions such as sea level rise. At the Rachel Carson Reserve, dredging projects and inlet width strongly influence habitat change.



[Click this image to download an enlarged version.](#)



Top to bottom: 1942 (notice the rock bulkhead in red that was installed ~1915 to connect Town Marsh and Carrot Island), 1993, and 2019.

Planning for the Future

In 2020, the Division of Coastal Management received funds from the National Fish and Wildlife Foundation to support a community resilience program and to **develop a habitat resilience plan for the Rachel Carson Reserve.**

Development of the habitat resilience plan is based on a knowledge base of vulnerability assessments, various analyses, published studies, and consultation with a team of experts, including staff from the Town of Beaufort. The plan will include strategies that help support the resilience of habitats at the Reserve, habitats that are important to protecting the Town’s waterfront.

Access the Rachel Carson Reserve Habitat Resilience Plan Knowledge Base

Rachel Carson Reserve contact information: paula.gillikin@ncdenr.gov

This page intentionally left blank

Appendix E: CAMA Land Use Plan Matrix

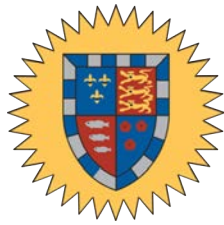
Matrix for Land Use Plan Elements – 15A NCAC 7B .0702	Policy and/or Page Reference(s)
Organization of the Plan	
<ul style="list-style-type: none"> Matrix that shows the location of the required elements as set forth in this Rule 	page 226
Community Concerns and Aspirations	
<ul style="list-style-type: none"> Description of the dominant growth-related conditions that influence land use, development, water quality and other environmental concerns in the planning area 	Page 13-33
Description of the land use and development topics most important to the future of the planning area, including:	
<ul style="list-style-type: none"> Public Access 	Page 34
<ul style="list-style-type: none"> Land Use Compatibility 	Page 35
<ul style="list-style-type: none"> Infrastructure Carrying Capacity 	Page 35
<ul style="list-style-type: none"> Natural Hazard Areas 	Page 36
<ul style="list-style-type: none"> Water Quality 	Page 36
Community Vision	
<ul style="list-style-type: none"> Description of the general physical appearance and form that represents the local government’s plan for the future. It shall include objectives to be achieved by the plan and identify changes that may be needed to achieve the planning vision. 	Page 127 - Community Values, Vision, and Goals Page 167 - Future Land Use and Character Areas
Existing and Emerging Conditions	
Population, Housing and Economy	
Discussion of the following data and trends:	
<ul style="list-style-type: none"> Permanent population growth trends using data from the two most decennial Censuses 	Page 40
<ul style="list-style-type: none"> Current permanent and seasonal population estimates 	Page 40-41

Matrix for Land Use Plan Elements – 15A NCAC 7B .0702	Policy and/or Page Reference(s)
<ul style="list-style-type: none"> Key population characteristics including age and income 	Page 44,46-48
<ul style="list-style-type: none"> Thirty-year projections of permanent and seasonal population in five-year increments 	Page 40-43
<ul style="list-style-type: none"> Estimate of current housing stock, including permanent and seasonal units, tenure, and types of units (single-family, multifamily, and manufactured) 	Page 45-46
<ul style="list-style-type: none"> Description of employment by major sectors and community economic activity 	Page 44-45
Natural Systems	
Description of natural features in the planning jurisdiction to include:	
<ul style="list-style-type: none"> Areas of Environmental Concern (AECs) as set forth in Subchapter 15A NCAC 07H 	Page 75
<ul style="list-style-type: none"> Soil characteristics, including limitations for septic tanks, erodibility, and other factors related to development 	Page 80 - 83
<ul style="list-style-type: none"> Environmental Management Commission (EMC) water quality classifications and related use support designations 	Page 84
<ul style="list-style-type: none"> Division of Marine Fisheries (DMF) shellfish growing areas and water quality conditions 	Page 85-88
<ul style="list-style-type: none"> Flood and other natural hazard areas 	Page 89
<ul style="list-style-type: none"> Storm surge areas 	Page 92-93
<ul style="list-style-type: none"> Non-coastal wetlands, including forested wetlands, shrub-scrub wetlands and freshwater marshes 	Page 104-105
<ul style="list-style-type: none"> Water supply watersheds or wellhead protection areas 	Page 102
<ul style="list-style-type: none"> Primary nursery areas 	Page 87-88
<ul style="list-style-type: none"> Environmentally fragile areas, such as wetlands, natural heritage areas, areas containing endangered species, prime wildlife habitats, or maritime forests 	Page 104, 109
<ul style="list-style-type: none"> Additional natural features or conditions identified by the local government 	Page 106
<ul style="list-style-type: none"> Submerged Aquatic Vegetation (SAV), climate change, and sea level rise 	Page 79, 95-99, 107
Environmental Conditions	
Discussion of environmental conditions within the planning jurisdiction to include an assessment of the following conditions and features:	
<ul style="list-style-type: none"> Status and changes of surface water quality; including: 	
<ul style="list-style-type: none"> - Impaired streams from the most recent Division of Water Resources (DWR) Basin Planning Branch Reports 	Page 84-87
<ul style="list-style-type: none"> - Clean Water Act 303 (d) List 	Page 84-87
<ul style="list-style-type: none"> - Other comparable data 	Page 84-87
<ul style="list-style-type: none"> Current situation and trends on permanent and temporary closures of shell-fishing waters as determined by the Report of Sanitary Survey by the Shellfish Sanitation and Recreational Water Quality Section of the DMF 	Page 87-88
<ul style="list-style-type: none"> Areas experiencing chronic wastewater treatment malfunctions 	Page 35
<ul style="list-style-type: none"> Areas with water quality or public health problems related to non-point source pollution 	n/a
<ul style="list-style-type: none"> Areas subject to recurrent flooding, storm surges and high winds 	Page 89
<ul style="list-style-type: none"> Areas experiencing significant shoreline erosion as evidenced by the presence of threatened structures or public facilities 	Page 106

Matrix for Land Use Plan Elements – 15A NCAC 7B .0702	Policy and/or Page Reference(s)
<ul style="list-style-type: none"> Environmentally fragile areas (as defined in Part (c)(2)(A)(ix) of this Rule) or areas where resources functions are impacted as a result of development 	Page 109
<ul style="list-style-type: none"> Natural resource areas that are being impacted or lost as a result of incompatible development. These may include, but are not limited to the following: coastal wetlands, protected open space, and agricultural land. 	Page 35
Existing Land Use and Development	
MAP of existing land use patterns	Page 125
<ul style="list-style-type: none"> Description of the existing land use patterns 	Page 122-124
<ul style="list-style-type: none"> Estimates of the land area allocated to each land use category 	Page 122
<ul style="list-style-type: none"> Characteristics of each land use category 	Page 122-124
MAP of historic, cultural, and scenic areas designated by a state or federal agency or by the local government	Page 118
<ul style="list-style-type: none"> Descriptions of the historic, cultural and scenic areas 	Page 117
Community Facilities	
Evaluation of existing and planned capacity, location and adequacy of community facilities to include:	
MAP of existing and planned public and private water supply service areas	Page 103
<ul style="list-style-type: none"> Description of existing public and private water supply systems to include: <ul style="list-style-type: none"> Existing condition Existing capacity Documented overflows, bypasses or other problems that may degrade water quality or constitute a threat to public health as documented by the DWR Future water supply needs based on population projections 	Page 35 Page 35 n/a Page 37
MAP of existing and planned public and private wastewater service areas	Page 103
<ul style="list-style-type: none"> Description of existing public and private wastewater systems to include: <ul style="list-style-type: none"> Existing condition Existing capacity Documented overflows, bypasses or other problems that may degrade water quality or constitute a threat to public health as documented by the DWR Future wastewater system needs based on population projections 	Page 102 Page 35, 102 Page 102 Page 37
MAP of existing and planned multimodal transportation systems and port and airport facilities	Page 120
<ul style="list-style-type: none"> Description of any highway segments deemed by the NC Department of Transportation (NCDOT) as having unacceptable service as documented in the most recent NCDOT Transportation and/or Thoroughfare Plan 	Page 119
<ul style="list-style-type: none"> Description of highway facilities on the current thoroughfare plan or current transportation improvement plan 	Page 16
<ul style="list-style-type: none"> Description of the impact of existing transportation facilities on land use patterns 	Page 16
<ul style="list-style-type: none"> Description of the existing public stormwater management system 	Page 18
<ul style="list-style-type: none"> Identification of existing drainage problems and water quality issues related to point-source discharges of stormwater runoff 	Page 36, 87, 88, 102

Matrix for Land Use Plan Elements – 15A NCAC 7B .0702	Policy and/or Page Reference(s)	
Future Land Use	Future Land Use Map	Page 171
Policies		
<ul style="list-style-type: none"> • Policies that exceed the use standards and permitting requirements found in Subchapter 7H, State Guidelines for Areas of Environmental Concern 	n/a	n/a
Policies that address the Coastal Resources Commission’s (CRC’s) management topics:		
<p>Public Access Management Goal: <i>Maximize public access to the beaches and the public trust waters of the coastal region.</i></p>		
The planning objectives for public access are local government plan policies that:		
<ul style="list-style-type: none"> • Address access needs and opportunities 		
<ul style="list-style-type: none"> • Identify strategies to develop public access 		
<ul style="list-style-type: none"> • Address provisions for all segments of the community, including persons with disabilities 	7.6.1-7.6.3	page 160
<ul style="list-style-type: none"> • For oceanfront communities, establish access policies for beach areas targeted for nourishment 		
<p>Land Use Compatibility Management Goal: <i>Ensure that development and use of resources or preservation of land balance protection of natural resources and fragile areas with economic development, and avoids risks to public health, safety, and welfare.</i></p>		
The planning objectives for land use compatibility are local government plan policies that:		
<ul style="list-style-type: none"> • Characterize future land use and development patterns 	2.1	page 136
<ul style="list-style-type: none"> • Establish mitigation criteria and concepts to minimize conflicts 	2.1.1-2.1.4	page 136
<p>Infrastructure Carrying Capacity Management Goal: <i>Ensure that public infrastructure systems are sized, located, and managed so the quality and productivity of AECs and other fragile areas are protected or restored.</i></p>		
The planning objectives for infrastructure carrying capacity are local government plan policies that:		
<ul style="list-style-type: none"> • Establish service criteria 	4.3.2	page 150
<ul style="list-style-type: none"> • Ensure improvements minimize impacts to AECs and other fragile areas 	1.1.2,1.3, 1.4	page 131-133
<p>Natural Hazard Areas Management Goal: <i>Conserve and maintain barrier dunes, beaches, floodplains, and other coastal features for their natural storm protection functions and their natural resources giving recognition to public health, safety, and welfare issues.</i></p>		
The planning objectives for natural hazard areas are local government plan policies that:		
<ul style="list-style-type: none"> • Establish mitigation and adaptation concepts and criteria for development and redevelopment, including public facilities 	2.1, 2.2, 2.3.1	page 136 - 137
<ul style="list-style-type: none"> • Minimize threats to life, property and natural resources resulting from erosion, high winds, storm surge, flooding, or other natural hazards 	2.3	page 137
<p>Water Quality Management Goal: <i>Maintain, protect and where possible enhance water quality in all coastal wetlands, rivers, streams, and estuaries.</i></p>		

Matrix for Land Use Plan Elements – 15A NCAC 7B .0702	Policy and/or Page Reference(s)	
The planning objectives for water quality are local government plan policies that:		
<ul style="list-style-type: none"> Establish strategies and practices to prevent or control nonpoint source pollution 	4.6	page 150
<ul style="list-style-type: none"> Establish strategies and practices to maintain or improve water quality 	1.1	page 130
Future Land Use Map		
MAP of future land uses that depicts the policies for growth and development and the desired future patterns of land use and development with consideration given to natural system constraints and infrastructure	page 171	
<ul style="list-style-type: none"> Descriptions of land uses and development associated with the future land use map designations 	page 170-201	
Tools for Managing Development		
<ul style="list-style-type: none"> Description of the role of plan policies, including the future land use map, in local decisions regarding land use and development 	page 167	
<ul style="list-style-type: none"> Description of the community’s development management program, including local ordinances, codes, and other plans and policies 	page 57, 167, 200	
Action Plan and Implementation Schedule		
<ul style="list-style-type: none"> Description of actions that will be taken by the local government to implement policies that meet the CRC’s management topic goals and objectives, specifying fiscal year(s) in which each action is anticipated to start and finish 	page 199-207	
<ul style="list-style-type: none"> Identification of specific steps the local government plans to take to implement the policies, including adoption and amendment of local ordinances, other plans, and special projects 	page 199-207	



TOWN of
BEAUFORT
NORTH CAROLINA





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, April 18, 2022 – 614 Broad Street – Train Depot**

AGENDA CATEGORY: Public Hearing
SUBJECT: Rezone 801 Mulberry Street totaling 15.87 acres from TR to PUD With Master Plan & Special Use Permit

BRIEF SUMMARY:

The request before the Board is actually two separate request. They are as follows:

- First, there is the rezoning from Transitional (TR) zoning to Planned Unit Development (PUD) with a Master Plan;
- Next, is the Special Use Request for the Uses in the PUD, as all uses requested require a Special Use Permit. These uses include Duplexes, Condominiums, Mixed Use, Event Center, Catering Kitchen/Restaurant

Other pertinent information regarding this request is that the applicants are **NOT** requesting any variances from the standards of the ordinance.

Under the current TR Zone all the uses contained in the Master Plan would be either permitted by right or Special Uses except the proposed condominiums. (See Attachment I - Section 8-B Transitional Zoning District)

REQUESTED ACTION:

Conduct Public Hearing
Recommendation to Board of Commissioners

EXPECTED LENGTH OF PRESENTATION:

30 Minutes

SUBMITTED BY:

Kyle Garner, AICP
Planning & Inspections Director

BUDGET AMENDMENT REQUIRED:



Attachment - A

Staff Report

To: Planning Board
From: Kyle Garner, AICP

Date: 4/11/2022
Meeting Date: 4/18/2022

Case Number 22-11

Summary of Request:

Rezone 801 Mulberry Street totaling 15.87 acres from TR to PUD With Master Plan & Special Use Permit

Background

Location(s) & PIN

730618414806000

Owners Applicant

Ballou-Lewis Properties, LLC
Same

Current Zoning

TR

Lot(s) Size & Conformity Status

Conforming

Existing Land Use

Former School Site

Adjoining Land Use & Zoning

North Single Family zoned – R-8
South Across Live Oak by Commercial Uses zoned – B-1
East Single Family zoned – R-8
West Single Family zoned – R-8

Special Flood Hazard Area

Yes No

Public Utilities

Water Available Not Available

Sewer Available Not Available

Additional Information

See Staff Comments

Requested Action

Conduct Public Hearing for Discussion.
Provide recommendation to the Board of Commissioners to:

- Approve the request;
- Deny the request; or
- Recommend conditions to the PUD Master Plan

Staff Comments

The request before the Board is actually two separate request. They are as follows:

- First, there is the rezoning from Transitional (TR) zoning to Planned Unit Development (PUD) with a Master Plan;
- Next, is the Special Use Request for the Uses in the PUD, as all uses requested require a Special Use Permit. They include Duplexes, Condominiums, Mixed Use, Event Center, and Catering Kitchen/Restaurant.

Other pertinent information regarding this request is that the applicants are **NOT** requesting any variances from the standards of the ordinance as well as a CAMA Map amendment as the proposed density is close to the Medium Density of five units per acre and staff has discussed this with the CAMA District Planner.

Under the current TR Zone all the uses contained in the Master Plan would be either permitted by right or Special Uses except the proposed condominiums. (See Attached Section 8-B Transitional Zoning District)

Data:

Total Acreage - 15.87 Acres

Total Open Space – 3.55 Acres or 22%

Proposed 5.5 Dwelling Units Per Acre

42 Duplex Units

36 Condominium Units

10 Mixed Use Units

CAMA Core Land Use Plan

Generally, growth and land development is anticipated to occur in all future land use categories except for the Conservation/Open Space classification. The type and density/intensity of projected development varies within each Future Land Use Map classification. Future Land Use projections are delineated in Figure 8, Future Land Use Map. The Future Land Use Map classifications are considered part of the Land Use Plan’s policy.

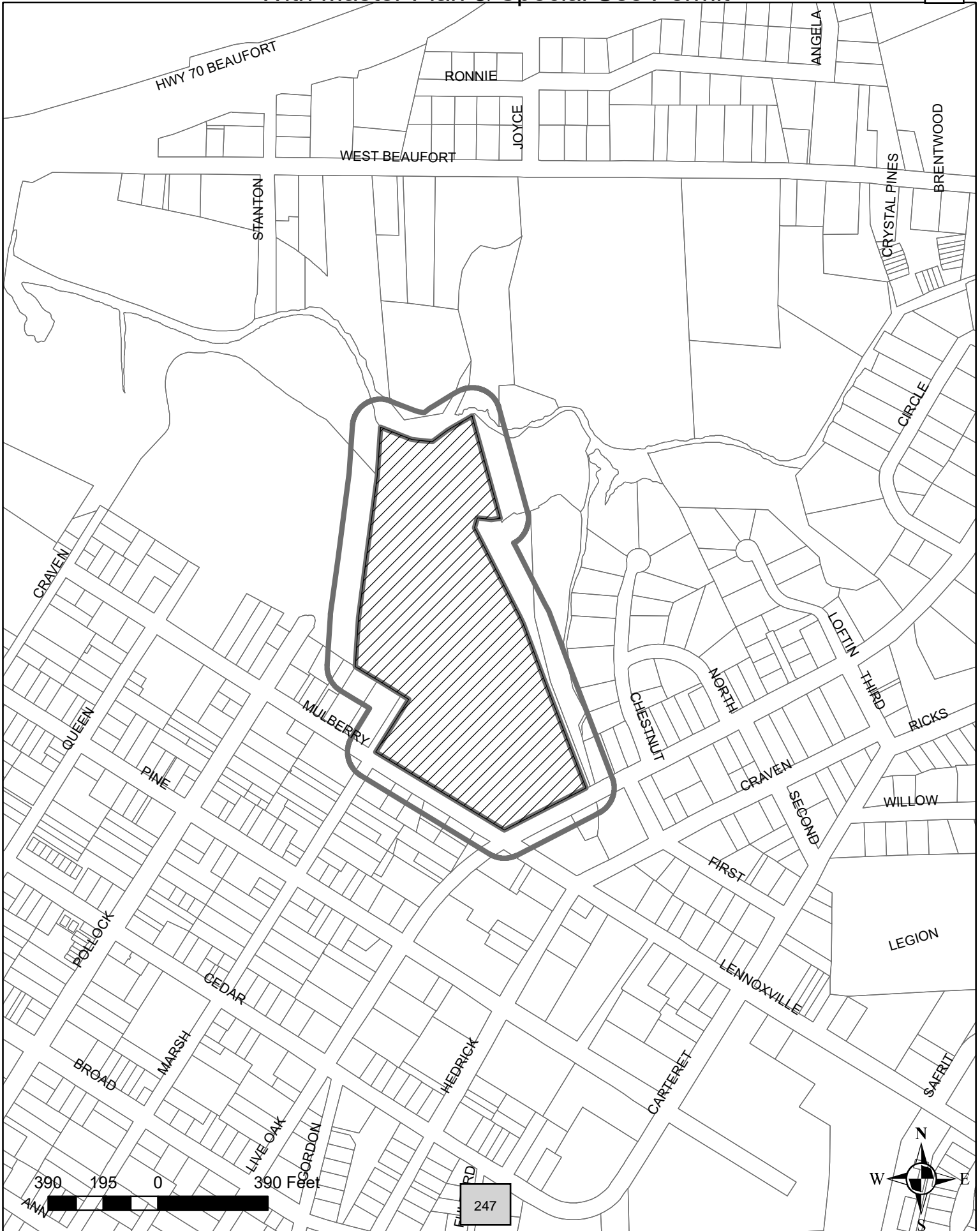
Future Land Use Map Classifications

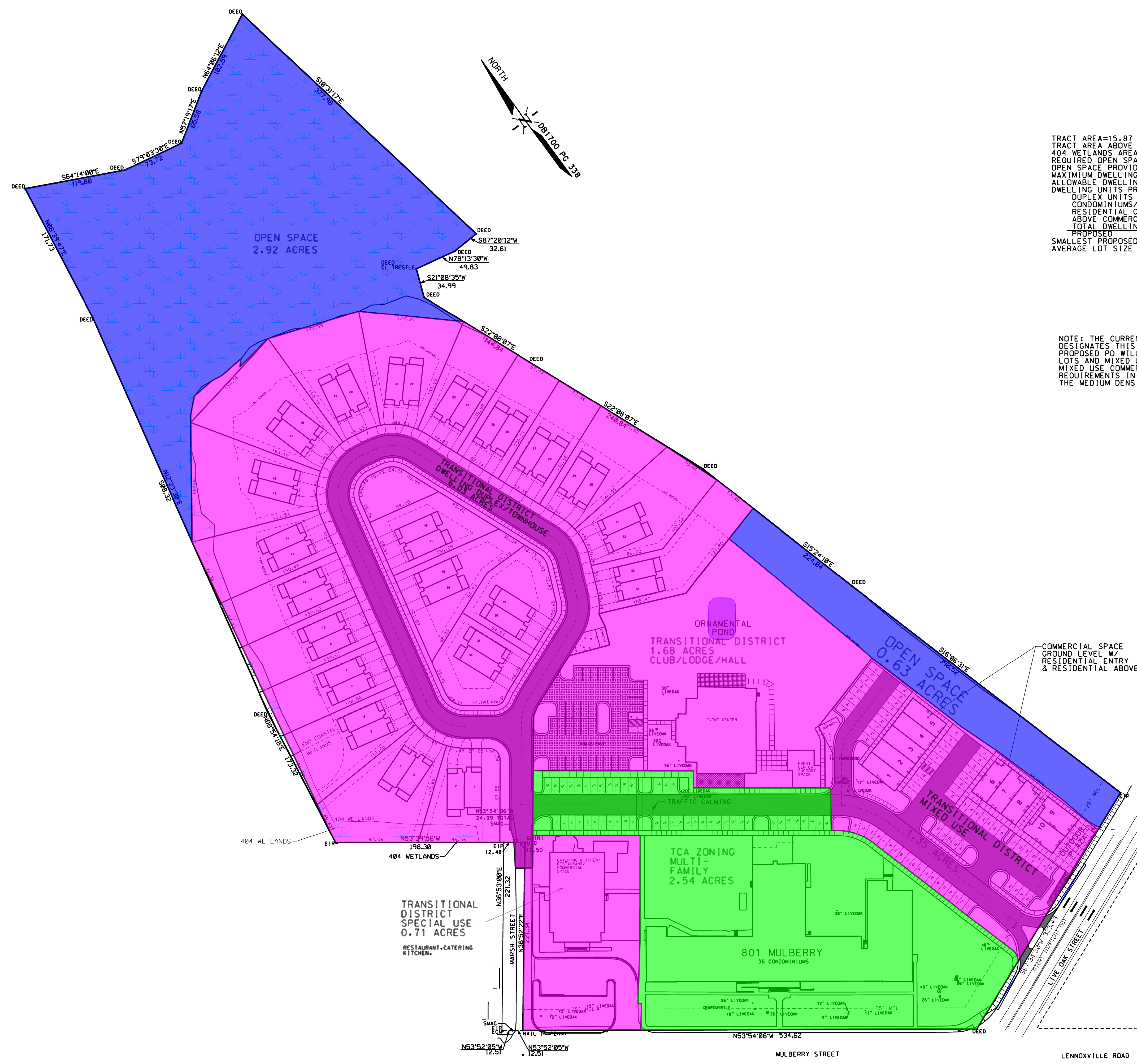
Residential Classifications

Medium Density Residential The Medium Density Residential classification is intended to delineate lands where the predominant land use is higher density single-family residential developments and/or two-family developments. The residential density within this classification is generally 3 to 5 dwelling units per acre. Minimum lot sizes vary from 8,000 to 10,000 square feet unless a larger minimum lot area is required by the health department for land uses utilizing septic systems. Land uses within Medium Density Residential-designated areas are generally compatible with the R-8, Medium Density Residential, R-8A Single-family Medium Density Residential Waterfront; R8-MH Residential Manufactured Home Park/Recreational Vehicle Park; and H-BD, Historic Business Zoning Districts. Public water is widely available and sewer service is required to support the higher residential densities in this classification. Streets with the capacity to accommodate higher traffic volumes are also necessary to support Medium Density Residential development.

- Attachments:** Attachment B - Vicinity Map with 100' Notification Buffer
Attachment C – Proposed Master Plan with Underlying Zoning
Attachment D - Owners Within 100'
Attachment E – Current Zoning Map
Attachment F - CAMA Future Land Use Map
Attachment G – Environmental Conditions
Attachment H – TR Zoning Info

Vicinity Map - Case # 22-11 - 801 Mulberry Street Rezoning From TR to PUD With Master Plan & Special Use Permit





TRACT AREA=15.87 ACRES
 TRACT AREA ABOVE COASTAL MARSH= 561035 SF (12.88 ACRES)
 404 WETLANDS AREA= 4863,17 SF
 REQUIRED OPEN SPACE 15% TRACT AREA=2.38 ACRES
 OPEN SPACE PROVIDED=3.55 ACRES
 MAXIMUM DWELLING UNITS PER ACRE = 6
 ALLOWABLE DWELLING UNITS =95
 DWELLING UNITS PROPOSED
 DUPLEX UNITS 42 DWELLING UNITS
 CONDOMINIUMS/SCHOOL 36 DWELLING UNITS
 RESIDENTIAL CONDO ABOVE COMMERCIAL 10 DWELLING UNITS
 TOTAL DWELLING UNITS 88 DWELLING UNITS
 PROPOSED
 SMALLEST PROPOSED LOT 7743 SF
 AVERAGE LOT SIZE 9938 SF

NOTE: THE CURRENT 2006 TOWN OF BEAUFORT FUTURE LAND USE PLAN DESIGNATES THIS PROPERTY AS MEDIUM DENSITY RESIDENTIAL. THIS PROPOSED PD WILL ADD ADDITIONAL USES IN CONDOMINIUMS, DUPLEX LOTS AND MIXED USE COMMERCIAL ALONG WITH RESIDENTIAL ABOVE MIXED USE COMMERCIAL. THIS PROPOSED PD WILL MEET THE DENSITY REQUIREMENTS IN A PD AND THE DUPLEX LOTS WILL AVERAGE ABOVE THE MEDIUM DENSITY LOT SIZE REQUIREMENT.

LEGEND

- OPEN SPACE
- TCA UNDERLYING ZONE
- TR UNDERLYING ZONE
- PERVIOUS CONCRETE
- IMPERVIOUS SURFACE
- GRASS PAVE
- PERVIOUS PAVERS

REVISIONS:

No.	BY	DATE	DESCRIPTION

TR/OS TO PD REZONING REQUEST SITE PLAN

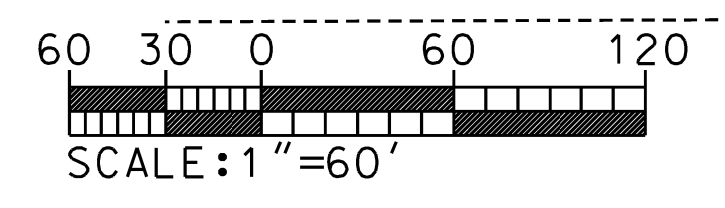
801 MULBERRY STREET

BEAUFORT, CARTERET COUNTY, NORTH CAROLINA

CLIENT: BALLOU-LEWIS PROPERTIES, LLC
 ADDRESS: PO BOX 662 GREENVILLE, NC 27835
 PHONE: 252-531-9704

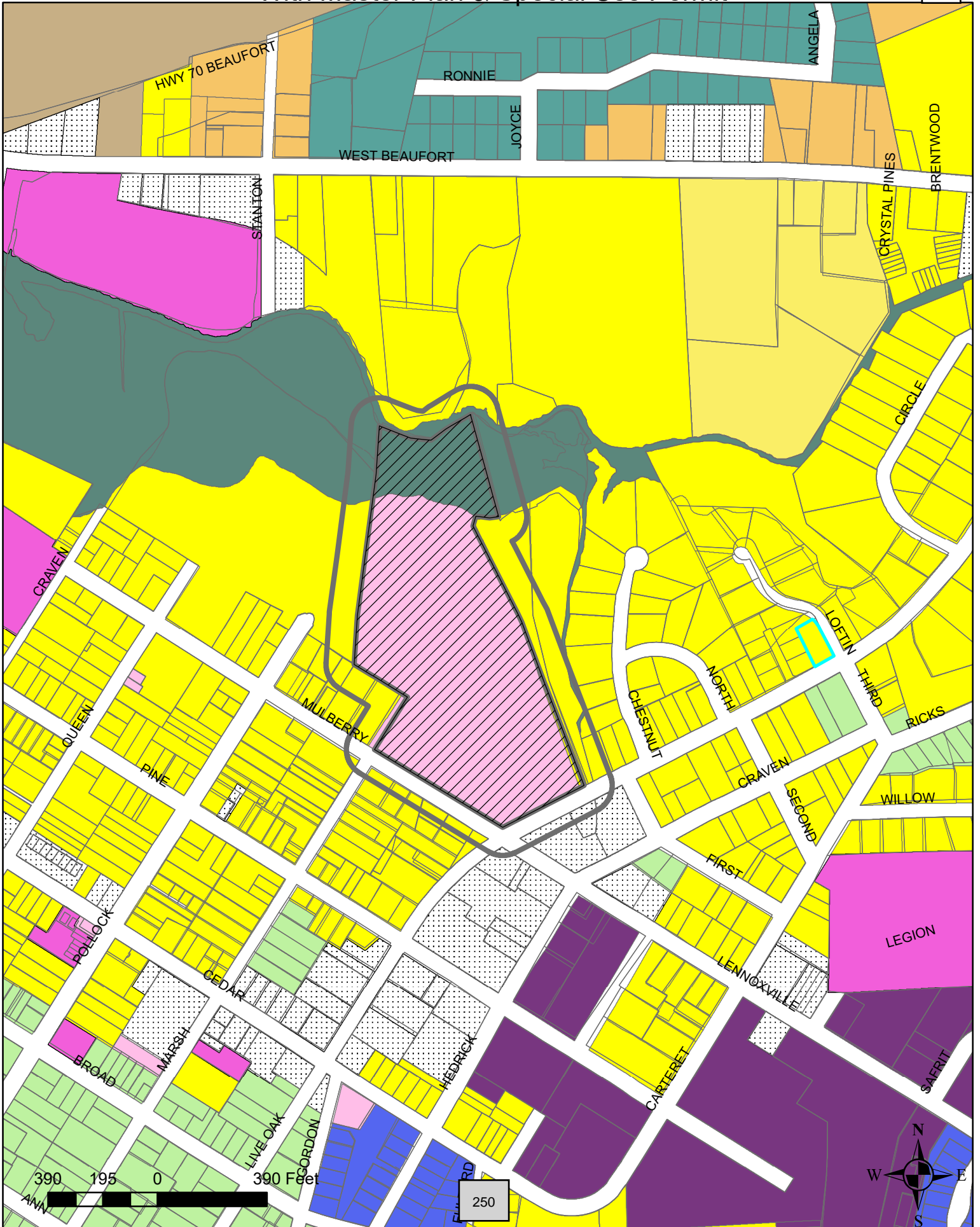
DESIGNED: RDC
DRAWN: RC/EGC
CHECKED: RDC
APPROVED: RDC
DATE: 3/28/22
SCALE: 1"=60'

THE CULLIPHER GROUP P.A.
 ENGINEERING & SURVEYING SERVICES
 151A HIGHWAY 24 MORRISVILLE, N.C. 28557
 (252) 773-0090 LICENSE NO. C-4482
 FOR ILLUSTRATION PURPOSES
RONALD D. CULLIPHER P.E.

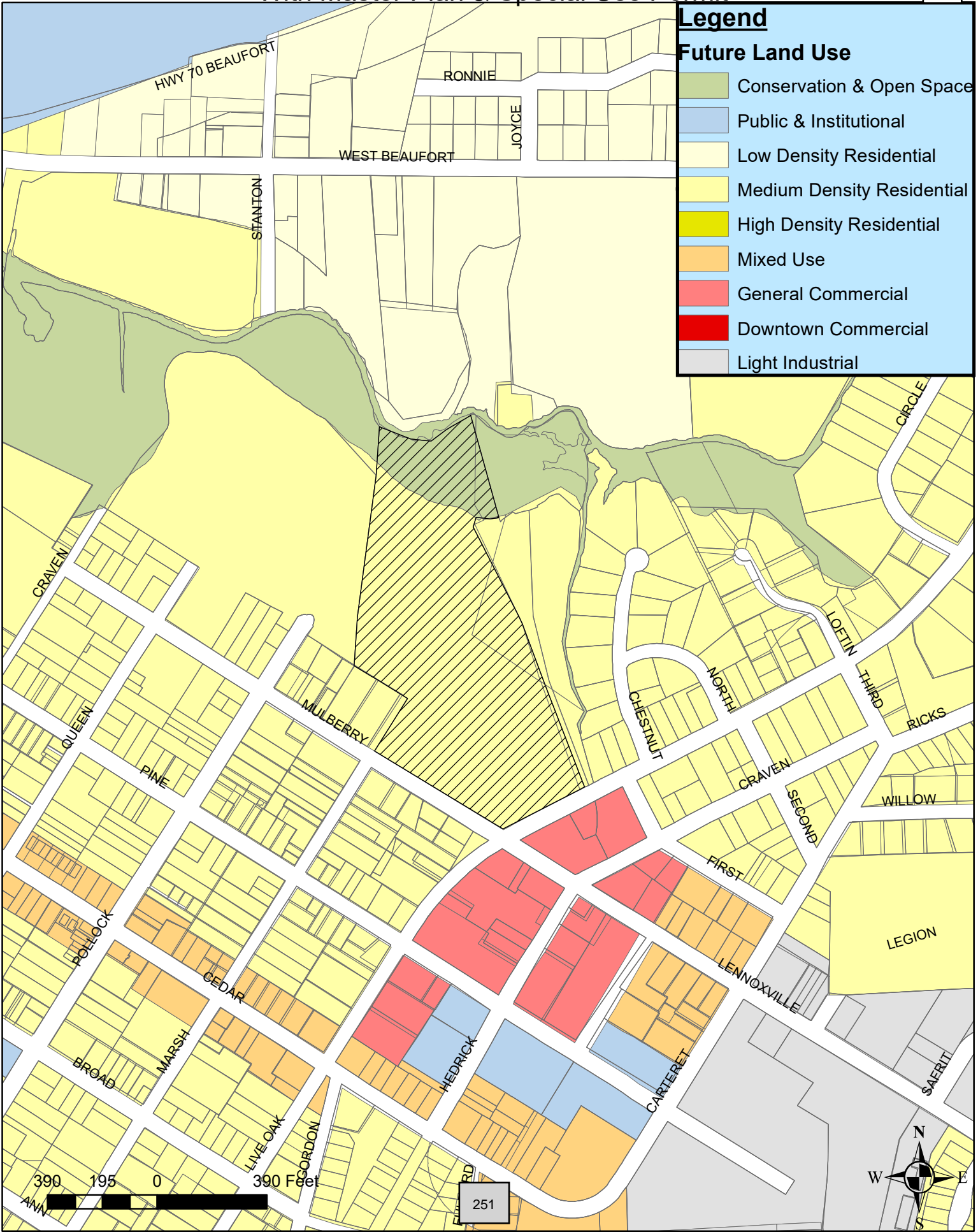


<u>OWNER</u>	<u>MAIL_HOUS</u>	<u>MAIL_ST</u>	<u>MAIL_CITY</u>	<u>IL_ST</u>	<u>MAIL_ZI</u>	<u>MAIL_ADD2</u>
900 LIVE OAK JV LLC	305	TRANSYLVANIA AVENUE	RALEIGH	NC	6951 27609	
BALLOU-LEWIS PROPERTIES LLC			GREENVILLE	NC	27835	PO BOX 662
BISHOP,STEPHEN F ETUX GAIL B	131	CRAVEN STREET	BEAUFORT	NC	28516	
CHAPLAIN,RICHARD M JR ETUX JAN			BEAUFORT	NC	28516	PO BOX 2304
COPESE,Alice H	517	LIVE OAK ST	BEAUFORT	NC	28516	
COUNTY OF CARTERET	302	COURTHOUSE SQUARE	BEAUFORT	NC	28516	SUITE 200
DURHAM,SAMMIE L ETUX LINDA	711 1/2	MULBERRY ST	BEAUFORT	NC	1921 28516	
HAILEY,CYNTHIA ETAL K. THURMAN	804	MULBERRY STREET	BEAUFORT	NC	28516	
HOLZ,LINDA HARRIS TRUSTEE	808	SOUTH IRVING STREET	ARLINGTON	VA	22204	
HUGHES DEVELOPMENT LLC	901-F	PAVERSTONE DRIVE	RALEIGH	NC	27615	
HUNT,R H	118	BRIAR PATCH DR	BEAUFORT	NC	1719 28516	C/O JASON M HUNT
KOTCH,MARTIN JOEL ETUX INDA W	717	MULBERRY STREET	BEAUFORT	NC	28516	
LAND,LARRY MARTIN	700	LANDS POINTE ROAD	MOREHEAD CITY	NC	8946 28557	
LANIER,PEYTON	566	WEST BEAUFORT RD	BEAUFORT	NC	28516	
LDA&J LLC	279	GATSEY LANE	BEAUFORT	NC	28516	
MAIER,JESSICA N ETVIR STEPHEN	802	MULBERRY STREET	BEAUFORT	NC	28516	
MULBERRY STREET PROPERTIES LLC			MT PLEASANT	SC	29465	PO BOX 643
PINER,ROSALIE C L/T	102	CHESTNUT DR	BEAUFORT	NC	28516	
SALTER,JO ANN	100	CHESTNUT DRIVE	BEAUFORT	NC	28516	
WILKO HOLDINGS LLC	801	PLAZA BOULEVARD	KINSTON	NC	28501	

Zoning Map - Case # 22-11 - 801 Mulberry Street Rezoning From TR to PUD With Master Plan & Special Use Permit



CAMA Map - Case # 22-11 - 801 Mulberry Street Rezoning From TR to PUD With Master Plan & Special Use Permit

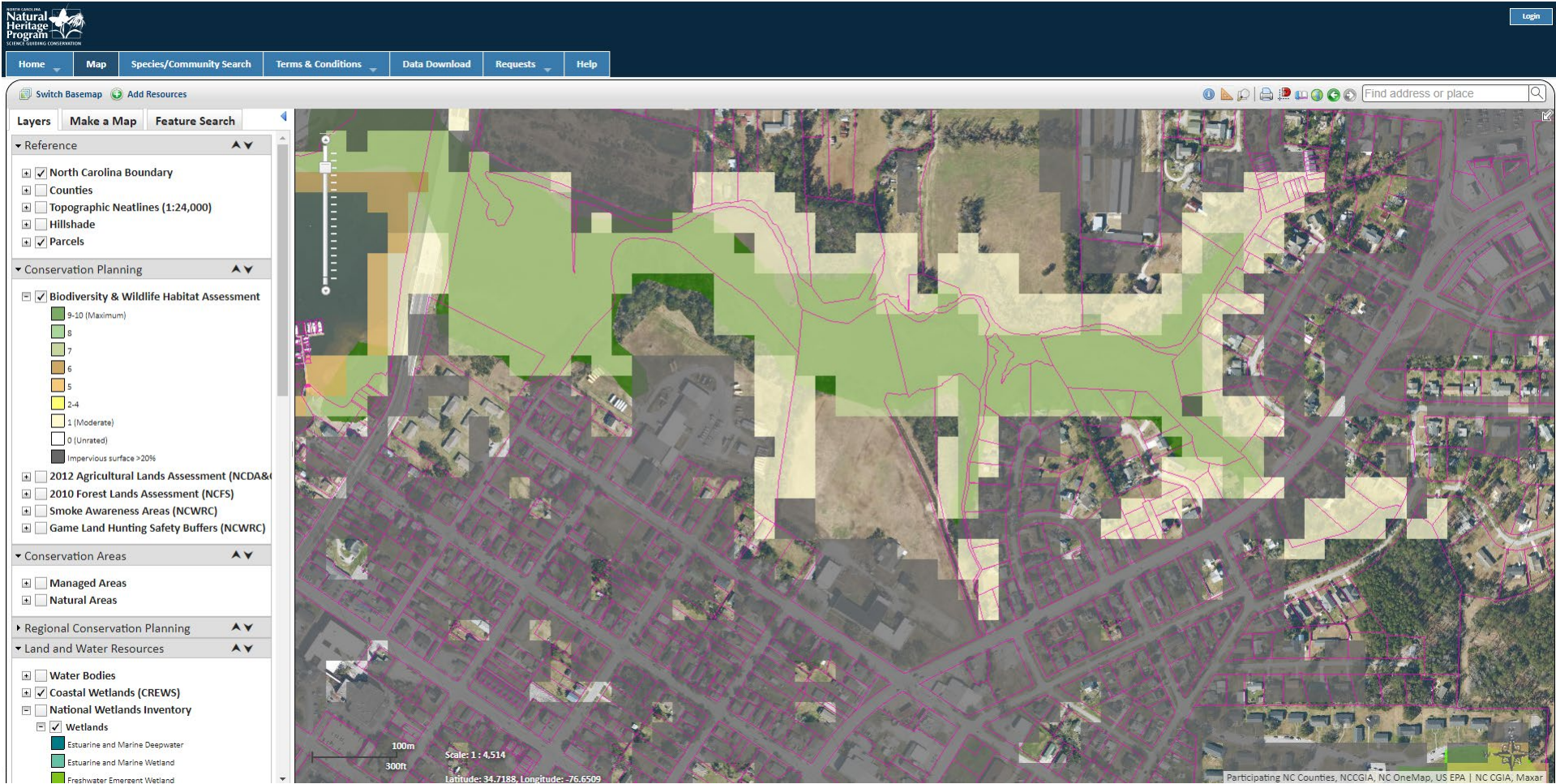


Environmental Conditions: 801 Mulberry Street

These maps were prepared by Town of Beaufort planning staff for informational purposes using the Natural Heritage Program Data Explorer.

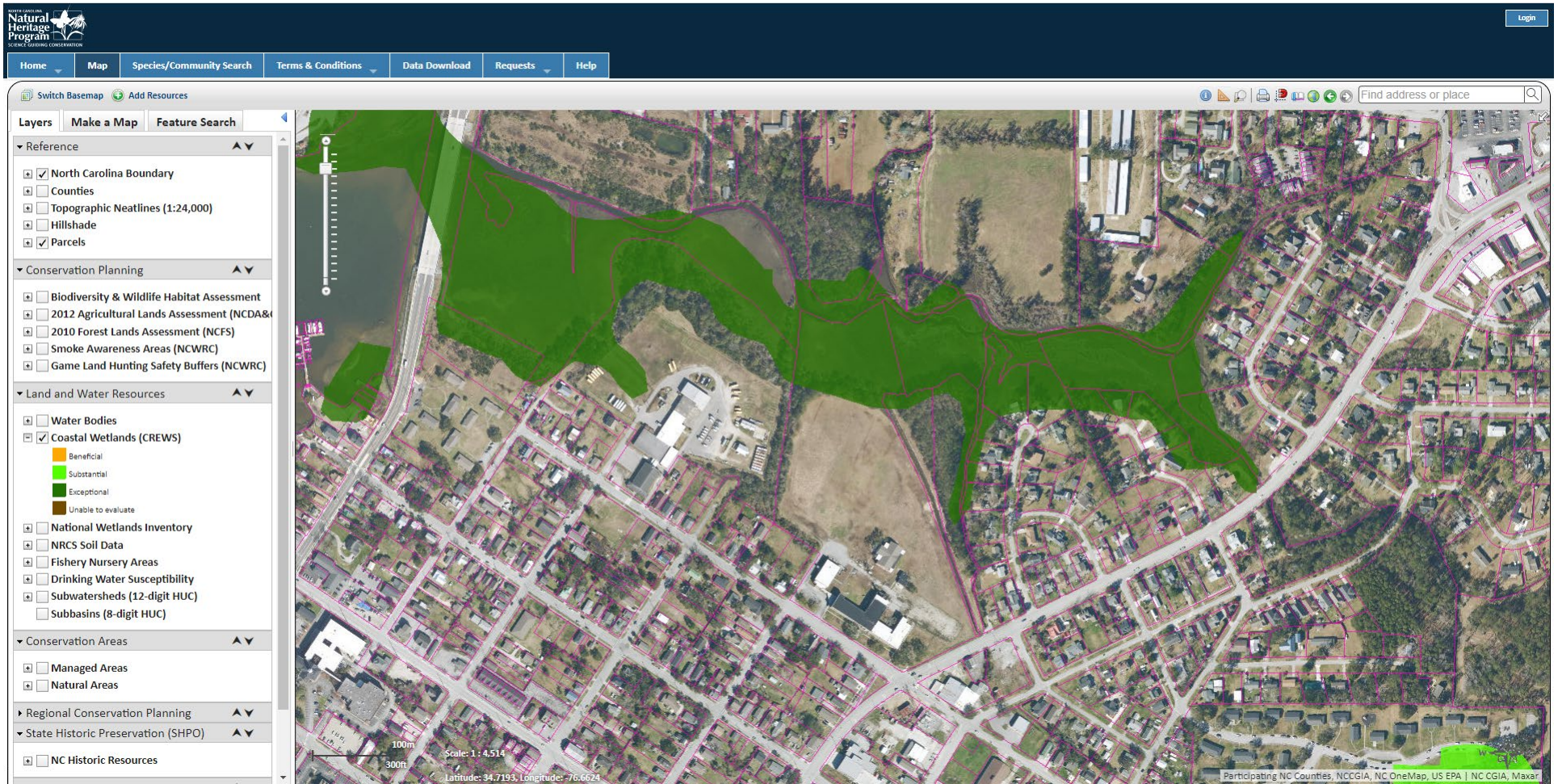
Natural Heritage Program Biodiversity & Wildlife Habitat Assessment

The Biodiversity and Wildlife Habitat Assessment is a map that represents the highest priority areas for conservation of wildlife habitat and biodiversity in North Carolina.



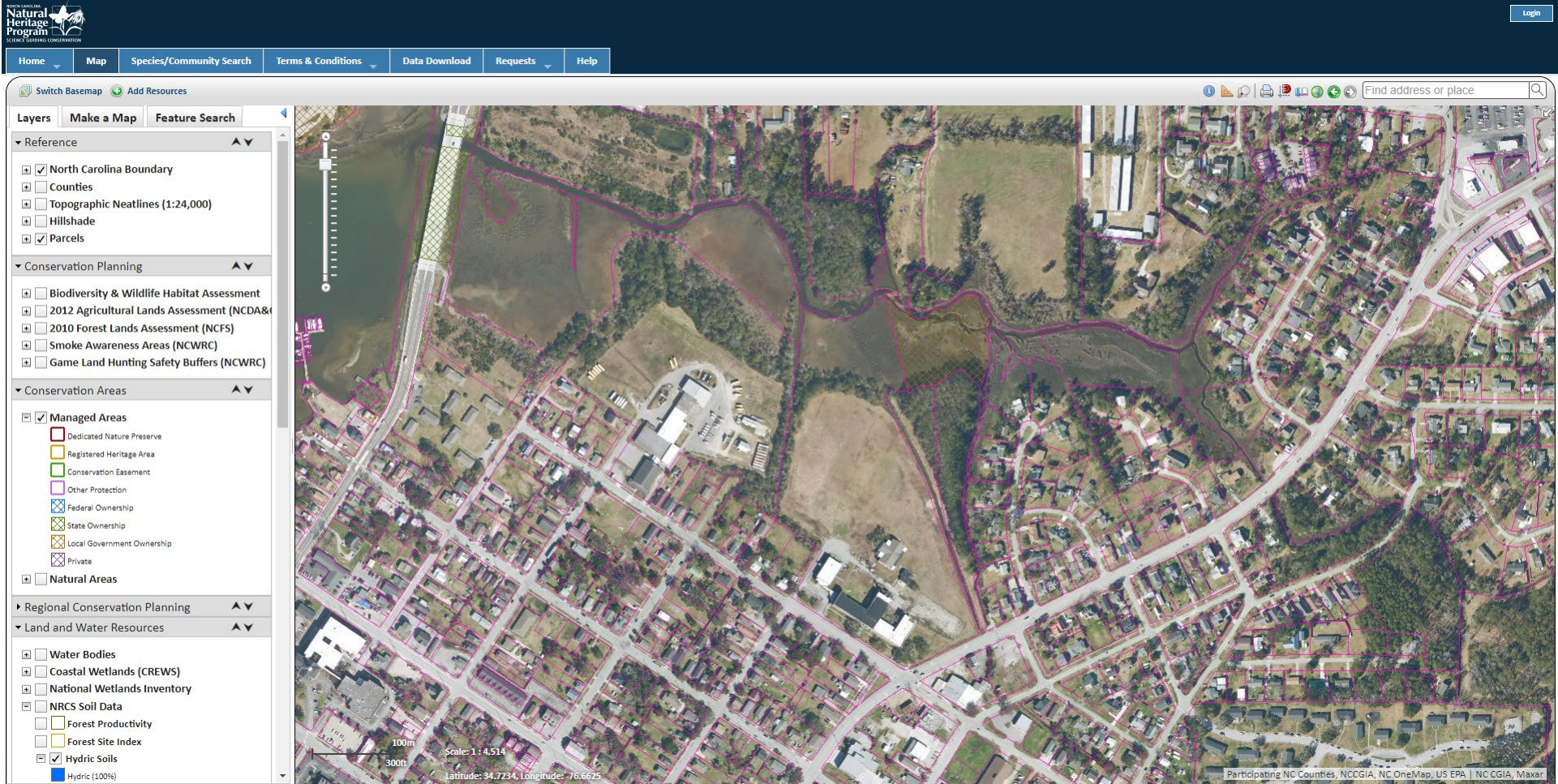
NC Coastal Region Evaluation of Wetland Significance (NC CREWS)

The North Carolina Coastal Region Evaluation of Wetland Significance, or NC-CREWS, is a watershed-based wetlands assessment looking at water quality, wildlife habitat, and hydrologic functions of individual wetlands aimed to illustrate the ecological importance of wetlands.



Managed Conservation Areas

A local-government owned managed area is located nearby the property.



B) Transitional District (TR).

The intent of this district is to serve as a transition between residential and more intensive districts. This includes residential and commercial uses with a low noise and traffic impact which would generally be considered compatible with a residential area which may or may not have buffering requirements as documented in section 19 of this Ordinance. 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 TR district shall be a minimum of eight thousand square feet (8,000 ft²).
- 2) Minimum Lot Width.
All lots in the TR 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 8-4 Lot Requirements

<i>District</i>	<i>Front Setback (Right-of-Way)</i>	<i>Rear Setback</i>	<i>Side Setbacks</i>	<i>Building Height Limitation</i>
TR	25 feet	25 feet	15 feet	35 feet

Table 8-5 Other Lot Requirements

<i>District</i>	<i>Front Setback (Right-of-Way)</i>	<i>Rear Setback</i>	<i>Side Setbacks</i>	<i>Building Height Limitation</i>
TR	25 feet	25 feet	8 feet	35 feet

- 4) Accessory Building Setback Requirements.
All accessory buildings must comply with the lot setback requirements as set forth in section 2-F, section 6, section 15, and all other sections of this Ordinance.
- 5) Permitted Uses.

<ul style="list-style-type: none"> Antenna Co-Location on Existing Tower Assisted Living Athletic Field, Public Bed & Breakfast Carport Club, Lodge, or Hall Commercial Indoor Recreational Facility Community Garden Dock 	<ul style="list-style-type: none"> Dormitory Dwelling, Single-Family Garage, Private Detached Government/Non-Profit Owned/Operated Facilities & Services Group Home Home Occupation Library Mixed Use Mortuary/Funeral Home/Crematorium
---	--

Neighborhood Recreation Center Indoor/Outdoor, Private	Public Utility Facility
Neighborhood Recreation Center, Public	Religious Institution
Nursing Home	Resource Conservation Area
Office: Business, Professional, or Medical	Restaurant with Indoor Operation Shed
Park, Public	Signs, Commercial Free-Standing
Personal Service Establishment	Swimming Pool (Personal Use)
Public Safety Station	Temporary Construction Trailer
	Utility Minor
	Vehicle Charging Station

6) Special Uses (*Special Uses* text may be found in section 20 of this Ordinance).

Accessory Dwelling Unit	Museum
Aquaculture	Other Freestanding Towers
Financial Institution	Outdoor Amphitheater, Public
Cemetery/Graveyard	Parking Lot
Concealed (Stealth) Antennae & Towers	Preschool
Day Care Center	Produce Stand/Farmers' Market
Day Care/Child Care Home	Retail Store
Dwelling, Duplex	Satellite Dish Antenna
Golf Course, Privately Owned	School, K-12
Golf Driving Range	School, Post-Secondary
Hotel or Motel	Tavern/Bar/ Pub with Indoor Operation
Kennel, Indoor/Outdoor Operation	Utility Facility
Marina	

Table 8-8 Transitional Zoning District Table of Uses

Land Development Ordinance Uses		TCA	TR	PUD	CS-MU
Residential Uses					
Group Living	Assisted Living	P	P	S	
	Dormitory	P	P	S	
	Group Home	P	P	S	
	Nursing Home	P	P	S	
Household Living	Accessory Dwelling Unit		S	S	
	Dwelling, Duplex/Townhome	P	S	S	
	Dwelling, Multi-Family	P		S	P
	Dwelling, Single-Family	S	P	S	P
	Manufactured Home			S	
	Manufactured Home Park			S	
	Recreational Vehicle Park			S	
Mixed Uses					
	Mixed Use	S	P	S	P
Public/Institutional Uses					
Aviation	Airport/Landing Strip			S	
Cemeteries/ Graveyards	Cemetery/Graveyard		S	S	
Cultural Facilities	Library		P	S	
	Museum		S	S	
Day Care	Day Care Center		S	S	
	Day Care/Child Care Home		S	S	
Government Services	Government/Non-Profit Owned/ Operated Facilities & Services	P	P	S	
	Public Safety Station	P	P	S	
	Public Utility Facility	P	P	S	P
Hospitals	Hospital			S	
Park and Athletic Fields, Public Use	Athletic Field, Public			S	
	Community Garden	P	P	S	
	Neighborhood Recreation Center, Public	P	P	S	
	Outdoor Amphitheater, Public	S	S	S	
	Park, Public	P	P	S	P
	Resource Conservation Area	P	P	S	
Religious Uses	Religious Institution	S	P	S	P
Educational Uses	Preschool	S	S	S	
	School, K-12		S	S	
	School, Post-Secondary	S	S	S	
Non-Governmental Facilities	Transportation Facility	S		S	
	Utility Facility	S	S	S	P
	Utility Minor	P	P	S	P
Agricultural Uses	Agritourism			S	
	Aquaculture		S	S	
	Farming, General			S	
	Forestry			S	
	Produce Stand/Farmers' Market		S	S	P

Permitted Use

Special Use

Land Development Ordinance for the Town of Beaufort

Table 8-8 Transitional Zoning District Table of Uses

Land Development Ordinance Uses		TCA	TR	PUD	CS-MU
Commercial Uses					
Animal Services	Kennel, Indoor Operation Only		S	S	
	Kennel, Indoor/Outdoor Operation			S	
Assembly	Club, Lodge, or Hall		P	S	
Financial Institutions	Financial Institution		S	S	P
Food and Beverage Services	Microbrewery			S	S
	Restaurant, with Drive-Thru Service	S		S	
	Restaurant, with Indoor Operation	S	P	S	P
	Restaurant, with Outdoor Operation	S		S	P
	Tavern/Bar/Pub with Indoor Operation	S	S	S	S
	Tavern/Bar/Pub with Outdoor Operation	S		S	
Offices	Office: Business, Professional, or Medical		P	S	P
	Office: Small Business				
Public Accommodations	Bed & Breakfast		P	S	
	Hotel or Motel	S	S	S	P
Indoor Recreation & Entertainment, Privately Owned	Adult Entertainment			S	
	Amusement Establishment			S	
	Commercial Indoor Recreation Facility		P	S	
	Neighborhood Recreation Center Indoor/ Outdoor, Private	P	P	S	
	Pool Hall or Billiard Hall			S	
	Theater, Large			S	
	Theater, Small	S		S	
Outdoor Recreation & Entertainment, Privately Owned	Athletic Field, Private			S	
	Commercial Outdoor Amphitheater			S	
	Commercial, Outdoor Recreation Facility			S	
	Golf Course, Privately-Owned		S	S	
	Golf Driving Range		S	S	
	Motor Vehicle Raceway			S	
Retail Sales and Services	Adult-Oriented Retail Establishment			S	
	Convenience Store			S	P
	Mortuary/Funeral Home/ Crematorium		P	S	
	Liquor Store			S	
	Personal Service Establishment	S	P	S	P
	Retail Store	S	S	S	P
Vehicle Storage Facilities	Dry Boat Storage			S	
	Marina	S	S	S	
	Parking Lot		S	S	
	Parking Structure			S	

Permitted Use

Special Use

Table 8-8 Transitional Zoning District Table of Uses

Land Development Ordinance Uses		TCA	TR	PUD	CS-MU
Vehicles and Equipment Facilities	Boat Sales/Rental			S	
	Car Wash			S	
	Gas/Service Station			S	
	Heavy Equipment Sales/Rental			S	
	Heavy Vehicle Repair			S	
	Moped/Golf Cart Sales/Rental			S	
	Motor Vehicle Sales/Rental			S	
	Towing & Vehicle Storage			S	
	Vehicle Service			S	
Industrial Uses					
Industrial Service Uses	General Industrial Service			S	
Manufacturing and Production Uses	Manufacturing, Heavy			S	
	Manufacturing, Light			S	
	Resource Extraction			S	
Telecommunications Facilities	Antenna Co-Location on Existing Tower	P	P	S	
	Concealed (Stealth) Antennae & Towers	P	S	S	
	Other Building-Mounted Antennae & Towers			S	
	Other Freestanding Towers		S	S	
Warehouse and Freight Movement Uses	Commercial Waterfront Facility			S	
	Hazardous Material Storage			S	
	Mini-Storage			S	
	Outdoor Storage			S	
	Warehousing and Distribution Establishment			S	
	Wholesale Establishment			S	
Waste-Related Uses	Recycling & Salvage Operation			S	
Accessory Uses and Structures					
Accessory Uses	Carport	P	P	S	
	Dock	P	P	S	
	Garage, Private Detached	P	P	S	
	Home Occupation	P	P	S	
	Outdoor Retail Display/Sales			S	P
	Satellite Dish Antenna		S	S	
	Shed	P	P	S	
	Signs, Commercial Free- Standing	P	P	S	
	Swimming Pool (Personal Use)		P	S	
	Temporary Construction Trailer	P	P	S	
	Vehicle Charging Station	P	P	S	

Permitted Use

Special Use



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, April 18, 2022 – 614 Broad Street – Train Depot**

AGENDA CATEGORY: New Business
SUBJECT: Case # 22-09 Preliminary/Final Plat - 146 Gibbs Court
BRIEF SUMMARY:

The applicant wishes to subdivide a 4.2 acre tract into 2 lots.

This property is in the Extraterritorial Jurisdiction (ETJ). As this property is located within the Town’s ETJ and is served by existing streets and has water & septic permits from the County, no bonding of infrastructure is required.

Recreation fees in the amount of \$1,259.20 will be required at time of recordation.

REQUESTED ACTION:
Discussion on Preliminary & Final Plat
Decision on Preliminary Plat
Recommendation on the Final Plat to the Board of Commissioners

EXPECTED LENGTH OF PRESENTATION:
10 Minutes

SUBMITTED BY:
Kyle Garner, AICP
Planning & Inspections Director

BUDGET AMENDMENT REQUIRED:
N/A



STAFF REPORT



To: Planning Board Members
From: Kyle Garner, AICP, Town Planner
Date: April 11, 2022
Case No. 22-09 Preliminary/Final Plat 146 Gibbs Court

THE QUESTION: Subdivide a 4.2 acre tract into 2 lots.

BACKGROUND: This property is in the Extraterritorial Jurisdiction (ETJ)

Location: 146 Gibbs Court
 Owners: Jose & Celia Gutierrez
 Requested Action: Subdivide a 4.2 Acre Tract into 2 Lots
 Existing Zoning: R-20
 Size: 4.2 acres
 Existing Land Use: Undeveloped

SPECIAL INFORMATION: As this property is located within the Town’s ETJ and is served by existing streets and has water & septic permits from the County no bonding of infrastructure is required.

Recreation fees in the amount of \$1,259.20 will be required at time of recordation.

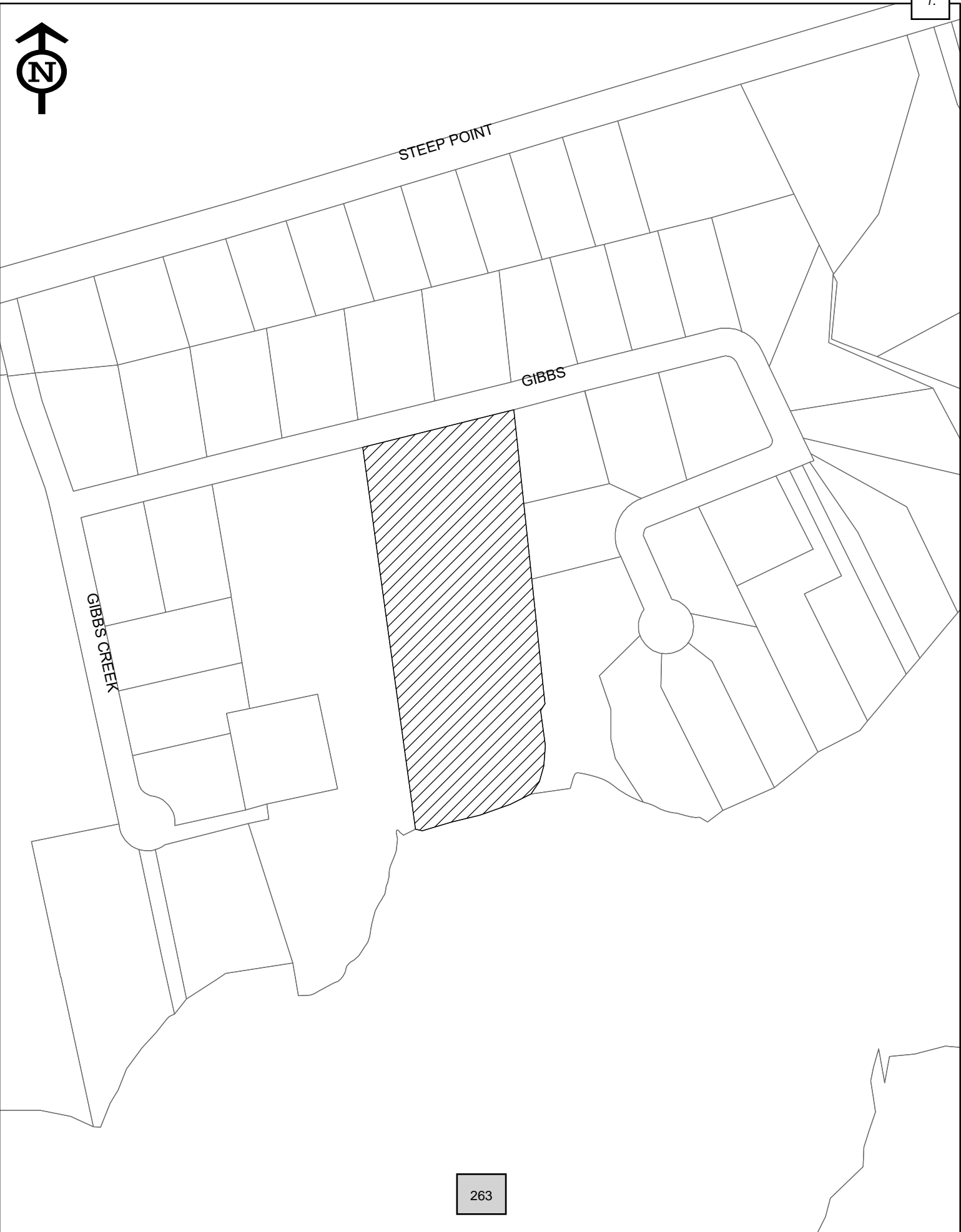
Public Utilities:
 Water: Private Well (See County Environmental Permit)
 Sanitary Sewer: Septic (See County Environmental Permit)

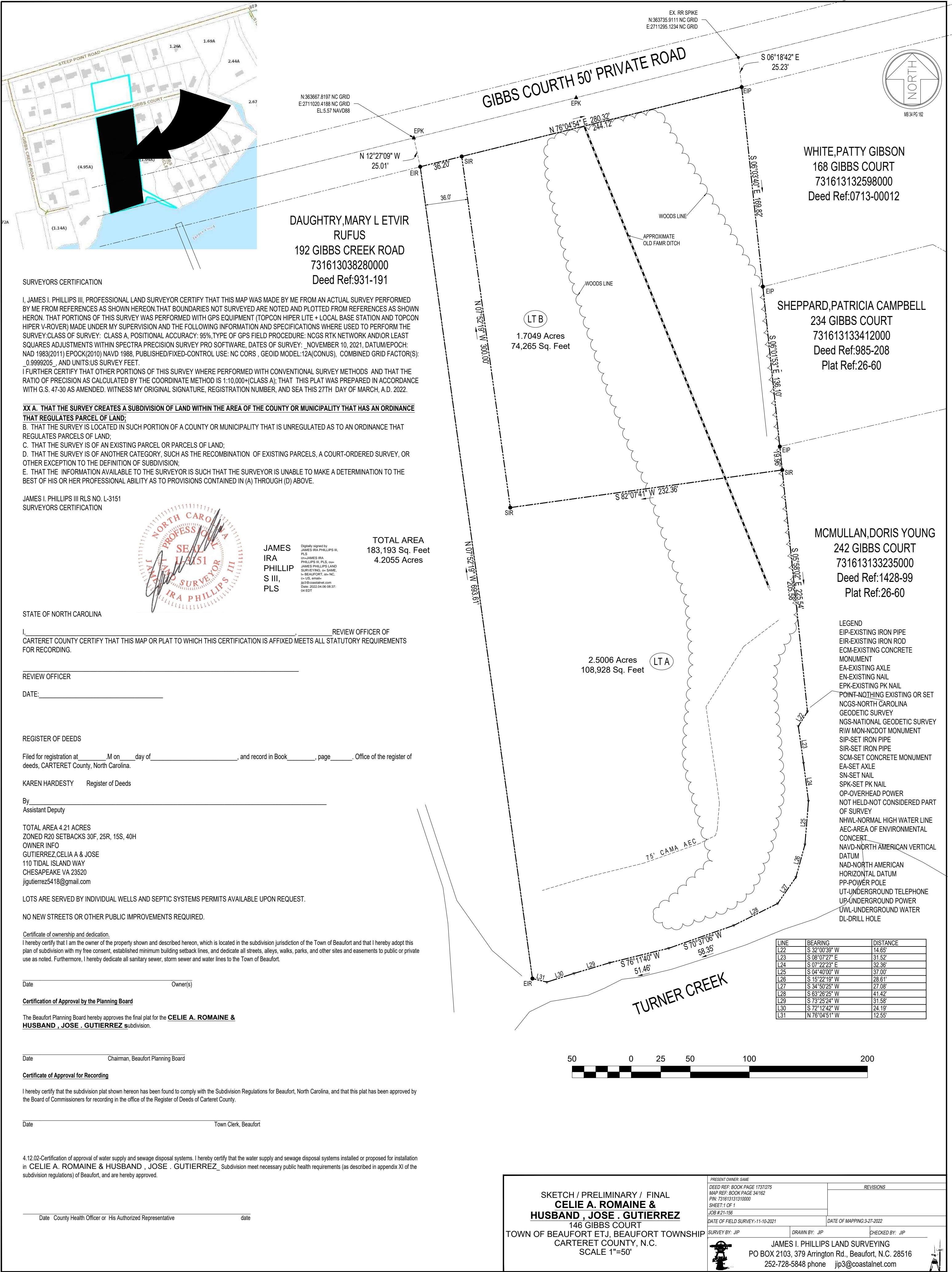
- OPTIONS:**
1. Decision on Preliminary Plat
 2. Recommendation on the Final Plat for 146 Gibbs Court

- Attachments:**
- Attachment A - Vicinity Map
 - Attachment B - Preliminary/Final Plat 146 Gibbs Court
 - Attachment C – County Environmental - Water/Well Permit
 - Attachment D – County Environmental - Septic Permit
 - Attachment E – Existing Plat
 - Attachment F – Environmental Conditions

Case 22-09 Vicinity Map - Preliminary/Final Plat - 146 Gibbs Court

1.





DAUGHTRY, MARY L ETVIR RUFUS
 192 GIBBS CREEK ROAD
 731613038280000
 Deed Ref: 931-191

WHITE, PATTY GIBSON
 168 GIBBS COURT
 731613132598000
 Deed Ref: 0713-00012

SHEPPARD, PATRICIA CAMPBELL
 234 GIBBS COURT
 731613133412000
 Deed Ref: 985-208
 Plat Ref: 26-60

MCMULLAN, DORIS YOUNG
 242 GIBBS COURT
 731613132350000
 Deed Ref: 1428-99
 Plat Ref: 26-60

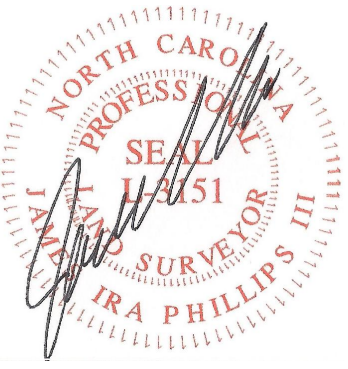
SURVEYORS CERTIFICATION

I, JAMES I. PHILLIPS III, PROFESSIONAL LAND SURVEYOR CERTIFY THAT THIS MAP WAS MADE BY ME FROM AN ACTUAL SURVEY PERFORMED BY ME FROM REFERENCES AS SHOWN HEREON. THAT BOUNDARIES NOT SURVEYED ARE NOTED AND PLOTTED FROM REFERENCES AS SHOWN HEREON. THAT PORTIONS OF THIS SURVEY WAS PERFORMED WITH GPS EQUIPMENT (TOPCON HIPER LITE + LOCAL BASE STATION AND TOPCON HIPER V-ROVER) MADE UNDER MY SUPERVISION AND THE FOLLOWING INFORMATION AND SPECIFICATIONS WERE USED TO PERFORM THE SURVEY: CLASS OF SURVEY: CLASS A, POSITIONAL ACCURACY: 95% TYPE OF GPS FIELD PROCEDURE: NCGS RTK NETWORK AND/OR LEAST SQUARES ADJUSTMENTS WITHIN SPECTRA PRECISION SURVEY PRO SOFTWARE, DATES OF SURVEY: NOVEMBER 10, 2021, DATUM/EPOCH: NAD 1983(2011) EPOCH(2010) NAVD 1988, PUBLISHED/FIXED-CONTROL USE: NC CORRS, GEOID MODEL: 12A(CONUS), COMBINED GRID FACTOR(S): 0.9999205, AND UNITS: US SURVEY FEET.

I FURTHER CERTIFY THAT OTHER PORTIONS OF THIS SURVEY WERE PERFORMED WITH CONVENTIONAL SURVEY METHODS AND THAT THE RATIO OF PRECISION AS CALCULATED BY THE COORDINATE METHOD IS 1:10,000+(CLASS A); THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER, AND SEA THIS 27TH DAY OF MARCH, A.D. 2022.

XX A. THAT THE SURVEY CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF THE COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND;
 B. THAT THE SURVEY IS LOCATED IN SUCH PORTION OF A COUNTY OR MUNICIPALITY THAT IS UNREGULATED AS TO AN ORDINANCE THAT REGULATES PARCELS OF LAND;
 C. THAT THE SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND;
 D. THAT THE SURVEY IS OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT-ORDERED SURVEY, OR OTHER EXCEPTION TO THE DEFINITION OF SUBDIVISION;
 E. THAT THE INFORMATION AVAILABLE TO THE SURVEYOR IS SUCH THAT THE SURVEYOR IS UNABLE TO MAKE A DETERMINATION TO THE BEST OF HIS OR HER PROFESSIONAL ABILITY AS TO PROVISIONS CONTAINED IN (A) THROUGH (D) ABOVE.

JAMES I. PHILLIPS III RLS NO. L-3151
 SURVEYORS CERTIFICATION



JAMES IRA PHILLIPS III, PLS
 Digitally signed by JAMES IRA PHILLIPS III, PLS
 DN: cn=JAMES IRA PHILLIPS III, PLS, o=JAMES PHILLIPS LAND SURVEYING, ou=STATE OF NORTH CAROLINA, ou=REGISTERED PROFESSIONAL LAND SURVEYORS, email=jip3@coastalnet.com, Date: 2022.04.06 08:37:04 EDT

TOTAL AREA
 183,193 Sq. Feet
 4.2055 Acres

STATE OF NORTH CAROLINA

I, _____ REVIEW OFFICER OF CARTERET COUNTY CERTIFY THAT THIS MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

REVIEW OFFICER

DATE: _____

REGISTER OF DEEDS

Filed for registration at _____ M on _____ day of _____, and record in Book _____, page _____. Office of the register of deeds, CARTERET County, North Carolina.

KAREN HARDESTY Register of Deeds

By _____

Assistant Deputy

TOTAL AREA 4.21 ACRES
 ZONED R20 SETBACKS 30F, 25R, 15S, 40H
 OWNER INFO
 GUTIERREZ, CELIA A & JOSE
 110 TIDAL ISLAND WAY
 CHESAPEAKE VA 23520
 jgutierrez5418@gmail.com

LOTS ARE SERVED BY INDIVIDUAL WELLS AND SEPTIC SYSTEMS PERMITS AVAILABLE UPON REQUEST.

NO NEW STREETS OR OTHER PUBLIC IMPROVEMENTS REQUIRED.

Certificate of ownership and dedication.

I hereby certify that I am the owner of the property shown and described hereon, which is located in the subdivision jurisdiction of the Town of Beaufort and that I hereby adopt this plan of subdivision with my free consent, established minimum building setback lines, and dedicate all streets, alleys, walks, parks, and other sites and easements to public or private use as noted. Furthermore, I hereby dedicate all sanitary sewer, storm sewer and water lines to the Town of Beaufort.

Date _____ Owner(s) _____

Certification of Approval by the Planning Board

The Beaufort Planning Board hereby approves the final plat for the **CELIE A. ROMAINE & HUSBAND, JOSE . GUTIERREZ** subdivision.

Date _____ Chairman, Beaufort Planning Board

Certificate of Approval for Recording

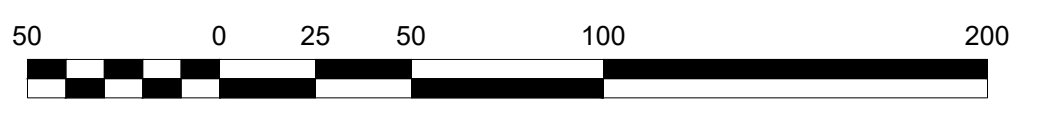
I hereby certify that the subdivision plat shown hereon has been found to comply with the Subdivision Regulations for Beaufort, North Carolina, and that this plat has been approved by the Board of Commissioners for recording in the office of the Register of Deeds of Carteret County.

Date _____ Town Clerk, Beaufort

4.12.02-Certification of approval of water supply and sewage disposal systems. I hereby certify that the water supply and sewage disposal systems installed or proposed for installation in **CELIE A. ROMAINE & HUSBAND, JOSE . GUTIERREZ** Subdivision meet necessary public health requirements (as described in appendix XI of the subdivision regulations) of Beaufort, and are hereby approved.

Date _____ County Health Officer or His Authorized Representative _____ date

LINE	BEARING	DISTANCE
L22	S 32°00'39" W	14.65
L23	S 08°07'27" E	31.52
L24	S 07°22'23" E	32.36
L25	S 04°40'00" W	37.00
L26	S 15°22'19" W	28.61
L27	S 34°50'25" W	27.08
L28	S 63°26'25" W	41.42
L29	S 73°25'24" W	31.58
L30	S 72°12'42" W	24.19
L31	N 76°04'51" W	12.55

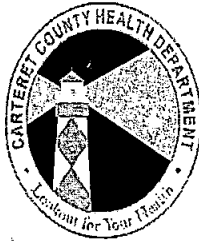


SKETCH / PRELIMINARY / FINAL
CELIE A. ROMAINE & HUSBAND, JOSE . GUTIERREZ
 146 GIBBS COURT
 TOWN OF BEAUFORT ETJ, BEAUFORT TOWNSHIP
 CARTERET COUNTY, N.C.
 SCALE 1"=50'

PRESENT OWNER: SAME
 DEED REF: BOOK PAGE 1737275
 MAP REF: BOOK PAGE 34162
 PIN: 7316131310000
 SHEET: 1 OF 1
 JOB #21-156
 DATE OF FIELD SURVEY: 11-10-2021
 DATE OF MAPPING: 3-27-2022

SURVEY BY: JIP DRAWN BY: JIP CHECKED BY: JIP

JAMES I. PHILLIPS LAND SURVEYING
 PO BOX 2103, 379 Arrington Rd., Beaufort, N.C. 28516
 252-728-5848 phone jip3@coastalnet.com



Well Construction Permit

Carteret County Health Department
Environmental Health Division
3820 Bridges St. Suite A
Morehead City NC, 28557
Phone: 252-728-8499 Fax: 252-222-7753

For Office Use Only

*CDP File Number 360835

PIN Number: 73161313131000

Tax Lot #: A Tax Block #: _____

Evaluated For: SINGLE FAMILY WELL

Property Owner: George Edward Gibbs

Address: 1304 Inverness Dr

City: Lawrence

State/Zip: NC / 66049

Phone #: H: (785) 843-6340

Applicant: Sarah Hassinger

Address: 131 Middle Ln

City: Beaufort

State/Zip: NC / 28516

Phone #: C: (252) 723-0255

Property Location & Site Information

Address/Road #: 146 Gibbs Ct Subdivision: _____ Phase: _____ Lot: A

Beaufort NC, 28516 *Proposed use of Well: SINGLE FAMILY

Directions If Other: _____

Well Contractor Information

Drilling Contractor: _____ Driller Registration: _____

Permit Conditions

***Permit Conditions**

Well shall maintain the following setbacks:

- 25' to any existing or proposed structure or foundation
- 50' to any part of initial or repair wastewater system area

Well location, construction and protection must meet all state and local regulations and must be inspected and approved by an authorized representative of the Local Health Department. The permit may be revoked at any time for failure to comply with existing regulations. The siting of approved well construction area(s) by the Health Department is to provide protection from the known possible sources of contamination. The approved well area(s) may not be changed without permission from an authorized representative of the Local Health Department. No volume of quality of water is guaranteed by the Health Department.

*Issued By: Tovsky, Andrew

Authorized State Agent: *[Signature]*

Owner/Applicant: _____

*Date of Issue: 08/03/2021

Hand Drawing Import Drawing

****Site Plan/Drawing attached.****

Site Plan

1.

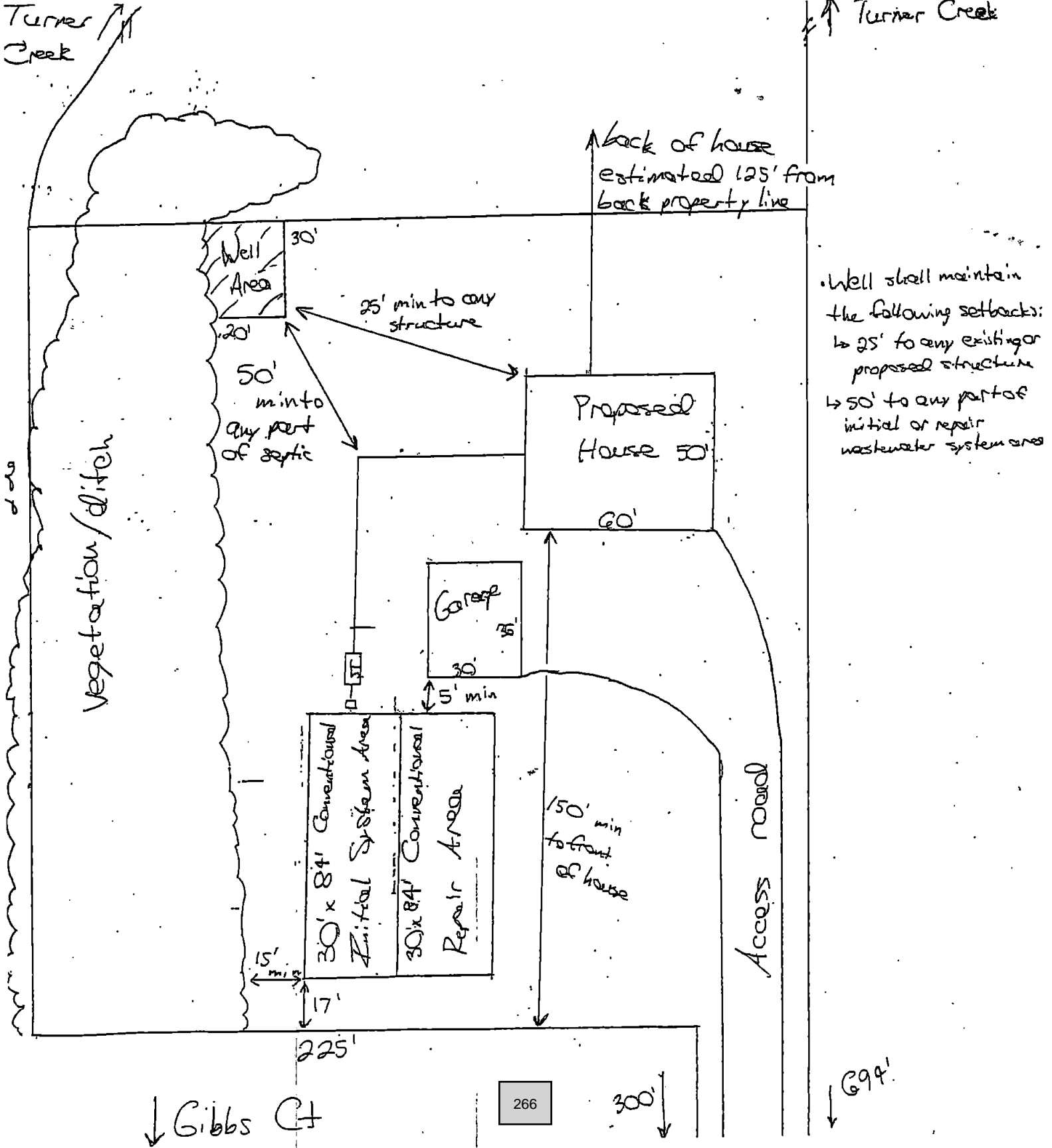
- Construction Authorization
- Improvement Permit
- Well Permit
- Existing System Connection Authorization

CDP File Number: 360835

County File Number: 2316.13.13.1310

Scale 1" to 40'

Address: 146 Gibbs Ct Lot A

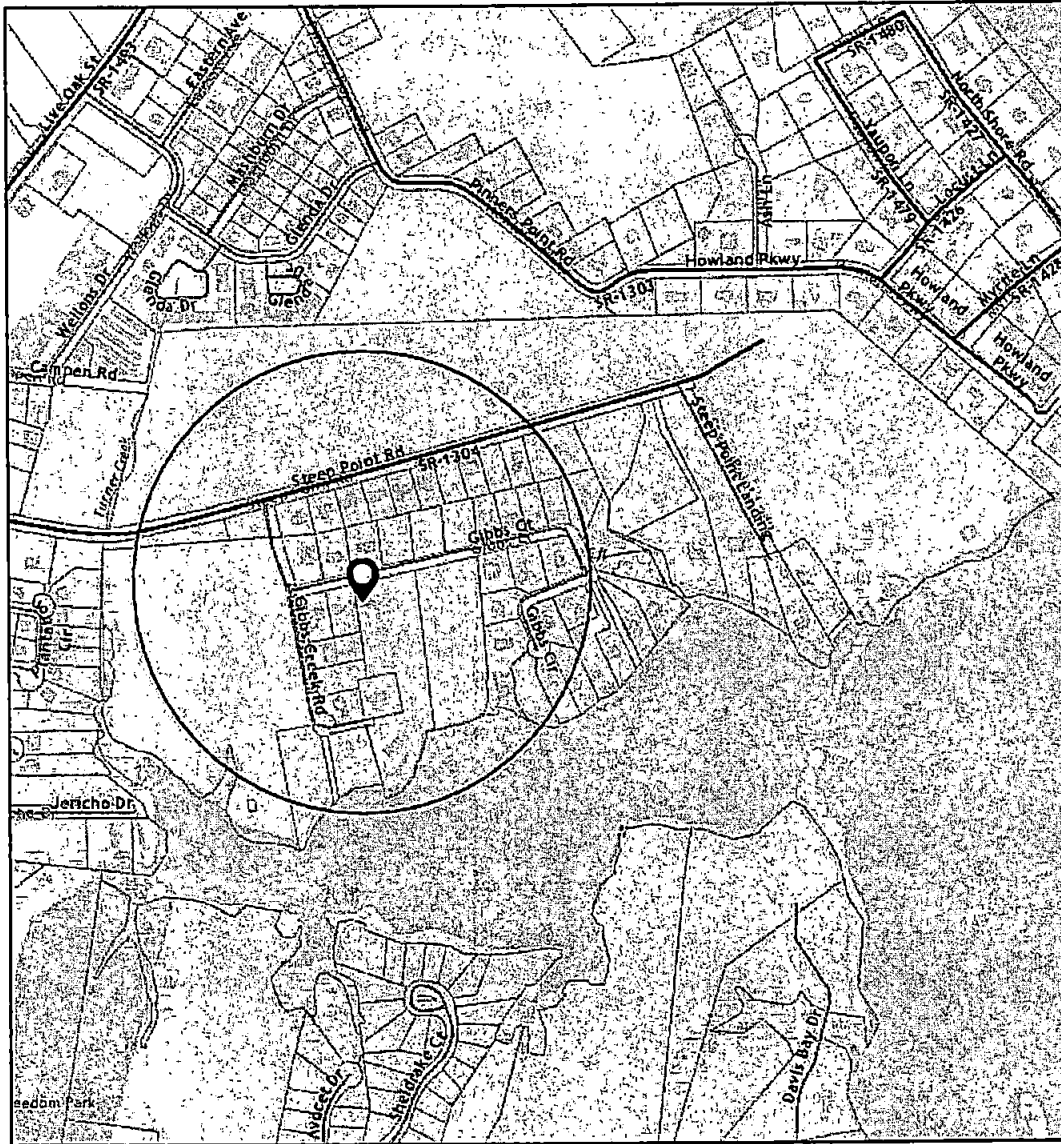


WPDT Report

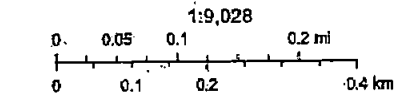
Area of Interest (AOI) Information

Area : 3,134,508.65 ft²

Aug 3 2021 15:18:08 Eastern Daylight Time



- Parcels (Polygons) - Parcels
- Non-System Roads**
 - Federal Route
 - Non-System
- Other System Roads**
 - Ramps, Rest Areas, Non-Mainline
- Projected Route**
- Other State Agency Route**
 - Secondary Route
- Primary Roads**
 - Interstate
 - US Route
 - NC Route



NC DOT, GIS Unit, Esri, NASA, NSA, USGS, FEMA, Esri Community Mass
 Contributors, Curator, County, State of North Carolina, Esri, NCRHE
 Query, GeoCloud, INCREMENT P, METANADA, USGS, EPA, HPS, US
 Census Bureau, USDA

All North Carolina Department of Environmental Quality (NCDEQ) GIS data is expressly provided "AS IS" and "WITH ALL FAULTS". The NCDEQ makes no warranty of any kind, express or implied, concerning this information, including but not limited to any warranties of merchantability or fitness for any particular purpose. The NCDEQ assumes no responsibility or legal liability concerning the Data's accuracy, reliability, completeness, timeliness, or usefulness. The data is not intended to constitute advice nor is it to be used as a substitute for specific advice from a professional. Users should not act (or refrain from acting) based upon information in the Data without independently verifying the information and obtaining any necessary professional advice. Users are solely responsible for ensuring the accuracy, currency and other qualities of any products derived from or in connection with the NCDEQ's Data. The Data is collected from various sources and may be modified over time without notice to improve spatial and attribute accuracy. The NCDEQ disclaims responsibility for the spatial accuracy and attribution of GIS features and makes no warranty concerning same.



Well Construction Permit

Carteret County Health Department
Environmental Health Division
3820 Bridges St. Suite A
Morehead City NC, 28557
Phone: 252-728-8499 Fax: 252-222-7753

For Office Use Only

*CDP File Number 360836

PIN Number: 731613131000

Tax Lot #: B Tax Block #: _____

Evaluated For: SINGLE FAMILY WELL

Property Owner: George Edward Gibbs

Address: 1304 Inverness Dr

City: Lawrence

State/Zip: NC / 66049

Phone #: H: (785) 843-6340

Applicant: Sarah Hassinger

Address: 131 Middle Ln

City: Beaufort

State/Zip: NC / 28516

Phone #: C: (252) 723-0255

Property Location & Site Information

Address/Road #: 146 Gibbs Ct Subdivision: _____ Phase: _____ Lot: B

Beaufort NC, 28516 *Proposed use of Well: SINGLE FAMILY

Directions If Other: _____

Well Contractor Information

Drilling Contractor: _____ Driller Registration: _____

Permit Conditions

***Permit Conditions**

Well shall maintain the following setbacks:

- 25' to any existing or proposed structure or foundation
- 50' to any part of initial or repair wastewater system area

Well location, construction and protection must meet all state and local regulations and must be inspected and approved by an authorized representative of the Local Health Department. The permit may be revoked at any time for failure to comply with existing regulations. The siting of approved well construction area(s) by the Health Department is to provide protection from the known possible sources of contamination. The approved well area(s) may not be changed without permission from an authorized representative of the Local Health Department. No volume of quality of water is guaranteed by the Health Department.

*Issued By: Tovsky, Andrew

Authorized State Agent: *Andrew Tovsky*

Owner/Applicant: _____

*Date of Issue: 08/03/2021

Hand Drawing Import Drawing

****Site Plan/Drawing attached.****

Site Plan

1.

- Construction Authorization
- Improvement Permit
- Well Permit
- Existing System Connection Authorization

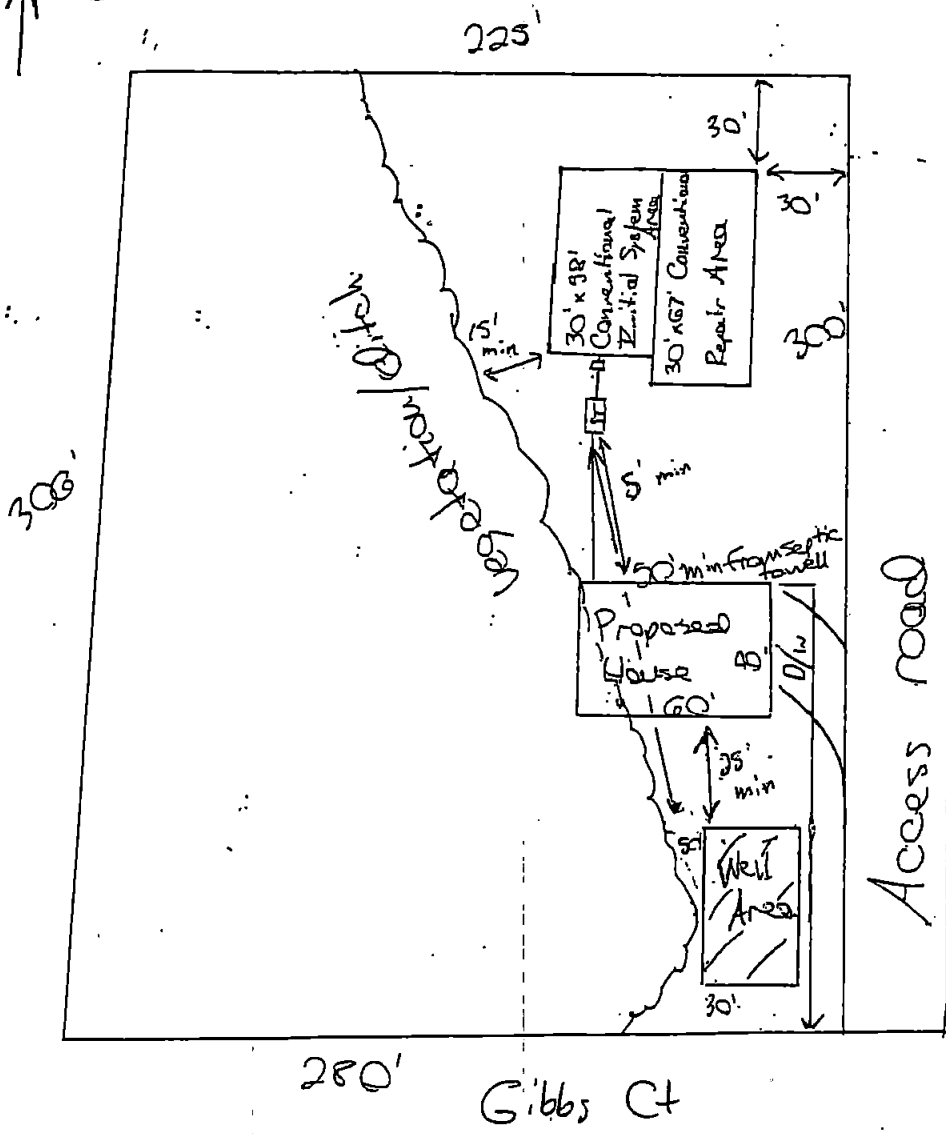
CDP File Number: 369836

County File Number: 7316.13.13.13.10

Scale 1 " to 60 '

Address: 146 Gibbs Ct Lot B

Turner
Creek
↑



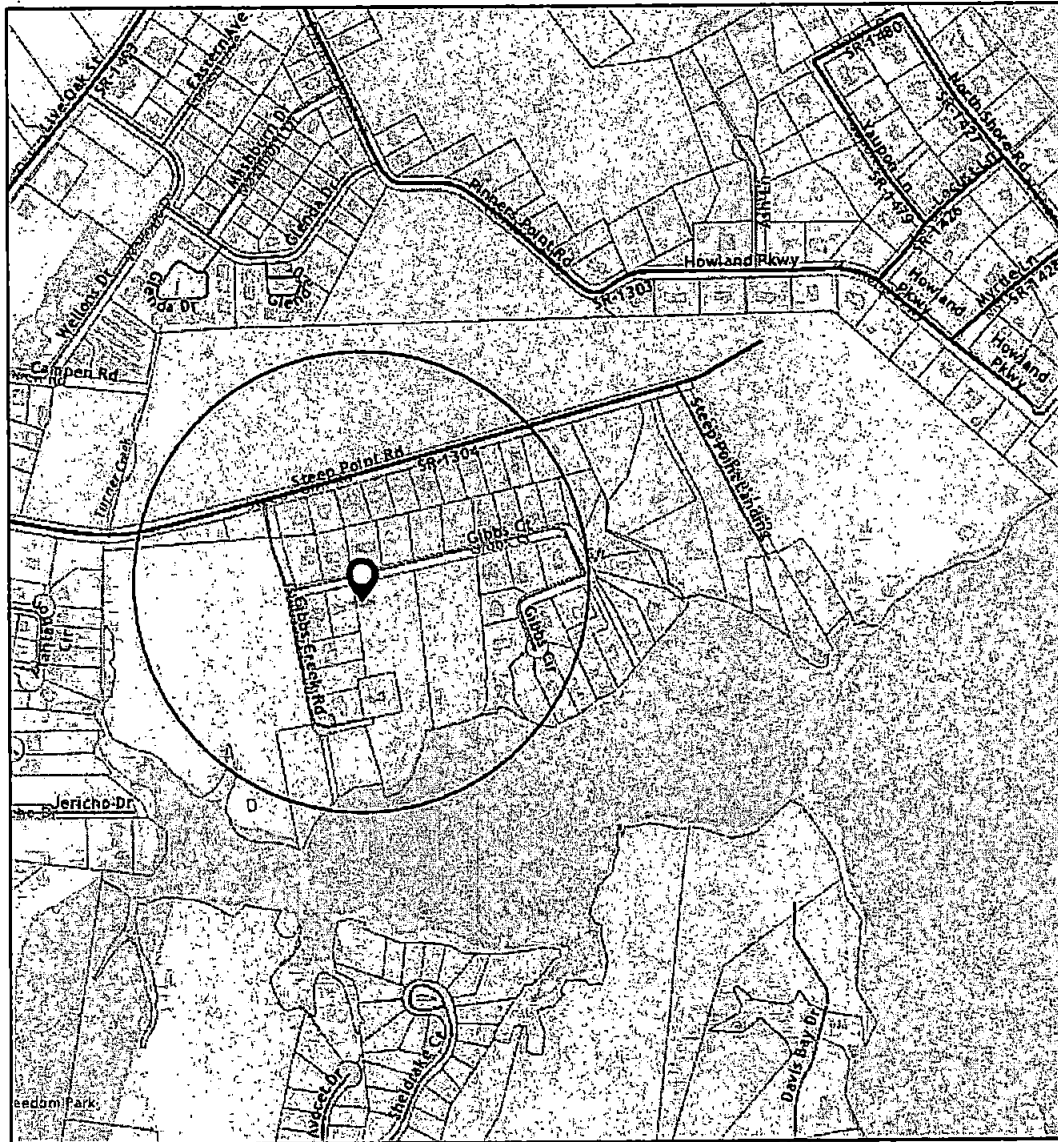
Well shall maintain the following setbacks:
↳ 25' to any existing or proposed structure or foundation
↳ 50' to any part of initial or repair wastewater system area

WPDT Report

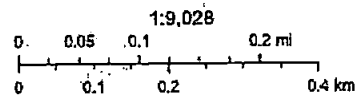
Area of Interest (AOI) Information

Area : 3,134,508.65 ft²

Aug 3 2021 15:18:08 Eastern Daylight Time



- Parcels (Polygons) - Parcels
- Non-System Roads**
 - Federal Route
 - Non-System
- Other System Roads**
 - Ramps, Rest Areas, Non-Mainline
- Projected Route**
 - Projected Route
- Other State Agency Route**
 - Other State Agency Route
- Secondary Route**
 - Secondary Route
- Primary Roads**
 - Interstate
 - US Route
 - NC Route



INCDOT GIS Unit, Esri, NASA, NGA, USGS, FEMA, Earl County, North Carolina DOI, Inc, MEHE, Garmin, SafeScape, INCREMENT P, METANASA, USGS, EPA, NPS, US Census Bureau, USDA

All North Carolina Department of Environmental Quality (NCDEQ) GIS data is expressly provided "AS IS" and "WITH ALL FAULTS". The NCDEQ makes no warranty of any kind, express or implied, concerning this information, including but not limited to any warranties of merchantability or fitness for any particular purpose. The NCDEQ assumes no responsibility or legal liability concerning the Data's accuracy, reliability, completeness, timeliness, or usefulness. The data is not intended to constitute advice nor is it to be used as a substitute for specific advice from a professional. Users should not act (or refrain from acting) based upon information in the Data without independently verifying the information and obtaining any necessary professional advice. Users are solely responsible for ensuring the accuracy, currency and other qualities of any products derived from or in connection with the NCDEQ's Data. The Data is collected from various sources and may be modified over time without notice to improve spatial and attribute accuracy. The NCDEQ disclaims responsibility for the spatial accuracy and attribution of GIS features and makes no warranty concerning same.



IMPROVEMENT PERMIT

Carteret County Health Department
Environmental Health Division
3820 Bridges St. Suite A
Morehead City, NC 28557
Phone: 252-728-8499 Fax: 252-222-7753

For Office Use Only

*CDP File Number 360835 - 1
County ID Number: 73161313131000
Evaluated For: NEW

1.

PERMIT VALID UNTIL: 07/14/2026

***NOTE TO INSPECTIONS DIVISION:** Building Permits cannot be issued with this Improvement Permit.

Applicant: Sarah Hassinger
 Address: 131 Middle Ln
 City: Beaufort
 State/Zip: NC 28516
 Phone #: wrk: (252) 728-1310 cell :(252) 723-0255

Property Owner: George Edward Gibbs
 Address: 1304 Inverness Dr
 City: Lawrence
 State/Zip: KS. 66049
 Phone #: home: (785) 843-6340

Property Location & Site Information

Address/Road #: 146 Gibbs Ct Beaufort, NC 28516 Subdivision: _____ Phase: NEW Lot: A
 Structure: SINGLE FAMILY **Directions**
 # of Bedrooms: 5
 # of People: 10
 *Water Supply: PUBLIC

System Specifications

Initial System
 *Site Classification: Provisionally Suitable Minimum Trench Depth: 12 Inches
 Design Flow: 600 Maximum Trench Depth: 14 Inches
 Soil Application Rate: 0.6000
 *System Classification/Description: TYPE II C. CONV. SYSTEM WITH SHALLOW PLACEMENT Septic Tank: 1250 Gallons
 Pump Required: Yes No May Be Required
 *Proposed System: CONVENTIONAL Pump Tank: 1000 Gallons

Repair System Required: Yes No No, but has Available Space

Repair System

*Site Classification: Provisionally Suitable Minimum Trench Depth: 12 Inches
 Soil Application Rate: 0.600 Maximum Trench Depth: 16 Inches
 *System Classification/Description: TYPE II C. CONV. SYSTEM WITH SHALLOW PLACEMENT Pump Required: Yes No May Be Required
 *Proposed System: CONVENTIONAL Pump Tank: _____ Gallons

No grading or construction activity is allowed in areas designated for system and repair without approval of Health Department

*Site Modifications

The issuance of this permit by the Health Department in no way guarantees the issuance of other permits. The permit holder is responsible for checking with appropriate governing bodies in meeting their requirements.

*Permit Conditions

The Department and Local Health Department may impose conditions on the issuance and may revoke the permits for failure of the system to satisfy the conditions, the rules, or this article. This permit is subject to revocation if the site plan, plat, or intended use changes (NCGS 130A-335(f)). The person owning or controlling the system location, installing, operation, maintenance, monitoring, reporting, and repair (1938(b)).

Authorized State Agent:

Allen, Daniel *Daniel Allen*

Date of Issue:

07/14/2021

Hand Drawing

Import Drawing

Site Plan/Drawing attached.

Site Plan

1.

- Construction Authorization
- Improvement Permit
- Well Permit
- Existing System Connection Authorization

CDP File Number: 360835

County File Number: 7316.13.131310

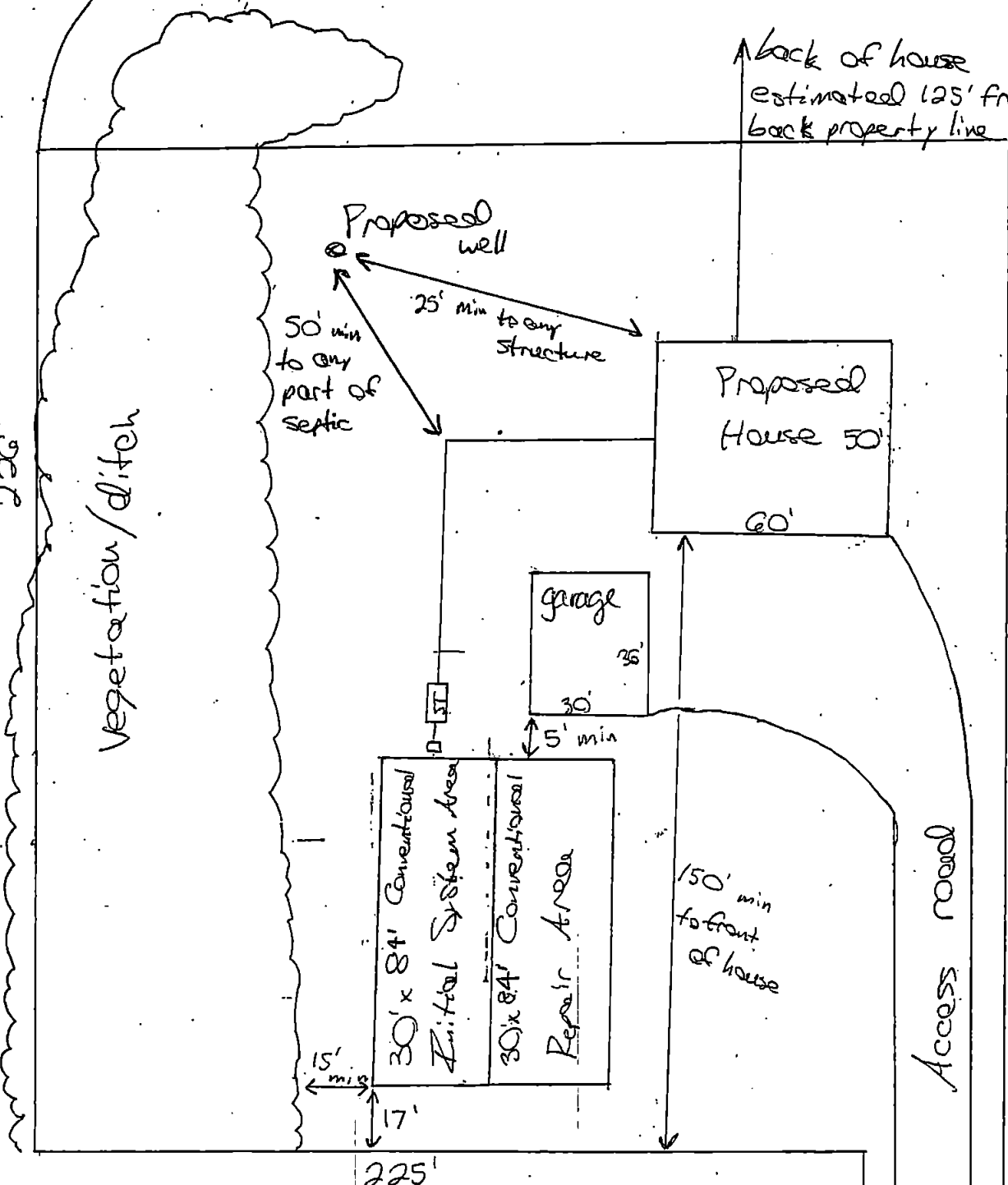
Scale 1" to 40'

Address: 146 Gibbs Ct Lot A

Turner
Creek

Turner Creek

Back of house
estimated 125' from
back property line



o A well permit shall be required prior to Construction Authorization issuance.

o A recorded map of the property shall be required prior to Construction Authorization issuance.

226'

Vegetation/ditch

Gibbs Ct

274

300'

694'

225'

150' min
to front
of house

50' min
to any
part of
septic

25' min to any
structure

Proposed
House 50'
60'

garage
35'
30'

30' x 84' Conventional
Initial System Area
30' x 84' Conventional
Repair Area

15' min

17'

Access road



IMPROVEMENT PERMIT

Carteret County Health Department
Environmental Health Division
3820 Bridges St. Suite A
Morehead City, NC 28557
Phone: 252-728-8499 Fax: 252-222-7753

For Office Use Only

*CDP File Number 360836 - 1
County ID Number: 73161313131000
Evaluated For: NEW

1.

PERMIT VALID UNTIL: 07/15/2026

***NOTE TO INSPECTIONS DIVISION:** Building Permits cannot be issued with this Improvement Permit.

Applicant: Sarah Hassinger
 Address: 131 Middle Ln
 City: Beaufort
 State/Zip: NC 28516
 Phone #: wrk: (252) 728-1310 cell :(252) 723-0255

Property Owner: George Edward Gibbs
 Address: 1304 Inverness Dr
 City: Lawrenceville
 State/Zip: KS. 66049
 Phone #: home: (785) 843-6340

Property Location & Site Information

Address/Road #: 146 Gibbs Ct Beaufort, NC 28516 Subdivision: _____ Phase: NEW Lot: B

Directions

Structure: SINGLE FAMILY
 # of Bedrooms: 4
 # of People: 8
 *Water Supply: PUBLIC

System Specifications

Initial System

*Site Classification: Suitable
 Design Flow: 480
 Soil Application Rate: 0.7000
 *System Classification/Description:
TYPE II A. CONV SYSTEM (SINGLE-FAMILY OR 480 GPD OR LESS)
 *Proposed System:
CONVENTIONAL

Minimum Trench Depth: 12 Inches
 Maximum Trench Depth: 18 Inches
 Septic Tank: 1000 Gallons
 1-Piece: Yes No
 Pump Required: Yes No May Be Required
 Pump Tank: 1000 Gallons
 1-Piece Yes No

Repair System Required: Yes No No, but has Available Space

Repair System

*Site Classification: Suitable
 Soil Application Rate: 0.600
 *System Classification/Description:
TYPE II A. CONV SYSTEM (SINGLE-
 *Proposed System:
8" LARGE DIAMETER PIPE SYST

Minimum Trench Depth: 12 Inches
 Maximum Trench Depth: 18 Inches
 Pump Required: Yes No May Be Required

***Site Modifications**

No grading or construction activity is allowed in areas designated for system and repair without approval of Health Department.

***Permit Conditions**

The issuance of this permit by the Health Department in no way guarantees the issuance of other permits. The permit holder is responsible for checking with appropriate governing bodies in meeting their requirements.

Site Plan

The Improvement Permit shall be valid for 5 years from date of issue with a site plan (means a drawing not necessarily drawn to scale that shows the existing and proposed property lines with dimensions, the location of the facility and appurtenances, the site for the proposed Wastewater system, and the location of water supplies and surface waters).

Plat

The Improvement Permit shall be valid without expiration with plat (means a property surveyed prepared by a registered land surveyor, drawn to a scale of one inch equals no more than 60 feet, that includes: the specific location of the proposed facility and appurtenances, the site for the proposed Wastewater system, and the location of water supplies and surface waters. Plat also means, for subdivision lots approved by the local planning authority and recorded with the county register of deeds, a copy of the recorded subdivisions plat that is accompanied by a site plan that is drawn to

The Department and Local Health Department may impose conditions on the issuance and may revoke the permits for failure of the system to satisfy the conditions, the rules, or this article. This permit is subject to revocation if the site plan, plat, or intended use changes (NCGS 130a-335(f)). The person owning or controlling the system shall be responsible for assuring compliance with the laws, rules, and permit conditions regarding system location, installation, operation, maintenance, monitoring, reporting, and repair (.1938(b)).

Applicant/Legal Resps. Signature Required ?

Yes

No

Applicant/Legal Reps. Signature: _____

Date: _____

*Issued By: Allen, Daniel

Date of Issue: 07/15/2021

Authorized State Agent: Daniel Allen

Valid without Expiration ?

Hand Drawing

Import Drawing

****Site Plan/Drawing attached.****

Site Plan

1.

- Construction Authorization
- Improvement Permit
- Well Permit
- Existing System Connection Authorization

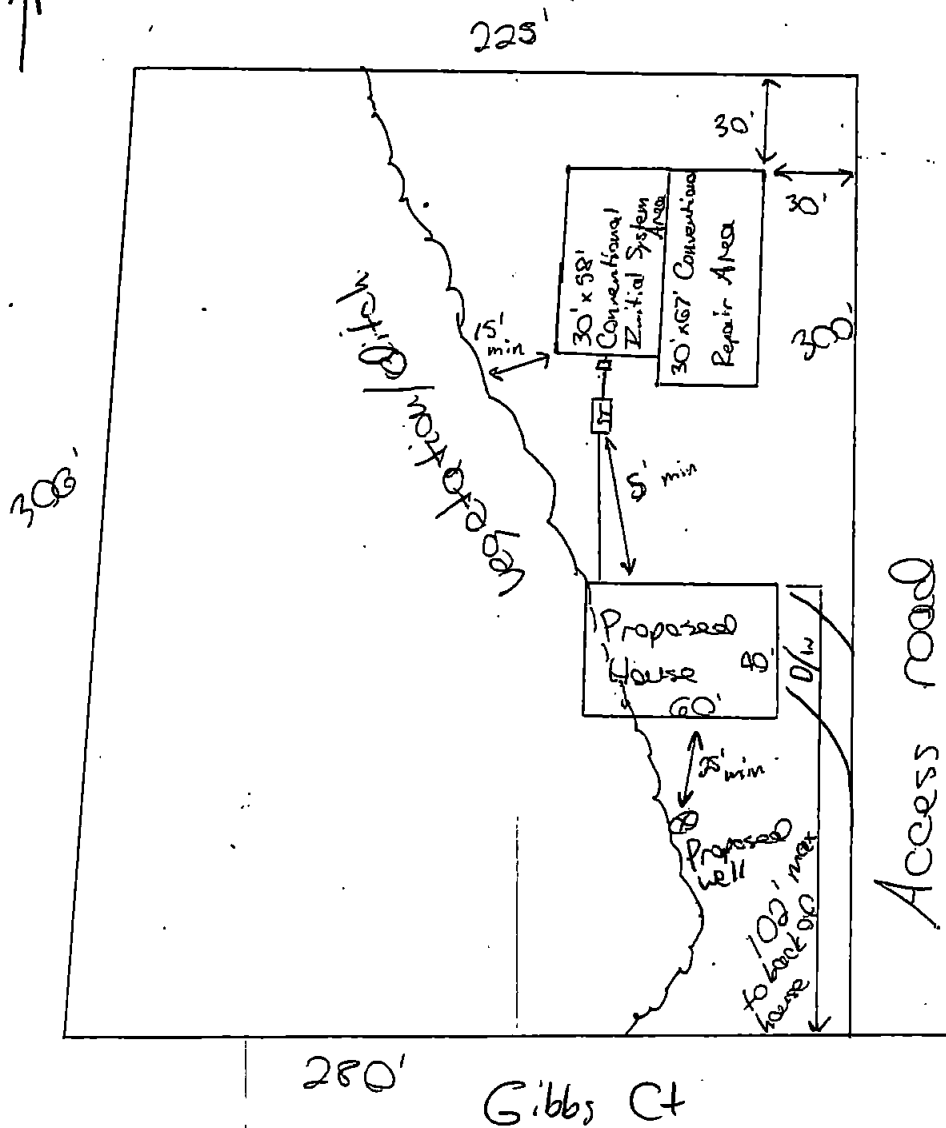
CDP File Number: 360836

County File Number: 7316.13.13.1310

Scale 1 " to 60 '

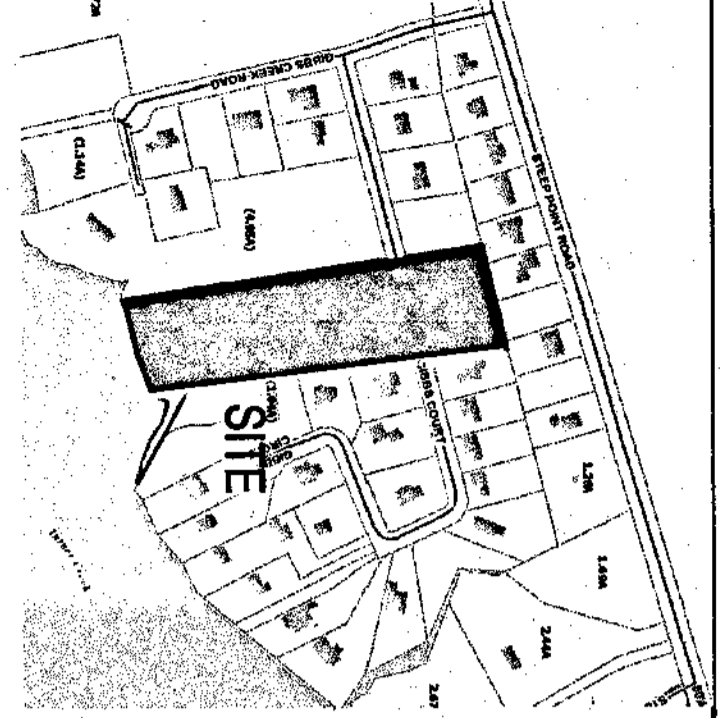
Address: 146 Gibbs Ct Lot B

Turner
Creek
↑



• A well permit shall be required prior to Construction Authorization issuance.

• A recorded map of the property shall be required prior to Construction Authorization issuance.



LINE	BEARING	DISTANCE
1	N12°27'09"W	25.07
2	N07°05'40"W	25.19
3	S05°48'17"E	25.05
4	S06°18'42"E	25.22
5	S32°00'39"W	14.65
6	S08°07'21"E	31.52
7	S07°22'23"E	32.26
8	S04°40'00"W	37.07
9	S15°22'19"W	28.87
10	S34°50'25"W	27.08
11	S63°26'25"W	41.42
12	S70°37'08"W	58.36
13	S76°11'40"W	51.46
14	S73°25'24"W	31.58
15	S72°12'42"W	24.19
16	N16°04'51"W	12.55

DAUGHTRY, MARY L. ET VIR RUIPUS
 182 GIBBS CREEK ROAD
 PIN: 73161303820000
 Deed Ref: 93-191

DAUGHTRY, MANTHAN L. ET VIR PATRICI
 135 GIBBS COURT
 PIN: 73161303875000
 Deed Ref: 1023-301
 Deed Ref: 93-365

REMY RUSSELL J. ET AL. CAROL A
 167 GIBBS COURT
 PIN: 73161312840000
 Deed Ref: 139-9 Deed Ref: 26-80

WHITE PATTY GIBSON
 188 GIBBS COURT
 PIN: 731613132598000
 Deed Ref: 0713-00012

MCULLAN, DORIS YOUNG
 242 GIBBS COURT
 PIN: 73161313325000
 Deed Ref: 1428-99

SHEPPARD, PATRICIA CAMPBELL
 224 GIBBS COURT
 PIN: 731613133412000
 Deed Ref: 995-208

NOTE
 LINES L4-L16 IS THE
 NORMAL HIGH
 WATER LINE OF
 GIBBS CREEK

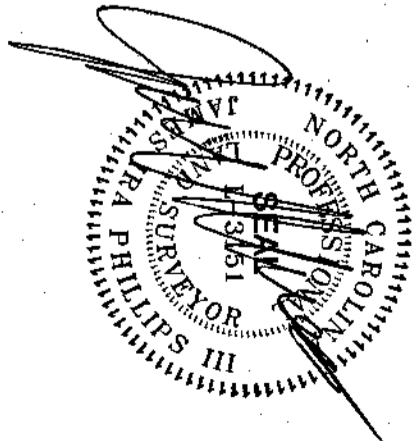


SURVEYORS CERTIFICATION

I, JAMES I. PHILLIPS III, PROFESSIONAL LAND SURVEYOR CERTIFY THAT THIS MAP WAS MADE BY ME FROM AN ACTUAL SURVEY PERFORMED BY ME FROM REFERENCES AS SHOWN HEREON. THAT BOUNDARIES NOT SURVEYED ARE NOTED AND PLOTTED FROM REFERENCES AS SHOWN HEREON. THAT PORTIONS OF THIS SURVEY WAS PERFORMED WITH GPS EQUIPMENT (TOPCON Hiper Lite + LOCAL BASE STATION AND TOPCON Hiper VADVER) MADE UNDER MY SUPERVISION AND THE FOLLOWING INFORMATION AND SPECIFICATIONS WHERE USED TO PERFORM THE SURVEY: CLASS OF SURVEY: CLASS A POSITIONAL ACCURACY: 58% TYPE OF GPS FIELD PROCEDURE: NCSS RTK NETWORK AND/OR LEAST SQUARES ADJUSTMENTS WITHIN SPECTRA A POSITIONAL SURVEY PRO SOFTWARE: DATES OF SURVEY: FEBRUARY 2, 2021, DATUM/EPOCH: NAD 1983 (2011) EPOCH(2010) NAVD 1983. PUBLISHED/PROPOSED CONTROL USE: NC CORS, GEOID MODEL: (24CONUS), COMBINED GRID FACTORS(S): 0.9998205, AND UNITS: US SURVEY FEET. I FURTHER CERTIFY THAT OTHER PORTIONS OF THIS SURVEY WHERE PERFORMED WITH CONVENTIONAL SURVEY METHODS AND THAT THE RATIO OF FURTHER CERTIFY THAT OTHER PORTIONS OF THIS SURVEY WHERE PERFORMED WITH CONVENTIONAL SURVEY METHODS AND THAT THE RATIO OF AMENDED WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER, AND SIGN THIS 18TH DAY OF FEBRUARY, A.D. 2021.

XX. A. THAT THE SURVEY CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF THE COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND;
 B. THAT THE SURVEY IS LOCATED IN SUCH PORTION OF A COUNTY OR MUNICIPALITY THAT IS UNREGULATED AS TO AN ORDINANCE THAT REGULATES PARCELS OF LAND;
 C. THAT THE SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND;
 D. THAT THE SURVEY IS OF ANOTHER CATEGORY, SUCH AS THE RECOMMUNATION OF EXISTING PARCELS, A COURT-ORDERED SURVEY, OR OTHER EXCEPTION TO THE DEFINITION OF SUBDIVISION;
 E. THAT THE INFORMATION AVAILABLE TO THE SURVEYOR IS SUCH THAT THE SURVEYOR IS UNABLE TO MAKE A DETERMINATION TO THE BEST OF HIS OR HER PROFESSIONAL ABILITY AS TO PROVISIONS CONTAINED IN (A) THROUGH (D) ABOVE.

JAMES I. PHILLIPS III, R.S.L.D. L3161
 SURVEYORS CERTIFICATION



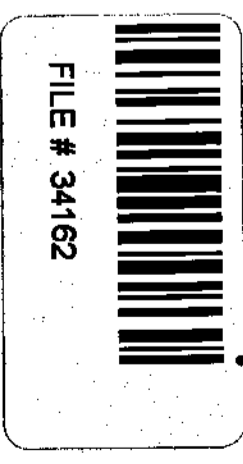
STATE OF NORTH CAROLINA
 I, *Allen K. Hillis*
 CERTIFY THAT THIS MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.
 REVIEW OFFICER OF CARTERET COUNTY
 REVIEW OFFICER
 DATE: 2-23-2021

REGISTER OF DEEDS
 Filed for registration at 8:10 A.M. on 23 day of February, 2021 and record in Book 34 page 162, Office of the register of deeds,
 CARTERET County, North Carolina.

KAREN HARDESTY, Register of Deeds
 By: *Karen Hardesty*
 Assessment Deputy

APPROVED FOR RECORDING BY THE TOWN OF BEAUFORT, OFFICIAL
Ray Brite
 TITLE
 DATE: 2/23/21

FOR REGISTRATION REGISTER OF DEEDS
 Karen S. Hardesty
 Carteret County, NC
 February 23, 2021 08:10 AM
 BWC MAP 1 P
 FEE: \$21.00
 FILE # 34162



SUBDIVISION PLAT
GEORGE EDWARD GIBBS TRUST
 TOWN OF BEAUFORT ET AL, BEAUFORT TOWNSHIP
 CARTERET COUNTY, N.C.
 SCALE 1"=100'

JAMES I. PHILLIPS LAND SURVEYING
 PO BOX 2103, 379 Amington Rd., Beaufort, N.C. 28516
 252-728-8948 phone jip@coastalnet.com

RESIDENT OWNER NAME: _____
 DEED REF. BOOK PAGE TRIM: _____
 MAP REF. BOOK PAGE NAME: _____
 PARCEL NUMBER: 09105303000
 DATE OF FIELD SURVEY: FEBRUARY 2021
 DATE OF MAP PUBLISHED: 02/23/21

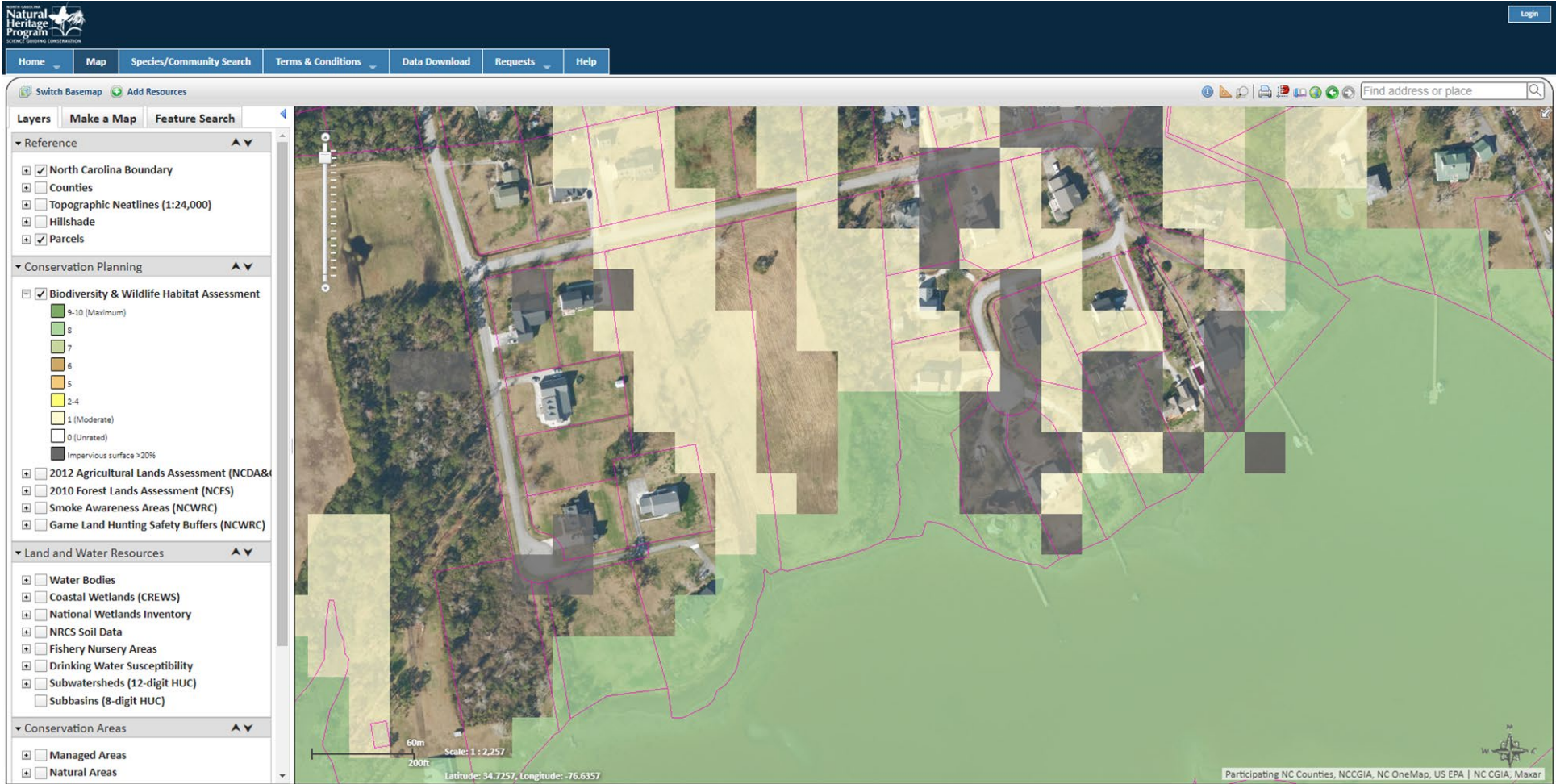
REGISTERED: _____
 DRAWN BY: _____
 CHECKED BY: _____

Environmental Conditions: 146 Gibbs Court

These maps were prepared by Town of Beaufort planning staff for informational purposes using the Natural Heritage Program Data Explorer.

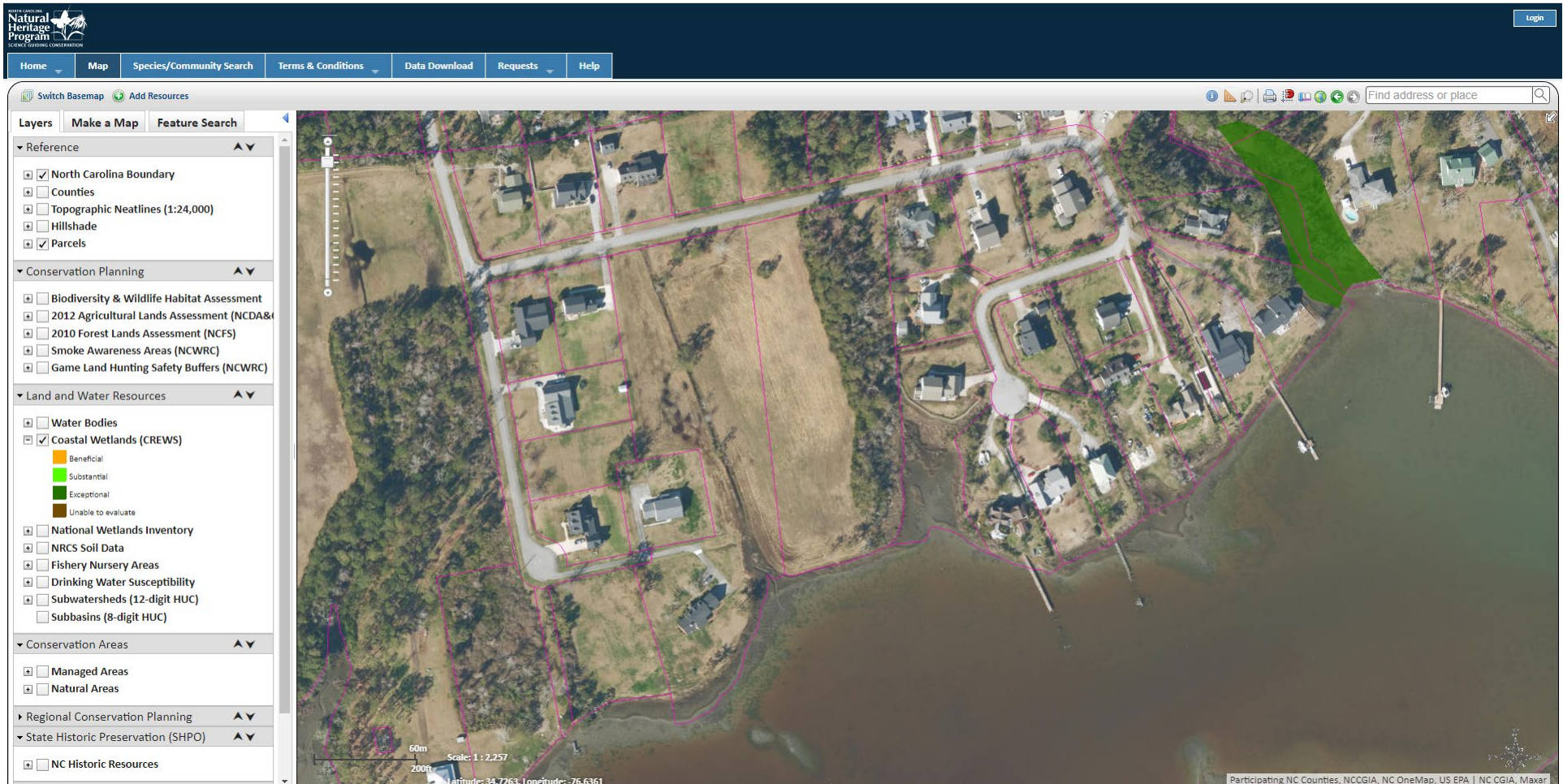
Natural Heritage Program Biodiversity & Wildlife Habitat Assessment

The Biodiversity and Wildlife Habitat Assessment is a map that represents the highest priority areas for conservation of wildlife habitat and biodiversity in North Carolina.



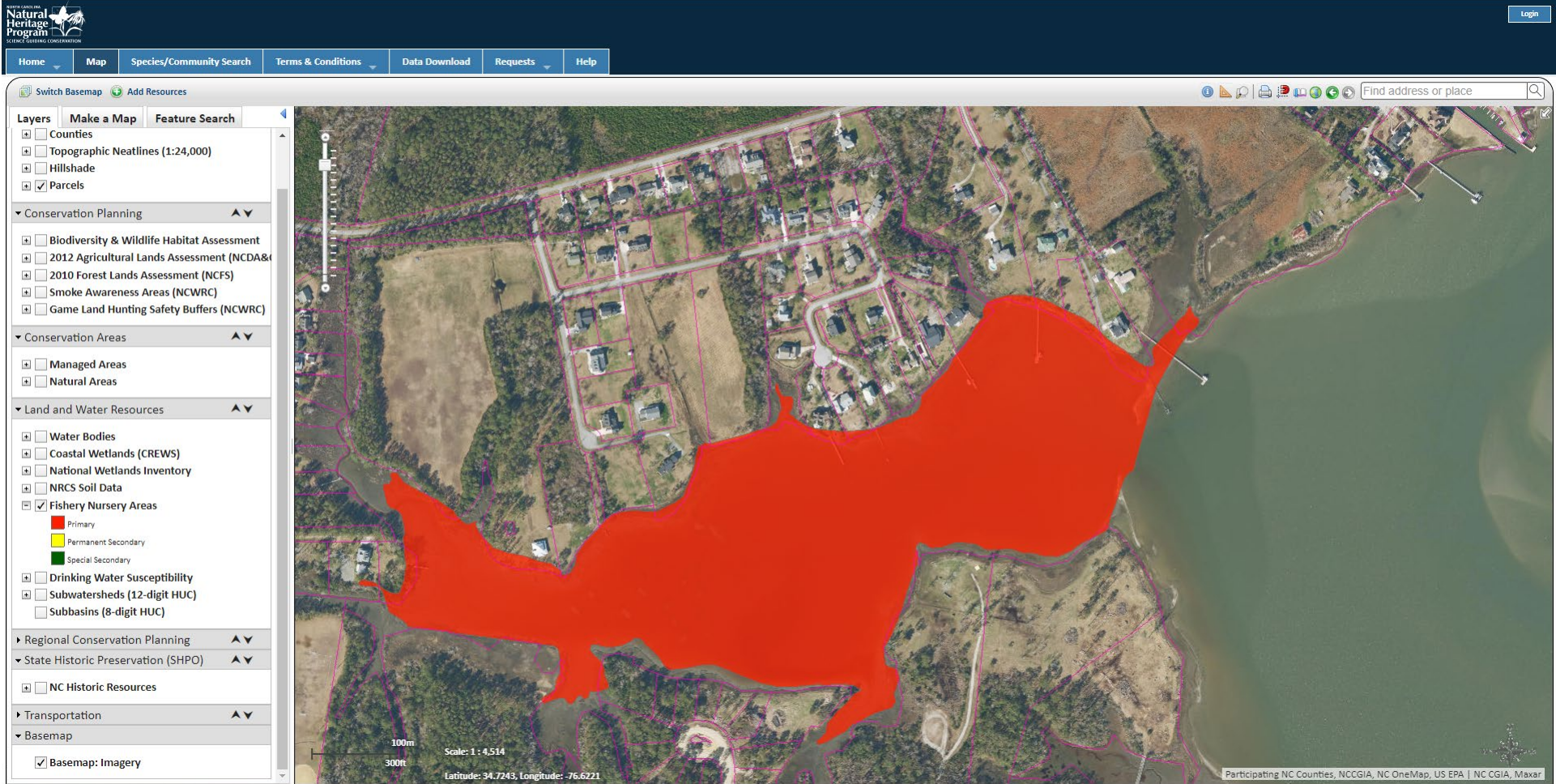
NC Coastal Region Evaluation of Wetland Significance (NC CREWS)

The North Carolina Coastal Region Evaluation of Wetland Significance, or NC-CREWS, is a watershed-based wetlands assessment looking at water quality, wildlife habitat, and hydrologic functions of individual wetlands aimed to illustrate the ecological importance of wetlands.



North Carolina Primary Nursery Areas

The North Carolina Department of Environmental Quality designated Davis Bay and Turner Creek as a Primary Nursery Area for supporting fisheries.





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, April 18, 2022 – 614 Broad Street – Train Depot**

AGENDA CATEGORY: New Business
SUBJECT: Final Plat – Beaufort East Village Phase I

BRIEF SUMMARY:

The applicant wishes to subdivide a 40.62 acre tract into 108 lots (79 Single-Family Residential Lots & 29 Townhome Lots). In addition to Planning Staff the applicants Engineer will also be available to answer questions.

The applicant has chosen to request to bond the infrastructure improvement and has submitted cost estimates for the complete cost of improvements totaling \$1,393,829.44 (See estimated cost of improvement sheet from engineer).

REQUESTED ACTION:

Recommendation to Board of Commissioners

EXPECTED LENGTH OF PRESENTATION:

20 Minutes

SUBMITTED BY:

Kyle Garner, AICP
Planning & Inspections Director

BUDGET AMENDMENT REQUIRED:

N/A



STAFF REPORT



To: Planning Board Members
From: Kyle Garner, AICP, Town Planner
Date: April 11, 2022
Case No. 22-10 Beaufort East Village - Final Plat Phase I

THE QUESTION: Subdivide a 40.62 acre tract into 108 lots (79 Single-Family Residential Lots & 29 Townhome Lots).

BACKGROUND: The preliminary plat for this area was approved in March 2022 for installation of infrastructure improvements.

Location: Beau Coast Subdivision
 Owners: Blue Treasure, LLC
 Requested Action: Subdivide a 40.62 Acre Tract into 108 Lots
 Existing Zoning: PUD
 Size: 40.62 acres
 Amount of Open Space: 23.44Acres
 Existing Land Use: Undeveloped

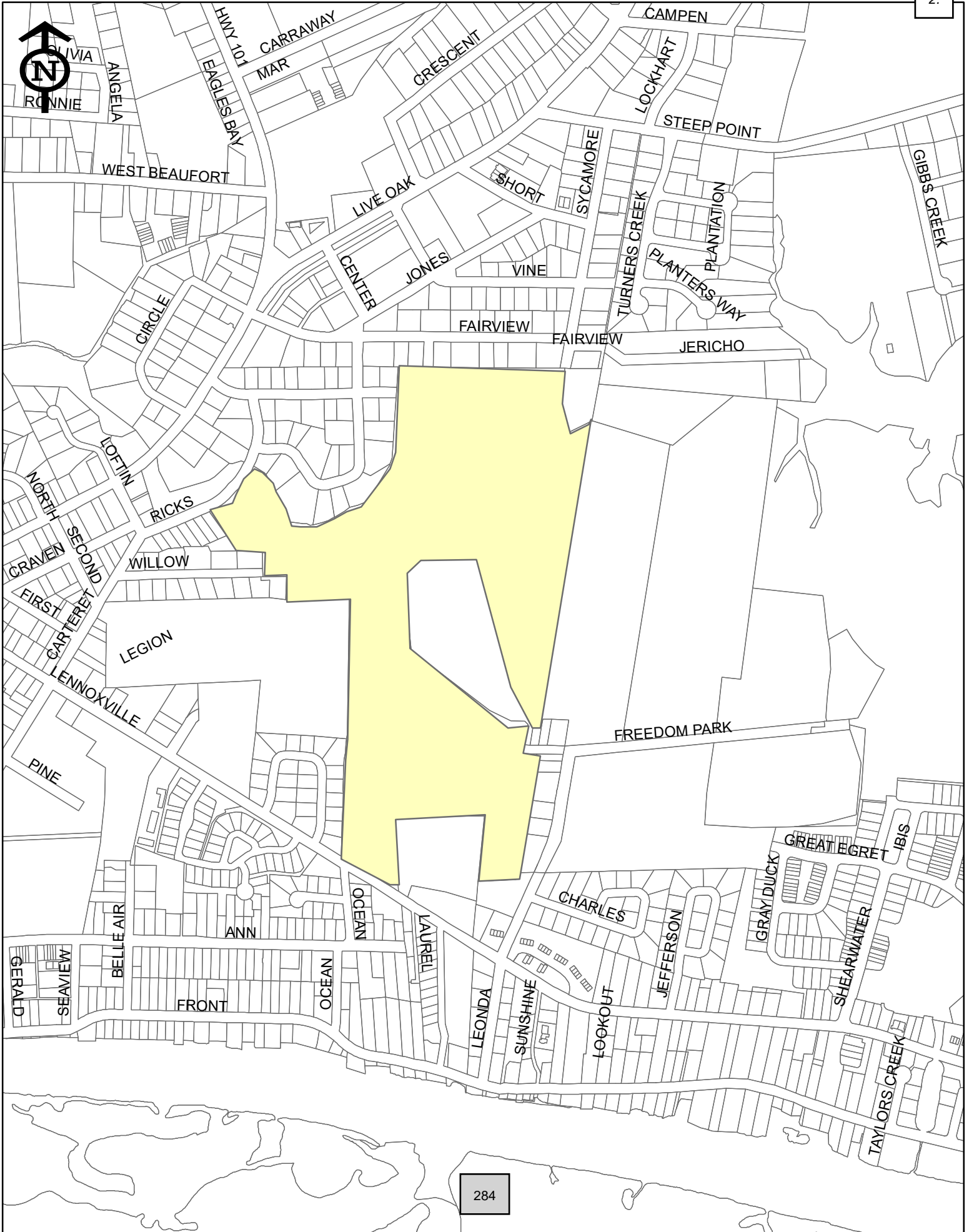
SPECIAL INFORMATION: As part of the Final Plat process the infrastructure can be either installed or bonded through a financial guarantee process to ensure completion of the project. The applicant has chosen to request to bond the infrastructure improvement and has submitted cost estimates for the complete cost of improvements totaling \$1,393,829.44 (See estimated cost of improvement sheet from engineer).

Public Utilities:
 Water: Town Of Beaufort
 Sanitary Sewer: Town Of Beaufort

- OPTIONS:**
1. Recommend approval of the Final Plat for Beaufort East Village – Phase I.
 2. Deny the request

- Attachments:**
- Attachment A - Vicinity Map
 - Attachment B - Final Plat for Beaufort East Village – Phase I
 - Attachment C - Bond Letter
 - Attachment D – Bond Estimates
 - Attachment E – Memo from Town Engineer, Greg Meshaw, P.E.
 - Attachment F – Draft Covenants

Case 22-10 Vicinity Map - Final Plat - Beaufort East Village Phase



BEAUFORT EAST VILLAGE SUBDIVISION PHASE 1

SURVEY CERTIFICATE

I, RUDOLF A. VANDERVELDE JR. PLS, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN (SEE SITE DATA); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK, PAGE (AS SHOWN HERON); THAT THE RATIO OF PRECISION AS CALCULATED IS 1: 20,000; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS XX DAY OF XXXX A.D., 2022.

I ALSO CERTIFY TO THIS MAP TO BE ONE OF THE FOLLOWING AS CHECKED BELOW:

A. CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.



RUDOLF A. VANDERVELDE JR. (PROFESSIONAL LAND SURVEYOR)
LICENSE # 5146

GENERAL NOTES

- AREAS COMPUTED BY COORDINATE METHOD.
- BASIS OF BEARING NAD 83(1986).
- ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES.
- SEE SYMBOL LEGEND FOR PROPERTY CORNER DESIGNATIONS.
- A PORTION OF THE SUBJECT PROPERTY IS LOCATED IN SPECIAL FLOOD HAZARD ZONES ACCORDING TO NORTH CAROLINA FLOOD INSURANCE RATE MAP # 3720730800J, PANEL 7306, EFFECTIVE DATE: 7-16-2003 AND MAP # 3720730800J, PANEL 7305, EFFECTIVE DATE: 7-16-2003. GEOREFERENCED FLOOD AREA LINE WORK PULLED FROM FRIS ONLINE DATA BASE - AS SHOWN HERON.
- ALLEYS ARE PRIVATE BUT PUBLICLY AVAILABLE FOR POLICE, FIRE, TRASH, ETC. WITH NO LIABILITY TO THE TOWN OF BEAUFORT.
- WETLANDS SHOWN HEREON WERE DELINEATED BY LAND MANAGEMENT GROUP. SEE US ARMY CORPS OF ENGINEERS(WILMINGTON DISTRICT) NOTIFICATION OF JURISDICTIONAL DETERMINATION ACTION ID: 2007-02678-016 ACTION ID: 2007-03212-016 ACTION ID: 2007-02697-016 ACTION ID: 2007-02705-016
- THE TOWN OF BEAUFORT SHOULD BE CONTACTED TO VERIFY BUILDING SETBACKS AND OTHER DEVELOPMENTAL RESTRICTIONS.
- FIELD WORK COMPLETED ON 5-26-2021. (IRON PIPES TO BE SET AT A LATER DATE BEFORE RECORDING)

BEAUFORT EAST VILLAGE SUBDIVISION PHASE 1 SITE DATA

OWNER: BLUE TREASURE LLC
MAILING ADDRESS: 105 WESTON ESTATES WAY, CARY NC 27513
DEED REFERENCE:
DB 1256 PG 198, DB 1340 PG 6, DB 1239 PG 74, DB 1293 PG 129
PLAT REFERENCE: PB 31 PG 339, PB 32 PG 457, PB 34 PG 326
CARTERET COUNTY PIN: (SEE SITE DATA)
TOWN OF BEAUFORT ZONING: PUD

(TOTAL) RESIDENTIAL LOTS: 108
SINGLE FAMILY LOTS (32' WIDE): 14
SINGLE FAMILY LOTS (40' WIDE): 41
SINGLE FAMILY LOTS (50' WIDE): 24
TOWNHOME UNITS: 29

(TOTAL) LOT ACREAGE: 11.918 ACRES
AVERAGE LOT SIZE: 4,807 SQ FT
DENSITY: 9.06 UNITS/ACRE
OPEN SPACE ACREAGE: 23.571 ACRES
PRIVATE RIGHT OF WAY: 0.221 AC
DEDICATED PUBLIC RIGHT OF WAY: 5.042 ACRES

(TOTAL) PHASE 1 ACREAGE: 40.752 ACRES

SETBACKS

50' WIDE LOTS 32' WIDE LOTS
20' FRONT 5' FRONT
5' SIDE 4' SIDE
15' REAR 4' REAR

40' WIDE LOTS TOWNHOME LOTS
20' FRONT 20' FRONT
4' SIDE 0' SIDE
15' REAR 5' REAR

SITE DATA

1 OWNER: BLUE TREASURE LLC
DEED REFERENCE: DB 1239 PG 74
PLAT REFERENCE: PB 31 PG 339
SITE ADDRESS: N/A
CARTERET COUNTY PIN: 730619615640000
TOWN OF BEAUFORT ZONING: PUD
ACREAGE: 3.507 ACRES

3 OWNER: BLUE TREASURE LLC
DEED REFERENCE: DB 1340 PG 006
PLAT REFERENCE: N/A
SITE ADDRESS: 1553 LENNOXVILLE RD
CARTERET COUNTY PIN: 730508796926000
TOWN OF BEAUFORT ZONING: PUD
ACREAGE: 15.557 ACRES

5 OWNER: BLUE TREASURE LLC
DEED REFERENCE: DB 1472 PG 330
PLAT REFERENCE: MB 32 PG 457
CARTERET COUNTY PIN: 730620802188000
SITE ADDRESS: 249 LEONDA DRIVE
TOWN OF BEAUFORT ZONING: PUD
ACREAGE: 0.132 ACRES

2 OWNER: BLUE TREASURE LLC
DEED REFERENCE: DB 1241 PG 316
PLAT REFERENCE: PB 32 PG 457, PB 34 PG 326
CARTERET COUNTY PIN: 730620719375000
SITE ADDRESS: 247 LEONDA DRIVE
TOWN OF BEAUFORT ZONING: PUD
ACREAGE: 50.865 ACRES

4 OWNER: BLUE TREASURE LLC
DEED REFERENCE: DB 1256 PG 198
PLAT REFERENCE: N/A
CARTERET COUNTY PIN: 731605005458000
SITE ADDRESS: N/A
TOWN OF BEAUFORT ZONING: PUD
ACREAGE: 0.581 ACRES



VICINITY MAP - NOT TO SCALE

CERTIFICATE OF OWNERSHIP AND DEDICATION

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON, WHICH IS LOCATED IN THE SUBDIVISION JURISDICTION OF THE TOWN OF BEAUFORT AND THAT I HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH MY FREE CONSENT, ESTABLISHED MINIMUM BUILDING SETBACK LINES, AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS, AND OTHER SITES AND EASEMENTS TO PUBLIC OR PRIVATE USE AS NOTED. FURTHERMORE, I HEREBY DEDICATE ALL SANITARY SEWER, STORM SEWER AND WATER LINES TO THE TOWN OF BEAUFORT.

BLUE TREASURE LLC

BY: _____

NAME: _____ DATE _____

TITLE: MANAGER _____

CERTIFICATE OF APPROVAL BY THE PLANNING BOARD

THE BEAUFORT PLANNING BOARD HEREBY APPROVES THE FINAL PLAT FOR THE _____ SUBDIVISION.

CHAIRMAN, BEAUFORT PLANNING BOARD _____ DATE _____

CERTIFICATE OF APPROVAL OF THE DESIGN AND INSTALLATION OF STREETS, UTILITIES, AND OTHER REQUIRED IMPROVEMENTS

I HEREBY CERTIFY THAT ALL STREETS, UTILITIES AND OTHER REQUIRED IMPROVEMENTS HAVE BEEN INSTALLED IN AN ACCEPTABLE MANNER AND ACCORDING TO THE TOWN OF BEAUFORT SPECIFICATIONS AND STANDARDS IN THE _____ SUBDIVISION OR THAT GUARANTEES OF THE INSTALLATION OF THE REQUIRED IMPROVEMENTS IN AN AMOUNT AND MANNER SATISFACTORY TO THE TOWN OF BEAUFORT HAVE BEEN RECEIVED AND THAT FILLING FEE FOR THIS PLAT, IN THE AMOUNT OF \$ _____ HAS BEEN PAID.

TOWN MANAGER _____ DATE _____

REGISTER OF DEEDS

FILED FOR REGISTRATION AT _____ O'CLOCK ON THE _____ DAY OF _____, 2022

RECORDED IN MAP BOOK _____ PAGE _____

REGISTER OF DEEDS CARTERET COUNTY _____ DATE _____

CERTIFICATE OF APPROVAL FOR RECORDING

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS FOR BEAUFORT, NORTH CAROLINA, AND THAT THIS PLAT HAS BEEN APPROVED BY THE BOARD OF COMMISSIONERS FOR RECORDING IN THE OFFICE OF THE REGISTER OF DEEDS OF CARTERET COUNTY.

DATE _____ TOWN CLERK, BEAUFORT _____

REVIEW OFFICER CERTIFICATE

_____, REVIEW OFFICER OF CARTERET COUNTY, CERTIFY THAT THIS MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

REVIEW OFFICER _____

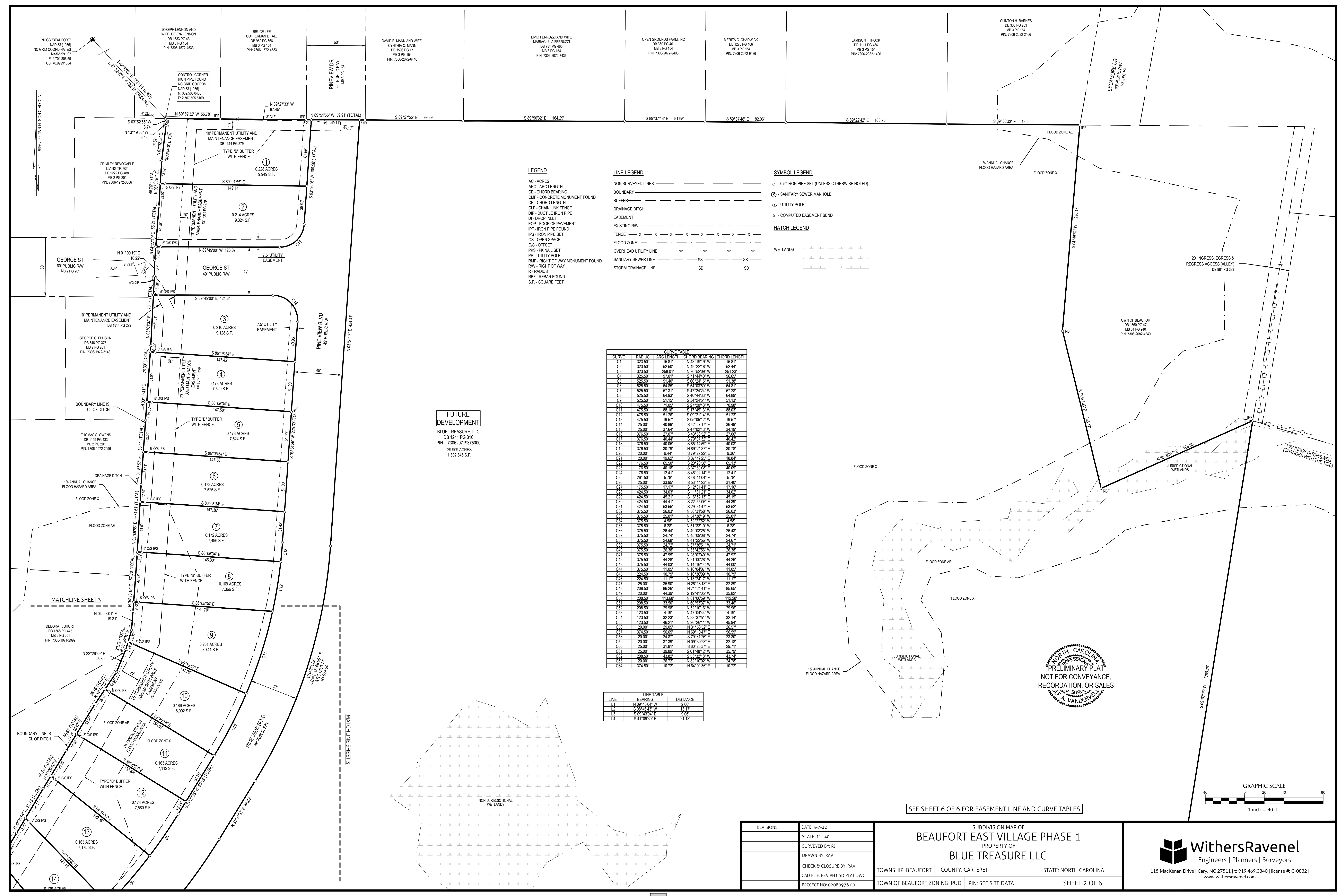
DATE _____

NORTH CAROLINA
CARTERET COUNTY

REVISIONS:	DATE: 4-7-22
	SURVEYED BY: RJ
	DRAWN BY: RAV
	CHECK & CLOSURE BY: RAV
	CAD FILE: BEV PH1 5D PLAT.DWG
	PROJECT NO: 02080976.00

SUBDIVISION MAP OF BEAUFORT EAST VILLAGE PHASE 1 PROPERTY OF BLUE TREASURE LLC		
TOWNSHIP: BEAUFORT	COUNTY: CARTERET	STATE: NORTH CAROLINA
TOWN OF BEAUFORT ZONING: PUD	PIN: SEE SITE DATA	SHEET 1 OF 6

WithersRavenel
Engineers | Planners | Surveyors
115 MacKenan Drive | Cary, NC 27511 | t: 919.469.3340 | license #: C-0832 | www.withersravenel.com



LEGEND

- AC - ACRES
- ARC - ARC LENGTH
- CB - CHORD BEARING
- CMF - CONCRETE MONUMENT FOUND
- CH - CHORD LENGTH
- CLF - CHAIN LINK FENCE
- DIP - DUCTILE IRON PIPE
- DI - DROP INLET
- EOP - EDGE OF PAVEMENT
- IPF - IRON PIPE FOUND
- IPS - IRON PIPE SET
- OS - OPEN SPACE
- O/S - OFFSET
- PKS - PK NAIL SET
- PP - UTILITY POLE
- RFM - RIGHT OF WAY MONUMENT FOUND
- R/W - RIGHT OF WAY
- R - RADIUS
- RBF - REBAR FOUND
- S.F. - SQUARE FEET

LINE LEGEND

- NON SURVEYED LINES
- BOUNDARY
- BUFFER
- DRAINAGE DITCH
- EASEMENT
- EXISTING RW
- FLOOD ZONE
- OVERHEAD UTILITY LINE
- SANITARY SEWER LINE
- STORM DRAINAGE LINE

SYMBOL LEGEND

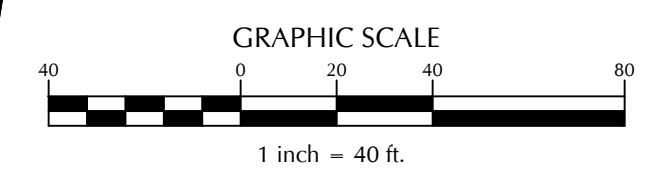
- - 0.5" IRON PIPE SET (UNLESS OTHERWISE NOTED)
- ⊙ - SANITARY SEWER MANHOLE
- ⊕ - UTILITY POLE
- △ - COMPUTED EASEMENT BEND

HATCH LEGEND

- WETLANDS

CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	323.50	15.81	N 43°19'19" W	15.81
C2	323.50	32.50	N 48°22'13" W	32.44
C3	323.50	298.01	N 76°52'09" W	291.23
C4	323.50	97.01	S 71°44'47" W	96.65
C5	323.50	51.40	S 67°24'13" W	51.38
C6	323.50	64.85	S 54°03'59" W	64.81
C7	323.50	57.31	S 47°24'24" W	57.28
C8	323.50	64.53	S 40°44'33" W	64.49
C9	323.50	51.15	S 34°24'51" W	51.13
C10	475.50	71.05	S 27°20'43" W	70.98
C11	475.50	85.15	S 17°44'13" W	85.03
C12	475.50	51.26	S 09°21'14" W	51.23
C13	475.50	16.57	S 05°05'12" W	16.52
C14	25.00	40.89	S 42°37'11" E	38.49
C15	25.00	37.64	S 47°02'43" W	34.19
C16	375.50	27.07	S 43°58'52" E	27.05
C17	375.50	40.44	S 39°03'52" E	40.42
C18	375.50	40.05	S 85°14'59" E	40.03
C19	375.50	30.79	N 69°23'19" E	30.78
C20	20.00	9.44	S 79°27'22" E	9.38
C21	20.00	19.62	S 37°49'25" E	18.84
C22	175.50	65.50	S 20°22'58" E	65.13
C23	175.50	40.18	S 37°30'08" E	40.09
C24	175.50	12.47	S 46°02'14" E	12.41
C25	281.50	5.76	S 48°41'04" E	5.73
C26	25.00	33.95	S 53°44'23" E	31.40
C27	175.50	17.17	S 12°01'41" E	17.16
C28	424.50	34.03	S 11°31'21" E	34.02
C29	424.50	45.21	S 16°52'13" E	45.19
C30	424.50	44.41	S 22°55'06" E	44.39
C31	424.50	53.55	S 29°31'47" E	53.52
C32	375.50	26.03	N 58°31'58" W	26.03
C33	375.50	25.01	N 54°38'19" W	25.01
C34	375.50	4.98	N 52°22'59" W	4.98
C35	375.50	6.28	N 51°33'10" W	6.28
C36	375.50	26.44	N 49°03'25" W	26.43
C37	375.50	24.74	N 45°09'59" W	24.74
C38	375.50	24.88	N 41°22'58" W	24.87
C39	375.50	24.72	N 37°36'51" W	24.71
C40	375.50	25.36	N 33°42'49" W	25.36
C41	375.50	47.95	N 28°02'40" W	47.92
C42	375.50	44.28	N 21°30'26" W	44.28
C43	375.50	44.03	N 14°18'14" W	44.07
C44	375.50	11.05	N 10°04'07" W	11.05
C45	224.50	10.79	N 10°30'09" W	10.79
C46	224.50	11.17	N 13°28'19" W	11.17
C47	25.00	35.90	N 26°18'13" E	32.89
C48	208.50	86.26	N 17°24'11" E	85.89
C49	20.00	44.39	S 19°41'03" W	35.82
C50	208.50	113.68	N 81°06'59" W	112.28
C51	208.50	33.50	N 60°53'19" W	33.46
C52	208.50	29.98	N 52°10'16" W	29.96
C53	123.50	4.19	N 47°04'44" W	4.19
C54	123.50	32.23	N 38°37'51" W	32.14
C55	123.50	46.21	N 26°11'11" W	45.94
C56	20.00	28.05	N 31°53'52" E	26.57
C57	374.50	45.65	N 69°10'41" E	45.59
C58	20.00	24.87	S 79°31'26" E	23.30
C59	20.00	37.39	N 09°39'23" E	32.18
C60	25.00	31.81	S 89°23'07" E	29.11
C61	25.00	39.89	S 01°48'42" W	35.79
C62	208.50	42.82	S 53°32'18" W	43.74
C63	20.00	29.72	N 82°10'00" W	24.38
C64	374.50	10.72	N 64°01'36" E	10.72

LINE	BEARING	DISTANCE
L1	N 09°43'04" W	2.00
L2	S 08°46'43" W	13.17
L3	S 09°03'04" E	9.98
L4	S 41°09'30" E	21.13



SEE SHEET 6 OF 6 FOR EASEMENT LINE AND CURVE TABLES

REVISIONS:	DATE: 4-7-22
	SCALE: 1"= 40'
	SURVEYED BY: RJ
	DRAWN BY: RAV
	CHECK & CLOSURE BY: RAV
	CAD FILE: BEV PH3 5D PLAT.DWG
	PROJECT NO: 02-080976-00

SUBDIVISION MAP OF BEAUFORT EAST VILLAGE PHASE 1 PROPERTY OF BLUE TREASURE LLC		
TOWNSHIP: BEAUFORT	COUNTY: CARTERET	STATE: NORTH CAROLINA
TOWN OF BEAUFORT ZONING: PUD	PIN: SEE SITE DATA	SHEET 2 OF 6

WithersRavenel
Engineers | Planners | Surveyors
115 MacKean Drive | Cary, NC 27511 | t: 919.469.3340 | license #: C-0832 | www.withersravenel.com

P:\08\08-0976\080976-Beaufort East Village Ph 1\Survey\CAD_Drawing\BEV_Ph1 - WANDERLIE.RD2



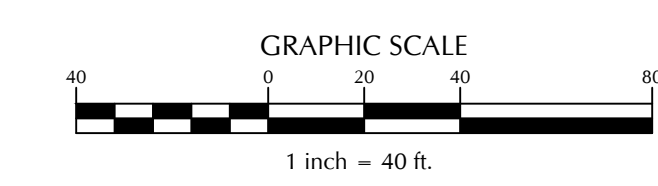
PRELIMINARY PLAT
NOT FOR CONVEYANCE,
RECORDATION, OR SALES

- LEGEND**
- AC - ACRES
 - AEC - AREAS OF ENVIRONMENTAL CONCERN
 - CAMA - COASTAL AREA MANAGEMENT ACT
 - CB - CHORD BEARING
 - CMF - CONCRETE MONUMENT FOUND
 - CH - CHORD LENGTH
 - CLF - CHAIN LINK FENCE
 - DIP - DUCTILE IRON PIPE
 - DI - DROP INLET
 - EOP - EDGE OF PAVEMENT
 - EPF - IRON PIPE FOUND
 - IPS - IRON PIPE SET
 - OS - OPEN SPACE
 - OS - OFFSET
 - PKS - PKNAIL SET
 - PP - UTILITY POLE
 - RMF - RIGHT OF WAY MONUMENT FOUND
 - RW - RIGHT OF WAY
 - R - RADIUS
 - RBF - REBAR FOUND
 - S.F. - SQUARE FEET
- LINE LEGEND**
- NON SURVEYED LINES
 - BOUNDARY
 - BUFFER
 - DRAINAGE DITCH
 - EASEMENT
 - EXISTING RW
 - FENCE
 - FLOOD ZONE
 - OVERHEAD UTILITY LINE
 - SANITARY SEWER LINE
 - STORM DRAINAGE LINE
- SYMBOL LEGEND**
- 0.5" IRON PIPE SET (UNLESS OTHERWISE NOTED)
 - SANITARY SEWER MANHOLE
 - UTILITY POLE
 - COMPUTED EASEMENT BEND
- HATCH LEGEND**
- WETLANDS

CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	323.50	15.81	N 43° 19' 18" W	15.81
C2	323.50	22.50	N 76° 52' 09" W	25.123
C3	323.50	258.01	N 76° 52' 09" W	251.23
C4	323.50	97.01	S 71° 44' 40" W	96.65
C5	525.50	51.40	S 83° 24' 15" W	51.38
C6	525.50	64.85	S 54° 03' 39" W	64.81
C7	525.50	57.31	S 41° 24' 24" W	57.28
C8	525.50	65.93	S 40° 44' 33" W	64.89
C9	525.50	51.15	S 34° 24' 51" W	51.13
C10	475.50	71.05	S 27° 20' 43" W	70.98
C11	475.50	88.15	S 17° 45' 13" W	88.03
C12	475.50	51.26	S 09° 21' 14" W	51.23
C13	475.50	19.57	S 05° 05' 12" W	19.57
C14	25.00	40.89	S 45° 31' 11" E	36.45
C15	25.00	37.64	S 41° 02' 43" E	34.19
C16	375.50	27.00	S 45° 38' 32" E	27.00
C17	375.50	40.44	S 40° 22' 18" W	40.42
C18	375.50	40.05	S 85° 14' 59" E	40.03
C19	375.50	30.75	N 85° 21' 31" E	30.75
C20	20.00	5.44	S 79° 27' 22" E	5.39
C21	20.00	19.52	S 37° 49' 25" E	18.84
C22	175.50	65.50	S 20° 20' 58" E	65.13
C23	175.50	41.50	S 31° 30' 08" E	40.59
C24	175.50	12.41	S 46° 02' 14" E	12.41
C25	25.00	5.78	S 40° 41' 04" E	5.78
C26	25.00	33.55	S 53° 44' 23" E	31.40
C27	175.50	17.17	S 10° 14' 11" E	17.18
C28	424.50	11.17	N 13° 31' 21" W	11.17
C29	424.50	45.21	S 18° 52' 13" E	45.19
C30	424.50	44.41	S 29° 55' 05" E	44.39
C31	424.50	53.50	S 30° 21' 40" W	53.52
C32	375.50	26.03	N 59° 31' 58" W	26.03
C33	375.50	25.01	N 54° 38' 19" W	25.01
C34	375.50	5.58	N 50° 22' 52" W	4.58
C35	375.50	6.25	N 51° 33' 10" W	6.25
C36	375.50	26.44	N 49° 03' 25" W	26.43
C37	375.50	24.71	N 40° 09' 08" W	24.74
C38	375.50	24.68	N 41° 22' 56" W	24.67
C39	375.50	24.72	N 31° 36' 51" W	24.71
C40	375.50	26.30	N 28° 12' 56" W	26.30
C41	375.50	47.56	N 28° 02' 40" W	47.92
C42	375.50	44.26	N 21° 00' 28" W	44.26
C43	375.50	5.78	N 14° 16' 14" W	44.07
C44	375.50	11.05	N 10° 04' 07" W	11.05
C45	224.50	10.79	N 10° 30' 59" W	10.79
C46	224.50	11.17	N 13° 24' 11" W	11.17
C47	25.00	35.50	N 28° 18' 13" E	32.89
C48	208.50	86.26	N 71° 24' 41" W	85.85
C49	208.50	53.50	S 30° 41' 02" W	53.52
C50	208.50	113.88	N 81° 06' 59" W	112.28
C51	208.50	33.50	N 50° 10' 11" W	33.52
C52	208.50	39.96	N 50° 10' 16" W	39.96
C53	123.50	4.19	N 41° 04' 44" W	4.19
C54	123.50	62.29	N 38° 31' 54" W	62.14
C55	123.50	46.21	N 29° 26' 11" W	45.94
C56	20.00	29.55	N 31° 53' 52" E	26.57
C57	374.50	5.58	N 89° 10' 41" W	5.58
C58	20.00	24.87	S 79° 31' 26" E	23.97
C59	20.00	37.39	N 09° 39' 23" E	32.18
C60	20.00	11.17	N 09° 43' 04" W	29.71
C61	25.00	39.89	S 01° 48' 42" E	35.79
C62	208.50	43.82	S 53° 42' 18" W	43.74
C63	20.00	25.79	N 82° 10' 02" W	24.78
C64	374.50	10.72	N 64° 01' 38" E	10.72

LINE	BEARING	DISTANCE
L1	N 09° 43' 04" W	2.00
L2	S 08° 48' 43" W	13.17
L3	S 09° 43' 04" E	9.06
L4	S 41° 39' 39" E	21.13

SEE SHEET 6 OF 6 FOR EASEMENT LINE AND CURVE TABLES

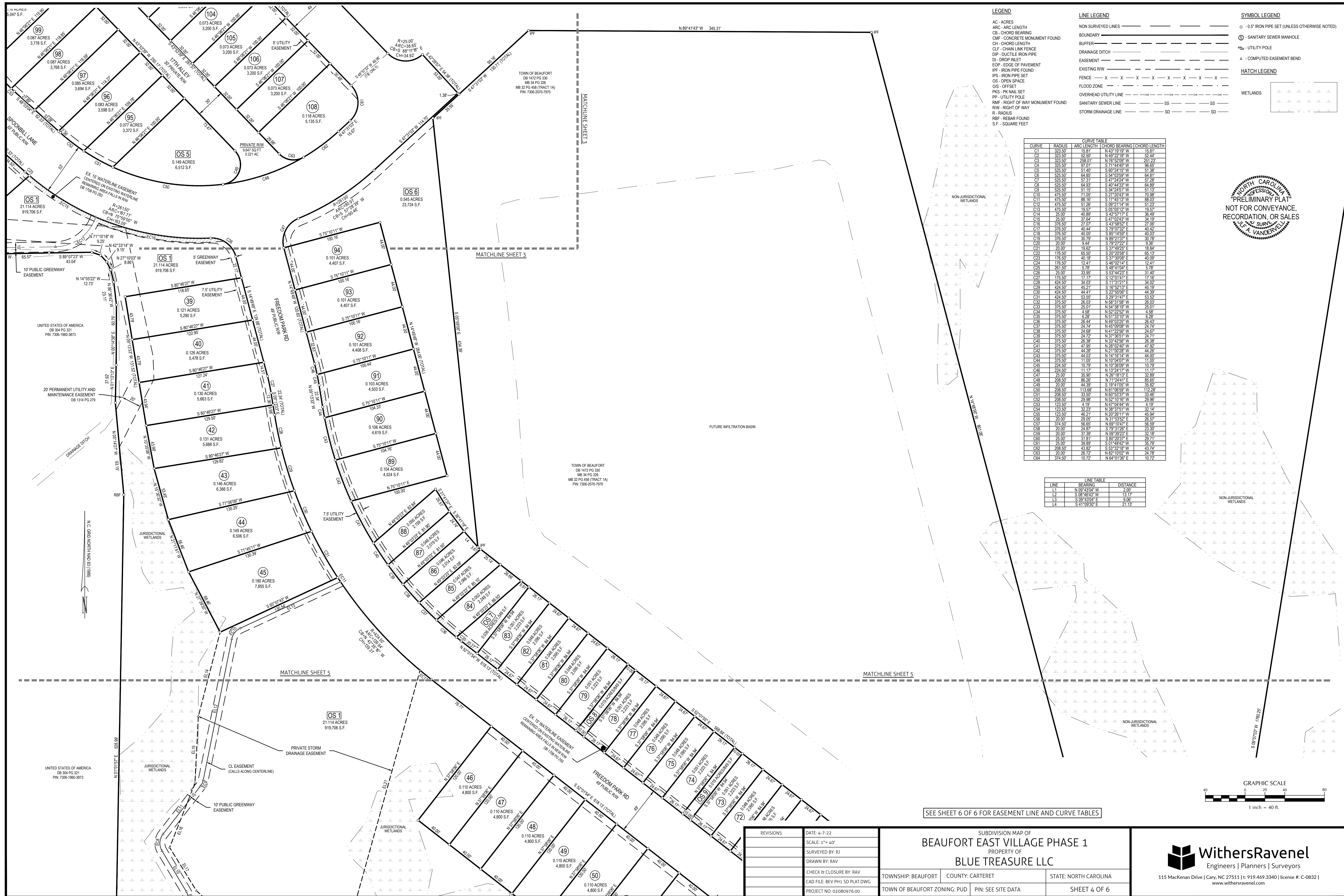


REVISIONS:	DATE: 4-7-22
SCALE: 1" = 40'	SURVEYED BY: RAV
DRAWN BY: RAV	CHECK & CLOSURE BY: RAV
CAD FILE: BEV PH 5D PLAT.DWG	PROJECT NO: 02-089076-00

SUBDIVISION MAP OF
BEAUFORT EAST VILLAGE PHASE 1
PROPERTY OF
BLUE TREASURE LLC

TOWNSHIP: BEAUFORT COUNTY: CARTERET STATE: NORTH CAROLINA
TOWN OF BEAUFORT ZONING: PUD PIN: SEE SITE DATA SHEET 3 OF 6

WithersRavenel
Engineers | Planners | Surveyors
115 MacKenzie Drive | Cary, NC 27511 | t: 919.469.3340 | license #: C-0832 | www.withersravenel.com



LEGEND

AC - ACRES
 ARC - ARC LENGTH
 CB - CHORD BEARING
 CMF - CONCRETE MONUMENT FOUND
 CH - CHORD LENGTH
 CLF - CHAIN LINK FENCE
 DIP - DUCTILE IRON PIPE
 DI - DROP INLET
 EOP - EDGE OF PAVEMENT
 IFF - IRON PIPE FOUND
 IS - IRON PIPE SET
 OS - OPEN SPACE
 OS - OFFSET
 PKM - PK NAIL SET
 PP - UTILITY POLE
 RMP - RIGHT OF WAY MONUMENT FOUND
 ROW - RIGHT OF WAY
 R - RADIUS
 RBF - REBAR FOUND
 S.F. - SQUARE FEET

LINE LEGEND

NON SURVEYED LINES
 BOUNDARY
 BUFFER
 DRAINAGE DITCH
 EASEMENT
 EXISTING RW
 FENCE
 FLOOD ZONE
 OVERHEAD UTILITY LINE
 SANITARY SEWER LINE
 STORM DRAINAGE LINE

SYMBOL LEGEND

○ - 0.5" IRON PIPE SET (UNLESS OTHERWISE NOTED)
 ⊙ - SANITARY SEWER MANHOLE
 ⊕ - UTILITY POLE
 △ - COMPUTED EASEMENT BEND

HATCH LEGEND

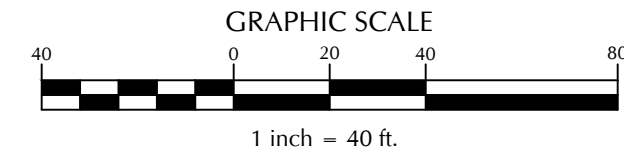
WETLANDS

CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	323.50	58.81	N 43°19'19" W	15.81
C2	323.50	52.50	N 45°22'18" W	82.44
C3	323.50	258.01	N 75°52'09" W	251.23
C4	323.50	57.01	S 71°44'00" W	96.62
C5	525.50	51.40	S 60°24'15" W	51.38
C6	525.50	64.85	S 54°03'59" W	64.81
C7	525.50	51.31	S 41°24'41" W	51.28
C8	525.50	64.93	S 40°44'33" W	64.89
C9	525.50	51.13	S 35°23'11" W	51.13
C10	475.50	71.02	S 27°20'43" W	70.98
C11	475.50	88.16	S 17°45'13" W	88.03
C12	475.50	51.26	S 09°21'44" W	51.25
C13	475.50	19.57	S 05°05'22" W	19.57
C14	25.00	40.89	S 42°51'17" E	36.49
C15	25.00	37.64	S 43°02'32" W	34.19
C16	376.50	27.07	S 43°58'52" E	27.06
C17	376.50	40.44	S 79°27'32" E	40.42
C18	376.50	40.09	S 85°14'59" E	40.05
C19	376.50	30.79	N 89°21'37" E	30.78
C20	20.00	9.44	S 79°27'32" E	9.36
C21	20.00	15.62	S 24°05'06" E	15.64
C22	176.50	65.50	S 20°20'58" E	65.13
C23	176.50	40.18	S 37°30'08" E	40.09
C24	176.50	12.41	S 44°02'14" E	12.41
C25	261.50	5.78	S 48°41'04" E	5.78
C26	25.00	33.95	S 53°44'23" E	31.40
C27	176.50	17.17	S 37°01'41" E	17.16
C28	424.50	34.03	S 11°31'21" E	34.02
C29	424.50	45.21	S 16°52'13" E	45.19
C30	424.50	44.41	S 24°05'06" E	44.39
C31	424.50	53.55	S 29°31'47" E	53.52
C32	376.50	26.03	N 58°31'58" W	26.03
C33	376.50	25.01	N 54°38'19" W	25.01
C34	376.50	4.58	N 52°22'32" E	4.58
C35	376.50	26.44	N 51°33'10" W	26.43
C36	376.50	26.44	N 45°03'50" W	26.43
C37	376.50	24.74	N 45°09'38" W	24.74
C38	376.50	24.74	N 41°22'58" W	24.67
C39	376.50	24.72	N 37°56'51" W	24.71
C40	376.50	26.38	N 33°42'58" W	26.38
C41	376.50	11.58	N 28°18'13" E	11.58
C42	376.50	44.28	N 21°00'38" W	44.26
C43	376.50	44.03	N 14°16'14" W	44.00
C44	376.50	11.58	N 10°04'07" W	11.58
C45	224.50	10.79	N 10°36'59" W	10.79
C46	224.50	11.17	N 13°24'17" W	11.17
C47	25.00	40.09	N 28°18'13" E	40.05
C48	208.50	86.26	N 71°24'41" E	85.65
C49	20.00	44.39	S 19°41'05" W	35.82
C50	208.50	113.62	N 61°06'59" W	112.28
C51	208.50	33.50	N 60°53'37" W	33.46
C52	208.50	29.88	N 52°10'16" W	29.86
C53	123.50	4.19	N 47°04'44" W	4.19
C54	123.50	32.23	N 38°37'51" W	32.14
C55	123.50	48.21	N 20°26'11" W	45.94
C56	20.00	25.02	N 15°53'59" E	25.57
C57	374.50	56.65	N 69°10'47" E	56.59
C58	20.00	24.87	S 75°31'26" E	23.30
C59	20.00	31.26	N 08°39'24" E	32.18
C60	25.00	31.81	S 80°20'37" E	29.71
C61	25.00	39.89	S 01°48'42" W	39.79
C62	208.50	43.82	S 33°32'18" W	43.74
C63	20.00	26.72	N 82°10'02" E	24.78
C64	374.50	10.72	N 64°01'36" E	10.72

LINE TABLE

LINE	BEARING	DISTANCE
L1	N 09°43'04" W	2.00'
L2	S 09°46'37" W	13.19'
L3	S 09°43'04" E	9.06'
L4	S 41°09'30" E	21.13'



SEE SHEET 6 OF 6 FOR EASEMENT LINE AND CURVE TABLES

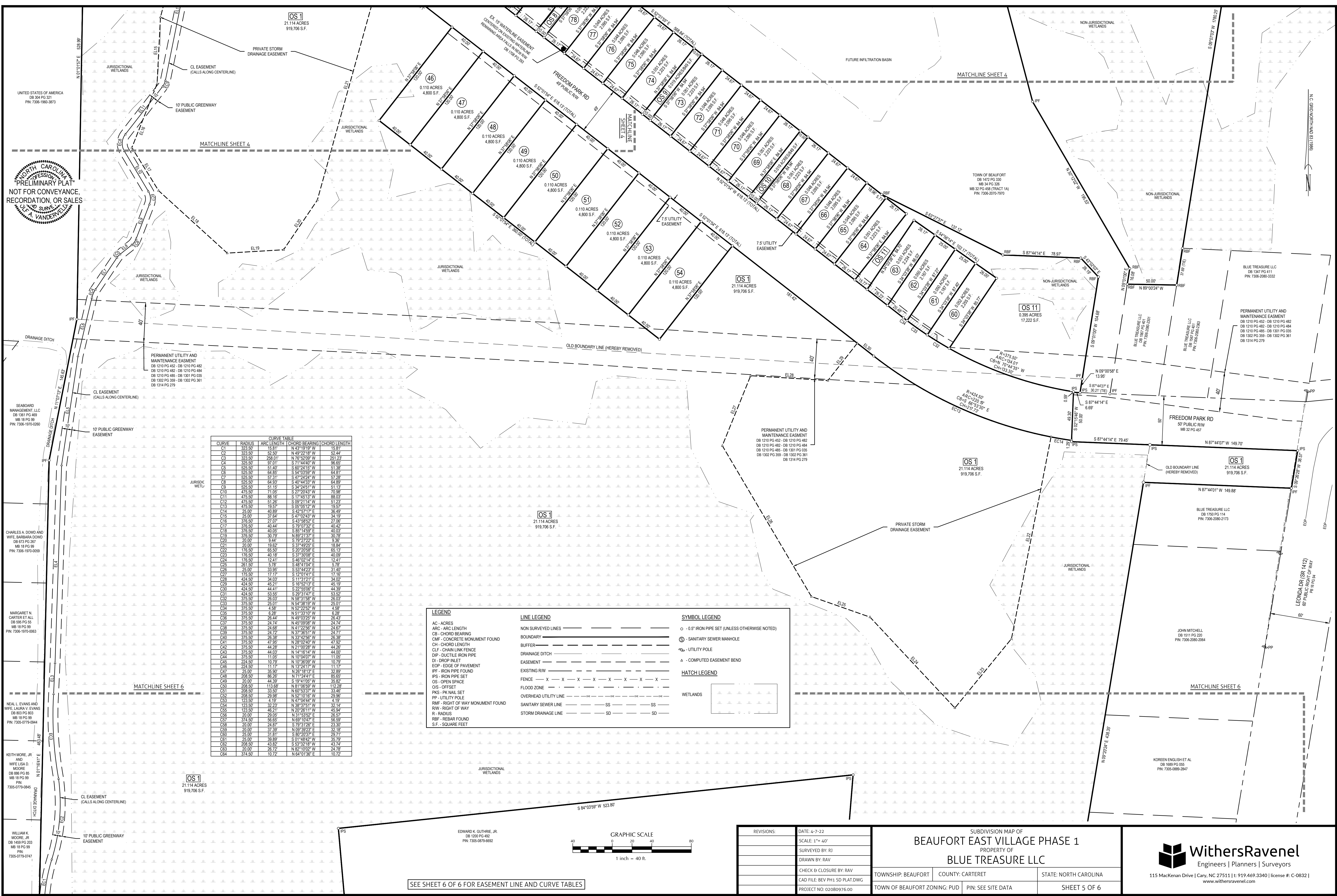
REVISIONS:

	DATE: 4-7-22
	SCALE: 1"= 40'
	SURVEYED BY: RJ
	DRAWN BY: RAV
	CHECK & CLOSURE BY: RAV
	CAD FILE: BEV PH1 5D PLAT.DWG
	PROJECT NO: 02-080976-00

**SUBDIVISION MAP OF
 BEAUFORT EAST VILLAGE PHASE 1
 PROPERTY OF
 BLUE TREASURE LLC**

TOWNSHIP: BEAUFORT	COUNTY: CARTERET	STATE: NORTH CAROLINA
TOWN OF BEAUFORT ZONING: PUD	PIN: SEE SITE DATA	SHEET 4 OF 6

WithersRavenel
 Engineers | Planners | Surveyors
 115 MacKean Drive | Cary, NC 27511 | t: 919.469.3340 | license #: C-0832 | www.withersravenel.com

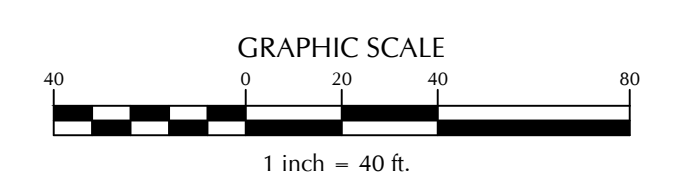


NORTH CAROLINA PRELIMINARY PLAT
 NOT FOR CONVEYANCE, RECORDATION, OR SALES
 OF SURV. DATA
 BY WANDERLIE, RUDY

CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	323.50	15.81	N 43° 19' 19" W	15.81
C2	323.50	22.50	N 49° 22' 18" W	22.44
C3	323.50	258.01	N 18° 50' 09" W	251.72
C4	323.50	97.91	S 71° 24' 40" W	26.65
C5	525.50	51.40	S 60° 24' 15" W	51.38
C6	525.50	64.85	S 54° 10' 59" W	64.81
C7	525.50	57.31	S 47° 24' 24" W	57.28
C8	525.50	64.93	S 40° 44' 33" W	64.89
C9	525.50	51.15	S 34° 24' 51" W	51.13
C10	475.50	71.05	S 27° 20' 43" W	70.98
C11	475.50	88.16	S 17° 48' 13" W	88.03
C12	475.50	51.26	S 09° 21' 44" W	51.23
C13	475.50	19.57	S 05° 08' 12" W	19.57
C14	25.00	40.89	S 49° 27' 17" E	36.49
C15	25.00	37.64	S 47° 02' 43" W	34.19
C16	375.50	27.07	S 43° 58' 52" E	27.06
C17	375.50	40.44	S 39° 07' 35" E	40.42
C18	375.50	40.02	S 35° 14' 56" E	40.03
C19	375.50	30.79	N 89° 21' 37" E	30.78
C20	20.00	9.44	S 79° 27' 22" E	9.36
C21	20.00	19.52	S 37° 42' 25" E	19.44
C22	175.50	65.50	S 20° 20' 58" E	65.13
C23	175.50	40.18	S 31° 30' 08" E	40.09
C24	175.50	32.41	S 48° 24' 14" E	32.41
C25	261.50	5.78	S 48° 21' 04" E	5.76
C26	25.00	45.88	S 53° 44' 14" E	45.88
C27	125.50	37.17	S 32° 01' 41" E	37.16
C28	424.50	34.03	S 11° 31' 11" E	34.02
C29	424.50	45.21	S 18° 27' 34" E	45.19
C30	424.50	44.41	S 22° 55' 06" E	44.39
C31	424.50	53.59	S 28° 31' 14" E	53.52
C32	375.50	26.89	N 89° 43' 58" W	26.89
C33	375.50	25.01	N 84° 38' 19" W	25.01
C34	375.50	4.58	N 52° 22' 52" W	4.58
C35	375.50	6.98	N 51° 52' 10" W	6.98
C36	375.50	26.44	N 49° 03' 25" W	26.43
C37	375.50	24.74	N 45° 09' 08" W	24.74
C38	375.50	24.88	N 41° 22' 56" W	24.87
C39	375.50	24.72	N 37° 36' 51" W	24.71
C40	375.50	26.38	N 33° 42' 56" W	26.38
C41	375.50	47.85	N 29° 42' 40" W	47.82
C42	375.50	44.28	N 21° 00' 28" W	44.26
C43	375.50	44.03	N 14° 16' 14" W	44.00
C44	375.50	11.95	N 10° 00' 07" W	11.95
C45	224.50	10.79	N 10° 36' 09" W	10.79
C46	224.50	11.17	N 13° 24' 17" W	11.17
C47	25.00	39.50	N 28° 18' 13" E	39.50
C48	208.50	86.26	N 71° 24' 11" E	85.65
C49	20.00	44.89	S 19° 21' 05" W	35.62
C50	208.50	113.68	N 51° 46' 59" W	112.29
C51	208.50	33.50	N 60° 53' 37" W	33.46
C52	208.50	29.89	N 52° 10' 16" W	29.90
C53	123.50	4.19	N 87° 44' 44" W	4.19
C54	123.50	32.23	N 38° 37' 51" W	32.14
C55	123.50	46.21	N 31° 44' 44" W	45.54
C56	20.00	29.09	N 31° 53' 52" E	28.57
C57	374.50	56.65	N 69° 10' 47" E	56.59
C58	20.00	24.81	S 79° 17' 09" E	23.30
C59	20.00	37.39	N 08° 36' 23" E	37.18
C60	25.00	31.81	S 80° 20' 37" E	29.71
C61	25.00	30.89	S 71° 48' 24" E	29.79
C62	208.50	43.82	S 53° 32' 18" W	43.74
C63	20.00	26.72	N 82° 10' 02" W	24.78
C64	374.50	10.72	N 64° 01' 36" E	10.72

LEGEND

LINE LEGEND	SYMBOL LEGEND
AC - ACRES	○ - 0.5" IRON PIPE SET (UNLESS OTHERWISE NOTED)
ARC - ARC LENGTH	⊙ - SANITARY SEWER MANHOLE
CB - CHORD BEARING	⊙ - UTILITY POLE
CMF - CONCRETE MONUMENT FOUND	△ - COMPUTED EASEMENT BEND
CH - CHORD LENGTH	
CLF - CHAIN LINK FENCE	HATCH LEGEND
DI - DUCTILE IRON PIPE	OS - OPEN SPACE
DI - DROP INLET	OS - OFFSET
EOP - EDGE OF PAVEMENT	PKS - PK NAIL SET
IFP - IRON PIPE FOUND	PP - UTILITY POLE
IFS - IRON PIPE SET	RWF - RIGHT OF WAY MONUMENT FOUND
OS - OPEN SPACE	RW - RIGHT OF WAY
OS - OFFSET	R - RADIUS
PKS - PK NAIL SET	RFB - REBAR FOUND
PP - UTILITY POLE	S.F. - SQUARE FEET
RWF - RIGHT OF WAY MONUMENT FOUND	
RW - RIGHT OF WAY	
R - RADIUS	
RFB - REBAR FOUND	
S.F. - SQUARE FEET	

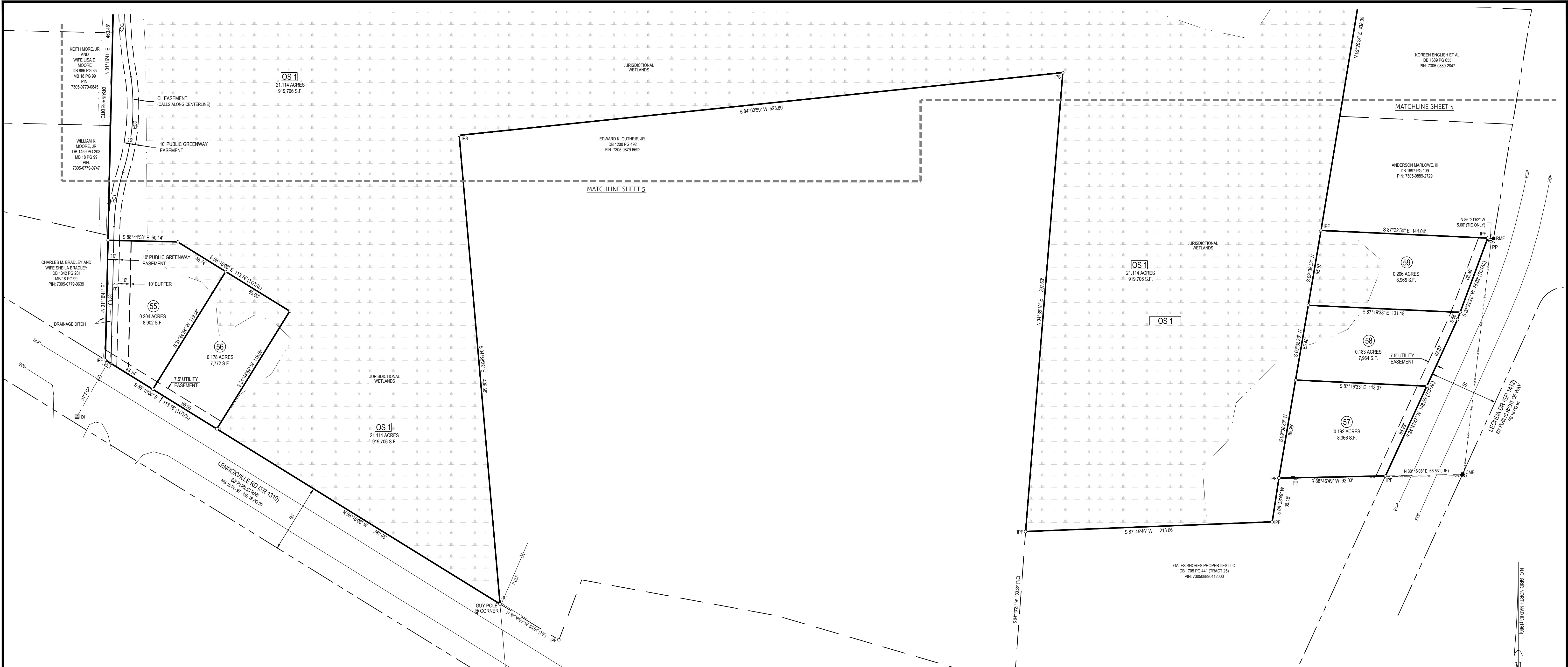


REVISIONS:	DATE: 4-7-22
	SCALE: 1"=40'
	SURVEYED BY: RAV
	DRAWN BY: RAV
	CHECK & CLOSURE BY: RAV
	CAD FILE: BEV PH1 5D PLAT.DWG
	PROJECT NO: 02-0890976-00

SUBDIVISION MAP OF BEAUFORT EAST VILLAGE PHASE 1 PROPERTY OF BLUE TREASURE LLC		
TOWNSHIP: BEAUFORT	COUNTY: CARTERET	STATE: NORTH CAROLINA
TOWN OF BEAUFORT ZONING: PUD	PIN: SEE SITE DATA	SHEET 5 OF 6

WithersRavenel
 Engineers | Planners | Surveyors
 115 MacKenan Drive | Cary, NC 27511 | t: 919.469.3340 | license #: C-0832 | www.withersravenel.com

SEE SHEET 6 OF 6 FOR EASEMENT LINE AND CURVE TABLES

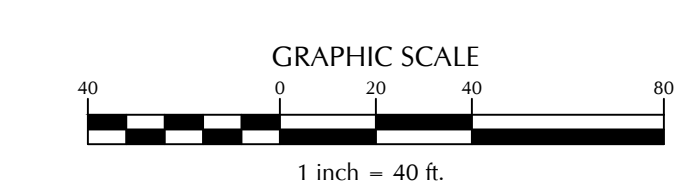


LINE	BEARING	DISTANCE
EL1	S 36° 13' 08" E	5.89
EL2	N 01° 16' 41" E	111.91
EL3	N 09° 39' 25" E	31.51
EL4	N 01° 43' 57" E	208.19
EL5	N 02° 33' 25" E	111.72
EL6	N 13° 22' 28" E	60.85
EL7	N 34° 00' 38" E	38.96
EL8	N 51° 21' 28" E	14.83
EL9	N 71° 03' 35" E	37.55
EL10	N 30° 49' 37" W	41.82
EL11	N 37° 55' 08" E	61.31
EL12	N 11° 26' 11" E	145.00
EL13	N 65° 07' 08" E	111.38
EL14	S 14° 30' 03" W	87.65
EL15	S 07° 50' 08" W	67.95
EL16	S 21° 51' 51" W	68.44
EL17	S 31° 47' 44" E	51.25
EL18	S 47° 47' 28" E	93.96
EL19	N 65° 34' 51" E	57.18
EL20	N 34° 11' 38" E	60.72
EL21	N 15° 34' 10" E	240.42
EL22	S 11° 02' 52" W	228.25
EL23	S 39° 16' 14" W	90.49
EL24	N 40° 03' 07" E	126.90
EL25	N 70° 40' 38" W	62.18
EL26	N 30° 33' 48" W	177.42
EL27	N 20° 02' 48" E	78.46
EL28	S 88° 25' 47" E	78.34
EL29	N 38° 10' 32" E	48.06
EL30	S 8° 01' 54" E	21.12
EL31	S 89° 04' 00" W	143.65
EL32	N 09° 54' 59" W	35.75
EL33	S 89° 49' 04" W	140.94
EL34	S 49° 04' 06" W	112.01
EL35	S 40° 43' 10" E	6.88
EL36	S 49° 16' 52" W	42.00
EL37	N 40° 43' 10" W	32.99
EL38	S 85° 53' 47" W	14.09
EL39	N 03° 19' 00" W	20.00
EL40	N 85° 53' 47" E	9.10
EL41	N 49° 16' 52" W	33.51
EL42	N 90° 53' 41" W	7.88
EL43	N 53° 08' 19" E	24.00
EL44	S 36° 53' 41" E	21.23
EL45	N 81° 09' 00" E	41.68
EL46	N 49° 04' 06" E	47.31
EL47	S 88° 46' 25" W	7.40
EL48	S 31° 40' 38" W	158.42
EL49	N 00° 05' 31" W	136.53
EL50	S 09° 20' 00" W	200.00
EL51	N 54° 12' 24" E	2.00
EL52	N 05° 42' 28" E	33.30
EL53	N 31° 32' 22" E	38.80
EL54	N 33° 59' 48" W	63.28
EL55	N 56° 00' 14" E	20.00
EL56	S 32° 29' 48" E	31.24
EL57	N 83° 04' 24" E	122.83
EL58	N 64° 39' 08" E	63.94
EL59	S 26° 47' 28" E	94.70

CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
EC1	175.29	48.69	N 69° 13' 42" E	48.49
EC2	191.13	67.70	N 04° 46' 58" E	62.05
EC3	383.23	86.14	N 03° 20' 39" E	85.94
EC4	28.00	9.00	N 24° 41' 31" E	8.96
EC5	15.00	4.58	N 42° 41' 02" E	4.52
EC6	15.00	7.93	N 38° 12' 39" E	7.84
EC7	15.00	13.58	N 04° 53' 01" W	13.12
EC8	15.00	18.89	N 02° 22' 54" E	18.94
EC9	15.00	6.52	N 24° 38' 28" E	6.89
EC10	15.00	13.07	N 38° 26' 10" E	13.47
EC11	424.50	5.08	S 32° 29' 01" E	5.04
EC12	424.50	14.59	S 51° 02' 50" E	14.59
EC13	424.50	199.13	S 65° 28' 13" E	197.31
EC14	424.50	21.06	S 89° 19' 49" E	21.06
EC15	261.50	79.06	S 57° 58' 41" E	78.75
EC16	261.50	118.71	S 70° 38' 47" E	117.70
EC17	43.95	33.67	S 32° 11' 18" W	34.42
EC18	78.71	65.53	N 68° 03' 10" W	63.74
EC19	66.06	34.41	N 62° 45' 34" W	34.02
EC20	78.71	62.27	N 37° 46' 03" W	61.19
EC21	15.00	23.56	N 46° 33' 50" W	21.21
EC22	376.50	131.85	N 59° 35' 28" W	131.38
EC23	176.50	20.36	S 27° 29' 33" E	20.57
EC24	376.50	63.31	N 44° 41' 58" W	25.30
EC25	323.50	109.47	S 84° 42' 55" E	108.95
EC26	323.50	12.00	S 14° 28' 20" E	12.00



- LEGEND**
- AC - ACRES
 - ARC - ARC LENGTH
 - CB - CHORD BEARING
 - CMF - CONCRETE MONUMENT FOUND
 - CH - CHORD LENGTH
 - CLF - CHAIN LINK FENCE
 - DIP - DUCTILE IRON PIPE
 - DI - DROP INLET
 - EOP - EDGE OF PAVEMENT
 - IPF - IRON PIPE FOUND
 - IPS - IRON PIPE SET
 - OS - OPEN SPACE
 - OS - OFFSET
 - PKS - PINK MAIL SET
 - PP - UTILITY POLE
 - RMP - RIGHT OF WAY MONUMENT FOUND
 - RW - RIGHT OF WAY
 - R - RADIUS
 - RBF - REBAR FOUND
 - S.F. - SQUARE FEET
- LINE LEGEND**
- NON SURVEYED LINES
 - BOUNDARY
 - BUFFER
 - DRAINAGE DITCH
 - EASEMENT
 - EXISTING RW
 - FENCE
 - FLOOD ZONE
 - OVERHEAD UTILITY LINE
 - SANITARY SEWER LINE
 - STORM DRAINAGE LINE
- SYMBOL LEGEND**
- - 0.5" IRON PIPE SET (UNLESS OTHERWISE NOTED)
 - ⊕ - SANITARY SEWER MANHOLE
 - ⊕ - UTILITY POLE
 - △ - COMPUTED EASEMENT BEND
- HATCH LEGEND**
- WETLANDS



REVISIONS:	DATE: 4-7-22	SUBDIVISION MAP OF BEAUFORT EAST VILLAGE PHASE 1 PROPERTY OF BLUE TREASURE LLC	
	SCALE: 1" = 40'	TOWNSHIP: BEAUFORT	COUNTY: CARTERET
	SURVEYED BY: RJ	STATE: NORTH CAROLINA	
	DRAWN BY: RAV	TOWN OF BEAUFORT ZONING: PUD	PIN: SEE SITE DATA
	CHECK & CLOSEURE BY: RAV	SHEET 6 OF 6	
	CAD FILE: BEV PH1 5D PLAT.DWG		
	PROJECT NO: 02080976.00		

WithersRavenel
Engineers | Planners | Surveyors
115 MacKenan Drive | Cary, NC 27511 | t: 919.469.3340 | license #: C-0832 | www.withersravenel.com

P:\08\08-0970\080970-Beaufort East Village Ph 1\Survey\CAD_Drawing\REV Phase 1_madison.dwg - Thursday, April 7, 2022 11:05:08 AM - VANDERVELL, RUDY

DEVELOPMENT DATA:

TOTAL PHASE 1 AREA: 41.79 AC.

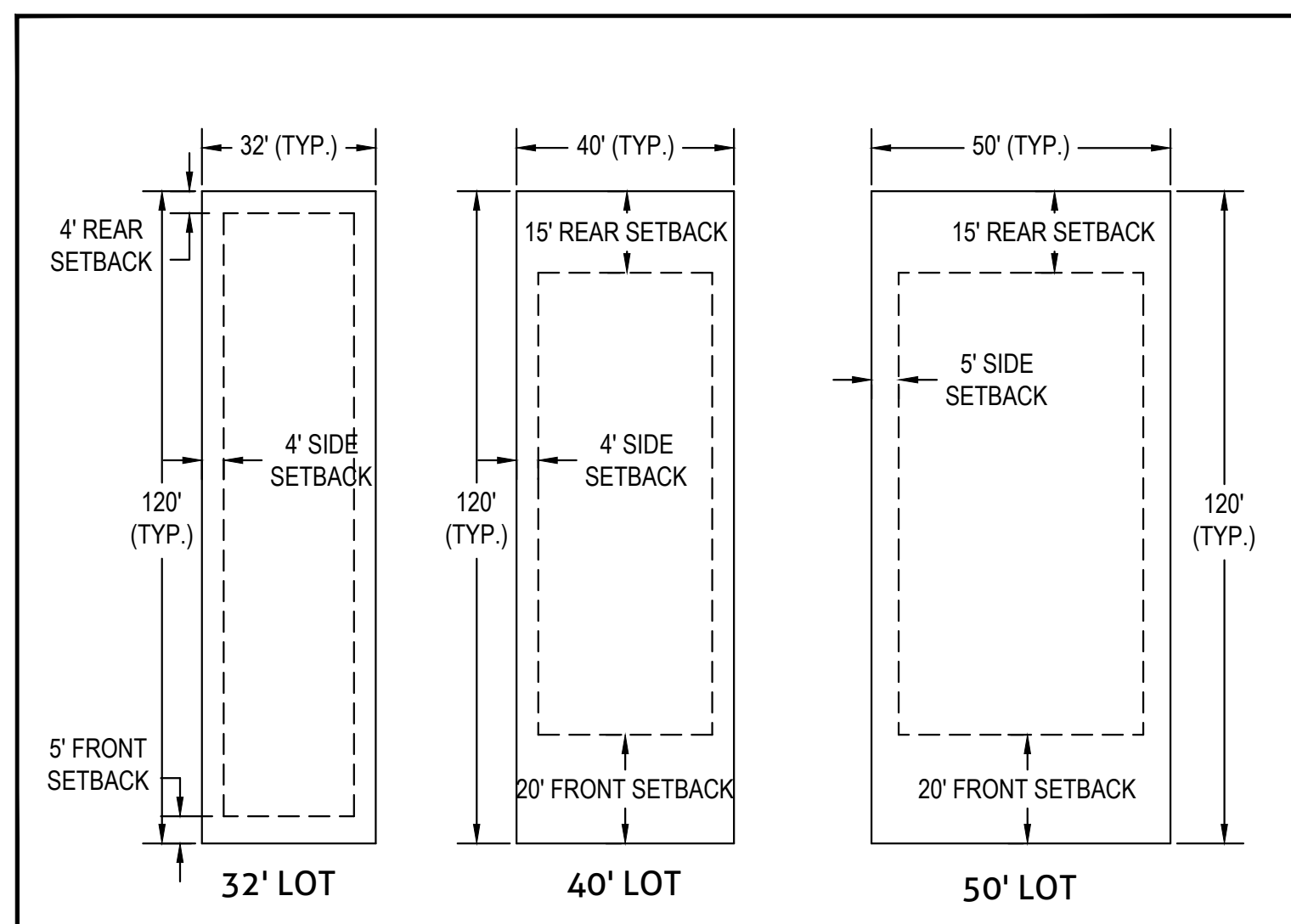
ALL OF PHASE 1 DRAINS TO SC WATERS

AREA OF LOTS: 11.78 AC.
 AREA OF R/W: 5.64 AC.
 AREA OF WETLANDS: 13.97 AC.
 AREA OF OPEN SPACE: 23.68 AC.

PROPOSED STREETS: 4,527 LF

PROPOSED ALLEYS: 352 LF

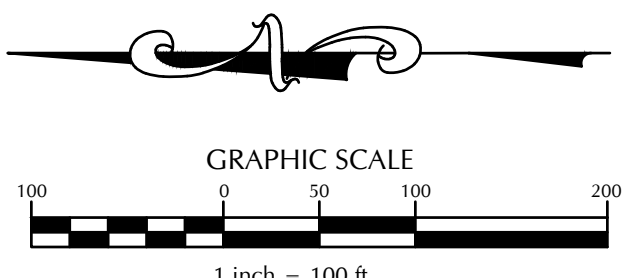
SINGLE FAMILY LOTS: TOWNHOME LOTS:
 50' WIDE: 24 26' WIDE: 12
 44' WIDE: 42 24' WIDE: 17
 40' WIDE: 28 TOTAL: 29
 32' WIDE: 14
 TOTAL: 79



GENERAL NOTES:

- CARTERET COUNTY PARCEL NOS.:
 7306.20.71.9375000
 7305.08.79.6926000
 7306.19.61.5640000
- ZONING DISTRICT: PUD
- LOT TYPES & SETBACKS:
 32' WIDE LOTS - LOTS : 95-108:
 5' FRONT
 4' REAR
 4' SIDE
 40' WIDE LOTS - LOTS : 20-45 & 46-54 & 89-94:
 20' FRONT
 15' REAR
 4' SIDE
 50' WIDE LOTS - LOTS 1-19 & 55-59:
 20' FRONT
 15' REAR
 5' SIDE
 TOWN HOME LOTS - LOTS 60-88
 20' FRONT
 5' REAR
 0' SIDE
- TEMPORARY MAIL KIOSK LOCATIONS TO BE DETERMINED BY BUILDER AND POSTMASTER PRIOR TO HOME CERTIFICATE OF OCCUPANCY

Lot Table			Lot Table			Lot Table			Lot Table			Lot Table			Lot Table		
Lot No.	Area (Ac)	Area (SF)	Lot No.	Area (Ac)	Area (SF)	Lot No.	Area (Ac)	Area (SF)	Lot No.	Area (Ac)	Area (SF)	Lot No.	Area (Ac)	Area (SF)	Lot No.	Area (Ac)	Area (SF)
1	0.23	9,921	21	0.13	5,573	41	0.13	5,663	61	0.05	2,187	81	0.05	2,085	101	0.11	4,896
2	0.21	9,324	22	0.14	6,084	42	0.13	5,699	62	0.05	2,167	82	0.05	2,085	102	0.07	3,200
3	0.21	9,128	23	0.15	6,589	43	0.15	6,389	63	0.05	2,234	83	0.05	2,211	103	0.07	3,200
4	0.17	7,520	24	0.16	7,058	44	0.15	6,533	64	0.05	2,211	84	0.05	2,238	104	0.07	3,200
5	0.17	7,524	25	0.17	7,524	45	0.18	7,903	65	0.05	2,085	85	0.05	2,055	105	0.07	3,200
6	0.17	7,525	26	0.18	8,032	46	0.11	4,800	66	0.05	2,085	86	0.05	2,001	106	0.07	3,200
7	0.17	7,496	27	0.14	5,915	47	0.11	4,800	67	0.05	2,085	87	0.05	2,004	107	0.07	3,200
8	0.17	7,366	28	0.14	6,079	48	0.11	4,800	68	0.05	2,211	88	0.05	2,143	108	0.12	5,135
9	0.20	8,741	29	0.14	6,244	49	0.11	4,800	69	0.05	2,211	89	0.10	4,524			
10	0.19	8,136	30	0.15	6,409	50	0.11	4,800	70	0.05	2,085	90	0.11	4,619			
11	0.16	7,068	31	0.15	6,546	51	0.11	4,800	71	0.05	2,085	91	0.10	4,503			
12	0.17	7,580	32	0.12	5,252	52	0.11	4,800	72	0.05	2,085	92	0.10	4,408			
13	0.16	7,175	33	0.09	4,035	53	0.11	4,800	73	0.05	2,211	93	0.10	4,407			
14	0.14	6,047	34	0.09	4,004	54	0.11	4,800	74	0.05	2,211	94	0.10	4,407			
15	0.14	6,276	35	0.09	4,002	55	0.20	8,902	75	0.05	2,085	95	0.08	3,372			
16	0.15	6,645	36	0.09	4,012	56	0.18	7,772	76	0.05	2,085	96	0.08	3,598			
17	0.14	6,278	37	0.09	4,024	57	0.19	8,389	77	0.05	2,085	97	0.08	3,694			
18	0.14	5,964	38	0.09	4,028	58	0.18	7,962	78	0.05	2,211	98	0.09	3,768			
19	0.14	6,194	39	0.12	5,290	59	0.21	8,952	79	0.05	2,211	99	0.09	3,786			
20	0.14	6,181	40	0.13	5,478	60	0.05	2,255	80	0.05	2,085	100	0.12	5,051			



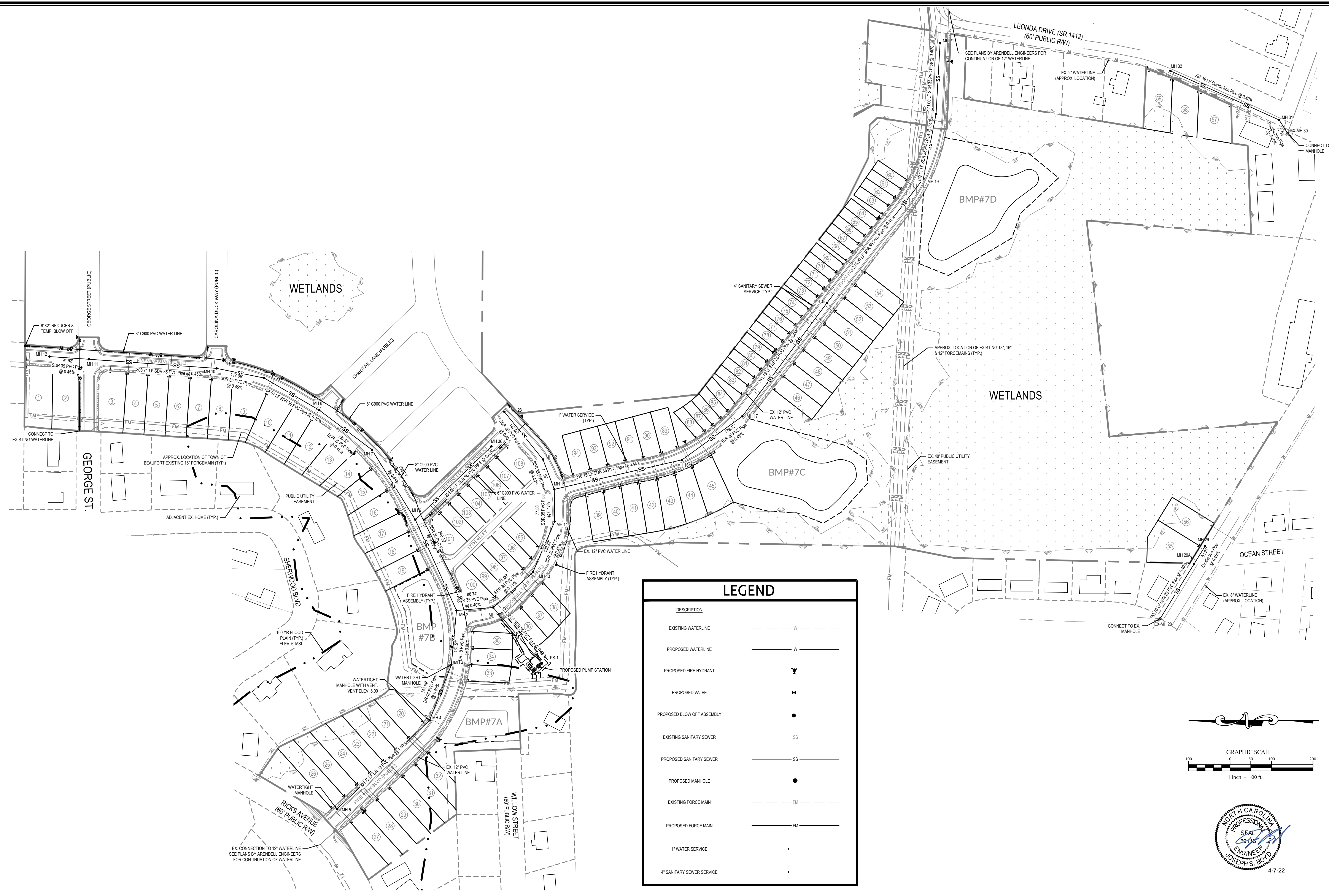
No.	Revision	Date	By	Designer	Scale
				JSB	NOTED
				JWB	9/14/15
				JJW	02080976.20

BEAUFORT EAST VILLAGE PHASE 1
 IMPROVEMENTS WITHIN DRAINAGE AREA #7
 Beaufort Carteret County North Carolina

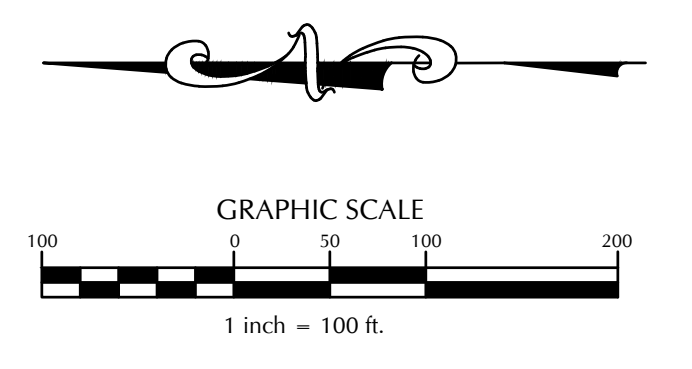
FINAL PLAT SUBDIVISION PLAN

WithersRavenel
 Engineers | Planners | Surveyors
 1410 Commonwealth Drive, Suite 101 | Wilmington, NC 28403 | t: 910.256.9277 | license #: C-0832 | www.withersravenel.com

Sheet No.
C-3



LEGEND	
DESCRIPTION	
EXISTING WATERLINE	— W —
PROPOSED WATERLINE	— W —
PROPOSED FIRE HYDRANT	Y
PROPOSED VALVE	⋈
PROPOSED BLOW OFF ASSEMBLY	•
EXISTING SANITARY SEWER	— SS —
PROPOSED SANITARY SEWER	— SS —
PROPOSED MANHOLE	•
EXISTING FORCE MAIN	— FM —
PROPOSED FORCE MAIN	— FM —
1\"/>	



No.	Revision	Date	By

Designer	JSB	Scale	NOTED
Drawn By	JSB	Date	9/14/15
Checked By	JJW	Job No.	02080976.20

BEAUFORT EAST VILLAGE PHASE 1

Beaufort Carteret County North Carolina

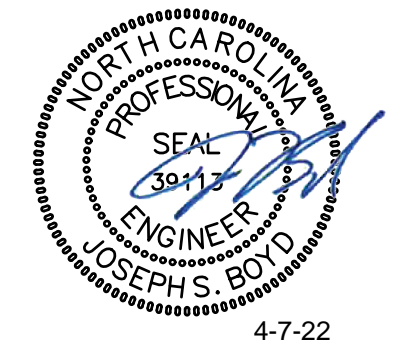
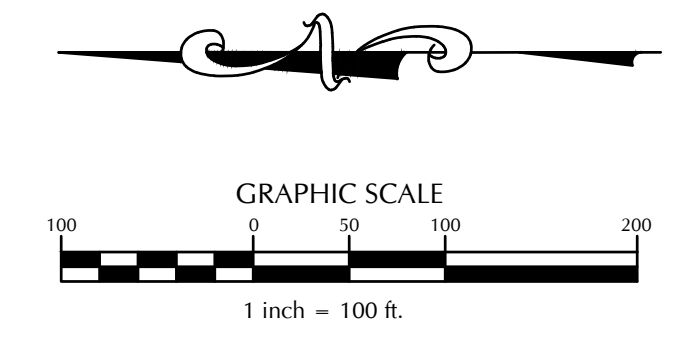
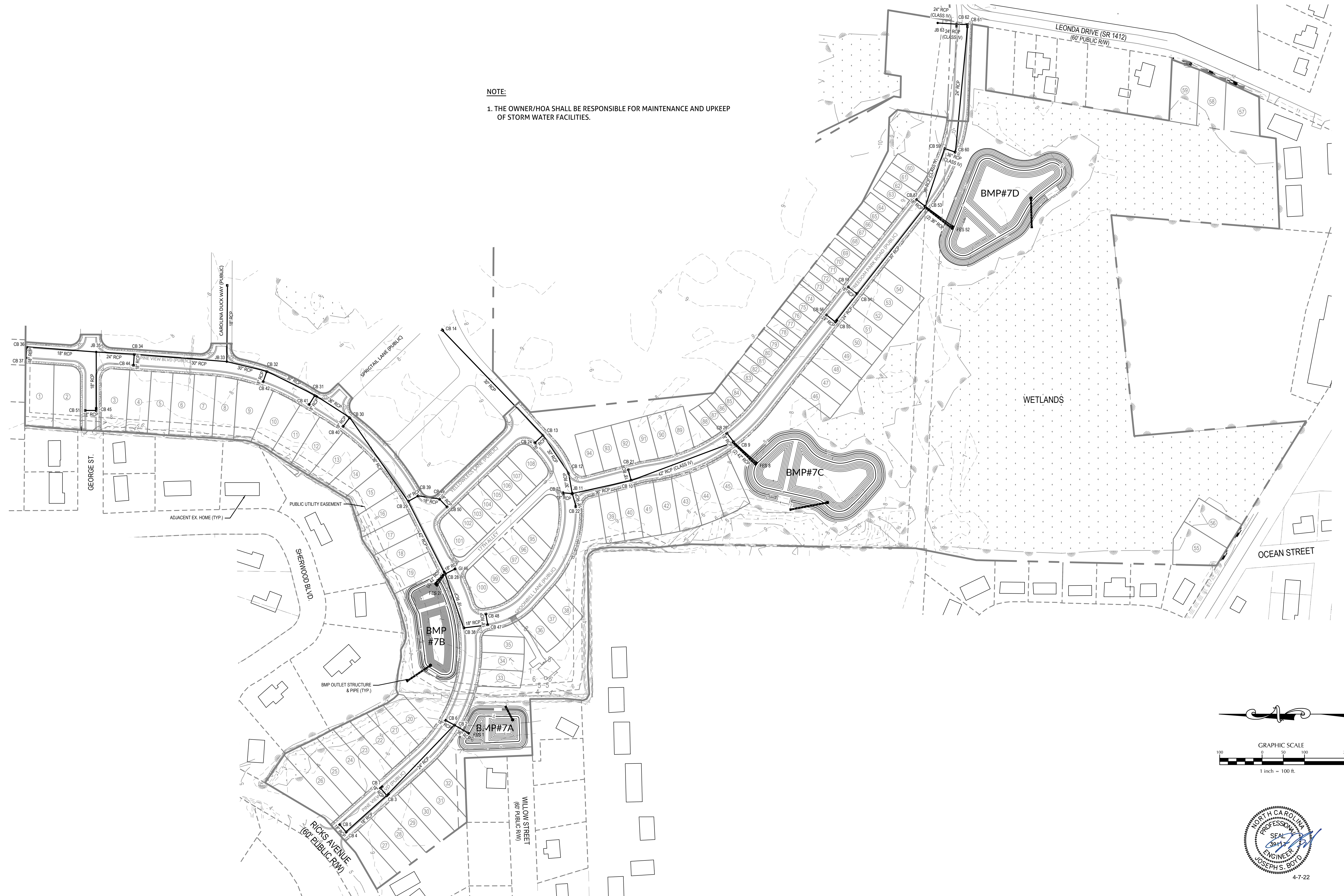
FINAL PLAT UTILITY PLAN

WithersRavenel
 Engineers | Planners | Surveyors
 1410 Commonwealth Drive, Suite 101 | Wilmington, NC 28403 | t: 910.256.9277 | license #: C-0832 | www.withersravenel.com

Sheet No.
C-5

K:\000-0070\02070-20-Beaufort East Village Ph. 1\CAD\Final Plat Sheets\Utility & Drainage Final Plat Print.dwg - Thursday, April 7, 2022 10:03:17 AM - BDN, JCSBY

NOTE:
 1. THE OWNER/HOA SHALL BE RESPONSIBLE FOR MAINTENANCE AND UPKEEP OF STORM WATER FACILITIES.



4-7-22

K:\000-0070\00070-20-Beaufort East Village Ph. 1\CD\Final Plat_Sheets\Utility & Drainage Final Plat_Plan.dwg - Thursday, April 7, 2022 10:01:05 AM - BDD - CADD

No.	Revision	Date	By	Designer	Scale
				JSB	NOTED
				JSB	9/14/15
				JJW	02080976.20

**BEAUFORT EAST VILLAGE PHASE 1
 IMPROVEMENTS WITHIN DRAINAGE AREA #7**
 Beaufort Carteret County North Carolina

FINAL PLAT DRAINAGE PLAN

WithersRavenel
 Engineers | Planners | Surveyors
 1410 Commonwealth Drive, Suite 101 | Wilmington, NC 28403 | t: 910.256.9277 | license #: C-0832 | www.withersravenel.com

Sheet No.
C-6

March 28, 2022

Mr. Kyle Garner, AICP
Planning & Inspections Director
Town of Beaufort
701 Front Street
Beaufort, NC 28516

**RE: Beaufort East Village Phase 1 - Completion Bond Estimate
WR Project No. 02080976.20**

Dear Mr. Garner:

On behalf of Blue Treasure, LLC, we are preparing this letter stating that as of March 28, 2022, the following public improvements need to be bonded to allow for plat recordation in Beaufort East Village Phase 1. A completion bond/letter of credit will be provided to the Town of Beaufort for the remaining improvements in the amount of 100% of the estimated construction costs. Our estimate of the remaining improvements is attached.

In total our estimate comes to a total of \$1,393,829.44 for the remaining improvements.

Please advise if this amount is satisfactory to the Town and the Owner will post the required financial guarantee. Please let us know if you need any additional information regarding this matter and thanks for your continued assistance on this project.


Sincerely,
WithersRavenel



Joe Boyd, PE
Project Manager

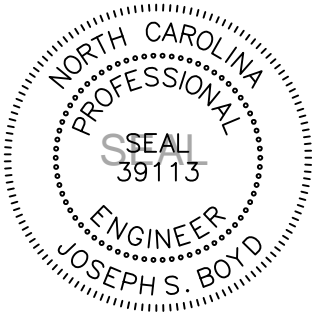

CC: Greg Meshaw, PE - Town of Beaufort
Karl Blackley - Blue Treasure, LLC
Don Mizelle - WithersRavenel, Inc.

BOND ESTIMATE

 <p style="font-size: small;">Town of Beaufort 701 Front Street Beaufort, NC 28516 (252) 728-2141 www.beafortnc.org</p>	PROJECT NAME:	Beaufort East Village Phase 1
	OWNER:	Blue Treasure, LLC
	ENGINEER:	Joe Boyd, PE
	ENGINEER PHONE NO.:	910-256-9277
	ENGINEER EMAIL:	jboyd@withersravenel.com
	DATE:	3/28/2022

UNLESS OTHERWISE SPECIFIED ALL BONDS ARE FOR THE BODY OF THE PLAT

SIGNATURE AND SEAL OF SUBMITTING ENGINEER

	<p>I, <u>Joseph S. Boyd</u> a Registered Licensed Professional, do hereby verify that I have personally supervised the measurement thereof and that the quantities expressed herein represent an accurate measurement of the work to be completed on this project. This bond estimate covers all the infrastructure improvements on the project referenced above.</p> <p><i>Please sign below</i></p> <div style="text-align: center; margin-top: 20px;">  _____ </div>
--	--

STREET PAVEMENT	LINEAR FEET:	WIDTH:	UNIT COST (Dollars/SY)	TOTAL:
Final Asphalt Surface Course	4527	22	\$ 11.00	\$ 121,726.00
Initial Asphalt Surface Course	4527	22	\$ 10.50	\$ 116,193.00
Asphalt Intermediate Course				\$ -
Asphalt Base Course				\$ -
Aggregate Base Course	4527	22	\$ 1.00	\$ 11,066.00
Pervious Concrete Alley & Base Course	350	16	\$ 65.00	\$ 40,444.44
				\$ -
Subtotal				\$ 289,429.44

STREET INCIDENTALS	QUANTITY:	UNIT:	UNIT COST:	TOTAL:
Street Signs	37	Each	\$ 100.00	\$ 3,700.00
Street Trees (40' O.C.)	220	Each	\$ 450.00	\$ 99,000.00
Street Lights	16	Each	\$ 250.00	\$ 4,000.00
Pavement Striping		LF		\$ -
				\$ -
				\$ -
Subtotal				\$ 106,700.00

CURBING & SIDEWALK:	QUANTITY:	UNIT:	UNIT COST:	TOTAL:
2'-6" Standard Curb		LF		\$ -
2'-6" Rolled curb	9054	LF	\$ 15.00	\$ 135,810.00
4' Wide Sidewalk		LF		\$ -
5' Wide Sidewalk		LF	\$ 25.00	\$ -
Driveway Aprons	108	Each		\$ -
Handicap Ramp	20	Each	\$ 750.00	\$ 15,000.00
Multiuse Path	1240	LF	\$ 20.00	\$ 24,800.00
				\$ -
			Subtotal	\$ 175,610.00

SANITARY SEWER	QUANTITY:	UNIT:	UNIT COST:	TOTAL:
8" PVC Gravity Sewer	2373	LF	\$ 50.00	\$ 118,650.00
8" DIP Gravity Sewer	20	LF	\$ 100.00	\$ 2,000.00
10" PVC Gravity Sewer		LF		\$ -
10" DIP Gravity Sewer		LF		\$ -
12" PVC Gravity Sewer		LF		\$ -
12" DIP Gravity Sewer		LF		\$ -
15" PVC Gravity Sewer		LF		\$ -
15" DIP Gravity Sewer		LF		\$ -
2" PVC Force Main		LF		\$ -
4" PVC Force Main		LF		\$ -
4" DIP Force Main		LF		\$ -
6" PVC Force Main		LF		\$ -
6" DIP Force Main		LF		\$ -
8" PVC Force Main		LF		\$ -
8" DIP Force Main		LF		\$ -
4'0" Dia. Manhole	13	LF	\$ 3,500.00	\$ 45,500.00
5'0" Dia Manhole		LF		\$ -
Service Laterals, Main to Cleanout	35	Each	\$ 350.00	\$ 12,250.00
Pump Station	1	Lump Sum	\$ 100,000.00	\$ 100,000.00
				\$ -
				\$ -
				\$ -
			Subtotal	\$ 278,400.00

WATER	QUANTITY:	UNIT:	UNIT COST:	TOTAL:
2" PVC Water Main	50	LF	\$ 15.00	\$ 750.00
4" PVC Water Main		LF		\$ -
4" DIP Water Main		LF		\$ -
6" PVC Water Main	330	LF	\$ 20.00	\$ 6,600.00
6" DIP Water Main		LF		\$ -
8" PVC Water Main	220	LF	\$ 25.00	\$ 5,500.00
8" DIP Water Main		LF		\$ -
10" PVC Water Main		LF		\$ -
10" DIP Water Main		LF		\$ -
12" PVC Water Main		LF		\$ -
12" DIP Water Main		LF		\$ -
2" Valve (includes Curb Box)	1	Each	\$ 1,000.00	\$ 1,000.00
4" Valve (includes Curb Box)		Each		\$ -
6" Valve (includes Curb Box)	1	Each	\$ 1,000.00	\$ 1,000.00
8" Valve (includes Curb Box)	3	Each	\$ 1,000.00	\$ 3,000.00
10" Valve (includes Curb Box)		Each		\$ -
12" Valve (includes Curb Box)		Each		\$ -

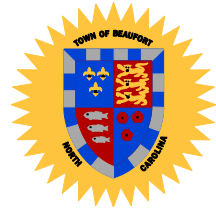
Fire Hydrant (includes Hydrant Leg & Valve)	8	Each	\$ 3,500.00	\$ 28,000.00
Vaults		Each		\$ -
Manholes		Each		\$ -
Fittings	5	Lump Sum	\$ 1,250.00	\$ 6,250.00
Service Connections (includes Tap, Service Tubing, Meter Box and Meter Setter)	35	Each	\$ 650.00	\$ 22,750.00
Blowoff Assemblies	1	each	\$ 1,500.00	\$ 1,500.00
				\$ -
				\$ -
			Subtotal	\$ 76,350.00

DRAINAGE	QUANTITY:	UNIT:	UNIT COST:	TOTAL:
15" RCP		LF		\$ -
15" Dual Wall HDPE		LF		\$ -
15" Dual Wall Polypropylene		LF		\$ -
18" RCP		LF		\$ -
18" Dual Wall HDPE	1143	LF	\$ 50.00	\$ 57,150.00
18" Dual Wall Polypropylene		LF		\$ -
24" RCP		LF		\$ -
24" Dual Wall HDPE	706	LF	\$ 60.00	\$ 42,360.00
24" Dual Wall Polypropylene		LF		\$ -
30" RCP		LF		\$ -
30" Dual Wall HDPE	861	LF	\$ 70.00	\$ 60,270.00
30" Dual Wall Polypropylene		LF		\$ -
36" RCP		LF		\$ -
36" Dual Wall HDPE	807	LF	\$ 80.00	\$ 64,560.00
36" Dual Wall Polypropylene		LF		\$ -
42" RCP		LF		\$ -
42" Dual Wall HDPE	650	LF	\$ 100.00	\$ 65,000.00
42" Dual Wall Polypropylene		LF		\$ -
48" RCP		LF		\$ -
48" Dual Wall HDPE		LF		\$ -
48" Dual Wall Polypropylene		LF	\$ 125.00	\$ -
15" FES		Each		\$ -
18" FES		Each	\$ 2,500.00	\$ -
24" FES		Each	\$ 3,000.00	\$ -
30" FES		Each	\$ 3,500.00	\$ -
36" FES	2	Each	\$ 4,000.00	\$ 8,000.00
42" FES	2	Each	\$ 5,000.00	\$ 10,000.00
48" FES		Each	\$ 5,000.00	\$ -
Curb Inlet	62	Each	\$ 2,500.00	\$ 155,000.00
Yard Inlet		Each	\$ 2,000.00	\$ -
Manhole (0'-6' Deep)	2	Each	\$ 2,500.00	\$ 5,000.00
				\$ -
				\$ -
				\$ -
			Subtotal	\$ 467,340.00

TOTAL ESTIMATE ⇒ \$1,393,829.44

Town of Beaufort

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



To: Kyle Garner
Planning & Inspections Director

From: Gregory Meshaw, PE, Town Engineer

Date: April 8, 2022

Re: **Review Comments - Revised**
Final Subdivision Plat
Beaufort East Village, Phase 1

We are writing to acknowledge receipt of the following documents in electronic form for Phase 1 of the Beaufort East subdivision (aka Beau Coast West):

- a completed “Application for a Final Subdivision Plat”
- a March 28, 2022 letter by Joe Boyd, PE of WithersRavenel proposing a “completion bond/letter of credit” in the amount of \$1,393,829.44
- a completed Town of Beaufort bond estimate form in support of the letter
- an April 7, 2022 letter by Mr. Boyd transmitting addition information requested by Kyle Garner
- a preliminary 6-sheet plan set by WithersRavenel dated April 7, 2022 formatted for recording
- plan sheet nos. C-3, -5 and -6 titled “Final Plat Subdivision Plan,” “Final Plat Utility Plan,” and “Final Plat Drainage Plan,” respectively.

We understand that the documents listed above were submitted for approval so that the final plat (i.e., plan set) can be recorded for Phase 1. To that end, please be advised that we have the following comments concerning the submitted items as they relate to water, sanitary sewer, and storm water infrastructure:

1. It is worth noting that a security is being proposed because the utilities have not been completed. Posting of a security in lieu of prior construction of the improvements is allowed by paragraphs 4.01 and 4.02 of the ordinance. Nonetheless, the utility plan and drainage plan are being provided because paragraph 4.12.04 of the Town’s “Subdivision Ordinance” calls for the final plat submission to include utility layouts. It is important to know therefore, that these plans are consistent with plans approved during the preliminary plat review process. Accordingly, the final plat can be advanced to the Planning Board for consideration without “as-built” layout plans of the water distribution, sewer collection and transmission, and storm water collection systems. Town staff will of course, require submission of as-built drawings of these utilities once they are complete. Staff will not recommend acceptance of the utilities to the Board of

Mayor Everette S. (Rett) Newton
Commissioner John Hagle • Commissioner Sharon Harker • Commissioner Marianna Hollinshed
Commissioner Ann Carter • Commissioner Charles McDonald
Town Manager John Day

Memorandum to Kyle Garner
April 8, 2022
Page 2

Commissioners without receipt of the record drawings.

- 2. The proposed bond amount is reasonable for infrastructure constructed via non-public construction pricing and agreements. The numbers also seem to be within the range of that which might be expected if constructed by the Town through a publicly bid and awarded construction contract, albeit on the low end of the range.

The Public Services Department has no objection to the final plat being provided to the Planning Board for consideration given the foregoing comments.

**DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR
BEAU COAST WEST**

**THIS DOCUMENT REGULATES OR PROHIBITS THE DISPLAY OF
POLITICAL SIGNS AND THE DISPLAY OF THE FLAG OF THE UNITED
STATES OF AMERICA OR STATE OF NORTH CAROLINA.**

Prepared by and return to:

**David E. Miller, III, Esq.
Longleaf Law Partners
4509 Creedmoor Road, Suite 302
Raleigh, NC 27612**

STATE OF NORTH CAROLINA
COUNTY OF CARTERET

DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR
BEAU COAST WEST

THIS DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR BEAU COAST WEST (the “**Declaration**”) is made as of this _____ day of _____, 2022, by Blue Treasure LLC, a North Carolina limited liability company (hereinafter referred to as “**Declarant**”).

RECITALS:

WHEREAS, Declarant is the owner of certain tract or parcel of land located in the Town of Beaufort, Carteret County, North Carolina, which property is described on **Exhibit A-1** attached hereto (the “**Property**”);

AND WHEREAS, the Property is hereby established as a planned community and master residential subdivision community known as “Beau Coast West” (which also is referred to herein as the “**Community**” or the “**Subdivision**”) under the Legal Requirements of applicable governmental entities, and which may include, but shall not be required by this Declaration to include, any one or more of the following: residential dwellings; public or private streets; utility easements; stormwater drainage systems and facilities; buffers; greenways; open space; recreational facilities and amenities; and other uses consistent with the zoning of the Properties and the Governmental Authority approvals for the Subdivision;

AND WHEREAS, the Community will contain certain Common Areas that are shared Community-wide by all throughout the Community;

AND WHEREAS, as hereinafter provided in this Declaration, Declarant has retained and reserved the right, privilege and option to annex Additional Property or to withdraw Property (as the case may be) to/from the encumbrance of this Declaration, from time to time or at any time, as herein provided;

AND WHEREAS, Declarant desires, among other things, to establish a general plan of development for the Subdivision, to provide for the maintenance and upkeep of the Lots, Dwellings, and Common Elements within the Subdivision, to provide for enforcement of the Declaration and other covenants and restrictions, if any, applicable to the Subdivision, to protect the value and desirability of the Properties, and, to that end, desires to subject the Subdivision to the covenants, conditions, restrictions, easements, charges and liens hereinafter set forth, each and all of which is and are for the benefit of the Subdivision and each owner of any part or all thereof;

AND WHEREAS, in furtherance of the foregoing, Declarant has incorporated or will incorporate under the nonprofit corporation laws of the State of the Association (as defined below) to own and/or maintain and/or administer Common Elements, to administer and enforce this Declaration and other covenants, restrictions, and agreements applicable to the Subdivision, and to collect and disburse the assessments and charges provided for herein;

AND WHEREAS, it is intended that every Owner of any of the Lots (as defined below) automatically, and by reason of such ownership and this Declaration, become a Member of the Association and be subject to its rules and regulations and the assessments and charges made by the Association as provided herein.

NOW, THEREFORE, Declarant hereby declares that all of the Property, together with all Additional Property, if any, subjected to the Declaration pursuant to Article II hereof and less any real property withdrawn from this Declaration, all of which together is referred to as the “**Properties**”, shall be held, transferred, sold, conveyed, given, donated, leased, occupied and used subject to the following easements, restrictions, covenants, charges, liens and conditions which are hereby imposed for the purpose of protecting the value and desirability of these lands and which restrictions, easements, charges, liens, conditions and covenants shall touch and concern and run with the title to the Properties and which shall be binding on all parties having any right, title or interest in the Properties or any portion of them, all in accordance with the North Carolina Planned Community Act, as set forth in Chapter 47F of the North Carolina General Statutes, as the same may be amended by from to time. This instrument also binds the respective heirs, devisees, fiduciary representatives, successors, successors in title and/or assigns, and shall inure to the benefit of anyone who purchases or takes any interest in real property within the lands subject to this Declaration.

ARTICLE I

DEFINITIONS

The following words and terms, when used in the Declaration (including the Recitals) or any amendment hereto, or in any Supplemental Declaration, unless amended or unless the context clearly indicates otherwise, are defined as follows and are subject to the provisions contained in such definitions (when these and other defined words or terms herein have an initial capital letter or letters, however, it is not required that their use in the Declaration have initial capital letters in order to have the defined meaning). Terms and words used herein without definition shall have the meanings, if any, specified therefor in the “Definitions” section of the Act or, if not defined in the Act, in the “Definitions” section of the Nonprofit Corporation Act, or if not defined in either the Act or Nonprofit Corporation Act, any applicable definitions section of the Code, and, in the event of any conflict between the definitions contained herein and the definitions contained in the Act, the Nonprofit Corporation Act or the Code, the Act or Nonprofit Corporation Act or Code, in that order and as appropriate, shall control. It should be noted that one or more definitions contain provisions in addition to the defined word or terms, and such additional provisions are part of the Declaration in the same manner and to the same extent as if they had been set out in an Article or Section of the Declaration other than this Article I.

(a) “Act” shall mean the North Carolina Planned Community Act, currently codified in Chapter 47F of the North Carolina General Statutes, as it exists from time to time, including all amendments, supplements and replacements thereof.

(b) “Additional Property” shall mean any and all real property described on **Exhibit A-2** attached hereto and incorporated herein by this reference, provided the Additional Property shall not be part of the Property subject to this Declaration until it has been annexed (or subjected) to this Declaration in the manner required by this Declaration.

(c) “Annexation Declaration” shall mean a document, by whatever name denominated, that is recorded for the purposes of annexing Additional Property to this Declaration and causing such Additional Property to be subject to the scheme of covenants, charges, conditions and restrictions contained in this Declaration and including any additional covenants, charges, conditions and restrictions contained in the Annexation Declaration.

(d) “Annual Assessment” shall have the meaning specified in Article VI of this Declaration and shall constitute the assessments which, pursuant to the provisions of such Article, shall be levied by

the Association against all Lots each year for the purpose of raising the funds necessary to pay the Common Expenses (it being clear and express that the Annual Assessments may vary from Lot to Lot based on Dwelling type).

(e) “Architectural Control Committee” or “ACC” shall mean those individuals appointed to have jurisdiction over construction on or within any portion of the Property and responsibility for administration of design guidelines, as more fully described in Article VII of this Declaration.

(f) “Architectural Guidelines” shall mean the guidelines and standards from time to time adopted and in effect with respect to Dwellings and other improvements in the Property.

(g) “Articles of Incorporation” shall mean the Articles of Incorporation of the Association, as the same may be amended from time to time.

(h) “Association” shall mean Beau Coast West Homeowners Association, Inc., a North Carolina nonprofit corporation.

(i) “Board of Directors” (or “Board”) shall mean the body responsible for the administration of the Association, as provided in the Bylaws.

(j) “Builder” is defined as a Person, other than the Declarant, which constructs residential dwellings for resale to other Persons, and who purchases or becomes the Owner of one or more Lots within the Property for the purpose of constructing thereon one or more residential dwellings for resale to other Persons. “Builders” refers to all such persons or entities collectively.

(k) “Bylaws” shall mean the Bylaws of the Association, as the same may be amended from time to time.

(l) “City” or “Town” shall mean the Town of Beaufort, Carteret County, North Carolina.

(m) “Code” shall mean the Internal Revenue Code of 1986, as amended from time to time, or any successor federal revenue law.

(n) “Common Area” (or “Common Property” or “Common Elements”, the terms Common Area and Common Elements and Common Property being used interchangeably herein, whether referring to Common Area or Limited Common Area) shall mean, singularly or collectively, as applicable, all real property (including all improvements and private streets, drives, lanes and alleyways thereon except for any such improvements owned or maintained by another Person, such as a Governmental Entity or a Person who provides utility services to any part or all of the Property) and personal property, including easements, which Declarant owns (prior to turnover to the Association) or which the Association owns, leases, or otherwise holds possessory or use rights in for the common use and enjoyment of the Owners, including any additional areas, if any, which by the terms of the Governing Documents, or by any Legal Requirement, or any Plat, or by contract or agreement with any other Person, become the responsibility of the Association. The term Common Area shall include the Limited Common Area, as defined below, provided, however, that unless a Common Area is expressly identified herein or on any Plat as a Limited Common Area, then it shall simply be the broader Common Area.

(o) “Common Expenses” shall mean and include all of the expenses incurred by the Association in maintaining the Common Area, including reserves for future expenses, and in paying for all of its other obligations and liabilities under the Act, Legal Requirements, and the Governing Documents, whether or not the particular Common Expense is specifically described herein. Common

Expenses also include all expenses for which the Association is liable under any contract or agreement entered into by the Association or by the Declarant on behalf of the Association as allowed herein. Expenses related to Limited Common Areas are part of and are a subcategory of Common Expenses.

(p) “Community Wide Standards” shall mean the standard of conduct, maintenance or other activity generally prevailing throughout the Property. Such standard shall initially be established by the Declarant and may be more specifically determined by the Board of Directors or the Architectural Control Committee. The Community Wide Standards may change at any time and from time to time as development of the Property progresses and/or as the needs and desires change within the Property. During the Development Period, the Declarant has the right to establish all of the Community Wide Standards, including amending any Community Wide Standards established by the Board of Directors or Architectural Control Committee.

(q) “Deck” shall mean the deck, if any, that is constructed as part of the original construction of each Improved Lot.

(r) “Declarant” shall mean Blue Treasure LLC, a North Carolina limited liability company, and shall include any successor or assign who shall acquire any portion of the Property for the purpose of development and/or sale and who is designated as the Declarant in a recorded instrument executed by the immediately preceding Declarant; provided, however, that there shall be only one “Declarant” hereunder at any one time.

(s) “Declaration” shall mean this Declaration of Covenants, Restrictions and Easements, as the same may be hereafter amended in accordance with the terms hereof.

(t) “Development Period” shall mean the period of time from the date of recording of this Declaration through and including 5:00 p m on the last of the following dates to occur.

(i) the last day on which Declarant owns any portion of the Property; or

(ii) the last day on which Declarant has the unilateral right to subject Additional Property to this Declaration pursuant to Article II; or

(iii) the date that is five (5) years after the date of recording of the most recent Annexation Declaration subjecting Additional Property to the Declaration; or

(iv) the date of release of the last bond (or letter of credit or other, similar financial guarantee) posted by Declarant with the City in connection with development of the Property or any portion thereof; or

(v) the date on which a certificate of occupancy is issued for initial construction of a Dwelling on the last Lot in the Properties remaining after certificates of occupancy have been issued for Dwellings on all other Lots in the Properties and the last Improved Lot has been transferred to a Person other than a Builder. For example, if there are 500 total Lots in the Properties, this is the date on which a certificate of occupancy is issued for the initial Dwelling on the 500th Lot and all 500 Improved Lots have been transferred to Persons other than Builders; or

(vi) 5:00 p m on December 31, 2052.

Notwithstanding the foregoing, if Declarant is delayed in the development of any part or all of the Property as a result of a sanitary sewer, water or building permit moratorium, or as the result of some other cause or event beyond Declarant's control, then the foregoing applicable time period shall be extended by the amount of time of the delay. Provided, however, Declarant may terminate the Development Period at any time by recording a termination instrument in the Registry. Except in the case of voluntary termination by the Declarant, the Development Period also shall include any periods of time after the applicable termination event during which Declarant is conducting any activity within the Property that is required by Legal Requirements or for Declarant to fulfill any obligation to a Governmental Entity, the Association, or any Owner with respect to any portion of the Property. In the event of an assignment of Declarant rights, with respect to the rights assigned the Development Period shall remain in full force and effect through the applicable periods of time as they relate to the assignee rather than the original Declarant hereunder. Declarant has the sole authority to resolve any issues or disputes regarding the date on which the Development Period ends.

(u) "Development Plan" shall mean the most current land use or development plan approved by the applicable Governmental Entity for the Property or any part thereof, whether the approval is preliminary or final, and regardless of any name other than Development Plan under which it is approved by the Governmental Entity (for example, site plan, subdivision plan, cluster unit development plan, or master plan for a planned unit development). For avoidance of doubt, Development Plan shall include any plan(s) that may be entitled "Beaufort East Village." Declarant reserves the right, in its sole discretion but subject to Legal Requirements, to modify any Development Plan in whole or in part, including the addition or deletion of real property and including the reconfiguration of Lots and Common Area. The fact that real property is included on the Development Plan does not obligate Declarant to subject it to the Declaration, nor shall Declarant be prohibited from subjecting to the Declaration any property that is not included on the Development Plan.

(v) "Dwelling" is defined as any building or portion thereof within the Properties which is used or occupied, or intended for use or occupancy, as a residence by an individual or by one housekeeping unit, whether by the Owner thereof or by tenants or sub-tenants of the Owner.

(w) "Exempt Property" means all portions of the Property included within any of the following categories:

(i) Common Area (provided, however, a Lot on which Common Area is located -- for example, a Lot on which there is an easement constituting Common Area -- is not exempt from assessments); and

(ii) property owned by, or dedicated to and accepted by, the City or a utility, including property within the right-of-way of publicly-dedicated streets and roads, unless such property is a Lot that has a Dwelling thereon (and provided, that a Lot is not exempt from assessments because it has an easement located on it that has been dedicated to the City or a public utility).

Exempt Property shall not be subject to the assessments provided for herein, and the Owner of such Exempt Property shall have no membership or voting rights in the Association associated with the ownership of such Exempt Property. Furthermore, unless and until such time, if any, as it loses its Exempt status, except as otherwise provided herein all Exempt Property owned by or subject to an easement in favor of the City or a utility provider, and all Exempt Property within publicly-dedicated street rights-of-way, is exempt from all of the provisions of the Declaration, except for the provisions of the Declaration with respect to any easements over such Exempt Property reserved in the Declaration by or for the Declarant, the Association, the City or any other Person, and except for provisions of the Declaration requiring Approved Plans for Dwellings and associated improvements.

Exempt Property that loses its status as Exempt Property (e.g., property within a publicly dedicated street right-of-way that has been closed as a public street, property formerly owned by/dedicated to the City which has been conveyed to a Person whose status does not qualify for the exemption) shall be reclassified to another type of property under this Declaration, as appropriate, and shall be subject to all of the terms and provisions of the Declaration in the same manner and to the same extent as other portions of the Property having the same classification. All issues with respect to reclassification of Exempt Property shall be resolved by the Declarant, during the Development Period, and thereafter by the Board.

(x) "Fiscal Year" shall mean the calendar year until such time as the Board, by appropriate resolution, establishes a different Fiscal Year for the Association.

(y) "First Mortgage" shall mean a deed or other document by means of which title to any Lot is conveyed or encumbered to secure a debt of first priority.

(z) "Governing Documents" shall mean and include all of the following: this Declaration; the Articles and Bylaws of the Association; architectural guidelines and bulletins and rules and regulations of the Association; resolutions adopted by the Board; conditions of approval for development of any part or all of the property required by any Governmental Entity; Annexation Declarations; Supplemental Declarations; other declarations of restrictive or protective covenants applicable to the Property; all as the same may be amended, restated or supplemented from time to time. Any approvals granted by the Declarant under the Governing Documents shall be binding upon all successors to Declarant's approval authority.

(aa) "Governmental Authority" or "Governmental Entity" shall mean and include any and all of the following that are applicable to the particular matter or matters addressed in the Governing Documents: the Town of Beaufort, North Carolina; the County of Carteret, North Carolina; the State of North Carolina; the United States of America; and all other governmental entities and quasi-governmental entities that have jurisdiction over the Property or any part thereof, including all applicable departments and agencies of any of them.

(bb) "Improved Lot" shall mean a Lot (i) upon which there is located a Dwelling for which a certificate of occupancy has been issued by the applicable governmental authority, and (ii) which is owned by Person who is not the Declarant or a Builder.

(cc) "Improvement" shall mean any improvement of or on any Lot or other applicable portion of the Property, including any or all of the following: Dwellings and other buildings and structures (specifically including exterior materials, colors, size, location and architectural style); decks; patios; car port; porches; driveways; playhouse; motor vehicle and other parking areas; exterior storage areas; exterior recreational areas, equipment and facilities; mail kiosks; exterior antennae, dishes and other apparatus to receive or transmit radio, television, or microwave or other signals; fences; exterior walls; hedges; other landscaping (including planted areas, grassed areas, natural areas and the plant and other materials therein); poles; flags; exterior decorative features and items; ponds; lakes; staking, clearing, grading, filling, change in grade or slope, and other site preparation; swimming pools; coverings for windows and other glass portions of a Dwelling or other building or structure (for example, curtains, blinds, and shutters), which coverings are visible from anywhere off of the Lot or other applicable portion of the Property; exterior lights and signs; lights and signs visible inside a Dwelling or other building or structure from anywhere off of the Lot or other applicable portion of the Property; and all other items used or maintained on a Lot or other applicable portion of the Property outside of a Dwelling or building or other structure located thereon or on the exterior surfaces of a Dwelling or other building or structure on the Lot or other applicable portion of the Property. The definition of improvements stated for the purposes of this definition includes both initial improvements and all subsequent alterations, changes and additions to

same. The term “initial improvements” is defined as all of the improvements constructed or placed or located on a Lot or other applicable portion of the Property, or approved for construction, placement, or location on a Lot or other applicable portion of the Property, in accordance with either Approved Plans or Architectural Guidelines existing at the time of issuance of a certificate of occupancy for the Dwelling on such Lot or other applicable portion of the Property. The examples of improvements stated for the purposes of this definition are not inclusive of all types of improvements and do not imply that all improvements listed as examples will be allowed in the Properties, and all improvements are subject to the architectural approval provisions of the Declaration. For the purposes of this definition, the word “exterior” means located on a Lot or other applicable portion of the Property outside of the Dwelling or other building or structure thereon, as well as attached to the outside of (such as on a wall or roof) a Dwelling, building, or other structure on a Lot or other applicable portion of the Property.

(dd) “Legal Requirement” shall mean and include any duly adopted and applicable law, ordinance, regulation or requirement, including the Act, the Nonprofit Corporation Act, and the Code, of any Governmental Entity or quasi-governmental entity or agency having jurisdiction over the Properties or any portion thereof, including any branch, department, division, section, branch, agency, or other subdivision of any of the foregoing Governmental Authorities or quasi-governmental authorities or agencies. Legal Requirements apply to the exercise of all rights or the taking of all actions under this Declaration by Declarant, the Association, or any other Person, whether or not this Declaration states that a specific right or action is subject to Legal Requirements or must be exercised or taken in accordance with Legal Requirements.

(ee) “Limited Common Area” shall mean, singularly or collectively, as applicable, all real and personal property, including easements, private streets and private alleys, which the Association owns, leases, or otherwise holds possessory or use rights in for the exclusive or primary and common use and enjoyment of one or more, but less than all, of the Lots in the Property, and which are designated as such by the Declarant herein, or by Declarant during the Development Period (even if originally designated as Common Area), or by the Association at any time during the Development Period, and/or including portions of the Property shown as Limited Common Area on any Plats of the Property.

(ff) “Lot” (or “Unit”) shall mean each portion of the Property shown on any of the Plats which may be independently owned and conveyed, and which is intended for development, use, and occupancy, or actually is used or occupied, as an attached or detached residence for a single family. In the case of a Townhome Building containing multiple Townhome Dwellings, each individual Townhome Dwelling shall be deemed to be on a separate Lot.

(gg) “Maintain”, “maintenance”, “maintaining”, or any similar term used herein shall mean and include any one or more of the following, as the context requires or allows: acquisition, purchase, construction, re-construction, installation, maintenance, inspection, examination, upkeep, cleaning, renewal, alteration, repair, replacement, repainting, remodeling, restoration, removal, improvement, administration, operation, use, planting, mowing, cutting, trimming, pruning, fertilizing, watering and preservation.

(hh) “Member” shall mean a Person subject to membership in the Association pursuant to Article V hereof.

(ii) “Mortgagee” shall mean the beneficiary or payee under any mortgage or deed of trust, and the term mortgage and deed of trust are deemed to refer to both mortgages and deeds of trust.

(jj) “Owner” shall mean any Person who is a record owner by purchase, transfer, assignment or foreclosure of a fee or undivided fee interest in a Lot; provided, however, that any Person who holds such interest merely as security for the performance of an obligation or as a tenant shall not be an Owner.

(kk) “Patio Area” shall mean the poured concrete (or other material approved by Declarant) area extending from the rear of a home as part of the original construction of an Improved Lot.

(ll) “Person” shall mean a natural person, corporation, trust, limited liability company, partnership or any other legal entity.

(mm) “Plans” shall mean the complete plans and specifications for a proposed improvement showing (where applicable) the size, shape, dimensions, materials, exterior finishes and colors, location on the applicable portion of the Property, driveway, parking areas, provisions for handling stormwater, landscaping, floor plans and elevations, and other items, all as specified from time to time in any applicable Architectural Guidelines or required by the Reviewer. “Approved Plans” shall mean Plans that have been approved by the Reviewer.

(nn) “Plats” shall mean all plats for any portion of the Property recorded in the Registry, including any amendments to such Plats recorded in the Registry.

(oo) “Porch” shall mean the front porch that is constructed as part of the original construction of any Improved Lot.

(pp) “Property” or “Properties” shall mean all real property subject to this Declaration, including any Additional Property, as applicable. The Property initially subject to this Declaration is described on Exhibit A-1.

(qq) “Recreational Amenities” or “Recreational Amenity” shall mean, singularly or collectively, as applicable, all Common Areas, equipment and facilities, which Declarant owns (prior to turnover to the Association) or which is leased or possessed or owned by the Association, for the use and benefit of the Members for recreational purposes, whether active or passive recreation, or, if part of Limited Common Area, then solely for the use and benefit of the Members (and their guests, tenants and invitees) benefited by the Limited Common Area. Recreational Amenities may also include any or all of the following: swimming pools, clubhouses, mail kiosks, kayak pavilions, kayak lake bulkheads, and/or such other facilities and appurtenances incidental to use of the Recreational Amenities; provided that the provision store (which may be located within the Property but is not operated by the Association and is for the use of the Community and public at large) shall not be a Recreational Amenity or Common Area unless otherwise determined by Declarant in its sole discretion.

(rr) “Registry” shall mean the office of the Register of Deeds (or any successor office under applicable law) for the North Carolina County or Counties in which deeds, plats, easements, mortgages and deeds of trust for the Property are recorded. All references herein to recording or to any requirement to record a document or plat refer to recording in the Registry of the County or Counties in which the applicable portion of the Property is situated.

(ss) “Reviewer” shall mean the Declarant, Board, Architectural Control Committee, or other Person who has the authority to review and approve Plans under the architectural control provisions of this Declaration.

(tt) “Rules and Regulations” is defined as rules, regulations, requirements, prohibitions, and/or conditions with respect to any one or more of the following that are adopted by the Declarant or

the Association and are in effect from time: (i) use of the Property or any part thereof, including the Common Elements, or (ii) the conduct of Persons while in or on the Property or any part thereof, including the Common Area, or (iii) implementation and enforcement of the Governing Documents, or (iv) any other matters that the Declarant or Board, as applicable, determines to adopt as part of the Association’s Rules and Regulations.

The Board may adopt, amend, modify, and enforce Rules and Regulations for the use and operation of the Common Area (including the Limited Common Area) and/or for the implementation and enforcement of the Governing Documents without having to comply with the procedures specified herein for adoption, amending, modifying, and enforcing other Rules and Regulations. Such Rules and Regulations with respect to use and operation of the Common Area and/or implementation and enforcement of the Governing Documents also may be referred to herein as “Board Policies”.

(uu) “Special Declarant Rights” or “Declarant Rights” is defined as all rights granted to, or reserved by, or established for the benefit of, Declarant, in the Act or in this Declaration or in other Governing Documents, whether or not such rights are referred to as Special Declarant Rights or Declarant Rights in the Act, this Declaration, or other Governing Documents. Declarant may assign Special Declarant Rights, in whole or in part, temporarily or permanently, subject to such terms and conditions as Declarant specifies in the assignment document. Unless this Declaration or other Governing Documents specify that Special Declarant Rights may be exercised by any Person other than the Declarant or that they become rights exercisable in whole or in part by the Association at any time, or as otherwise provided in Legal Requirements, any assignment of Special Declarant Rights must be in writing and recorded in the Registry, executed by the assignee, and the assignment becomes effective only upon the recording of the document in the Registry or any later date specified therein. Special Declarant Rights shall be construed broadly so as to allow Declarant the greatest flexibility in development and sale of the Properties.

(vv) “State” shall mean the State of North Carolina.

(ww) “Stoop” shall mean the front stoop, if any, that is constructed as part of the original construction of each Improved Lot.

(xx) “Stormwater Agreement” is defined as any agreement recorded in the Registry among the Declarant, the Association, and a Governmental Entity, or between the Declarant and a Governmental Entity, or between the Association and a Governmental Entity, relating to Stormwater Control Measures for the Property or any part thereof, and includes all amendments and supplements to such agreements.

(yy) “Stormwater Control Measures” or “Stormwater Control Facilities”, such terms being used interchangeably herein and in the Stormwater Agreement, is defined as one or more of the following devices and measures, together with associated private stormwater drainage easements (however identified on a plat or in a document) that serves any part or all of the Property: conduits, inlets, channels, pipes, level spreaders, ditches, grassed swales, sand filters, wetponds, dry detention basins, wetlands, permanently protected undisturbed open space areas, bioretention areas, retention or detention ponds, and other devices, facilities, appurtenances and measures, necessary to collect, convey, store, and control stormwater runoff and pollutants for more than one (1) Lot in the Property, and which are located outside public street rights-of-way and public drainage easements. Private stormwater drainage easements that serve more than one (1) Lot in the Properties, however identified on a Plat or in a document recorded in the Registry, are deemed to be dedicated to the Association for the benefit of the Property or applicable portion thereof. All Stormwater Control Measures owned by or dedicated to the Association are Common Area or Limited Common Area, as applicable.

(zz) "Subdivision Plan" shall mean the most current land use or development plan or plans approved by the City for the Property (it being recognized that there may be two or more development plans approved by the City that together constitute the Subdivision Plan under this definition), whether the approval is preliminary or final, and regardless of any name other than Subdivision Plan under which it approved by the City (for example, site plan, cluster unit development plan, or master plan for a planned unit development), all as the same may be revised at any time or from time to time; it being express that the Property need not be developed in accordance with any one version of the Subdivision Plan. Declarant reserves the right, in its sole discretion but subject to Legal Requirements, to modify any Subdivision Plan in whole or in part, including the addition or deletion of property and including the reconfiguration of Lots and Common Area. The fact that property is included on the Subdivision Plan does not obligate Declarant to subject it to the Declaration, nor shall Declarant be prohibited from subjecting to the Declaration any Additional Property that is not included on any Subdivision Plan.

(aaa) "Supplemental Declaration" shall mean an instrument recorded in the Registry which designates and/or imposes restrictions and/or obligations on the land described in such instrument in addition to or different from (when this Declaration allows) those imposed by this Declaration. An "Annexation Declaration" also may be a Supplemental Declaration and a Supplemental Declaration also may be an Annexation Declaration.

(bbb) "Townhome" or "Townhome Dwelling" means an individual Dwelling that is attached by Party Walls to one or more other Dwellings.

(ccc) "Townhome Building" means an Improvement consisting of two or more Townhomes notwithstanding that each Townhome therein is located on a separate Lot.

(ddd) "Townhome Services" means those goods, services, items or benefits provided by the Association for the benefit of the Townhomes and Owners thereof pursuant to this Declaration and any Supplemental Declaration.

**ARTICLE II
PROPERTY SUBMITTED TO THIS DECLARATION; ANNEXATION; WITHDRAWAL**

Section 1. Property Hereby Subjected to this Declaration. The Declarant, for itself and its respective successors and assigns, hereby submits the real property described on Exhibit A-1 to this Declaration, and such real property constitutes the "Property" initially subjected to this Declaration. The Property shall hereafter be held, transferred, sold, conveyed, used, leased, occupied, mortgaged or otherwise encumbered subject to all of the terms, provisions, liens, charges, easements, covenants and restrictions set forth in this Declaration, including, but not limited to, the lien provisions set forth herein. All of the terms, provisions, liens, charges, easements, covenants and restrictions set forth in this Declaration as applicable to the Lots shall be a permanent charge thereon, and shall run with the Lots.

Section 2. Annexation of Additional Property. The Declarant may, at any time and from time to time during the Development Period, in its sole discretion annex all or part of the Additional Property to the terms, provisions, liens, charges, easements, covenants and restrictions of this Declaration by executing and recording in the Registry an Annexation Declaration describing the portion of the Additional Property being annexed. Declarant further has the right to convey to the Association additional Common Areas contained within such Additional Property, the maintenance of which may increase the Annual Assessment as provided elsewhere herein and may increase the amount of Annual Assessment which shall be levied against each Lot.

From and after such recording, the annexed Additional Property shall be part of the Property and shall be held, transferred, sold, conveyed, used, leased, occupied, mortgaged or otherwise encumbered subject to all of the terms, provisions, liens, charges, easements, covenants and restrictions of this Declaration, including, without limitation, all lien and assessment provisions set forth in this Declaration, and all of the terms, provisions, liens, charges, easements, covenants and restrictions set forth in this Declaration shall be a permanent charge on, and shall run with, such Additional Property.

No approval, consent or joinder from any Member of the Association, or from any other party whatsoever, shall be required for the Declarant to subject Additional Property to this Declaration.

Section 3. Withdrawal of Property. The Declarant may, in its sole discretion at any time and from time to time during the Development Period withdraw any portion of the Property from the coverage of this Declaration, regardless of the fact that such actions may affect the relative voting strength of any Member or class of membership in the Association or increase or reduce the number of Owners subject to assessment under this Declaration, by recording a Supplemental Declaration describing the portion of the Property being withdrawn; provided, however, if the property is part of the Common Areas and is owned or leased by the Association, the written consent of the Association shall be required to effect such withdrawal. From and after such recording, the withdrawn portion of the Property no longer shall be part of the Property and may be held, transferred, sold, conveyed, used, given, leased, occupied, mortgaged or otherwise encumbered free and clear of any and all of the terms, provisions, liens, charges, easements, covenants and restrictions of this Declaration, including, without limitation, all lien and assessment provisions set forth in this Declaration.

Section 4. Order of Development and Annexation. Declarant contemplates that it may develop any portion of the Property it owns in accordance with a Development Plan, as modified from time to time; provided, however, but subject to Legal Requirements that provide otherwise, no Development Plan shall obligate the Declarant to develop any particular portion of the Property now or in the future, whether for the purposes shown thereon or for any other purpose, the Declarant shall not be required to follow any particular sequence or order of development of the Property, and the Declarant may annex or consent to annex Additional Property to the Declaration, and/or withdraw portions of the Property from the Declaration, before completing development of all of the Property previously subjected to the Declaration.

Section 5. All Lots Bear the Burdens and Enjoy the Benefits of this Declaration. Every Owner, by taking record title to a Lot, agrees to accept title to such Lot, and to be bound by, all of the terms and provisions of this Declaration. Each Lot is subject to all burdens, and enjoys all benefits, made applicable hereunder.

**ARTICLE III
ASSOCIATION PROPERTY**

Section 1. Common Areas. The Declarant shall have the right to transfer and convey to the Association any portion of the Property, and the Association shall accept all such transfers and conveyances from the Declarant. All portions of the Property which the Declarant shall so transfer or convey to the Association shall thereafter constitute Common Areas or Limited Common Areas, as the case may be. Said right may be exercised by the Declarant any time, and from time to time, prior to the end of the Development Period.

Common Areas shall be conveyed to the Association by special warranty deed free of debt encumbrance, and subject to this Declaration and all applicable rights of way and easements, including the rights and easements set forth in this Article and shown on Plats, irrespective of whether the deed of conveyance shall make a specific reference to such rights and easements. Upon Declarant's written request

at any time during the Development Period, the Association shall reconvey to Declarant any unimproved portions of the Common Area which Declarant originally conveyed to the Association for no consideration, to the extent conveyed by Declarant in error or needed by Declarant to make minor adjustments in property lines or as part of the Development Plan.

Section 2. Member's Rights in Common Area. Except in the case of Common Areas designated as Limited Common Areas, each Owner shall have a non-exclusive right and easement of enjoyment and use in and to the Common Areas and such right and easement shall be appurtenant to, and shall pass with, the title to the Lot owned by such Owner. Where Common Areas are designated as Limited Common Areas, except as otherwise provided herein, the Owners of Lots benefited by said Limited Common Areas shall have the exclusive right and easement of enjoyment and use in and to said Limited Common Areas. The right and easement of enjoyment and use of the Common Areas and Limited Common Areas are and shall be subject to the easements which are described in this Article and to the following:

(a) The Governing Documents and any other applicable covenants;

(b) Any restrictions or limitations contained in any deed conveying such property to the Association;

(c) The Board's right to:

(i) adopt rules regulating use and enjoyment of the Common Area, including Recreational Amenities, and including rules limiting the number of guests who may use the Common Area;

(ii) suspend an Owner's right to use recreational facilities within the Common Area (i) for any period during which any charge against such Owner's Unit remains delinquent; and (ii) for a period not to exceed 30 days for a single violation, or for a longer period in the case of any continuing violation, of the Governing Documents after notice and a hearing as required by the Governing Documents or the Act. Provided, however, and notwithstanding anything to the contrary appearing in any Governing Documents, (i) if ingress and egress from a public street to and from any Lot is over any part of the Common Area as shown on any Plat or described in any instrument recorded in the Registry, or (ii) Stormwater Control Facilities, stormwater drainage, sanitary sewer, water or other utility services are provided to a Lot over or through an easement located on the Common Area as shown on any Plat or described in any instrument recorded in the Registry, any conveyance or encumbrance of the affected portion of the Common Area shall be subject to those easements for ingress and egress and/or utilities, and no suspension of the rights of the Owner of said Lot in and to the use and enjoyment of the Common Area as allowed herein shall include suspension of any such rights of such Owner to ingress and egress or utilities;

(iii) dedicate or transfer all or any part of the Common Area, subject to such approval requirements as may be set forth in the Governing Documents and/or the Act;

(iv) impose reasonable membership requirements and charge reasonable admission or other use fees for the use of any Recreational Amenity situated upon the Common Area;

(v) permit use of any Recreational Amenity by persons other than Owners, their families, lessees, and guests upon payment of use fees established by the Board and designate other areas and facilities within the Common Area as open for the use and enjoyment of the public; and

(vi) mortgage, pledge, or hypothecate any or all of its real or personal property as security for money borrowed or debts incurred, subject to such approval requirements as may be set forth in the Governing Documents and/or the Act.

(d) The rights of certain Owners to the exclusive or primary use of those portions of the Common Area designated "Limited Common Areas" as described herein.

Any Owner may extend his or her right of use and enjoyment to the members of his or her family, lessees, and social invitees, as applicable, subject to reasonable Board regulation. An Owner who leases his or her Unit shall be deemed to have assigned all such rights to the lessee of such Unit for the period of the lease.

The Board of Directors may permit other persons who are not residents of any Lots to use the Common Areas upon such terms and conditions, and for the payment of such fees, as shall be determined by the Board of Directors.

Section 3. No Partition. The Common Areas shall remain undivided, and no Owner shall bring any action for partition or division of the whole or any part thereof without the written consent of all Owners of all portions of the Property and without the written consent of all holders of all mortgages encumbering any portion of the Property.

Section 4. Condemnation. For the purposes of this Section, “condemnation” or “taking” or “taken” means an acquisition of all or any part of the affected portion of the Properties or of any interest therein or right accruing thereto as a result of, in lieu of, or in anticipation of, the exercise of the right of condemnation or eminent domain, or any other action by a Governmental Authority or other Person having the power of eminent domain that affects the value of the applicable portion of the Properties or any part thereof so severely as to amount to a taking. In the event that any part of the Common Areas shall be taken by any authority having the power of condemnation or eminent domain or conveyed in lieu of, and under threat of, condemnation by the Board acting on the written direction of at least 67% of the Class A votes and, during the Development Period, the written consent of Declarant, the Association shall restore or replace the improvements on the remaining land included in the Common Areas to the extent available unless, within sixty (60) days after such taking at least 67% of the Class A votes and Declarant (if during the Development Period) otherwise agree. The provisions of subsection 6 of this Article III below regarding funds for the repair of damage or destruction shall apply. If the taking or conveyance does not involve any improvements on the Common Area, or if a decision is made not to repair or restore, or if net funds remain after any such restoration or replacement is complete, then such award or net funds may be used by the Association for such purposes as the Board shall determine.

Section 5. Insurance on Common Areas. The Association shall maintain and keep in good repair the Common Areas. Additionally, the Association shall obtain the insurance coverage necessary to satisfy the requirements of the Federal Home Loan Mortgage Corporation, the Federal National Mortgage Association, the U.S. Department of Veterans Affairs, and the U S Department of Housing and Urban Development, as applicable to the Common Areas. The Board shall obtain casualty insurance for all insurable improvements located on the Common Areas, which the Association is obligated to maintain. This insurance shall provide, at a minimum, fire and extended coverage and shall be in an amount sufficient to cover the full replacement cost of any repair or reconstruction of any insurable improvement in the event of damage or destruction from any such hazard. The Board of Directors shall obtain a public liability policy with a combined single Limit of at least One Million and No/100 Dollars (\$1,000,000.00) applicable to the Common Areas covering the Association and its Members for all damage or injury caused by the negligence of the Association or any of its Members or agents, and, if reasonably available, directors' and officers' liability insurance. Policies may contain a reasonable deductible as determined by

the Board of Directors. In addition, the Board of Directors shall obtain worker's compensation insurance, if and to the extent necessary to satisfy the requirements of applicable laws, and a fidelity bond or bonds on all persons handling or responsible for the Association's funds, if reasonably available. If obtained, the amount of fidelity coverage shall at least equal three months' total assessments plus reserves on hand. Fidelity coverage shall contain a waiver of all defenses based upon the exclusion of persons serving without compensation. All such insurance coverage shall be written in the name of the Association. An insurer that has issued an insurance policy under this Section 5 shall issue certificates or a memorandum of insurance to the Association and, upon request, to any Owner, Mortgagee or beneficiary under a deed of trust. Any insurance obtained pursuant to this Section 5 may not be cancelled until thirty (30) days after notice of the proposed cancellation has been mailed to the Association, each Owner and each Mortgagee or beneficiary under deed of trust to whom certificates of insurance have been issued.

Section 6. Damage or Destruction. In the event that any improvements located on any Common Areas shall be damaged or destroyed on account of the occurrence of any casualty, the Board shall proceed with the filing and settlement of all claims arising under any policy of insurance maintained by the Association with respect to such improvements and shall obtain reliable and detailed estimates of the cost of repair or reconstruction of the damaged or destroyed improvements.

Any such damage or destruction shall be repaired or reconstructed unless it shall be decided, within ninety (90) days after the occurrence of casualty, by at least 67% of the Class A votes, and by Declarant during the Development Period, not to so repair or reconstruct such damage. In the event that it shall be so decided not to repair or reconstruct some damage or destruction, the proceeds of any insurance as may become payable to the Association as a result of such damage or destruction shall be retained by and for the benefit of the Association and placed in a capital improvements account. This is a covenant for the benefit of Mortgagees and may be enforced by the Mortgagee of any affected Lot. If the insurance proceeds are insufficient to cover the costs of repair or reconstruction, the Board may, without a vote of the Class A Members, levy Special Assessments to cover the shortfall.

Section 7. Actions Requiring Owner Approval. If the U.S. Department of Housing and Urban Development is insuring the Mortgage on any Lot or the U.S. Department of Veterans Affairs is guaranteeing the Mortgage on any Lot, then any conveyance or mortgaging of the Common Areas by the Association shall require the consent of at least 67% of the Class A votes held by Members other than the Declarant and, during the Development Period, the consent of Declarant. Notwithstanding anything to the contrary in this section, however, the Association, acting through the Board, may grant easements over the Common Areas for installation and maintenance of utilities and drainage facilities and for other purposes not inconsistent with the intended use of the Common Area, without the approval of the membership.

Section 8. Limited Common Area.

(a) Any Limited Common Area shall be designated as such in the deed conveying such area to the Association, or on the Plat relating to such Limited Common Area, or by the recording by Declarant of another document containing the designation; provided, however, any such designation shall not preclude Declarant, at any time during the Development Period from assigning or reassigning use of the same Limited Common Area to additional Lots, but only with the written consent of any Builder who owns any Lot or has the right to purchase any Lot from Declarant that is affected by the proposed assigning or reassigning of Limited Common Area by Declarant.

Following the end of the Development Period, and only with the written consent of any Builder if any Builder still owns or has the right to purchase any Lot from Declarant that is affected by the proposed reassigning of Limited Common Area, portions of the Common Area may be designated as Limited

Common Area and Limited Common Area may be reassigned upon approval of the Board and the vote of Voting Members representing a majority of the total Class "A" votes in the Association.

(b) Upon approval of a majority of Owners of Lots to which any Limited Common Area is assigned, including the written approval of any Builder who owns any Lot or has the right to purchase any Lot from Declarant affected by the proposed uses described herein, the Association may permit Owners of Lots in other portions of the Property, and/or may permit other Persons who are not Owners, to use all or a portion of such Limited Common Area upon payment of reasonable user fees, which fees shall be used to offset the Common Expenses attributable to such Limited Common Area.

Section 9. Stormwater Management. Except for maintenance responsibilities (i) placed on Owners by the Declaration and/or Legal Requirements, or (ii) assumed or undertaken by other Persons (for example, the City), the Association shall maintain the Stormwater Control Measures as part of the Common Expenses. As used in the immediately preceding sentence, the word "maintain" includes provision for maintenance of, which may include financial contributions toward maintenance of Stormwater Control Measures located on and/or shared with other properties not subject to the Declaration. Provided, however, such maintenance obligations shall cease and terminate, or be reduced proportionally, temporarily or permanently as applicable, at such time as the City or State, through a department of public works or some other agency or division, accepts responsibility to maintain, in whole or in part, the Stormwater Control Measures for the Properties, or some other Person is providing the necessary maintenance therefor (for example, pursuant to an agreement which requires monetary payments by the Association to the Person who is performing the maintenance). Following any such assumption of maintenance by the City, State or other Person, the Association may, without obligation, continue to provide maintenance to the extent that the City, State or other Person fails to provide adequate maintenance, in the opinion of the Board, and shall continue to provide maintenance for those portions of the Stormwater Control Measures with respect to which the City, State or such other Person has not assumed maintenance responsibility, or following termination of the City's, State's or such Person's maintenance responsibility. The Owner of any Lot on, over or through which any Stormwater Control Measures or portion thereof is located shall be responsible for the following with respect thereto: (i) mowing of grass with reasonable frequency, where applicable, unless the Association assumes such responsibility; and (ii) removal of debris and other materials to the best of the Owner's ability, where such debris or materials has impeded or threatens to impede the free flow of stormwater on, over or through the Stormwater Control Measures located on the Lot. Such Owner's responsibility shall include notification of the Association of any defects in any fencing surrounding or within any such Stormwater Control Measures, any debris or other matter which the Owner reasonably believes is beyond the Owner's ability to remove, and any excessive erosion within any such Stormwater Control Measures. The Owner of a Lot on which a Stormwater Control Measure is located shall not obstruct it or interfere with its normal and intended operation. Notwithstanding anything to the contrary herein, each Owner of a Lot, and not the Association, shall be responsible for maintenance of all stormwater drainage easements and stormwater management facilities located on and used exclusively in connection with such Owner's Lot or the improvements thereon, including guttering, and pipes and drains for transportation of stormwater from such Lot into any other Stormwater Control Measures. All issues as to whether a stormwater drainage easement or stormwater management facility is part of the Stormwater Control Measures for which the Association is responsible or whether it is the responsibility of an Owner shall be determined by the Declarant during the Development Period (unless Declarant assigns such right to the Board), and thereafter by the Board.

Declarant, during the Development Period, and thereafter, the Association, subject to any approval required by the City or State may grant, relocate, abandon and/or release one or more stormwater drainage easements in the Properties, subject to the following: (i) the grant of any such stormwater drainage easement also must be consented to in writing by the Owners of all portions of the Properties on which

such stormwater drainage easement is located, unless the stormwater drainage easement is shown on a previously recorded plat of such portions of the Properties, in which event the consent of the Owners is not required and the Declarant or the Association, as applicable, may grant the stormwater drainage easement by written instrument, and the required Owner consent shall not be unreasonably withheld, delayed or conditioned; (ii) no such relocation, abandonment or release shall materially adversely affect the portions of the Properties on which the stormwater drainage easement then is located or the portions of the Properties served thereby, or if it does have such material adverse effect it is consented to in writing by the Owners of all portion of the Properties on which such stormwater drainage easement is located and which are served thereby, and the required Owner consent shall not be unreasonably withheld, delayed or conditioned; and (iii) no such grant, relocation, abandonment or release shall materially adversely affect the Stormwater Control Measures for the Properties. The provisions of this paragraph also are applicable to any access easement over any portion of the Properties that provides pedestrian or vehicular access from a public street right of way or other public easement or facility to and from any Stormwater Control Measures.

With respect to its obligations under this Section, the Association shall pay, post, provide for or comply with all bonds and other financial obligations under Legal Requirements, Stormwater Agreements, and/or other agreements related to Stormwater Control Measures that are executed by the Association (or, during the Development Period, by the Declarant on behalf of the Association or for later assignment to the Association), and the Association (and, during the Development Period, the Declarant on behalf of the Association) may enter into Stormwater Agreements and/or other agreements and amend, add to, or supplement existing Stormwater Agreements and other agreements (and when Stormwater Agreements or other agreements are referred to in this Section, the reference includes amendments, additions, and supplements thereto), with the City, State another association that exists for purposes similar to those of the Association, or any other Person with respect to inspecting, monitoring, measuring, testing, collecting, controlling, transporting, conveying, handling, storing, discharging, operating and managing any part or all of the stormwater on, to, or from the Properties and/or any or all of the Stormwater Control Measures for the Properties, whether such Stormwater Control Measures are located within or outside of the Properties. Such Stormwater Agreements and other agreements shall be binding on all Owners (or, with respect to Limited Common Property, all Owners to whose portion of the Properties such Limited Common Property is assigned), and may require payments from the Association or the Owners whose Lots are served by the applicable Stormwater Control Measures for the services provided by the City, State or such other Person in inspecting, monitoring, measuring, testing, collecting, controlling, transporting, conveying, handling, storing, discharging, operating or managing any part or all of such stormwater and/or Stormwater Control Measures, and such Stormwater Agreements and other agreements may include all other terms and obligations required by Legal Requirements. In connection with the foregoing purposes expressed in this paragraph, the Association (and, during the Development Period, the Declarant on behalf of the Association) may grant rights over, in, under, upon and through any and all stormwater drainage easements in the Properties, and may grant rights over, in, under, upon and through all easements in the Properties that provide pedestrian and/or vehicular access from a publicly dedicated street right of way to and from stormwater drainage easements and/or Stormwater Control Measures. Provided, however, during the Development Period no such Stormwater Agreement or other agreement shall be valid unless the same shall have been consented to in writing by the Declarant.

In recognition of the fact that different Stormwater Control Measures may be necessary or desirable for different portions of the Properties (for example, because of the topography of the different phases of the Properties, as different portions of the Properties are developed it may be desirable for a portion of the Properties to have Stormwater Control Measures separate from and/or in addition to other Stormwater Control Measures in or serving other portions of the Properties and it may be desirable for other portions of the Properties to utilize Stormwater Control Measures located outside of the Properties), and in further recognition of the desire of the Declarant for the provisions of the Declaration to be as

flexible as reasonably necessary in order to maximize the benefit to the Properties of having or using one or more Stormwater Control Measures in accordance with sound engineering practices and approvals by the City or State, in fulfilling its obligations under the Declaration the Association (or, during the Development Period, the Declarant on behalf of the Association or for later assignment to the Association) may enter into different Stormwater Agreements and other agreements for different portions of the Properties, and/or may amend, add to, or supplement existing Stormwater Agreements, subject to all of the other terms of the Declaration. It further is recognized and contemplated by the Declaration that if such multiple Stormwater Control Measures and/or Stormwater Agreements or other agreements are determined to be necessary or desirable: (i) the costs of maintaining such Stormwater Control Measures and/or funding such Stormwater Agreements or other agreements may be different for different portions of the Properties and annual assessments and/or stormwater assessments (as defined herein) may be different for Lots in different portions of the Properties (for example, there may be different portions of the Subdivision that have different Stormwater Control Measures or different portions of the Subdivision that share some of the same Stormwater Control Measures but also have one or more separate Stormwater Control Measures); and (ii) some Stormwater Control Measures may be classified as Limited Common Property (and during the Development Period Declarant has the right to designate Stormwater Control Measures as Limited Common Property, including existing and new Stormwater Control Measures in the Properties as well as existing and new Stormwater Control Measures associated with Additional Property).

Declarant hereby informs all Owners and other Persons who may from time to time deal with or come in contact with the Properties, that as stormwater drains from the Properties or other properties into any of the Stormwater Control Measures for the Properties, it is possible that substances or materials that may be classified or regulated as "hazardous substances" or "toxic substances" or other regulated substances or materials under Legal Requirements relating to the environment, may flow through and/or accumulate in such Stormwater Control Measures. Accordingly, each Owner and other Person assumes the risk that such flowing through and/or accumulation may occur. In addition, each Owner further acknowledges that if it becomes necessary (as determined by Legal Requirements or by the Board) for such substances to be removed from the Stormwater Control Measures or otherwise handled in accordance with Legal Requirements, and for such Stormwater Control Measures to be cleaned-up following such removal or other handling, that the costs associated with such removal, handling and/or clean-up are Common Expenses, and that an additional assessment may be required to pay for such removal and/or resultant clean-up of the Stormwater Control Measures.

Declarant may assign to the Association, and the Association shall accept from Declarant the assignment of, all obligations of the Declarant under: Stormwater Agreements and other agreements entered into by the Declarant with respect to Stormwater Control Measures for the Subdivision, provided the Declarant has performed, or made adequate provision for the performance of all obligations, if any, specifically required of the Declarant under the Stormwater Agreement or other agreement being assigned to the Association. The provisions of this Section shall be construed liberally in order to allow the Declarant and the Association, on behalf of the Subdivision and all Owners, the necessary flexibility to comply with all Legal Requirements with respect to stormwater, including the execution of Stormwater Agreements or other agreements with the City, State or other Persons and the granting of easements to the City, State or other Persons.

Section 10. Impervious Surface and Built Upon Area. The Reviewer shall (i) review, approve or disapprove all development plans, and (ii) in its sole discretion review, approve or disapprove all new construction on any Lot and any additions to existing Improvements on any Lot, for the purpose of maintaining compliance with the permitted limits, including any impervious surface requirements, for any built upon area (the “BUA Limits”) within the Community as may be required by any applicable Governmental Authority. Any Plans must include and show any and all proposed built upon areas. The ACC shall keep records of all Approved Plans and shall make such records available to the North Carolina

Department of Environmental Quality upon written request, all in accordance with the Governing Documents. Approval of any Plans shall not relieve the Owner, Builder or applicant from any obligation and responsibility to comply with all Legal Requirements with respect to any BUA Limits. The Association shall have the right but not the obligation to use permeable pavement or permeable concrete for driveways, parking pads, alleys and parking lots in the Common Areas within the Community to comply with any BUA Limits required by the applicable Governmental Authority for development of the Community.

**ARTICLE IV
EASEMENTS AND PROPERTY RIGHTS IN THE COMMON AREAS**

Section 1. Easements and Agreements Regarding Association Property. All Common Areas, including Limited Common Areas, shall be subject to, and Declarant and the Association do hereby reserve or grant, as applicable, the following easements:

(a) Use of Common Areas. An easement in favor of Declarant and any Builder for the exclusive use of such portions of the Common Areas, including, but not limited to any recreational facilities on the Common Area, as may be reasonably desirable, convenient or incidental to the construction and installation of improvements on, and the marketing or sale of, any Lots, including, but not limited to, sales and business offices, storage areas, construction yards and signs. Such easements shall be exercisable by any and all Persons whom the Declarant or any Builder shall authorize to exercise the same, including, without limitation, real estate sales agents and brokers, and their subcontractors, of residences upon the Lots, irrespective of whether such persons are affiliated with the Declarant or any Builder. Such easements shall exist notwithstanding any provision of this Declaration which might be construed to the contrary, but shall terminate two (2) years after the later of the end of the Development Period or the date that all of the Lots are Improved Lots. Such easements shall and do exist without affecting the obligation of the Owner of any Lot to pay assessments or charges coming due during such period of time as portions of the Common Areas shall be used by authorized persons pursuant to the exercise of the easements herein stated.

(b) Declarant Activities. Notwithstanding any provision contained in this Declaration, the Bylaws or the Articles of Incorporation to the contrary, or any amendments thereto, until the expiration of the Development Period, Declarant expressly reserves for itself, and any Builder, and any Person authorized by Declarant or any Builder, in the sole discretion of the Declarant or Builder (as applicable) and without payment of any fee or charge or compensation to any Person for doing so, the right to do any and all of the following, which right also includes the right of vehicular and pedestrian access, ingress, egress and regress over any portion of the Property reasonably necessary for the exercise of the right to: (i) tie into any portion of the Property with driveways, parking, areas, and walkways; (ii) tie into and/or maintain any device which provides utility or similar service including, without limitation, electrical, telephone, natural gas, water, sewer and drainage lines and facilities constructed or installed in, on, under, or over the Property; (iii) carry on sales, marketing, and promotional activities on the Property; (iv) construct and operate business offices, signs, construction trailers, and model residences; and (v) maintain and carry on, upon such portion of the Property as Declarant or any Builder (as applicable) may deem necessary, such facilities and activities as may reasonably be desired by the Declarant, Builder, and such authorized Persons. The rights of Declarant, Builder, and any Person approved by Declarant under this subsection shall further specifically include, without limitation, the right to keep entrances to the Property unlocked and open during the sales office hours.

Section 2. Easements Over All Lots. The Lots shall be subject to, and the Declarant does hereby grant, the following non-exclusive perpetual and temporary easements for the enjoyment of Declarant, the

Association, any Builders, and any subcontractors authorized by Declarant or Builder, the Members, the Owners, and the successors-in-title of each:

(a) Easements Shown on Plats. Each portion of the Property shall be subject to all easements, borders, setbacks, buffers and other matters which are shown and depicted on the Plats as affecting and burdening such portion of the Property.

(b) Entrance Monuments. Any Lot on which an entrance monument, sign, or other improvement (including landscaping, walls, fences) related to such entrance monument or sign is located, or on which there is an easement reserved for any such entrance monument, sign, or other improvement, shall be subject to a perpetual easement in favor of the Association (and during the Development Period the Declarant) for maintenance of such entrance monument or sign and related improvements which are or will be located on said Lot. The Owners of these Lots shall not remove, camouflage, damage or otherwise alter in any way said entrance monuments or sign and related improvements. These same Lots shall also be subject to a temporary easement for real estate sales signs which shall be exercisable by any and all persons who the Declarant shall authorize to exercise the same, including, without limitation, real estate sales agents and brokers and Builders of residences upon the Lots, irrespective of whether such persons are affiliated with the Declarant. Such temporary easement shall exist notwithstanding any provision of this Declaration which might be construed to the contrary, but shall terminate thirty (30) days after all Lots in the Community are Improved Lots.

(c) Entry. Each Lot shall be subject to an easement for the entry by the authorized agents and representatives of the Association to go upon such Lot under such circumstances and for such purposes as are described elsewhere in this Declaration.

(d) Encroachments. Reciprocal appurtenant easements of encroachment, and for maintenance and use of any permitted encroachment, are hereby established between each Lot and any adjacent Common Area and between adjacent Lots due to the unintentional placement or settling or shifting of the improvements constructed, reconstructed, or altered thereon (in accordance with the terms of this Declaration) to a distance of not more than three feet, as measured from any point on the common boundary along a line perpendicular to such boundary. However, in no event shall an easement for encroachment exist if such encroachment occurred due to willful and knowing conduct on the part of, or with the knowledge and consent of, the Person claiming the benefit of such easement.

(e) Maintenance. Each Lot shall be subject to a perpetual easement in favor of the Association and its contractors for the maintenance of the Lots as provided for in the Article entitled "General Maintenance" herein.

(f) Private Streets. All Lots shall be subject to a perpetual easement in favor of the Association and all other Lot Owners for maintenance, management, repair, landscaping, and non-exclusive use and enjoyment of the private streets, lanes, drives and alleyways which are located on the Property, as shown on the Plats, whether said streets and drives are located in the Common Areas or are located on Lots. This easement right includes the right of contractors engaged by the Association to enter upon the Lots from time to time as necessary in order to perform such repair and maintenance work. The Owners of the Lots shall not impair access to, or otherwise alter in any way, said street and drives. The Association shall also have the right, but not the obligation, to cut, remove and plant trees, shrubbery and flowers along said streets, drives and alleyways.

(g) Slope Control. Each Lot shall be subject to an easement in favor of the Declarant, the Association, Builders, and subcontractors, as well as any Governmental Entity for slope control purposes, including the right to grade and plant slopes and prevent the doing of any activity that might interfere with slopes or which might create erosion or sliding problems or which might change, obstruct or retard drainage flow.

(h) Surface Water Drainage. Each Lot shall be subject to a perpetual easement in favor of the Association and all other Lots for the drainage of surface waters over and across such Lot.

(i) Utilities. Each Lot shall be subject to a perpetual easement in favor of the Declarant, the Association, Builders, and subcontractors, as well as any Governmental Entity or public utility company who installs, provides, or maintains such services, for the erection, installation, construction and maintenance of wires, lines, conduits, attachments, and other facilities and equipment, both above and below ground, in connection with the transmission of electricity, gas, water, telephone, community antennae or satellite dish, television cables, systems for sending and receiving data and/or other electronic signals, security and similar systems, and other utilities. The easement rights to which the Lots shall be subject shall include the right of employees, agents or contractors engaged by the Declarant, or any Builder, the Association, the City, or the applicable utility company, to enter upon said Lots from time to time as necessary in order to perform repair and maintenance work and to read utility meters. The Association shall be responsible for the maintenance and management of the private water and sewer facilities, if any, located on or under the Common Areas.

Section 3. Specific Easements. Declarant reserves for itself, during the Development Period, the non-exclusive right and power to grant and record such specific easements as may be necessary, in Declarants sole discretion, in connection with the orderly development of any portion of the Property. The Association (with respect to Common Area) or the Owner of any Lot to be burdened by any easement granted pursuant to this subsection shall be given written notice in advance of the grant and if any such easement burdens any portion of the Property owned by a Builder, then such Builder’s written consent shall be required to grant such easement. The location of the easement shall be subject to the written approval of the Association or other Owner of the burdened property, which approval shall not unreasonably be withheld, delayed, or conditioned.

Section 4. Minimal Interference. All work associated with the exercise of the easements described in this Article shall be performed in such a manner as to minimize interference with the use and enjoyment of the portions of the Property burdened by the easement. Upon completion of the work, the Person exercising the easement shall restore the affected portions of the Property, to the extent reasonably possible, to the same or better condition in which it was in immediately prior to the commencement of the work. The exercise of these easements shall not extend to permitting entry into any Dwelling or other structure on any Lot or the Common Area, nor shall it unreasonably interfere with the use of any Lot and, except in an emergency, entry onto any Lot shall be made only after reasonable notice to the Owner or occupant.

Section 5. Easements for Maintenance, Emergency, and Enforcement. Easements are hereby established for the Association over the Property as may be reasonably necessary to enable the Association to fulfill its maintenance responsibilities under the Declaration. The Association also shall have the right, but not the obligation, to enter upon any Lot for emergency, security, and safety reasons, to perform maintenance and to inspect for the purpose of ensuring compliance with and enforce the Governing Documents. The Board and its duly authorized agents and assignees and all emergency personnel in the performance of their duties may exercise such right. Except in an emergency situation, entry shall only be during reasonable hours and after notice to the Owner.

Section 6. Use Easements. A "Use Easement" shall be established upon all Lots shown and depicted on a Plat that contain a point on an interim lot line designated as a "Use Easement Point". Said Use Easement shall extend from said Use Easement Point along a line parallel with the right-of-way line or parallel with the chord bearing of the arc of the street upon which said Lot fronts to the foundation of the residence constructed nearer to said Use Easement Point, thence, with said foundation wall, and extending beyond said foundation wall to the rear lot line of the Lot, thence, with the rear lot line to the interior lot line, thence with said interior lot line, back to the Use Easement Point

The Use Easements established hereby shall be perpetual and shall be for the benefit of the Owner of the Lot adjacent to said easement for ingress, egress and regress over and upon said easement and for purposes of making landscape and hardscape improvements thereupon as may be approved by the ACC. Any improvements placed upon the Use Easement shall be upon the express condition that said improvements must not be attached to any structures on the servient Lot nor made in such a manner as to cause damage to the property of the Owner of the servient Lot and must not be located in such a manner so as to prevent the Owner of the servient Lot from having unimpeded access to the structure(s) upon his Lot for purposes of maintenance and repair. Further, said improvements must be maintained by the party making said improvements. In the event the Owner of the dominant Lot fences in the Use Easement area, a gate must be erected along the side lot line of the Owner of the servient Lot for access purposes.

**ARTICLE V
THE ASSOCIATION**

Section 1. The Association. Declarant has caused or will cause the Association to be formed, and the Association does or will exist under its Articles of Incorporation and Bylaws. The Association is and shall be responsible for the maintenance of the Common Area including all Limited Common Area, the enforcement of the covenants and restrictions set forth in this Declaration, and the performance of such other duties and services as are required of the Association under the Governing Documents or as the Board of Directors shall deem to be in the best interests of the Members or applicable portion of Members of the Association. The Association shall have all rights and powers reasonably necessary to provide the services and perform the obligations and functions required of it by the Governing Documents.

Section 2. Membership. Each and every Owner of a Lot is a Member of the Association, with classes of membership as provided herein, and, by execution of the Declaration or by acceptance of a deed conveying to such Owner title to any Lot, each Owner consents to be a Member of the Association and to be subject to the terms of the Governing Documents. Membership shall be appurtenant to and may not be separated from ownership of the Lot. An Owner's membership in the Association automatically terminates whenever such Person ceases to be an Owner, and Declarant shall be the Class B Member at all times that Declarant owns at least one (1) Lot (which may consist of any unsubdivided land owned by Declarant if Declarant owns no other Lots in the Properties). Termination of membership shall not release or relieve any such Owner from any liability or obligation incurred under the Declaration during the period of such Owner's membership in the Association, nor impair any rights or remedies which the Association or any other Owner has with respect to such former Owner.

Section 3. Classes of Membership Voting Rights. The Association initially shall have two classes of voting membership: Class A and Class B.

(a) Class A. The Class A Members shall be all those Persons holding an interest required for membership in the Association, as specified in this Article, except for those Persons who are Class B Members. Until such time as the Class A Members shall be entitled to full voting privileges, as hereinafter specified, the Class A Membership shall be a non-voting membership except as to such matters and in

such events as are hereinafter specified.

The Class A Members shall be entitled to full voting privileges on the earlier of the following dates to occur: (i) the date which the Declarant may so designate by notice in a writing delivered to the Association, or (ii) the end of the Development Period. Provided, however, prior to entitling Class A Members to full voting privileges, in any such notice delivered by Declarant to the Association, Declarant may entitle Class A Members to limited voting privileges, subject to such terms and conditions as Declarant, in its sole discretion, determines (provided, however if not sooner granted, the Class A Members shall have full voting privileges upon the expiration of the Development Period). Until the earlier of these dates occurs, the Class A Members shall be entitled to vote only on matters for which it is provided by law that approval of each and every class of membership of the Association is required. When entitled to vote, Class A Members shall be entitled to cast one (1) vote for each Lot in which they hold an interest required for membership regardless of the number of Class A Members who own the Lot; in no event will more than one (1) vote be cast per Lot.

(b) Class B. Declarant shall be the only Class B Member. Class B membership shall be a full voting membership, and, during its existence, the Class B Members shall be entitled to vote on all matters and in all events. During all times that the Class B membership exists the Class B Member is the only Member eligible to vote on Association matters, unless a Legal Requirement requires that all Members have a right to vote. With respect to each Association matter on which all Members are eligible to vote, the Class B Member has ten (10) votes for each Lot owned by Declarant and ten (10) votes for each Lot owned by a Person other than Declarant. Any one or more times that the Class B membership terminates because Declarant owns no Lots, and Declarant later acquires ownership of one or more Lots, the Class B membership shall be reinstated until such time as Declarant again owns no Lots. With respect to any Additional Property annexed to this Declaration by Declarant, Declarant may provide for such additional Class B Member votes in the Association as Declarant determines, in its sole discretion, and such additional Class B Member votes in the Association shall be added to the other Class B Votes in the Association possessed by Declarant to determine the total number of Class B Member votes in the Association. Provided, however, if no specific Class B Member votes is provided by Declarant for Additional Property annexed to this Declaration, Declarant shall have ten (10) votes for each Lot owned by Declarant and ten (10) for each Lot owned by a Person other than Declarant. At such time as the Class A Members shall be entitled to full voting privileges, as provided in paragraph (a) hereof, the Class B membership shall automatically terminate and cease to exist, and the Class B Member shall be and become a Class A Member as far as it may then hold any interest required for membership.

(c) In recognition of the different character and intended use of Additional Property that is annexed to this Declaration, or of portions of the Property previously subjected to this Declaration whose character and intended use changes subsequent to being subjected to this Declaration, during the Development Period Declarant, in its sole discretion, may, by Annexation Declaration or Supplemental Declaration, create additional classes of membership for the owners of Lots within any such Additional Property being annexed to this Declaration or within any such portion of the Property that previously has been subjected to this Declaration. These classes of Members shall have such rights, privileges and obligations as specified in such Annexation Declaration or Supplemental Declaration, including votes in the Association that are different from votes allocated to previously existing classes of Members, and including liabilities for assessments that may be different from the liabilities of previously existing classes of Members.

Section 4. Suspension of Membership Rights. The membership rights of any Member of the Association, including the right to vote, may be suspended by the Board of Directors pursuant to the authority granted in the Bylaws. Any such suspension shall not affect such Members obligation to pay assessments coming due during the period of such suspension and shall not affect the permanent charge and lien on the Member's Lot in favor of the Association for unpaid assessments or other obligations under

the Governing Documents.

Section 5. Meetings of the Membership. All matters concerning the meetings of Members of the Association, including the time at which and the manner in which notice of any said meeting shall be given to Members, the quorum required for the transaction of business at any meeting, and the vote required on any matter, shall be as specified in the Governing Documents or Legal Requirements.

Section 6. Exercise of Voting Rights. The exercise of voting rights shall be governed by the Articles and/or Bylaws of the Association, as applicable, including quorum requirements and exercise of voting rights by written consent or other method allowed in the Articles and/or Bylaws instead of a vote at a meeting of the Association, or by any combination of voting at a meeting and other method of voting as allowed in the Articles and/or Bylaws. Any provision of this Declaration or other Governing Documents that refers to a vote of the membership of the Association shall not preclude the exercise of voting rights by such other methods. When there is more than one Owner of any Lot, all such Owners shall be Members and the voting rights allocated to their Lot shall be exercised as they, among themselves, determine (subject to any applicable provisions of the Articles or Bylaws), but fractional voting of the votes allocated to such Lot shall not be allowed.

Section 7. Association Acts Through Its Board of Directors. Whenever approval of, or action or inaction by, the Association is referred to or called for in this Declaration, such action, inaction or approval shall be by the Board of Directors of the Association, unless it is specifically stated in this Declaration, the Articles of Incorporation or the Bylaws with respect to such action, inaction or approval that the Members of the Association must vote. No member of the Board of Directors of the Association or any officer of the Association (including, without limitation, any such individual who shall have been elected by a vote of the Class B Member) shall be personally liable to any Owner of any Lot for any mistake of judgment or for any other act or omission of any nature whatsoever while acting in the capacity of a member of the Board, officer of the Association, or member of a committee appointed by the Board, except for any acts or omissions found by a court of competent jurisdiction to constitute gross negligence or fraud. The foregoing shall not preclude such Person who also is the Owner of a Lot from being liable for matters in the same manner and to the same extent as Owners of other Lots with respect to matters not related to such Person's actions as a member of the Board, officer of the Association, or member of a committee appointed by the Board.

Section 8. Professional Management. The Association may, but shall not be obligated to, obtain and pay for the services of any Person to manage the affairs of the Association, or any part thereof, as the Board of Directors deems to be in the best interests of the Association. The Board may delegate such authority to such Person, and authorize such Person to act on behalf of the Association, as the Board determines in the exercise of its discretion.

Section 9. Appointment of Directors during Development Period. During the Development Period, the Declarant shall be entitled to appoint, remove, and replace all of the directors of the Board and the officers of the Association, or Declarant may authorize one (1) or more directors of the Board to be elected by the Class A Members of the Association, upon such terms and conditions as Declarant, in its sole discretion, determines. Quorum requirements at any meeting of the Association or the Board are not applicable to Declarant's right to appoint, remove, or replace directors and officers.

**ARTICLE VI
ASSESSMENTS**

Section 1. Creation of Lien and Personal Obligation. Each Owner, by acceptance of a deed or other conveyance for a Lot, covenants and agrees to pay to the Association all assessments and charges

which are levied by the Association against the Lot(s) owned by such Person in accordance with the terms and provisions of the Act or the Governing Documents. All assessments and charges shall be established and collected as hereinafter provided. All assessments and charges remaining unpaid for a period of thirty (30) days or longer, together with the costs of collection thereof, including reasonable attorneys' fees, shall constitute a lien on the Lot against which they are assessed or charged from the time of the filing of a lien in the office of the Clerk of Superior Court of Carteret County, North Carolina, and shall be the personal and continuing obligation of the Person who was the Owner of such Lot at the time when the assessment or other charge first became due and payable. An Owner's personal obligation for payment of such assessments and other charges shall not become the personal obligation of a subsequent Owner unless expressly assumed by the subsequent Owner, although the lien shall continue against the Lot until the amounts due are paid, as the covenant to pay assessments herein stated is and shall be a covenant running with land.

No Owner shall be exempt from liability for any assessment provided for herein by reason of non-use of the Common Area or such Owner's Lot, or abandonment of a Lot, or temporary unavailability of the use or enjoyment of the Common Area. No Owner shall be relieved of, or released from, the obligation to pay assessments and other charges under the Governing Documents because of any resignation or attempted resignation by such Owner of membership in the Association while such Owner owns a Lot, or because of any suspension of such Owner's membership or membership rights in the Association as allowed under the Governing Documents.

If necessary to establish the right to collect reasonable attorneys' fees under the Declaration, any obligation of an Owner to pay assessments or other charges or monetary obligations under the Declaration shall constitute evidence of indebtedness for the purpose of establishing under Section 6-21.2 of the North Carolina General Statutes (or any successor statute) the right to collect reasonable attorneys' fees in any action or proceeding to enforce or collect payment of such obligation. Provided, however, the foregoing sentence specifically is intended to supplement, and not to interfere, limit, invalidate or be in conflict with, any provisions of the Act with respect to reasonable attorneys' fees.

Section 2. Purposes of Assessments. The assessments levied by the Association pursuant to this Article shall be used to pay the Common Expenses and other charges as required or allowed by the Declaration. Without limiting the generality of the foregoing, the Association may assess the following types of assessments for payment of the Common Expenses: (i) annual assessments; (ii) working capital assessment; (iii) stormwater assessments; (iv) special assessments for capital improvements or other matters as set forth herein; (v) special individual assessments levied against an Owner to reimburse the Association for maintenance expenses resulting from the failure of such Owner to maintain adequately that Owner's Lot, or for damages to Common Elements, or for such other purposes as stated herein; (vi) architectural review fees and costs as specified herein; (vii) fines for violations of Restrictions and Rules and/or Association rules and regulations with respect to use of the Common Elements; (viii) late payment penalties and interest on unpaid assessments and other charges; and any other assessments, if any, for any/all of the following purposes: (1) costs and expenses incurred by the Association in connection with the maintenance of the Common Area and the Association's other operations; (2) payment of the premiums for all fidelity bonds which shall be obtained by the Association; (3) the payment of the fees of such management firms as the Board of Directors shall employ; (4) payment of fees for the provision of such professional services as the Board of Directors shall determine to be required by the Association, including but not limited to legal, accounting and architectural services; (5) loans to the Association for construction of the Recreational Amenities; and (6) other charges imposed under authority contained in the Act (specifically including all fees allowed under Section 47F-3-102 of the Act) or Governing Documents (architectural review fees, fines, penalties, interest and other fees and charges all being referred to herein collectively as "other charges"), and, in addition to such assessments and other charges, to pay all costs, fees and expenses, including reasonable attorneys' fees, incurred by the Association in enforcing or

collecting any of the foregoing assessments or other charges against such Owner or the Lot of such Owner; and (7) such other purposes as the Board of Directors shall deem necessary or desirable to promote the health, safety and welfare of the Association and its Members.

All assessments and other charges collected by the Association shall be the separate property of the Association. As assessments and other charges are paid to the Association by Owners, such funds may be commingled with assessments and other charges paid to the Association by other Owners. No Member of the Association shall have the right to assign, hypothecate, pledge or in any manner transfer, such Member's interest in the assets of the Association, except as an appurtenance to the Lot owned by such Member. When any Owner ceases to be a Member of the Association, the Association shall not be required to account to such Owner for any share of the funds or assets of the Association or any portion thereof which may have been paid to the Association by such Owner or acquired with any funds paid to the Association by such Owner.

Section 3. Commencement and Liability for Payment. The assessments provided for herein shall commence as to a Lot on the date that a Lot becomes an Improved Lot and is owned by a Person who is not the Declarant or a Builder (it being express that Builders shall pay no assessments of any kind hereunder for Lots owned by Builders) with all Improved Lots owned by the same class of Members of the Association being assessed equally, except for any additional assessments that may be required to pay Common Expenses specifically associated with a Lot, in which event such assessments shall only be assessed against the Lots benefitted by the Common Expenses. The Annual Assessment for any Lot that first commences with respect to such Lot on any day other than the first day of the applicable fiscal year of the Association is determined for that first fiscal year by multiplying the applicable Annual Assessment amount by a fraction whose numerator is the number of days remaining in that fiscal year from and after the day on which it becomes a Lot and whose denominator is the total number of days in that fiscal year.

Section 4. Operating Budget and Annual Assessment. For the fiscal year beginning on such date as the Board shall determine in its sole discretion and for subsequent fiscal years, the Board shall adopt for each fiscal year a proposed "annual operating budget", also referred to herein as the "budget", containing an estimate of the total amount believed to be necessary to pay all of the Common Expenses for that fiscal year (including, at the Board's discretion, estimated amounts for unexpected contingency items). Based on such proposed budget, the Board shall determine the amount to be assessed against each Lot for that fiscal year to fully fund the proposed budget, such amount being referred to herein as the "annual assessment". In adopting a proposed budget and annual assessment, the Board may consider any assessment income expected to be generated from any additional Lots reasonably anticipated to become subject to assessment during the applicable fiscal year. In the Board's discretion, a proposed budget may include a provision that allows the Board to assess and collect from the Owners during the applicable fiscal year, without the necessity of revising the budget and holding a meeting of the membership of the Association to vote on ratification of the revised budget, one or more additional annual assessments, not to exceed a total amount as specified by the Board, as necessary to pay for Common Expenses that exceed the budgeted amount and/or new or unexpected additional Common Expenses incurred during the applicable fiscal year.

Within thirty (30) days after adoption of the proposed budget, the Board shall provide a copy or summary of the proposed budget and annual assessment to all Members (a copy or summary provided to any one (1) of multiple Owners of a Lot is deemed to be provided to all Owners of such Lot), together with a notice of the annual or special meeting of the Association at which ratification of such proposed budget will be considered, including a statement that the proposed budget may be ratified without a quorum for the meeting. The annual or special meeting at which ratification of the proposed budget is to be considered shall be held not less than ten (10) days nor more than sixty (60) days after mailing of the summary and notice. There shall be no requirement that a quorum be present at the meeting at which

ratification of the proposed budget is to be considered (although if other matters are to be considered at such meeting applicable quorum requirements are in effect with respect to those other matters). The budget is ratified unless rejected at that meeting as follows: (i) if the proposed annual assessment does not exceed the annual assessment for the immediately preceding fiscal year by more than 50%, the budget is ratified unless Members possessing ninety percent (90%) or more of the total number of votes in the Association reject it; (ii) if the proposed annual assessment per Lot exceeds the actual annual assessment per Lot for the immediately preceding fiscal year by more than 50%, the budget is ratified unless Members possessing sixty-seven percent (67%) or more of the total number of votes in the Association reject it. In the event that the proposed budget is rejected, the budget last ratified by the Members shall be continued until such time as the Members ratify a subsequent budget proposed by the Board Of adopted by the Members.

Beginning with the annual assessment for the first fiscal year as the Board shall determine in its sole discretion, the Association shall send written notice of each annual assessment to the Members of the Association (for purposes of notice of all assessments under the Declaration, notice sent to any one (1) of multiple Owners of a Lot is deemed to be notice sent to all of such Owners) not less than thirty (30) days in advance of the payment due date specified in the notice (which shall not be earlier than the first day of the applicable fiscal year), which written notice may be in the form of an invoice for the annual assessment, or which written notice may be included in the notice of the meeting to vote on the proposed budget. The failure of the Board to establish the amount of any annual assessment or send timely notice as required herein shall not constitute a violation, waiver or modification of the provisions of the Declaration, or a waiver of the Board's right to establish and collect the annual assessment at any time during the fiscal year to which it is applicable, or a release of any Member from the obligation to pay the assessment or any installment thereof for that or any subsequent fiscal year. Until the Board has established an annual assessment for a fiscal year, the annual assessment for the immediately preceding fiscal year shall continue in effect, but when the new annual assessment is established, it shall be retroactive to the first day of the applicable fiscal year, and notice of same shall be sent to the Members not less than thirty (30) days in advance of the payment due date specified in the notice. If the annual assessment for any fiscal year has not been established by the last day of the immediately preceding fiscal year, the Board may send a notice of assessment to the Members for the amount of the immediately preceding fiscal year's annual assessment, together with notice that a new assessment may be established for that fiscal year that may require an additional payment. Once the new annual assessment is established, any additional amount owed is due and payable by the payment due date specified in a supplemental notice to the Members sent not less than thirty (30) days in advance of the payment due date specified in the supplemental notice.

During any fiscal year, the Board may revise the budget and adjust the annual assessment (including the maximum amount of any additional annual assessment), subject to the same notice and ratification requirements as those applicable to the initial budget for that fiscal year. Upon ratification of a revised budget, it shall replace all previously ratified budgets for the applicable fiscal year.

Section 5. Special Assessments. In addition to other authorized assessments, the Association may levy "special assessments" during any fiscal year to pay for any or all of the following: (i) unbudgeted Common Expenses; (ii) Common Expenses in excess of those budgeted; or (iii) the costs of any capital improvements or capital repairs. No special assessment shall be imposed unless approved by the affirmative vote of fifty percent (50%) or more of the votes cast by the Members present at a meeting of the Association and, during the Development Period, the written consent of the Declarant. Notices for all meetings of the Association at which there is to be a vote on a special assessment shall include notice of the purpose and amount of the proposed special assessment. A special assessment is effective on the later of the date it is approved by the Members or Declarant (if such approval is required), or such later date adopted by the Members in the vote approving the special assessment, and is due and payable as established by the vote of the Members approving the special assessment, or, if not established by such

vote of the Members, as established by the Board. Each Lot shall be liable for the payment of an equal share of every special assessment which shall be levied by the Association pursuant to the provisions of this section.

Section 6. Specific Assessments. The Board may levy specific assessments against individual Owners (i) for the purpose of paying for the costs of any construction, reconstruction, repair or replacement of any damaged component of the Common Area, or of any monument, landscaping, detention pond or other thing maintained by the Association, which is occasioned by the acts of individual Owners(s) and not the result of ordinary wear and tear or (ii) for the payment of fines, penalties or other charges imposed against an individual Owner relative to such Owner's failure to comply with the terms and provisions of this Declaration, the Bylaws, or any rules or regulations promulgated hereunder; provided, that Declarant shall not be obligated to pay any specific assessments. Failure of the Board to exercise its authority under this section shall not be grounds for any action against the Association or the Board of Directors and shall not constitute a waiver of the Board's right to exercise its authority under this section in the future with respect to any expenses.

Upon the establishment of a specific assessment under this section, the Board shall send written notice of the amount and due date of such specific assessment to the affected Owner (s) at least thirty (30) days prior to the date such specific assessment is due.

Section 8. Special Assessment for Working Capital Reserve. Upon the first transfer of title to an Improved Lot, but not thereafter, there shall be levied against such Improved Lot and paid to the Association by the transferee of said Improved Lot a special assessment in such amount as the Association shall determine in its sole discretion (which amount may differ among Townhome or detached Dwelling Lots; for example Townhomes may have higher initial assessments for capital reserves if it is expected that higher levels of capital maintenance is required to support Townhome obligations of the Association). The Association shall use all special assessment payments which shall be so received by it pursuant to this section to establish a working capital reserve fund for use in connection with capital repairs and capital improvements.

Section 9. Collection of Assessments; Penalties for Late Payment.

(a) Assessments may be collected on a monthly, quarterly, annual or other basis, as determined from time to time by the Board, with the payment due date to be specified in the notice of the applicable assessment. The billing schedule and payment due date shall be the same for all Owners. Provided, however, the Board has the power, in its sole discretion and upon such terms as the Board deems appropriate, to allow percentage discounts to Owners who pay assessments earlier than the payment due date therefor; provided, however, all such discounts shall be made available and applied uniformly to all Owners.

(b) Subject to any limitations contained in the Declaration, other Governing Documents, or any Legal Requirement, the Board has the authority to establish the payment due dates, interest rate on unpaid amounts, and penalties for late payment of assessments and other charges. Assessments and other charges not paid by the payment due date shall bear interest at a rate equal to the lesser of (i) eighteen percent (18%) per annum, or (ii) the highest lawful rate under Legal Requirements, or (iii) the amount, if any, established by the Board (or, in the absence of any amount being established by the Board, the lesser amount otherwise established by this subsection). In addition to the obligation to pay the assessment and other charges and interest charges thereon, the defaulting Owner also shall pay all of the Association's costs and expenses of collection thereof, including reasonable attorneys' fees.

(c) The Board may authorize a management company or other billing agent, on behalf of the

Association, to bill and collect all assessments and other charges payable under the Declaration.

Section 10. Certification of Assessments Paid. The Association, or any property manager or agent authorized by the Association, upon written request, shall furnish to any Owner or such Owner's authorized agents, a certificate signed by an officer of the Association or other Person authorized by the Board to give such certificate setting forth whether or not and through what date the assessments and other charges against that Owner's Lot have been paid, and the amount of any unpaid assessments or charges. The certificate shall be furnished within ten (10) business days after receipt of the request therefor and is binding on the Association, the Board and every Owner. The Association or property manager or agent authorized to furnish the certificate may charge a reasonable fee for furnishing the certificate as established or approved by the Board.

Section 11. Assessment Lien and Foreclosure. The assessments and other charges provided for herein shall be the personal and individual debt of each Person who, at the time of the assessment or other charge, is an Owner of the Lot against which they are assessed or charged. Any assessment or other charge not paid on or before the payment due date and remaining unpaid for a period of thirty (30) days or longer, together with the fines, penalty and interest charges as provided in the Declaration, plus the costs of collection (including reasonable attorneys' fees), shall be a charge and continuing lien on the Lot against which they are assessed or charged from and after the date on which a claim of lien is filed by the Association in the office of the Clerk of Court of the County in which the Lot is located. Except as otherwise provided in the Declaration or by Legal Requirements, such lien shall be superior to all other liens and charges against the Lot. The Board shall have the power, in its sole discretion, to subordinate the Association's lien to any other lien. The claim of lien shall set forth the name and address of the Association, the name of the record Owner of the Lot at the time the claim of lien is filed, a description of the Lot, and the amount of the lien claimed. In addition to the claim of lien, the Association may execute, issue or record such other evidence of the lien as the Board deems necessary. The Association may foreclose the claim of lien in like manner as a mortgage on real estate under a power of sale or in any other manner allowed or required by Legal Requirements, and/or the Association may institute suit against the Owner personally obligated to pay the assessment or charge, and/or the Association may seek any other available remedy or relief. In any foreclosure proceeding, the Association shall have the right to appoint a trustee or commissioner (or other appropriately named Person) to implement the foreclosure, and the defaulting Owner shall be required to pay the costs, expenses, trustee's (or commissioner or other) fees, and reasonable attorneys' fees incurred by the Association. The Association shall have the power to bid on and purchase the Lot at foreclosure and to acquire, hold, lease, mortgage, convey or otherwise deal therewith. The remedies against a defaulting Owner and such Owner's Lot are cumulative and not mutually exclusive, and the Association may seek none, or any one or more of such remedies, separately or simultaneously, as deemed appropriate by the Board.

Section 12. Lien Priority. The lien for unpaid assessments and other charges provided for herein is prior to all liens and encumbrances on a Lot except (i) liens for ad valorem taxes on the Lot; (2) the lien of any first priority mortgage covering the Lot and the lien of any mortgage recorded prior to the recording of this Declaration; (3) the lien of any secondary purchase money mortgage covering the Lot, provided that neither the grantee nor any successor grantee on the mortgage is the seller of the Lot; and (4) the lien of any mortgage given by any Builder or other Person to secure payment of any sum owed to the Declarant, whether or not Declarant is the seller of the Lot liens and encumbrances. Provided, however, this Section does not affect the priority of mechanic's or materialmen's liens. A lien for unpaid assessments and other charges is extinguished unless proceedings to enforce the lien are instituted within three (3) years after the docketing of the claim of lien in the office of the County Clerk of Court of the County in which the Lot is located. Where the holder of a First Mortgage, or other purchaser of a Lot obtains title to the Lot as a result of foreclosure of a First Mortgage or deed or other proceeding in lieu of foreclosure, such purchaser and its heirs, successors, and assigns, shall not be liable for the assessments against such Lot which became

due prior to the acquisition of title to such Lot by such purchaser. Such unpaid assessments shall be deemed to be Common Expenses collectible from all the Owners, including such purchaser, its heirs, successors, and assigns in the event that the Association is unable to collect, or chooses not to pursue collection, from the Person who was the Owner of the Lot during the time the assessments were assessed against the Lot.

Section 13. Exempt Property. All Exempt Property is exempt from the assessments, charges and liens established pursuant to the Declaration.

Section 14. Declarant's Obligation to Fund Budget Deficits.

(a) During the existence of the Class B membership, Declarant may satisfy its obligation for payment of annual assessments on Lots which it owns either by paying annual assessments in the amount per Lot assessed for that fiscal year or by paying the difference between the total amount of the actual annual assessments levied on all other Lots subject to assessment and the amount of actual expenditures by the Association during the fiscal year for items contained in the budget (paying the difference being referred to herein as the "deficit funding obligation" or "funding the deficit"). Unless Declarant otherwise notifies the Board prior to the Board's adoption of a proposed annual operating budget for the next fiscal year, Declarant shall be deemed to have elected to continue paying on the same basis as during the current fiscal year Declarant has elected to fund the deficit. The deficit funding obligation does not include any expenses that the Association is unable to meet because of nonpayment of any assessment by Owners other than the Declarant, or because of unusual or extraordinary or unanticipated expenses not included in the annual operating budget (for example, a judgment obtained against the Association, or a Common Expense obligation caused by the negligence or misconduct of any Owner or occupant). The deficit funding obligation of the Declarant may be enforced against the Declarant and collected by the Association in the same manner as enforcement and collection of assessments applicable to other Owners.

Regardless of Declarant's election as to payment of annual assessments or funding the deficit, Declarant's obligations with respect to annual assessments may be satisfied by Declarant by any combination of the provision of services or materials toward satisfaction of Common Expenses (including payment for such services or materials directly to the providers thereof), or payment of money to the Association. Beginning with the first fiscal year after the end of the Class B membership, Declarant shall pay annual assessments on its Lots in the same manner as any other Owner.

Declarant may advance funds to the Association sufficient to satisfy the deficit, if any, in any fiscal year between the actual operating expenses of the Association (exclusive of any allocation for capital reserves) and the annual and special assessments for such fiscal year. Such advances shall be evidenced by promissory notes from the Association in favor of the Declarant and shall be paid back to Declarant if and to the extent that sufficient funds are generated by assessments in future years until such time as Declarant no longer has the authority to appoint the directors and officers of the Association.

Section 15. Partial Assessments and Cost Sharing Agreement for Annexed Property. In the event Declarant elects to annex Additional Property, it may subject such Additional Property to all or any portion of this Declaration as Declarant shall determine in its sole discretion, including but not limited to levying assessments on the Owner(s) of such Additional Property for some but not all Common Expenses, limiting access by such Owner(s) to some but not all Common Area and Recreational Amenities and entering into a cost sharing agreement with such Owner(s) for certain Common Expenses.

**ARTICLE VII
ARCHITECTURAL CONTROL**

Section 1. Architectural Control.

(a) Except for ordinary and routine maintenance to an existing improvement, and excluding planting and maintenance of flowers, bushes, grass and trees that do not result in any material change in the landscaping approved as part of the Approved Plans ("material" being as determined from time to time by the Reviewer) or allowed by Architectural Guidelines without the necessity of obtaining Approved Plans, and except as otherwise provided herein (for example, portions of the Property exempt from architectural review), no improvement, and no alteration, addition to, or changes to any Improved Lot (including any conversion of a garage or carport into living space) shall be commenced, nor shall any of the same be placed, altered or allowed to remain, until the Reviewer has approved in writing the Plans therefore, or the Architectural Guidelines allow the improvement without the necessity of obtaining Approved Plans.

(b) No structure or Improvement shall be constructed, placed at or installed upon any Improved Lot in a location without the prior written approval of the ACC, which approval may be withheld in the sole discretion of the ACC, including but not limited to restrictions on BUA Limits on any Lot. No fence shall be constructed or erected upon any Improved Lot in any location without the prior written approval of the ACC. No chain link fences shall be erected or maintained on any Lot or other portion of the Property.

Section 2. Combination of Lots. Contiguous Lots may not be combined together without prior written consent of the Declarant, during the Development Period, and thereafter by the Board of Directors. In the event that the Declarant or Board of Directors, as applicable approves such a combination, such combination shall thereafter be deemed to be a single Lot for all purposes of this Declaration, except that notwithstanding the foregoing, the amount of assessments for which such single Lot shall be thereafter liable shall be equal to the total assessments for which all of the Lots which were so combined would have been liable had such combination not taken place.

Section 3. Architectural Review.

(a) Until the later of the end of the Development Period or the date on which one hundred (100%) percent of the Lots are Improved Lots and are owned by Persons other than the Declarant (such period of time being referred to herein as the "Declarant Review Period"), the Declarant has the sole right under the Declaration to serve as the Reviewer with respect to all improvements. In reviewing and acting upon any request for approval of Plans for improvements, Declarant or its designee shall be acting solely in Declarant's interest and shall owe no duty to any other Person. Declarant, in its sole discretion, may designate one or more Persons to act on its behalf in reviewing Plans. Declarant may, at any time and from time to time, temporarily or permanently, but without any obligation to do so, delegate all or any portion of its rights reserved under this Article to an ACC. Prior to the end of the Declarant Review Period, Declarant may modify or terminate any or all its rights reserved under this Article in whole or in part, at any time and from time to time, temporarily or permanently, by recording an instrument in the Registry describing the action taken by Declarant.

(b) Upon delegation by Declarant during the Declarant Review Period, and upon the end of the Declarant Review Period, the Association, acting through an ACC appointed by the Board, shall assume jurisdiction and responsibility for architectural review under this Article. The members of any ACC need not be Members of the Association or representatives of Members, and may, but need not, include architects, landscape architects, engineers or similar professionals. The number, qualifications, composition, jurisdiction, procedures (including appeal of its decisions to the Declarant or Board), and compensation of the members, if any, of the ACC shall be established from time to time by the Declarant or Board, as applicable.

(c) The Declarant or the Board, as applicable, may establish and charge reasonable fees for review of applications and Plans hereunder and may require such fees to be paid in full prior to review thereof. Such fees may include the reasonable costs incurred in having any Plans reviewed by architects, engineers or other professionals. If any such fees are required in connection with any review, no Plans submitted for review shall be complete until such fees are paid.

Section 4. Review Procedures. When Approved Plans are required for commencement of any improvement, the required number of sets of Plans for the proposed improvement (as determined by the Reviewer), together with any application or request for approval and review fees required by the Reviewer, shall be submitted to the Reviewer by the Person requesting the approval or such Person's authorized representative. The Architectural Guidelines and the Reviewer may require the submission of such additional information as may be reasonably necessary to consider any application. All of the foregoing together constitutes a "complete application", and no time period within which any Reviewer under this Declaration is required to complete the review shall commence until the Reviewer has received a complete application.

In reviewing each submission, the Reviewer may consider any factors it deems relevant, including, without limitation, harmony of external design with surrounding structures and environment. Decisions may be based on purely aesthetic considerations. Each Owner acknowledges that determinations as to such matters are purely subjective and opinions may vary as to the desirability and/or attractiveness of particular improvements. The Reviewer shall have the sole discretion to make final, conclusive, and binding determinations on matters of aesthetic judgment and such determinations shall not be subject to review (except with respect to appeals to the Declarant or Board as may be authorized by the Declarant or Board) so long as made in good faith and in accordance with the procedures set forth herein.

The Reviewer shall decide on each application within 30 days after receipt by the Reviewer of a complete application. The Reviewer may (i) approve the application, with or without conditions; (ii) approve a portion of the application and disapprove other portions; or (iii) disapprove the application. The Reviewer shall notify the applicant in writing of the final determination on any application within five days after making the determination. In the case of disapproval, the Reviewer may, but shall not be obligated to, specify the reasons for any objections and/or offer suggestions for curing any objections.

In the event that the Reviewer fails to respond in a timely manner to a complete application, approval shall be deemed to have been given. However, no approval, whether expressly granted or deemed granted, shall be inconsistent with the Architectural Guidelines unless a written variance has been granted. Notice shall be deemed to have been given at the time the envelope containing the response is deposited with the US Postal Service and addressed to the applicant at the mailing or residence address indicated on the application for review. However, personal delivery of such written notice shall be sufficient and shall be deemed to have been given at the time of delivery to the applicant.

If construction does not commence on a project within one year after the date of approval, such approval shall be deemed withdrawn and it shall be necessary for the Owner to reapply for approval before commencing any activities. Once construction is commenced, it shall be diligently pursued to completion. All work shall be completed within one year of commencement unless otherwise specified in the notice of approval or unless the Reviewer grants an extension in writing, which it shall not be obligated to do. If approved work is not completed within the required time, it shall be considered nonconforming and shall be subject to enforcement action by the Association, Declarant or any aggrieved Owner.

The Reviewer may, by resolution, exempt certain activities from the application and approval requirements of this Article, provided such activities are undertaken in strict compliance with the

requirements of such resolution.

Section 5. Architectural Guidelines. Declarant may prepare the initial Architectural Guidelines, which may contain general provisions applicable to all of the Property as well as specific provisions which vary between Townhome and detached Dwelling Lots. The Architectural Guidelines are intended to provide guidance to Owners and Builders regarding matters of particular concern to the Reviewer in considering applications. The Architectural Guidelines are not the exclusive basis for decisions of the Reviewer and compliance with the Architectural Guidelines does not guarantee approval of any application. Declarant shall have sole and full authority to amend the Architectural Guidelines during the Development Period, notwithstanding a delegation of reviewing authority to the ACC or any other Person, unless Declarant also delegates the power to amend the Architectural Guidelines to the ACC. Upon termination or delegation of Declarant's right to amend, the ACC shall have the authority to amend the Architectural Guidelines with the consent of the Board, and the Board shall have the authority to amend the Architectural Guidelines following the end of the Development Period.

Any amendments to the Architectural Guidelines shall be prospective only and shall not apply to require modifications to or removal of structures previously approved once the approved construction or modification has commenced. There shall be no limitation on the scope of amendments to the Architectural Guidelines, and such amendments may remove requirements previously imposed or otherwise make the Architectural Guidelines less restrictive.

Upon request, the Reviewer shall make the Architectural Guidelines available to Owners and Builders who seek to engage in development or construction within the Property In Declarants discretion, such Architectural Guidelines may be recorded, in which event the recorded version, as it may be amended from time to time, shall control in the event of any dispute as to which version of the Architectural Guidelines was in effect at any particular time.

Section 6. No Waiver of Future Approvals. Each Owner acknowledges that the Persons reviewing applications under this Article will change from time to time and that opinions on aesthetic matters, as well as interpretation and application of the Architectural Guidelines, may vary accordingly. In addition, each Owner acknowledges that it may not always be possible to identify objectionable features until work is completed, in which case it may be unreasonable to require changes to the improvements involved, but the Reviewer may refuse to approve similar proposals in the future Approval of Plans, granting of variances, or other approvals given in connection with any other matter requiring approval, shall not be deemed to constitute a waiver of the right to withhold approval as to any similar applications, plans, or other matters subsequently or additionally submitted for approval.

Section 7. Legal Requirements. Approval by the Architectural Control Committee of any Plans shall not relieve the Owner, Builder, or applicant from any obligation to obtain all required City and State approvals and permits, and shall not relieve the Owner, Builder, or applicant of the obligation and responsibility to comply with all Legal Requirements with respect to such improvements.

Section 8. Variances. The Reviewer may authorize variances from compliance with any of the applicable Architectural Guidelines and procedures when circumstances such as topography, natural obstructions, hardship, or aesthetic or environmental considerations require, but only in accordance with duly adopted rules and regulations. No variance shall: (a) be effective unless in writing; (b) be contrary to this Declaration; (c) preclude the Reviewer from denying a variance in any other circumstances; or (d) be contrary to any Legal Requirements. For purposes of this Section, the inability to obtain approval of any Governmental Authority, the issuance of any permit or the terms of any financing shall not be considered a hardship warranting a variance.

Section 9. Limitation of Liability. The standards and procedures established by this Article are intended as a mechanism for maintaining and enhancing the overall aesthetics of the Property; they do not create any duty to any Person. Review and approval or denial of approval or conditioning of approval of any application pursuant to this Article may be made on the basis of aesthetic considerations only, and the Reviewer shall not bear any responsibility for ensuring the structural integrity or soundness of approved construction or modifications, nor for ensuring compliance with building codes and other governmental requirements, nor for ensuring that all Dwellings are of comparable quality, value or size, of similar design, or aesthetically pleasing or otherwise acceptable to neighboring property owners.

Declarant, the Association, the Board, the ACC, or member of any of the foregoing shall not be held liable for any of the following: soil conditions, drainage or other general site work; any defects in plans revised or approved hereunder or their failure to comply with Legal Requirements; any loss or damage arising out of the action, inaction, integrity, financial condition, or quality of work of any contractor or its subcontractors, employees, or agents, whether or not Declarant has approved or featured such contractor as a builder in the Property or anywhere else; or any injury, damages, or loss arising out of the manner or quality or other circumstances of approved construction on or modifications to any improvement. In all matters, the Association shall indemnify the Board, the ACC, and the members of each as provided in the Governing Documents.

Section 10. Certificate of Compliance. Any Owner may request that the Reviewer issue a certificate of architectural compliance certifying that there are no known violations of this Article or the Architectural Guidelines. The Reviewer shall either grant or deny such request within 30 days after receipt of a written request and may charge a reasonable administrative fee for issuing such certificates. Issuance of such a certificate shall preclude the Association from taking enforcement action with respect to any condition as to which the Association had notice as of the date of such certificate.

Section 11. Violation. When Approved Plans are required under this Article prior to the commencement of the construction, installation, alteration, addition, removal, or maintenance of any improvement, in the event that any such construction, installation, alteration, addition, removal, or maintenance commences, or is undertaken or performed in the absence of Approved Plans or in violation of Approved Plans, the Person upon whose portion of the Property such activity was undertaken or performed may be required by the Declarant (during the Development Period) or by the Board to restore to its original condition, at such Person's sole expense, the portion of the Property upon which the activity was undertaken or performed. Upon the failure or refusal of any Person to perform the restoration required herein, the Declarant or Board, as applicable, or their authorized agents or employees, may, after fourteen (14) days' prior notice to such person, enter upon such portion of the Property and make such restoration as the Declarant or Board, as applicable, in the exercise of its discretion, may deem necessary or advisable. The Owner of the portion of the Property upon which such restoration work shall have been performed shall be personally liable to the Declarant or Association, as applicable, for all direct and indirect costs which the Declarant or Association incurs in the performance of such restoration work, including without limitation attorney's fees and court costs related to the collection of such costs from the Owner, and the liability for such costs shall be secured by all the liens, and shall be subject to the same means of collection, as the assessments provided for in this Declaration.

Section 12. Declarant and Association Exemption. Notwithstanding anything stated to the contrary herein, nothing contained in this Article shall be construed as prohibiting any construction, installation, alteration, addition, removal, or maintenance of any improvement by the Declarant, or by any Builder, or by the Association upon any portion of the Property, while it is owned by the Declarant, or a Builder, or Association (as the case may be). Any construction, alteration, addition or removal performed by the Declarant, any Builder, or the Association upon any portion of the Property while it is owned by the same, is exempt from the all of the provisions of this Article, and for avoidance of doubt, nothing in

this Article or otherwise herein shall prevent a Builder at its sole expense from altering or reconfiguring Lot lines between/among Lots it owns, or from combining or subdividing Lots it owns, provided such altering, reconfiguring, combing or subdividing complies with all Legal Requirements, including but not limited to any BUA Limits required by the applicable Governmental Authority for development of the Community or any Lot.

**ARTICLE VIII
USE OF THE PROPERTIES**

In order to provide for the maximum enjoyment of the Lots by all of the residents thereof and to provide protection for the value of the same, the use of the Lots shall be restricted to, and shall be only in accordance with, the following provisions:

Section 1. Residential Use. Except as otherwise allowed by this Declaration, the Properties shall be used only for single-family residential purposes, including rentals of a Lot and Dwelling in accordance with Section 23 of this Article VIII, or for other uses allowed under applicable Governmental Authority zoning ordinances and approved by the Declarant during the Development Period or thereafter, by the Board. The term "single-family" shall include one or more related or unrelated adults, as well as the children of any such adults. Residential purposes include use of portions of the Properties for streets, utilities, greenways, open space, Common Elements, wetlands, conservation areas, active or passive recreation, or other purposes substantially related to residential use which are allowed under applicable Governmental Authority zoning ordinances, unless such substantially related purposes are prohibited by other provisions of this Declaration. Except as provided in subsection (c) of this paragraph, no Lot shall at any time be used for any commercial, business or professional purpose. Provided, however, and notwithstanding the foregoing: (a) during the Development Period, the Declarant, and any Builder (or so long as the Builder owns or has the right to buy any Lot from Declarant), or other Person with Declarant's consent, may maintain model homes, sales offices and temporary construction trailers and other improvements and facilities within the Properties for the purpose of conducting business related to the development, improvement, and/or sale or marketing of any part or all of the Properties, including the sale and marketing of Lots; and (b) Declarant, and any Builder, or any other Person with Declarant's consent, may conduct such business and other activities within the Properties as may be necessary or desirable in connection with the development, improvement, and/or sale or marketing of any part or all of the Properties, including the sale and marketing of Lots; and (c) the Owner of any Lot may use a portion of a building located on such Lot as an office, provided that such use does not create regular customer, client or employee traffic to and from such Lot and no sign, logo, symbol or nameplate identifying such business is displayed anywhere on such Lot.

Section 2. Prohibited Activities. Each owner of any Lot, and such Owner's family members, tenants, guests and invitees, shall refrain from any act or use of the Lot which could reasonably cause embarrassment, discomfort or annoyance to any other resident or residents of any other Lot. Storage or placement of furniture, potted plants, fixtures, appliances, machinery, bicycles, towels, equipment, signs or other goods or chattels on any Lot which is visible from outside of the Lot, (including but not limited to Stoops, Driveways, Decks and Patio Areas) is prohibited except as specifically permitted in this Declaration. No trade materials or inventories (other than materials used for construction of Dwellings or other approved structures or Improvements) shall be stored upon any portion of the Properties and no tractors, inoperable motor vehicles, rubbish, trash, or unsightly materials of any kind shall be stored, regularly placed, or allowed to remain on any portion of the Properties unless adequately screened or contained as approved by the Architectural Control Committee, except that trash, leaves, tree limbs, materials for trash or recycling pick-up and similar items may be kept or placed temporarily and only for such time as is reasonably necessary to enable the applicable Governmental Authority or appropriate private entity to remove same, and inoperable motor vehicles may be stored only if the same are kept

entirely in an enclosed garage or other building. Provided, however, and notwithstanding anything to the contrary herein, (i) trucks and/or other construction vehicles, materials and equipment operated by/used by Declarant and any Builder, shall be allowed to remain on the Properties temporarily during construction of roads, utilities, Dwellings and other Improvements in the Properties, and (ii) such vehicles, materials and equipment also may be allowed to remain on the Properties during construction or maintenance on Improved Lots and the Improvements thereon, which have been approved by the Architectural Control Committee.

Section 3. Nuisances. No noxious or offensive activity shall be conducted upon any portion of the Properties, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the Community or any part thereof, or to any person lawfully residing in the Subdivision. Provided, however, the usual, customary or reasonable use and maintenance of a Lot, a Dwelling, or any Common Elements shall not constitute a nuisance. Further provided, the development of the Properties by Declarant and Builders, and the usual, customary or reasonable construction and maintenance of Dwellings and other Improvements in the Properties shall not constitute a nuisance. Further provided, the operation and use of the Common Elements in the manner required or allowed by the provisions of the Declaration shall not constitute a nuisance.

Section 4. Animals. No animals of any kind (including livestock, reptiles or poultry) shall be kept on any portion of the Properties or in any Dwelling except for dogs, cats or other domestic household animals which are not used for breeding or other commercial purposes, and provided that they do not create a nuisance (in the judgment of the Board), by number or type of animals, noise, odor, damage or destruction of property, animal waste, or any other reason, and further provided that they are kept in compliance with all Legal Requirements and such Rules and Regulations and Board policies pertaining thereto as the Association may adopt, which Rules and Regulations or Board policies may include requirements that animals be kept on a leash or otherwise restrained or confined whenever they are anywhere on the Properties other than on the Lot of the Person who owns the animals, on other Lots with the permission of the Owners of those Lots, or on other areas specifically designated for animals not on leashes, that animals be restrained or confined inside a fence or other restraint when on a Lot outside of the Dwelling, and which may prohibit the keeping of animals on the Properties that are excluded from coverage or subject to reduced coverage under liability insurance policies generally available for the Properties. The Board may require any Owner to furnish the Board with evidence that a particular animal is not excluded or subject to reduced coverage under the liability insurance policy maintained by such Owner for that Owner's portion of the Properties, and the Owner shall furnish the Board with the required evidence (in the form of a copy of the applicable policy or such other evidence reasonably satisfactory to the Board) within ten (10) days following the date on which the Board gives a notice to the Owner that it is requiring same. Provided, however, no Board member shall have any liability for any failure of the Board to adopt a Restriction or Rule or other rule or regulation that prohibits the keeping of a particular type or breed of animal. The Owner responsible for an animal being on the Properties promptly shall clean up or remove from any portion of the Properties not owned by such Owner all solid bodily wastes from that animal.

No animal determined to be dangerous, in the Board's sole and absolute discretion, may be brought onto or kept on the Property at any time. The Board may remove without notice any animal that presents an immediate danger to the health, safety or property of any Owner or occupant of the Property.

Each Owner who keeps an animal on the Property agrees to indemnify and hold the Declarant (and its members, managers and agents) and the Association (and its directors, officers, committee members, and agents) harmless from any loss, claim or liability of any kind whatsoever, including court costs and reasonable attorney's fees, arising out of or resulting from such animal, including any actions of the animal. An easement over and upon the Properties hereby is reserved for the applicable Governmental

Authority to exercise and enforce Legal Requirements relating to animal control.

Section 5. Antennas; Aerials; Satellite Dishes. The Owner of each Lot shall have the right to install, maintain and use on such Lot one antenna, aerial, or satellite dish to receive video programming that is (i) not larger than one meter in diameter, (ii) blends with the color of the roof or wall where it is installed, and (iii) is installed on the rear roof or wall of the residence constructed on the Lot. No other exterior antennas, aerials, satellite dishes or other reception device shall be constructed, installed, placed or affixed unless approved in accordance with the architectural approval procedures contained in this Declaration. Installation of an antenna deviating from the above provision shall be approved pursuant to the architectural control provisions if reasonably necessary to permit the reception of an acceptable quality signal. HAM radios, two way radios and other hobby or professional radio communication transmission equipment are prohibited.

Declarant or the Association shall have the right, without obligation, to erect an aerial, satellite dish, or other apparatus of any size for a master antenna, cable, or other communication system for the benefit of all or a portion of the Property.

Section 6. Clotheslines. No exterior clothesline of any type shall be permitted on any portion of any Lot.

Section 7. Lighting. Exterior lighting visible from the street shall not be permitted except for: (1) lighting allowed by Approved Plans; (2) street lights in conformity with an established street lighting program for the Property; (3) seasonal decorative lights provided such lights are installed no more than 30 days prior to a holiday and removed no later than 30 days after a holiday; (4) front house illumination of model homes; or (5) landscape lighting provided it is a clear, white light.

Section 8. Mailboxes Prohibited. No mailbox shall be installed for any Lot. The Recreational Amenities allocated as Limited Common Areas may contain mail kiosks for Lot Owners.

Section 9. Play Equipment. Recreational and playground equipment shall not be placed on the front or side yard of any Lot nor in the rear of any Lot adjacent to the Common Areas without prior written consent of the Reviewer. Materials, colors and other specifications shall be as provided in the Architectural Guidelines and otherwise approved by the Reviewer.

Section 10. Signs. No sign of any kind or character shall be placed or erected on any portion of any Lot, or displayed to the public on any portion of any Lot, without the prior written consent of the Reviewer, except for customary name and address signs, one customary "for sale" or "for rent" sign advertising a Lot for sale or rent, as applicable, and any sign required by Legal Requirements, and allowable signs shall conform to applicable requirements in the Architectural Guidelines or as imposed by the Reviewer. The sign restrictions herein stated include signs within a building located on any Lot in a location from which the same shall be visible from outside the Lot and signs in or upon any motor vehicle in the Property. Notwithstanding the foregoing, Builders, for so long as they own any Lot(s) or have the right to purchase the same from Declarant, shall be allowed to erect customary and typical Builder sales, identification, model and marketing signs, flags and banners, on Lots they own or on the Common Area.

Section 11. Stoops, Driveways, Decks, Porches, Side Porches, Patio Areas and Storage Sheds. Grills, patio furniture and potted plants may be permitted on Patio Areas and Decks, subject to local ordinances and any rules promulgated by the Association with respect thereto; provided such grills, patio furniture or potted plants are not visible outside the Lot, and any grills, patio furniture or potted plants which are visible outside the Lot must receive the prior approval of the ACC. In addition, any items placed on Stoops, Porches, Side Porches and Driveways must comply with any rules promulgated by the

Association with respect thereto. Detached storage buildings, sheds or animal pens are prohibited.

Section 12. Swimming Pools. No swimming pool shall be constructed, erected or maintained on any Lot without prior approval of the ACC. In no event shall above ground swimming pools be allowed on any Lot. No spa, Jacuzzi or whirlpool tub shall be constructed, erected or maintained on any Lot without prior approval of the ACC.

Section 13. Flags. Flags may not be flown on any Lot except as expressly provided in this Declaration or as approved by the Board in its sole discretion from time to time.

Section 14. Trash Containers and Collection. No garbage or trash shall be placed or kept on the Property except in screened, enclosed, or covered containers of a type, size and style which are approved by the Board of Directors or as required by Legal Requirements, and subject to rules promulgated by the Association. No person shall burn rubbish, garbage or any other form of solid waste on any Lot or on Common Areas or within the right of way of any street in the Property.

Section 15. Trees. No healthy living trees having a diameter of six (6) inches or more measured from a point two (2) feet above the ground, and no flowering tree, shrub, evergreen, or natural ground cover, shall be removed from any Improved Lot, unless such removal is approved by the ACC.

Section 16. Vehicles and Parking. The term "vehicles" as used in this section shall include without limitation automobiles, trucks, boats, trailers, motorcycles, campers, vans, and recreational vehicles. No vehicle may be left upon any portion of the Property except upon a driveway, a designated parking space or within a garage. No Person shall park any commercial vehicles, recreational vehicles, mobile homes, trailers, campers, boats or other watercraft, or other oversized vehicles, stored vehicles or unlicensed or inoperable vehicles within the Property, with the exception of (a) emergency vehicle repairs, commercial vehicles, construction vehicles or delivery vehicles which are temporarily parked for the purpose of servicing a Lot or the Property and (b) commercial vehicles owned, leased or used by an Owner in connection with their employment or business. Only two-axle automobiles and two-axle trucks may be parked on driveways.

All Owner and occupant vehicles must be kept and stored when not in use within the Lot's garage space or driveway. The Association may promulgate rules regarding parking in the Property.

This Section 16 shall not apply to Declarant and Builders as they develop/construct on their respective Lots.

Section 17. Window Air-Conditioners. No air-conditioner shall be installed in any window of any building located on any Lot, nor shall any air-conditioner be installed on any building located on any Lot so that the same protrudes through any exterior wall of such building.

Section 18. Window Treatments. No bed sheets, towels, newspaper, tin foil or similar materials may be used as window treatments.

Section 19. No Subdivision of Lots. Except as set forth in Section 12 of Article VII as to Builders, and except that Declarant may subdivide its Lots, no Lot may be further subdivided into any smaller Lot.

Section 20. Interpretation. In all cases, the covenants and restrictions herein contained shall be construed and interpreted in a manner which, in the opinion of the Board of Directors, will best affect the intent of the general Development Plan and maintenance herein set forth.

Section 21. Wetlands. Portions of the Property may have been determined to meet Legal Requirements for designation as a regulatory wetland. Notwithstanding anything to the contrary that may appear herein or in any other restrictive covenants applicable to such portions of the Properties, and whether or not the Approved Plans for any improvements on the portion of the Properties on which such wetlands are located are in compliance with applicable wetlands rules, any subsequent fill or alteration of any portion of the Property that has been determined to be a regulatory wetland under Legal Requirements shall conform to the requirements thereof in force at the time of the proposed alteration. The intent of this Section is to prevent additional wetland fill or alteration except as allowed under Legal Requirements, so the Owner of any such portion of the Property should not assume that any application for fill or alteration of a wetland will be approved. The Owner of any portion of the Property subject to any such future application shall report the name of the subdivision, together with the name of the particular phase, section or subdivision within the Property, if any, in any application pertaining to wetland rules. The provisions of this Section are intended to ensure continued compliance with wetland rules under Legal Requirements and this Section may be enforced by the United States, State of North Carolina or any other governmental entity having jurisdiction over the subject wetlands.

Without limitation, Owners of all portions of the Property subject to any regulatory buffer requirements (for example any buffer requirements that apply along the Intracoastal Waterway, if any) shall at all times comply with same, whether or not the Approved Plans for any improvements comply therewith.

Section 22. Hunting; Discharge of Firearms. Hunting and trapping of wild animals, fowl and game and the discharge of firearms and/or bows and arrows and/or other weapons within the Properties is prohibited, unless required for safety or personal protection reasons.

Section 23. Leases. Each Dwelling shall be used for rental occupancy or for permanent residential occupancy by an Owner. Leasing or rental activity in connection with a Dwelling shall not be considered a commercial use. Dwellings/Lots may be made available to the public for rental when not occupied by the Owner thereof or individuals designated by such Owner. Owners and lessees must comply with all of the provisions of this Declaration and the Rules and Regulation from time-to-time promulgated by the Association. Leasing of Dwellings/Lots shall not be subject to approval of the Association and/or any other limitation, other than as expressly provided in the Declaration, including in **Exhibit B-1** of this Declaration (Specific Leasing Provisions). Any and all lease or rental agreements between an Owner and a lessee of such of such Owner shall be in writing and must (i) be for residential purposes and (ii) be for not less than the entire Lot and Dwelling and (iii) provide that the terms of the lease shall be subject in all respects to the provisions of this Declaration and other Governing Documents (provided, however, this Declaration and other Governing Documents shall apply to all such leases, whether or not so stated therein). Lessees shall comply with the covenants, terms, conditions and restrictions of the Declaration (and all exhibits attached to the Declaration) and with any and all Rules and Regulations adopted and/or amended by the Association from time to time. A violation of any of the terms of any of the foregoing documents shall constitute a material breach of the lease and shall constitute grounds for damages, termination and eviction. The Owner will be jointly and severally liable with the lessee to the Association for any amount which is required by the Association to repair any damage to the Common Areas (including Recreational Amenities) resulting from acts or omissions of tenants (as determined in the sole discretion of the Association) and to pay any claim for injury or damage to property caused by the negligence of the tenant and a special individual assessment may be levied against the Dwelling and applicable Lot therefor. All tenancies are hereby made subordinate to any lien filed by the Association whether prior or subsequent to such lease. During the time a Dwelling and Lot is leased or occupied by others, the Owner(s) shall not have the right to use the Common Areas including the Recreational Amenities, except as a guest of another Owner or the lessee. Every Owner, by acceptance of a deed for any Lot in the Community, acknowledges and agrees that the Lots and Dwellings may be leased as contemplated herein, including for the short term

as provided herein including on **Exhibit B-1**, and including as further regulated under the Rules and Regulations if applicable.

Section 24. Groundwater Restriction. Groundwater may not be used for irrigation or otherwise on any Lot for any purpose. Notwithstanding the foregoing, the Association shall have the right but not the obligation to use groundwater for irrigation of Common Area in the Community, so long as the groundwater supply well location is located a distance greater than five hundred (500) feet from the any property registered with the North Carolina Brownfield Program and provided further the groundwater supply well is installed in a deep confined aquifer system.

Section 25. Rules and Regulations. As part of the general plan of development for the Properties, the Governing Documents establish a framework of affirmative and negative covenants, easements, and restrictions. Within that framework, the Declarant, Board, and Members need the ability and flexibility to supplement this Declaration with additional Rules and Regulations and to respond to unforeseen problems and changes in circumstances, conditions, needs, desires, trends, and technology. This section does not apply to Board policies relating to use and operation of the Common Elements adopted by the Board unless the Board in its discretion chooses to submit to such procedures. This section does not apply to administrative policies which the Board adopts to interpret, define or implement the Rules and Regulations or other Governing Documents, nor does it apply to Architectural Guidelines.

All Owners and other Occupants of all portions of the Properties and their guests and invitees shall abide by the Rules and Regulations. Compliance with the Rules and Regulations may be enforced in the same manner and to the same extent that this Declaration provides for enforcement of this Declaration, and any Person determined by judicial action to have violated the Rules and Regulations shall be liable to the Declarant or Association or other applicable Person for all damages and fines, including all costs incurred in seeking and enforcing applicable legal remedies, including reasonable attorneys' fees.

Subject to the terms of this section and the Board's duty to exercise business judgment and reasonableness on behalf of the Association and its Members, the Board may adopt, amend, modify, cancel, repeal, limit, create exceptions to, add to, or expand the Rules and Regulations. The Board shall give notice to each Owner concerning any such proposed action at least five (5) business days prior to the Board meeting at which such action is to be considered. Owners shall have a reasonable opportunity to be heard at a Board meeting prior to such action being taken. During the Development Period, no action taken by the Board pursuant to this subsection shall be effective unless approved in writing by the Declarant, and for so long as a Builder owns any Lot or has the right to purchase a Lot from Declarant, no such action shall be effective without the written approval of the Builder.

Prior to any such action taken by the Board becoming effective, the Board shall give notice of the new rule or explanation of any changes to the Rules and Regulations to each Owner, which notice shall state the effective date of the action, which shall be not less than thirty (30) days following the date on which the action is taken by the Board. The Association shall provide to any requesting Owner (but not to more than one Owner of a Lot), without cost, one copy of the Rules and Regulations then in effect, together with the action taken by the Board. Additional copies may be provided by the Association upon payment of a reasonable charge as established by the Board. The action taken by the Board shall become effective on the later of the 31st day after the action is taken by the Board or such later effective date specified in the notice, unless, prior to the effective date, Members representing more than 50% of the total number of votes in the Association disapprove such action at a meeting or in writing to the Board. The Board shall have no obligation to call a meeting of the Members to consider disapproval except upon receipt, prior to the effective date of the action taken by the Board, of a petition of the Members as required by the Governing Documents for special meetings of the Association or a written request from the

Declarant. Upon such petition of the Members or written request from the Declarant prior to the effective date of any Board action under this Section, the proposed action shall not become effective until after such meeting is held, and then subject to the outcome of such meeting.

Alternatively, when they have a right to vote under this Declaration, Class A Members representing more than 50% of the total number of votes in the Association, at an Association meeting called for such purpose, may vote to adopt rules that modify, cancel, limit, create exceptions to, add to, or expand the Rules and Regulations then in effect. Provided, however, during the Development Period no such action shall be effective without the written approval of the Declarant, and for so long as a Builder owns any Lot or has the right to purchase a Lot from Declarant, no such action shall be effective without the written approval of the Builder. Upon such action being taken by the Class A Members, the Board shall notify each Owner of the new rule or explanation of any changes to the Rules and Regulations, and the action taken by the Members shall become effective on the later of the 31st day after the action is taken by the Members or such later effective date specified in the notice.

No action taken by the Board or Class A Members under this Article shall have the effect of modifying, amending, repealing, limiting, or expanding the Architectural Guidelines or any provision of this Declaration or other Governing Documents. During the Development Period, no such action shall be effective unless approved in writing by the Declarant, and for so long as a Builder owns any Lot or has the right to purchase a Lot from Declarant, no such action shall be effective without the written approval of the Builder. In the event of a conflict between the Architectural Guidelines and the Rules and Regulations, the Architectural Guidelines shall control.

Notwithstanding the foregoing procedures for amending the Rules and Regulations, and notwithstanding anything to the contrary elsewhere in this Article or this Declaration, during the Development Period the Declarant, in its sole discretion and without any prior notice to any Person, may adopt, amend, modify, cancel, limit, create exceptions to, add to, or expand the Rules and Regulations, including Board Policies; provided, however, that if Declarant is to do so, Declarant must obtain the written consent of any Builder that owns any Lot or has the right to purchase a Lot from Declarant. Prior to any action taken by the Declarant under becoming effective, the Declarant, or the Board at the direction of the Declarant, shall give notice of the new rule or explanation of any changes to the Rules and Regulations to each Owner (notice sent to any one Owner of a Lot being sufficient notice), which notice shall state action taken and the effective date of the action, which date may be any time on or after the date on which the action is taken by Declarant.

All Owners are given notice that use of their Lots and Dwellings is subject to the Rules and Regulations as modified from time to time. By acceptance of a deed, each Owner acknowledges and agrees that the use and enjoyment and marketability of such Owner’s Lot and Dwelling can be affected by this provision and that the Rules and Regulations may change from time to time. All Owners hereby are notified that, as provided for herein, the Declarant or the Board or the Members may adopt Rules and Regulations or changes to any Rules and Regulations in effect at any particular time.

Except as may be set forth in the Governing Documents, all Rules and Regulations shall comply with the following provisions (and no Rule or Regulation may contradict an express provision in this Declaration):

- (a) Similarly situated Owners shall be treated similarly, the determination of which Owners are similarly situated being in the reasonable judgment of the Declarant or Board, as applicable (it being acknowledged and agreed that different types of Dwellings are subject to different levels of costs, service and regulation)

(b) The rights of Owners to display religious and holiday signs (the word “sign” or “display” as used in this Declaration includes signs, banners, flags (including a flag of the United States of America, a United States flag, a North Carolina flag, or other flag), symbols, decorations, and other displays) inside Dwellings shall not be abridged, except that there may be rules regulating the number, size, time, and place and manner of posting or displaying such signs that are located outside of or are visible from outside of the Dwelling, including regulation or specification of design criteria (for example, color, style, materials). No rules shall regulate the content of political signs; however, rules may regulate the number, size, time, place and manner, and length of time, of posting or displaying, such political signs that are located outside of or are visible from outside of the Dwelling, including regulation or specification of design criteria (for example, color, style, materials). Signs required by Legal Requirements to be posted or displayed, and signs prohibited by Legal Requirements from being excluded or prohibited shall be allowed (for example, a street number sign for a Dwelling required by a Governmental Authority). However, to the extent that it would not violate the Legal Requirement, rules may regulate the number, size, time, and place and manner of posting or displaying, such signs, including regulation or specification of design criteria (for example, color, style, materials).

(c) No rule shall alter the allocation of financial burdens among the various portions of the Properties or rights to use the Common Elements to the detriment of any Owner over that Owner's objection expressed in writing to the Association. Nothing in this provision shall prevent the Association from changing the Common Elements available, from adopting generally applicable rules for use of Common Elements, or from denying use privileges to those who are delinquent in paying assessments, abuse the Common Elements, or violate the Governing Documents. This provision does not affect the right to increase the amount of assessments as provided herein.

(d) No rule shall prohibit leasing that is consistent with the terms and provisions on Exhibit B-1 or the creation of a leasing program for similarly consistent leasing, or the transfer of any Dwelling, and no rule shall require consent of the Association or Board for leasing or transfer of any Dwelling; provided, however, rules may require such other rules with respect to leases as are reasonably adopted by the Declarant or the Board.

(e) No rule shall require an Owner to dispose of personal property that was in a Dwelling or on a Lot prior to the adoption of such rule if such personal property was in compliance with all rules and Legal Requirements previously in force. This exemption shall apply only during the period of such Owner's ownership of the Lot and shall not apply to subsequent Owners who become Owners after adoption of the rule.

(f) Without the written consent of Declarant, no rule or action by the Board or Members shall restrict, impair, prohibit, exclude, impede, interfere with, or in any way adversely affect any Special Declarant Right or other right of Declarant.

The limitations in subsections (a) through (f) of this Section shall only limit the rule making authority exercised under this Section; they shall not apply to other Sections and provisions of this Declaration.

Section 26. Exclusion for Declarant. Notwithstanding any other provision of this Declaration or any other Governing Documents, Declarant, during the Development Period (and thereafter, the Board) has the right, permanently or temporarily (as determined in the discretion of Declarant or the Board, as applicable) to waive any one or more of the provisions of this Article with respect to construction or maintenance of any improvements in the Properties, except that there shall be no waivers with respect to soil erosion controls and Legal Requirements. Any such waiver granted by the Declarant to a Builder or other Person during the Development Period shall be binding on the Board after the Development Period

has ended.

**ARTICLE IX
GENERAL MAINTENANCE
(Townhomes being separately and specifically addressed in Article XIV)**

Section 1. Association's General Maintenance Responsibility. The Association shall keep in good condition, order and repair the Common Area, including but not limited to the private streets, drives and alleyways as shown on the Plats, sidewalks and rights of way, curbing, detention/retention ponds, bulkheads, all entry features and entry landscaping, whether or not such features and landscaping are on a Lot, privately owned property or in the right of way and all street signage and street lights, and any other or any Common Areas and Limited Common Areas. The Association may be relieved of all or any portion of its maintenance responsibilities to the extent that such responsibility is assumed and carried out by any local, state or federal government or quasi-governmental entity accepting responsibility for such maintenance. In the event of any such assumption, assignment or dedication, however, the Association may reserve or assume the right or obligation to continue to perform all or any portion of its maintenance responsibilities, if the Board determines that such maintenance is desirable or necessary to maintain the Community Wide Standards. In the event that the Association determines that any maintenance which is the responsibility of the Association hereunder is caused through the willful or negligent act of an Owner, or the occupant, family member, guest, invitee or lessee of an Owner, then the Association may perform such maintenance and all costs thereof may be assessed against the Owner as a specific assessment.

The Board of Directors, in its sole discretion, may leave portions of the Common Area as undisturbed natural areas and may change the landscaping on the Common Area at any time and from time to time, including the adding or modifying of landscaping improvements, such as the planting of seasonal flowers. Any common irrigation system installed by the Declarant or the Association for the use by the Association shall be operated, maintained, repaired and replaced by the Association.

If and to the extent the following portions of the Common Area are not maintained adequately (in the opinion of the Board) by a governmental entity, the Association shall also maintain the following Common Area (whether or not constituting Common Areas), including: (a) entry features to the Property; (b) streets, parking areas and sidewalks; (c) perimeter fencing; and (d) landscaping within public street rights-of-way abutting the Property; (e) Stormwater Control Measures; and (f) Recreational Amenities. Additionally, the Association has the right, but not the obligation, to maintain the front, rear and side yards of Lots and to provide for trash and debris removal.

In the event that the Association determines that any maintenance, repair, or replacement, which is the responsibility of the Association hereunder, is caused through the willful or negligent act of an Owner, or the occupant, family member, guest, invitee or lessee of an Owner, then the Association may perform such maintenance, repair or replacement and all costs thereof not paid for by insurance shall be assessed against the Owner as a specific assessment.

Section 2. General Owner Responsibility. Except where the Association has the express obligation to do so under this Article IX or under Article XIV (Townhomes), each Owner shall maintain and keep in good repair all landscaping and yard maintenance not otherwise the responsibility of the Association, as well as all other exterior portions of the Lot, including windows, exterior lighting, painting, roofing, stoops, patios, porches, decks and all structures, driveways, parking areas, and any other improvements comprising the Lot in a manner consistent with the Community Wide Standards and all Governing Documents. Owners shall keep their Lot free from all litter, trash and refuse. In the event the Board of Directors determines that any Owner has failed or refused to discharge properly any of such Owner's obligations with regard to the maintenance, repair or replacement of items for which such Owner

is responsible, the Association shall, except in emergency situations, give the Owner written notice of the Association's intent to provide such necessary maintenance, repair or replacement at the Owner's sole cost and expense. The notice shall set forth with reasonable particularity the maintenance, repair or replacement deemed necessary. The Owner shall have ten (10) days after receipt of such notice within which to complete such maintenance, repair or replacement, or in the event that such maintenance, repair, or replacement is not capable of completion within a ten (10) day period, to commence such work which shall be completed within a reasonable time. If any Owner does not comply with the provisions herein, the Association may provide such maintenance, repair or replacement and all costs thereof shall be assessed against the Owner as a specific assessment. In an emergency situation, the Association may perform the necessary maintenance, repair or replacement without any prior notice to the Owner responsible for such maintenance, repair or replacement, and such Owner shall be liable for the costs thereof.

Section 4. Individual Insurance. Except where the Association has the express obligation to insure under Article XIV (Townhomes), each Owner, by virtue of taking title to a Lot subject to this Declaration, acknowledges that the Association has no obligation to provide any insurance for any portion of individual Lots and each Owner covenants and agrees with all other Owners and with the Association that each Owner will carry at all times all-risk casualty insurance on the Lot and all structures constructed thereon and a liability policy covering damage or injury occurring on a Lot. The casualty insurance shall cover loss or damage by fire and other hazards commonly insured under an all-risk policy, if reasonably available, and shall be in an amount sufficient to cover the full replacement cost of any repair or reconstruction in the event of damage or destruction from any such hazard.

**ARTICLE X
MORTGAGEE PROVISIONS**

Section 1. Notice of Action. An institutional holder, insurer, or guarantor of a mortgage or deed of trust encumbering a Lot or Lots, who provides a written request to the Association (such request to state the name and address of such holder, insurer, or guarantor and the Lot number as shown on the applicable Plat, and the street address of the Lot, therefore becoming an "eligible holder"), will be entitled to timely written notice of (a) any condemnation loss or any casualty loss which affects a material portion of any Lot on which there is a mortgage or deed of trust held, insured, or guaranteed by such eligible holder; (b) any delinquency in the payment of assessments or charges owed by an Owner of a Lot subject to the mortgage of such eligible holder where such delinquency has continued for a period of sixty (60) days; provided, however, notwithstanding this provision, any holder of a mortgage or deed of trust, upon request, is entitled to written notice from the Association of any default in the performance by the Owner of the encumbered Lot of any obligation under the Declaration or Bylaws of the Association which is not cured within sixty (60) days, and any lapse, cancellation, or material modification of any insurance policy on such encumbered Lot maintained by the Association.

Section 2. Audit. Upon written request of any institutional holder of a First Mortgage and upon payment of all necessary costs, such holder shall be entitled to receive a copy of audited financial statements of the Association within 120 days of the date of the request.

Section 3. No Priority. No provision of this Declaration or the Bylaws gives any Owner or other party priority over any rights of a Mortgagee of any Lot in the case of distribution to such Owner of insurance proceeds or condemnation awards for losses to or taking of the Common Areas.

Section 4. Failure of Mortgagee to Respond. Any Mortgagee who receives a written request from the Board to respond to or consent to any action shall be deemed to have approved such action if the Association does not receive a written response from the Mortgagee within thirty (30) days of the date of

the Association's request, provided such request is delivered to the Mortgagee by certified or registered mail, return receipt requested.

Section 5. Mortgagees Not Obligated to Collect Assessments. No Mortgagee shall have any obligation to collect any assessment under the Declaration.

**ARTICLE XI
AMENDMENT**

Section 1. Amendment by Declarant. In addition to specific amendment rights, if any, granted or reserved elsewhere in the Declaration, during the Development Period, Declarant may unilaterally, and in its sole discretion, without the joinder or approval of the Association, any Member, or any other Person and without the necessity of a meeting of the Association, amend the Declaration for any purpose, and may record any such amendment or may record an amended and restated version of the Declaration that incorporates any such amendment. Amendments to the Declaration contemplated herein shall include but are not limited to satisfying the requirements of FHA, VA, FNMA, FHLMC, OILSR or other governmental agency, Secondary Mortgage Market Agency or Institutional Lender, establishing or maintaining the tax exempt status of the Association under the laws of the United States or the State of North Carolina, or amending the Declaration as may be necessary to prevent it from being declared invalid under any Legal Requirement or by any court of competent jurisdiction, or to add or delete provisions to or from the Declaration as may be necessary to prevent it from being declared invalid under any Legal Requirement or by any court of competent jurisdiction. Any amendment to the Declaration adopted by the Declarant shall be effective upon the later of the effective date contained therein or the date of its recording in the Registry.

Section 2. Amendment by the Members. Unless amended as allowed under Section 1 of this Article, the Declaration may be amended only as follows:

(a) Unless a higher percentage or different voting requirement is specified herein or by Legal Requirements, the Declaration may be amended only by (i) the written agreement or consent of those Members, or the affirmative vote at a meeting of the Association of those Members, who hold sixty-seven percent (67%) or more of the total number of votes in the Association, and (ii) during the Development Period, with the written consent of Declarant.

(b) Written notice of an annual or special meeting of the Association at which any proposed amendment to the Declaration is to be voted on, together with at least a summary description of the proposed amendment, shall be given to all Members not less than ten (10) days and not more than sixty (60) days in advance of the date of such meeting.

(c) When any amendment to the Declaration is approved by Members of the Association (and Declarant, when applicable) as provided in this Section, the appropriate officers of the Association (and Declarant, when applicable) shall execute in the same manner as a deed and record in the Registry, a document setting forth the following: the amendment; the effective date of the amendment (if no effective date is stated the amendment shall be effective upon the recording of same in the Registry); and if applicable, the date of the meeting of the Association at which such amendment was adopted, the date that notice of such meeting was given, the total number of votes required to constitute a quorum at such meeting, the total number of votes present at such meeting, the total number of votes necessary to adopt the amendment, the total number of votes cast in favor of such amendment and the total number of votes cast against the amendment. The document shall be recorded in the Registry within thirty (30) days following the date of the meeting at which the amendment was adopted or the written agreement for the amendment is completed. Provided, however, and notwithstanding the foregoing or anything to the

contrary appearing herein, no amendment to the Declaration duly adopted by the Members of the Association shall be void or invalid solely because the document describing the amendment is not recorded in the Registry within said thirty (30) day period, and any such duly adopted amendment to the Declaration recorded following the end of said thirty (30) day period shall become effective on the later of the effective date specified therein, if any, or on the date it is recorded in the Registry.

(d) Amendment of Subdivision Declarations and Supplemental Declarations shall be governed by the provisions for amendment contained therein, if any; otherwise, the provisions regarding amendment of the Declaration shall apply to amendment of those documents.

Section 3. Consent of Mortgagees. No consent of any Mortgagee to any amendment of the Declaration is required unless (i) the amendment adversely affects the rights of Mortgagees under the Declaration, or (ii) a Legal Requirement requires the consent of Mortgagees or a percentage of Mortgagees, or (iii) the mortgage held by such Mortgagee specifically requires the Mortgagee's consent with respect to the portion of the Property subject to the mortgage, and if either (ii) or (iii) is applicable, the Mortgagee has notified the Association of its rights regarding consent to amendments in the same manner required for an Mortgagee to notify the Association in the Article of the Declaration dealing with Mortgagee Provisions. If the amendment is adopted by the required percentage of Members exclusive of the Member or Members who own portions of the Property for which consent of a Mortgagee is required under this Section, then the amendment is valid whether or not the necessary Mortgagees have consented to the amendment.

Section 4. Prohibited Effects of Amendment. Notwithstanding the provisions of Sections 1, 2 and 3 of this Article allowing amendments to the Declaration, no amendment to the Declaration, whether adopted by the Declarant, by the Association, or by the Members or any applicable group of Members of the Association, shall do or result in any of the following:

(a) without the written consent of Declarant, diminish, impair, or in any way affect the rights of Declarant, including Declarant's rights to develop any part or all of the Property in accordance with a Subdivision Plan;

(b) without the written consent of Declarant, impose additional obligations upon Declarant;

(c) diminish or impair the express rights of Mortgagees under the Declaration without the prior written approval of a majority of the Mortgagees who have requested the exercise of such rights as provided herein;

(d) terminate or revise any easement established by the Declaration, without the written consent of the Person benefitted by the easement or by the Owner of the portion of the Properties benefitted (and/or, with respect to a revision, burdened) by the easement, whichever is applicable;

(e) without the consent of the City, terminate, reduce, amend, revise, or alter any obligation of the Association or the Members of the Association under the Code or under any Stormwater Agreement, encroachment agreement, or other agreement entered into with the City by the Association or, as allowed by the Declaration, by the Declarant on behalf of the Association;

(f) alter, remove, or attempt to alter or remove any other applicable Legal Requirement.

**ARTICLE XII
DURATION OF DECLARATION; DISSOLUTION OF ASSOCIATION**

Section 1. Duration. Unless sooner terminated as required by Legal Requirements, the Declaration shall run with and bind the Property and each Owner, and shall inure to the benefit of the Association, and each other Owner of any portion of the Property, and their respective heirs, successors, and assigns, from and after the recording of the Declaration in the Registry until such time as it is terminated by a written termination agreement, executed or ratified in the same manner as a deed, by those Members who hold eighty percent (80%) or more of the total number of votes in the Association, and also with the written consent of Declarant during the Development Period. Execution or ratification by any one of multiple Owners of a Lot is sufficient for that Lot unless, prior to the time the termination agreement is recorded in the Registry, any other Owner of that Lot files with the Association a written objection to the termination of the Declaration (in which event the vote allocated to that Lot shall be considered as not having been exercised). The termination agreement shall specify a date after which it will be void unless it is recorded in the Registry before that date. The termination agreement may not be recorded in the Registry unless and until the requisite number of signatures have been obtained as provided herein, and it shall be effective only upon recording. If, pursuant to the termination agreement, any real estate in the Property is to be sold following termination of the Declaration, the minimum terms of the sale shall be set forth therein.

Section 2. Dissolution of the Association. The Association shall be dissolved upon the termination of the Declaration. Provided, however, until any sale of the Common Property authorized by the termination agreement or approved by the Owners in the same manner as required for approval of the termination agreement is completed and the sale proceeds distributed, the Association shall continue in existence with all of the powers it had before termination. The Association, on behalf of the Owners, may contract for the sale of the Common Property, but the contract is not binding unless such sale has been authorized in the termination agreement or it has been approved by the Owners in the same manner as required for approval of the termination agreement. Proceeds of the sale of Common Property shall be distributed to the Owners and lienholders as their interests may appear, as provided in the termination agreement or other agreement approved by the Owners in the same manner as required for approval of the termination agreement. If the Common Property is not to be sold following termination of the Declaration, title to the Common Property vests in the Owners upon termination, as tenants in common in proportion to their respective interests as provided in the termination agreement.

Upon dissolution of the Association or upon loss of ownership of all of the Common Property by the Association for any reason whatsoever (except for exchange or dedication or conveyance of any part or all of the Common Property as allowed by the Declaration, or by reason of merger and/or consolidation with any other association as allowed by the Declaration), except as otherwise provided in the termination agreement, other agreement approved by the Owners in the same manner as required for approval of the termination agreement, or Legal Requirements (in particular, Section 47F-2-118 of the Act, or any successor Section of the Act), any portion of the Common Property not under the jurisdiction of and being maintained by another association substantially similar to the Association, together with all other assets of the Association, first shall be offered to the Town of Beaufort (or, if the Town of Beaufort refuses such offer, then to some other appropriate Governmental Entity or public agency as determined by the Board) to be dedicated for public use for purposes similar to those to which the Common Property and such assets were required to be devoted by the Association. If the Town of Beaufort or such other appropriate Governmental Entity or public agency accepts the offer of dedication, such portion of the Common Property and assets shall be conveyed by the Association to the Town of Beaufort or such other appropriate Governmental Entity or public agency, subject to the superior right of an Owner to an easement (if necessary) for reasonable ingress and egress to and from such Owners Lot and the public or private street(s) on which that Lot is located, subject to all other applicable rights of way and easements, and subject to ad valorem property taxes subsequent to the date of such conveyance.

If the Town of Beaufort or such other appropriate Governmental Entity or public agency refuses

the offer of dedication and conveyance, the Association may transfer and convey such Common Property and assets to any nonprofit corporation, association, trust or other entity which is or shall be devoted to purposes and uses that would most nearly conform to the purposes and uses to which the Common Property was required to be devoted by the Declaration, such transfer and conveyance to be made subject to the rights of Owners and the other matters set forth in the immediately preceding paragraph of this Section. If there is no nonprofit corporation, association, trust or other entity who will accept such transfer and conveyance of the Common Property and assets of the Association, then such Common Property and assets shall be distributed as provided in the plan of termination/dissolution adopted by the Association.

**ARTICLE XIII
DISCLOSURES AND WAIVERS**

The following are in addition to any other disclosures and waivers in the Declaration.

Section 1. Construction Activities. All Owners and other Persons who use the Property hereby are placed on notice that Declarant, Builders and/or their respective agents, contractors, subcontractors, licensees, and other designees, successors, or assigns, may, from time to time, conduct blasting, excavation, construction, and other activities within the Property. By the acceptance of a deed or other conveyance or mortgage, leasehold, license, or other interest, and by using any portion of a Lot or the Property generally, such Owners and such other Persons acknowledge, stipulate, and agree: (i) such activities shall not be deemed nuisances, or noxious or offensive activities, under any applicable covenants or at law generally; (ii) not to enter upon, or allow their children or other Persons under their control or direction to enter upon (regardless of whether such entry is a trespass or otherwise) any property within or in proximity to the portion of the Property where such activities are being conducted (even if not being actively conducted at the time of entry, such as at night or otherwise during non-working hours); (iii) that Declarant, Builders and their respective agents, contractors, subcontractors, licensees, and other designees, successors, and assigns, shareholders, directors, officers, partners, members, managers, agents and employees shall not be liable but, rather, shall be held harmless for any and all losses, damages (compensatory, consequential, punitive, or otherwise), injuries, or deaths arising from or relating to the aforesaid activities; (iv) that any purchase or use of any portion of the Property has been and will be made with full knowledge of the foregoing; and (v) this acknowledgment and agreement is a material inducement to Declarant to sell, convey, lease, and/or allow the use of the Property.

Section 2. Conveyance of Common Property. Declarant may convey or transfer all Common Property, including all improvements thereon, to the Association in an "AS IS, WHERE IS" condition. Declarant hereby disclaims and makes no representations, warranties or other agreements, express or implied, by law or fact, with respect to the Common Property and improvements thereon, including, without limitation, representations or warranties of merchantability regarding the condition, construction, accuracy, completeness, design, adequacy of size or capacity thereof in relation to the utilization, date of completion, or the future economic performance or operations of, or the materials, furniture, or equipment used therein. Neither the Association nor any Owner or any other Person shall make any claim against Declarant, its successors and assigns, relating to the condition, operation, use, accuracy or completeness of the Common Property, or for incidental or consequential damages arising therefrom.

Declarant shall transfer and assign to the Association, without recourse, all warranties received from manufacturers and suppliers relating to any of the Common Property or improvements thereon, or relating to any personal property transferred by Declarant to the Association, which exist at the time of transfer and are assignable, but Declarant's failure to do so shall not constitute any grounds for any claim, cause of action or other legal recourse against Declarant for failing to do so, other than to compel Declarant to transfer or assign same.

Section 3. Liability for Association Operations. The Association shall, to the fullest extent permitted by law, indemnify, defend, and hold harmless Declarant, its successors and assigns, and its shareholders, directors, officers, partners, members, managers, agents and employees from and against any and all losses, claims, demands, damages, costs, and expenses of whatever kind or nature (including, without limitation, reasonable attorneys' fees and costs at all tribunal levels and whether or not suit is instituted, including those incurred in establishing the right to be indemnified, defended, and held harmless pursuant hereto), which relate to or arise out of Association management and operations, including, without limitation, improvement, maintenance, and operation of Common Property and the collection of assessments.

Section 4. Public Facilities and Services. Certain facilities and areas within and adjoining the Properties may be open for use and enjoyment of the public. Such facilities and areas may include, by way of example: greenways, trails and paths, parks, and other locations conducive to gathering and interaction, roads, sidewalks, and medians. In addition to any such facilities and areas that are open for use and enjoyment of the public pursuant to Legal Requirements, Declarant may designate facilities and areas as open to the public at the time Declarant makes such facilities and areas a part of the Common Property or the Board may so designate at any time thereafter.

Section 5. Safety and Security. Each Owner and occupant of a Dwelling, and their respective guests and invitees, shall be responsible for their own personal safety and the security of their property in the Property. The Association may, but shall not be obligated to, maintain or support certain activities within the Property designed to enhance the level of safety or security which each Person provides for himself or herself or itself and his or her or its property. Neither the Association nor Declarant shall in any way be considered insurers or guarantors of safety or security within the Property, nor shall either be held liable for any loss or damage by reason of failure to provide adequate security or ineffectiveness of security measures undertaken.

No representation or warranty is made that any systems or measures, including any mechanism or system for limiting access to the Property, cannot be compromised or circumvented, not that any such systems or security measures undertaken will in all cases prevent loss or provide the detection or protection for which the system is designed or intended. Each Owner acknowledges, understands, and shall be responsible for informing such Owner's tenants and all occupants of its Dwelling that the Association, its Board and committees, and Declarant are not insurers or guarantors of security or safety and that each Person within Property assumes all risks of personal injury and loss or damage to property, including Dwellings and the contents of Dwellings, resulting from acts of third parties.

Section 6. View Impairment. None of Declarant, any Builder or the Association guarantee or represent that any view from, over, or across any portion of the Property will be preserved without impairment. None of Declarant, any Builder or the Association shall be obligated to relocate, prune, or thin trees or other landscaping except as otherwise required under a separate covenant or agreement, if any. The Association (with respect to the Common Property) has the right to add or remove trees and other landscaping to and from the Common Property, subject to Legal Requirements. Any express or implied easements for view purposes or for the passage of light and air are hereby expressly disclaimed.

Section 7. Water Management. Each Owner and any other Person who uses any portion of the Property acknowledges and agrees that any or all bodies of water (including lakes, ponds, creeks, streams, and wetlands in the Property), together with any dams or other facilities or devices that contain, control, or direct such waters, may be designed as water management areas (including designation as Stormwater Measures) and not designed solely as aesthetic features, and that, with respect to those that are water management areas, due to fluctuations in ground water elevations within the immediate area and/or the receipt or discharge of stormwater, the water level of such lakes, ponds, and wetlands may rise and fall.

Each Owner and other such Person further acknowledges and agrees that Declarant has no control over such elevations. Therefore, each Owner and other such Person releases and discharges Declarant, and its successors, assigns, contractors, subcontractors, shareholders, directors, officers, partners, members, managers, agents and employees from and against any and all losses, claims, demands, damages, costs, and expenses of whatever nature or kind, including reasonable attorneys' fees and costs at all tribunal levels, related to or arising out of any claim relating to such fluctuations in water elevations.

Declarant reserves for itself, the Association, and their successors, assigns, and designees, the perpetual, non-exclusive right and easement, but not the obligation, to enter upon bodies of water and wetlands located within the adjoining the Property to do any or all of the following: (i) install, operate, maintain, and replace pumps to supply irrigation water to the Common Areas; (ii) construct, maintain, and repair structures and equipment used for retaining water; and (iii) maintain such areas in a manner consistent with the Community Wide Standard.

Declarant further reserves for itself, the Association, and their successors, assigns, and designees, a perpetual, non-exclusive right and easement of access and encroachment over the Common Area and Lots (but not the Dwellings thereon) adjacent to or within 50 feet of bodies of water within or adjoining the Property, in order to do any or all of the following: (i) temporarily flood and back water upon and maintain water over such portions of the Property; (ii) alter in any manner and generally maintain the bodies of water within and adjoining the Property; and (iii) maintain and landscape the slopes and banks pertaining to such areas. All Persons entitled to exercise these easements shall use reasonable care in and repair any damage to a Lot resulting from the intentional exercise of such easements. Nothing herein shall be construed to make Declarant or any other Person liable for damage resulting from flooding due to hurricanes, heavy rainfall, or other natural occurrences.

Owners and other Persons who use any portions of the Properties shall not alter, modify, expand, or fill any lakes, ponds, or wetlands located in the Property without the prior written approval of the local permitting authority, the City, the Association, the Declarant, the U.S. Army Corps of Engineers (to the extent it has authority), and such other governmental entities as may have relevant jurisdiction over such matters.

**ARTICLE XIV
TOWNHOMES**

In order to provide for the typical level of Association services for Townhomes in the Community in accordance with the Community Wide Standards and in recognition of the dependent nature of Townhome construction and day-to-day living, the terms, provisions and restrictions in this Article XIV apply to all Townhomes in the Community, in addition to (and without limiting) all other terms, provision and restrictions in this Declaration.

Section 1. Association Maintenance. The Association shall provide exterior building maintenance for the Townhomes and Townhome Buildings as follows: paint, stain, repair, replace and maintain of the exterior surfaces of Townhomes and the Townhome Buildings, including the painting of entry doors and the repair of siding (but excluding repair and replacement of entry doors and garage doors and their appurtenant hardware, excluding the repair of wall sheathing, and further excluding all exterior glass including windows and patio doors); repair, replace, and maintain roof shingles (but excluding maintenance, repair and replacement of other portions of the roof); repair and replace gutters and downspouts. Furthermore, and notwithstanding any other terms and provisions in this Declaration, including in Article IX, the Association shall likewise maintain all yards, lawn areas and grassy areas, and landscaped features and areas (including but not limited to plants, flowers, trees and bushes) located on the Townhome Lots and the same within all adjacent Common Areas and without limitation within the

street rights of way. The required maintenance shall include grass mowing, removal of weeds and grass clippings, fertilization and aeration, all to be performed in manner and frequency as determined by the Board of Directors. The cost of providing the repair and maintenance work described above, as well as reserves for the same, shall be assessed against the Townhome Lots as part of the Common Expenses under this Declaration. Owners, and not the Association, shall be responsible for watering their own lawns and landscaping on their Townhome Lots, and are subject to special individual assessment for failure to do so and for any resulting replacement costs incurred as a result of such failure.

Section 2. Owners to Obtain Townhome Casualty Insurance. Notwithstanding any terms and provisions in the Declaration and in any event in addition to the same, the following shall apply:

(a) Each Owner of a Townhome shall obtain and maintain a casualty insurance policy or policies on its Townhome for the benefit of the Owner, the Association and any Mortgagee(s) of such Townhome, as their interests may appear, and provisions shall be made for the issuance of certificates or Mortgagee endorsements to the Association upon request therefor by the Association. Each Townhome shall be insured in an amount equal to one hundred percent (100%) of its insurable replacement value as determined annually by the Association with the assistance of the insurance company providing coverage. In the event Owner fails to obtain and maintain insurance on its Townhome in accordance with this this Article XIV, the Board may obtain such insurance on behalf of such Owner and levy a special assessment against the Owner as provided in subparagraph (c) below.

(b) The insurance coverage required by this Article XIV shall provide protection against:

(i) Loss or damage by fire and other hazards, including extended overage, vandalism and malicious mischief, and

(ii) such other risks as from time to time shall be reasonably required by the Association.

(c) Premiums for all insurance policies purchased by the Association under this Declaration for a Townhome shall be assessed against the Townhome as a specific assessment. Deductibles shall likewise be paid as a specific assessment.

(d) All insurance policies purchased by the Owner of a Townhome shall be for the benefit of the Owner and their Mortgagees, as their interests may appear, and shall provide that all proceeds thereof shall be payable to the Association as insurance trustee hereunder. The sole duty of the Association as insurance trustee shall be to receive such proceeds as are paid and to hold the same in trust for the purposes stated herein or stated in the Bylaws (if any) and for the benefit of the Owners and their Mortgagees in the following shares:

(i) If the insured casualty shall occur resulting in damage to a Townhome and Townhome Building, proceeds from insurance shall be held in undivided shares for the affected Owners of each Townhome in proportion to the cost of repairing the damage insured against in said policy.

(ii) In the event a mortgagee endorsement has been issued for a Townhome, the share payable towards the improvements to such Townhome shall be held in trust for the mortgagee as their interests may appear.

(e) Proceeds of insurance policies for the benefit of Owners that are received by the Association as insurance trustee shall be distributed in the following manner: First, to all expenses of the insurance trustee shall be paid or provision made thereof; next to defray the cost of the covered

repairs/improvements; and finally, if applicable, any proceeds remaining after defraying such costs shall be held in undivided shares for the affected Owners in proportion to the costs of repairing the damage or injuries suffered by each Owner, the cost of which shall be determined by the Association. If the insurance proceeds received by the Association (along with any reserves on hand) are insufficient to cover the cost of repair/replacements/damage to person and/or property, the Owner shall pay such additional cost. In the event Owner fails to pay such additional cost, the Board may levy a special assessment against the Owner affected to cover the deficiency, and in any event, the Owner shall pay their respective shortfall all so that the restoration/repairs may be completed.

(f) Notwithstanding anything to the contrary herein, the Association may in its sole discretion obtain and maintain a casualty insurance policy or policies on any Townhome Building for the benefit of the Owners and any Mortgagee(s) of such Townhome Building, as their interests may appear. In the event the Association obtains such insurance, it may levy a specific assessment against the Townhomes benefitted by such insurance.

Section 3. Certificates of Insurance. An insurer that has issued an insurance policy under this Article shall issue certificates or a memorandum of insurance to the Association and, upon request, to any Owner, Mortgagee or beneficiary under a deed of trust. Any insurance obtained pursuant to this Article may not be cancelled until thirty (30) days after notice of the proposed cancellation has been mailed to the Association, each Owner and each Mortgagee or beneficiary under deed of trust to whom certificates of insurance have been issued.

Section 4. Restoration After Casualty.

(a) The plans and specifications for any restoration shall be prepared by an architect licensed in the State of North Carolina. All plans and specifications required in connection with any restoration shall be subject to review and approval by the Architectural Control Committee and otherwise as required by this Declaration. Unless the Association and a majority of the voting interests of the Owners of the damaged Townhomes shall otherwise agree, plans and specifications for any restoration shall be consistent with the then existing building plans.

(b) If an Owner fails to cause the removal of debris and restoration of Improvements to be timely accomplished to comply with this Declaration, the Association shall provide written notice of such deficiency to such Owner. If the problem has not been remedied within a reasonable time (as determined by the Board of Directors), the Association shall have authority to cause such restoration to be performed, and any expenses incurred by the Association in connection therewith shall be charged to such Owner and shall be a special individual assessment against such Owner’s Lot.

(c) The rights granted to the Association in this Article in the event of any loss, damage or destruction of a Townhome constitute reasonable protections of property values and aesthetic appearance of the Townhomes, and each Owner agrees to comply with such terms, conditions and procedures as Association may impose.

(d) “Restoration Costs” means the cost of repairing, replacing, restoring or reconstructing all loss, damage or destruction to the applicable portion of the Lot and Townhome (including the deductible under any applicable insurance policies) or any part thereof, including all costs of adjusting the loss; inspections, investigations and reports as to the damage; permit and inspection fees, architectural and engineering fees; demolition, removal and disposal fees; costs of securing and protecting the portions of the Lot and Townhome to be restored; accounting fees and costs; and attorneys’ fees and costs; construction costs, and the Association’s fees and costs for reviewing the plans for the restoration and holding and disbursing the insurance proceeds and other funds.

Section 5. Party Walls.

(a) Wherever one Townhome is separated from another Townhome by a common, shared or party wall (“**Party Wall**”), the obligations of each Owner with respect to its Party Walls shall be governed by this Section 6. Each Party Wall shall be the joint obligation of each of the Owners of the adjoining Townhomes (“**Party Wall Co-Owners**”). Each Party Wall Co-Owner shall be responsible for the maintenance of the surface portion of the Party Wall which is contained within its Townhome. Any maintenance and the like, including repairs to the paint, plaster or drywall or gypsum wall board on the surface portion of the Party Wall which is contained within a Townhome, shall be the obligation of that Owner. Each Party Wall Co-Owner shall have the right to use the side of the Party Wall within the Owner’s Lot and Townhome in any lawful manner, including attaching structural or finishing materials to it; however, an Owner shall not create windows or doors or place heating or air conditioning equipment in the Party Wall without the consent of the other Party Wall Co-Owner. Any consent given to a Party Wall Co-Owner to create openings in the Party Wall shall be subject to the right of the other Party Wall Co-Owner to revoke its consent on 60 days’ prior written notice and close up such openings and/or remove such heating or air conditioning equipment. The Party Wall Co-Owners shall be jointly responsible for the structure of the Party Wall; i.e., maintenance and restoration of concrete block, rebar, mortar, tie beam, and all other elements of the Party Wall.

(b) Each Party Wall Co-Owner hereby grants to the other Party Wall Co-Owner, its successors and assigns, a perpetual non-exclusive easement and right of entry over and across its respective Lot and Townhome for the purposes of performing maintenance and restoration to the Party Wall, provided that any such easement is exercised after prior notice and during reasonable hours.

(c) To the extent not inconsistent with the provisions hereof, the general rules of law regarding party walls and of liability for property damage due to negligence or willful acts or omissions shall apply thereto. A Party Wall Co-Owner shall perform restoration of its Party Wall whenever a condition exists which may result in damage or injury to person or property if the restoration work is not undertaken. The cost of reasonable repair or maintenance of a Party Wall shall be shared by the Party Wall Co-Owners on each side of such Party Wall. If a Party Wall is destroyed or damaged by fire or other casualty, a Party Wall Co-Owner on either side of the Party Wall may restore it, and if the Party Wall Co-Owner on the other side thereafter makes use of the Party Wall, such other Party Wall Co-Owner shall contribute to the cost of restoration thereof in proportion to such use; provided that the forgoing provision shall not prejudice the right of any Party Wall Co-Owner to seek a larger contribution from the other under any rule of law regarding liability for negligent or willful acts or omission. Any amounts due and unpaid under this Section 6 shall bear interest at the rate of 18% per annum from the date due until paid in full.

(d) If at any time any Owner (hereinafter in this Subsection, the “**Non Performing Owner**”) shall not be proceeding diligently with any restoration required of it under this Declaration, then the other Owner(s) shall give written notice to the Association specifying the respect in which such Non Performing Owner is not proceeding diligently with his or her restoration work. If, upon expiration of 30 days after the giving of notice, the restoration work is not proceeding diligently, then the Association may perform such restoration in accordance with the then existing building plans and may take all appropriate steps to carry out the same, including entry onto the Lot of any Owner to the extent necessary to perform the restoration work. The Association shall be entitled to impose an Individual Assessment on the Party Wall Co-Owners responsible for the cost of such restoration.

(e) Each Owner agrees to indemnify the Declarant, the Association and the other Party Wall Co-Owner for injury or personal or property damage, when such injury or damage shall result from, arise out of, or be attributable to its failure to perform or comply with its duties and obligations under this

Section 6.

(f) In any transfer of title to a Townhome, the Owner of such Townhome (“**Grantor**”) and the purchaser (“**Grantee**”) of such Townhome shall be jointly and severally liable for all unpaid amounts pertaining to the Party Walls accrued up to the date of the conveyance without prejudice to the rights of the Grantee against the Grantor, but the Grantee shall be exclusively liable for those accruing after the conveyance. The lien rights of any Owner against another Townhome for amounts due under this Section 6 shall be subordinate to the lien of any Mortgagee and any assessment by the Association. If the Mortgagee or other purchaser acquires title as a result of a foreclosure or deed in lieu of foreclosure of a First Mortgage, the purchaser and any successors and assigns shall not be liable for the amounts which became due prior to the acquisition of title in the foreclosure action. Any unpaid amounts which cannot be collected as a lien against any Lot by reason of the provisions of this Section shall be divided between Party Wall Co-Owners, payable by and a lien against both Lots sharing the Party Wall, including the Lot as to which the foreclosure (or conveyance in lieu of foreclosure) took place.

**ARTICLE XV
MISCELLANEOUS**

Section 1. Enforcement. The Declarant, the Association, each Owner, and, when enforcement rights are granted by the Declaration, a Mortgagee, shall have the right, but not the obligation, to enforce the Declaration by any proceeding at law or in equity (or otherwise, as provided in the Declaration) against any Person who has violated, is violating, or is attempting to violate, any part of the Declaration, either to restrain the violation, recover damages, or seek other available legal or equitable remedies. Any failure by the Declarant, the Association, an Owner, or any other Person to enforce the Declaration or seek any applicable remedy with respect to any specific violation or lien shall not constitute a waiver of the right to do so thereafter, nor shall it constitute a waiver of the right to enforce the Declaration at any other time with respect to the same or substantially similar matter. All rights, remedies and privileges granted to the Declarant, the Association, any Owner, or any other Person herein are cumulative, and the exercise of any one or more of such rights, remedies or privileges shall not constitute an election of remedies or preclude subsequent exercise of other rights, remedies and privileges.

Section 2. Severability of Provisions. If any paragraph, section, sentence, clause or phrase of the Declaration shall be or become illegal, null or void for any reason or shall be held by any court of competent and final jurisdiction to be illegal, null or void, the remaining paragraphs, sections, sentences, clauses and phrases of the Declaration shall continue in full force and effect and shall not be affected thereby. To the extent that any provision of the Governing Documents is determined to be overly broad or unenforceable and a narrower or partially enforceable construction may be given to such provision without destroying its intent, then the narrower or partially enforceable provision shall be applied and, to the extent lawful, shall be enforced. It is hereby declared that said remaining paragraphs, sections, sentences, clauses and phrases would have been and are imposed irrespective of the fact that any one or more other paragraphs, sections, sentences, clauses or phrases shall become or be illegal, null or void.

Section 3. Notice. Except as otherwise provided herein, whenever written notice to any Person (including Owners and Members) is required hereunder, such notice may be hand delivered to such Person, or given by first class United States mail, postage prepaid, or given in such other manner specifically allowed or required by Legal Requirements, or given in such other manner determined by the Board to be proper and which does not violate any Legal Requirements, addressed to the address of such Person appearing on the records of the Association or to the address for such Person appearing in the records of the Carteret County Tax Collector. Properly addressed notice shall be deemed to have been given by the Association as follows: (i) in the absence of any delays in delivery by the United States Postal Service resulting from acts of war or terrorism, on the third day following the date the notice was deposited in the

United States mail, first class postage prepaid; or (ii) on the date of personal delivery to the Person or an adult residing with the Person, as evidenced by a receipt signed by the Person or such other Person; or (iii) on the delivery date indicated on a return certified or registered mail receipt, or (iv) on the date indicated by the records of a national, regional or local same day or overnight carrier service, or (v) on the date acknowledged in writing by the recipient Person or other adult residing with such Person, or (vi) upon execution of a written waiver of such notice by the Person. Notice to the Association may be given and shall be deemed to have been given in the same manner as notice to a Person, when addressed to the principal business office of the Association or the property manager employed by the Association. It shall be the duty of each Owner and Member to keep the Association informed of such Owner's or Member's current mailing address and telephone number. If an Owner or Member has not provided the Association with such current mailing address the Association may use as the mailing address the street address of the Lot owned by such Owner or Member or the address for such Owner or Member in the records of the Carteret County Tax Collector. If no address for an Owner or Member is reasonably available to the Association, the Association shall not be required to give notice to such Owner or Member. Notice given to any one of multiple Owners of any portion of the Property shall be deemed to have been given to all of such Owners.

Section 4. Titles. The titles, headings and captions which have been used throughout the Declaration are for convenience only and are not to be used in construing the Declaration or any part thereof, except as necessary with respect to any cross-referencing of any provisions of the Declaration.

Section 5. Number and Gender. Whenever the context of the Declaration requires, the singular shall include the plural and one gender shall include all.

Section 6. No Exemption. No Owner may become exempt from any obligations imposed hereby by non-use or abandonment of the Common Property or any Lot owned by such Owner.

Section 7. Consent. Except as otherwise may be specifically required by the Governing Documents or Legal Requirements, where the consent of the Owner of a Lot is necessary, and such Lot is owned by more than one Person, the consent of any one of such Owners is sufficient.

Whenever the written consent of Declarant is required for the effectiveness of some action under the Declaration in addition to any required vote of the Members of the Association, the votes in the Association allocated to Declarant shall be counted in determining the vote of the Members, the written consent requirement being in addition to the voting requirement, whether or not Declarant actually participates in the voting.

Section 8. Subdivision Combination of Lots; Plat Re-recording. A Lot may be subdivided, and the boundaries of a Lot may be altered, only with the written consent of the Owner thereof and the Declarant (during the Development Period and, thereafter, the Board), and with any prior approval required of the City. Provided, however, and notwithstanding the foregoing sentence, such written consent of the Declarant is not required for leases, deeds of correction, deeds to resolve boundary line disputes or similar corrective instruments, or deeds or other instruments granting any easement, right-of-way or license to Declarant, the Association, the City or a public utility provider, provided that the number of then existing Lots in the Property is not changed by any such action.

One or more Lots may be combined into a single Lot, and a Lot may be subdivided into two or more Lots, only with the written consent of the Owner thereof and the Declarant (during the Development Period and, thereafter, the Board). When two or more Lots are combined into one Lot, the resulting Lot shall continue to be assessed and have voting rights in the Association based on the number of Lots that were combined into one Lot. When one Lot is subdivided into two or more Lots, the resulting Lots each

shall be considered as a separate Lot, and each shall be subject to assessments and have voting rights in the Association in accordance with the assessments and voting rights then applicable to a Lot. When the boundaries of two or more such Lots are changed but the resulting number of Lots is the same as the original number of Lots, the assessments and voting rights in the Association for those resulting Lots shall continue as they were immediately prior to the change. When two or more such Lots are combined into one lot, the easements reserved by the Declaration or a Plat around the boundaries of the former Lots shall continue in effect, except that any such easements reserved along the former common boundary line(s) between the combined parcels and not actually being exercised or used by any Person shall terminate. Provided, however, it shall be the responsibility of the Owner of such resulting Lot to obtain any documentation that is necessary or required to confirm such termination and to obtain termination or relocation of any such easements that are actually being exercised or used at the time of the combination of Lots. When a Lot is subdivided into two or more Lots, the easements established herein adjacent to the boundaries of a Lot shall apply to all of the resulting Lots.

Nothing contained herein shall prohibit or restrict the right of Declarant, during the Development Period to (i) subdivide, combine, re-subdivide or recombine, or to record or rerecord Plats relating to, any portion of the Property owned by Declarant, or (ii) to approve or disapprove such activities with respect to portions of the Property owned by other Owners. The provisions of the immediately preceding paragraph with respect to the effects of subdivision or combination of Lots are applicable to subdivision or combination of Lots owned by the Declarant unless the Declarant otherwise indicates on the plat of such subdivision or combination recorded in the Registry or in an instrument recorded in the Registry prior to the end of the Development Period.

Section 9. No Timesharing. No Dwelling in the Property shall be used for operation of a timesharing, fraction-sharing, or similar program whereby the right to use or occupancy of the Dwelling rotates among participants in the program on a fixed or floating time schedule over any period of time.

Section 10. Association Contracts and Leases. All Association contracts and leases which affect or relate to the Property or any part thereof and which (i) are entered into prior to the time that the first Board elected by the Members takes office, and (ii) are not bona fide or were unconscionable to the Owners at the time entered into under the circumstances then prevailing, may be terminated without penalty by the Association at any time after the first Board elected by the Members takes office, upon not less than ninety (90) days written notice to the other parties to the contract or lease (or any different minimum time period provided for in the Act), and all such commas and leases are terminable as provided in this Section, whether or not the right of the Association to terminate is stated therein.

Section 11. Conflicts. Whenever there exists a conflict among the Governing Documents of the Association, the provisions of the Declaration and thereafter, any applicable Supplemental Declaration or Subdivision Declaration, shall control, except as to matters of compliance with the Nonprofit Corporation Act, in which event the Articles shall control. Whenever there is a conflict between the provisions of the Articles and Bylaws, the provisions of the Articles shall control. The provisions of the Bylaws shall control over any conflicting provision of any rules and regulations, Board resolutions, or Architectural Guidelines. With respect to the foregoing, specific provisions shall control general provisions, except that a construction consistent with the Act, the Nonprofit Corporation Act and the Code shall in all cases control over any construction inconsistent therewith.

The provisions of the Code control over any conflicting provisions of the Declaration and any other Governing Documents. As applicable provisions of the Code are amended, modified, revised, deleted, or moved to different sections, the Declaration is deemed to be amended so as to conform to the

provisions of the Code as they exist from time to time and are applicable to the Properties or any part thereof.

Whenever the Act, the Nonprofit Corporation Act, or the Code provides for limitations on any amount of assessments, fines, late payment fees, charges, or attorney fees that may be assessed, fined, charged, imposed, or collected by the Association, and the amount of any such assessment, fine, late payment fee, charge, or attorney fee allowed or authorized by the Declaration or other Governing Documents (including any assessment, fine, late payment fee, charge, or attorney fee amount established by the Board as allowed by the Declaration or other Governing Documents) exceeds the applicable limitation of the Act, the Nonprofit Corporation Act, or the Code, unless the applicable limitation specified by the Act, the Nonprofit Corporation Act, or the Code is a mandatory limitation that cannot be exceeded by provisions in the Declaration or other Governing Documents allowing or providing for the possibility of a greater amount than the applicable limitation otherwise allows, the provisions of the Declaration or other Governing Documents control and are deemed to constitute an express provision contrary to the limitation contained in the Act, the Nonprofit Corporation Act, or the Code. The provisions of the Act and Nonprofit Corporation Act shall in all cases control over any conflicting provisions of the Code. The Governing Documents shall be construed together with the construction that avoids, as far as possible, conflicts among them.

For the purposes of this Article and any other references in the Declaration to similar conflicts, a 'conflict' is a situation in which the provisions in question cannot be reconciled or where enforcement of one provision necessarily would prohibit enforcement of another provision - for example, where one provision allows a certain action, and the other provision prohibits the same action. Two provisions that are different, but not mutually exclusive or prohibitive of each other do not constitute a conflict for the purposes of this Article - for example, where Legal Requirements or the Declaration requires a certain minimum Dwelling setback distance, and the Subdivision Declaration requires a greater distance for the same Dwelling setback distance. In this different Dwelling setback distance example, there is no conflict, and the Subdivision Declaration would control.

Section 12. Assignment. Declarant specifically reserves the right, in Declarant's sole discretion, to assign temporarily or permanently any or all of its rights, privileges, powers and/or obligations under the Declaration or under any Supplemental Declaration or Subdivision Declaration, including assignment of any or all of same as security for any obligation of Declarant to any Person. Except as otherwise provided in this Section, no such assignment shall be effective unless (i) it is in writing, (ii) it is executed by the assignee, (iii) it is recorded in the Registry or other governmental entity office required under Legal Requirements, with the date of recording or such later effective date stated in the assignment being the effective date thereof (and the terms of the recorded assignment shall be conclusive and binding as to the matters assigned), and (iv) if it purports to assign any obligations of the Declarant to complete initial capital improvements within the Subdivision required by the Subdivision Plan or other Legal Requirements, it describes the specific obligations assigned.

Upon Declarant's request, the Association shall execute any such assignment by Declarant to the Association, but Declarant may not assign to the Association any obligation to complete initial capital improvements within the Property required by the Subdivision Plan or other Legal Requirements. With respect to assignments described in any instrument under which Declarant rights specifically or impliedly are given as security for an obligation of Declarant, the terms of such instrument shall control over the provisions of this Section, including execution and recording requirements and the matters assigned thereby. Upon any completed foreclosure sale pursuant to any instrument under which the Declarant rights become security for an obligation, or the recording or filing of a deed or other instrument in lieu of foreclosure, the purchaser at the foreclosure sale, or the grantee under any deed or other instrument in lieu of foreclosure, shall receive the rights, privileges, powers and/or obligations that were assigned as security

for the Declarant's obligation, unless the foreclosure documents or conveying document specifically exclude such rights, privileges, powers and/or obligations.

Notwithstanding anything to the contrary in this Section, with respect to the Common Area (including Common Property and Stormwater Control Measures) and utilities in the Property, Declarant may assign to the Association, and the Association shall accept assignment of and execute the assignment document with respect to, any or all of the following in whole or in part, including the costs thereof: all rights, duties, liabilities, obligations and indemnities of the Declarant under all permits issued by the City or any provider of utilities to any part or all of the Property, and/or under all agreements between the Declarant and the City or any provider of utilities to any part or all of the Property, with respect to maintenance of the Common Area and/or utilities in the Property. Provided, however, and notwithstanding the foregoing, Declarant may not assign to the Association any of its obligations or liabilities or indemnities directly related to the improvements for the initial installation of Common Property, Stormwater Control Measures and/or utilities and/or publicly dedicated street in the Subdivision as required by the City or a utility provider for development of the Property in accordance with a Subdivision Plan, including warranties for construction of such improvements, if any, required by any governmental entity or utility provider prior to its acceptance of maintenance responsibility, if any, for such improvements (it being recognized that one or more of such improvements may not be of a type that are accepted for maintenance by a governmental entity or utility provider). Declarant shall have the authority to resolve any dispute as to what rights, duties, liabilities, obligations and/or indemnities can be assigned to the Association pursuant to this paragraph.

Section 13. Costs and Reasonable Attorneys' Fees. In any action to enforce the provisions of any Governing Documents, the court may award reasonable attorneys' fees to the prevailing party, even if such action is settled prior to any trial, judgment or appeal. It also is the specific intent of this Section that it constitutes the allowance of the award of reasonable attorneys' fees as required under Section 47F-3-120 of the Act.

Section 14. Actions Against Declarant. The affirmative vote or consent of the Members that is equal to or greater than sixty seven percent (67%) of the total number of votes in the Association first shall be required prior to the Association doing any or all of the following with respect to the Declarant or any successor Declarant, regardless of whether such Person is the Declarant at the time the Association takes the action or obtains the necessary vote or consent required to take such action: (i) file a complaint, on account of any act or omission of Declarant, with any governmental entity which has regulatory or judicial authority over the Properties or any part thereof; or (ii) assert a claim against Declarant or sue Declarant in any court of law or equity or before any administrative or other board or committee or branch of any Governmental Entity, or request legal or equitable relief against Declarant.

Section 15. Rule Against Perpetuities. As provided in Section 47F-2-103(b) of the Act, the rule against perpetuities may not be applied to defeat any provision of the Declaration, or the Bylaws, rules, or regulations adopted pursuant to Section 47F-3-102(1) of the Act. In the event of the absence of the protection of Section 47F-2-103(b) of the Act, if the Declaration or any provision thereof violates any applicable Rule Against Perpetuities, the Declaration or such provisions shall be deemed reformed to continue in effect for the maximum period of time that the Declaration or such provision could exist without violating such applicable Rule Against Perpetuities.

Section 16. Reserved Rights. Whenever the Declaration reserves a right for, or requires or authorizes a consent, approval, variance or waiver by, Declarant during the Development Period, and thereafter confers such right upon, or requires or authorizes such approval or waiver by, the Association or Board, the applicable right may be exercised, or the applicable approval or variance or waiver may be given, only by Declarant (or its assigns, which may include the Board) during the applicable period, and,

thereafter; only by the Board or its authorized designee (unless a vote or consent of the Members of the Association also is required or alone is required).

Section 17. Legal Requirements. All Governing Documents shall be subject to and construed in accordance with all Legal Requirements, including all applicable provisions of the Code. It shall be the responsibility of each Owner to comply with all Legal Requirements, whether or not any approval, disapproval, waiver or valiance of the terms of any Governing Documents has been given by Declarant, the Association or the ACC. It is the express intention of the Governing Documents to comply with the Act, and any provisions of the Governing Documents that are not in compliance with the Act shall be deemed reformed from time to time to comply therewith. Provided, however, it also is the intention of the Governing Documents that, unless its provisions violate the Act, such provisions shall control, and, as far as reasonably possible, the provisions of the Governing Documents shall be construed in such manner as to be consistent with, and not in violation of, the Act.

Section 18. Marketable Title Act. It is the intention of the Declarant that the Declaration exist and continue until terminated as provided herein, and that it constitute an exception to any automatic termination or expiration provision that might be applicable under the Real Property Marketable Title Act as contained in Chapter 47B of the North Carolina General Statutes, or under any successor or replacement statute or any other Legal Requirement that would or could terminate the Declaration other than in the manner provided for termination herein. Accordingly, the Association, in its discretion, may re-record in the Registry the Declaration or some memorandum or other notice hereof in order to continue the Declaration in full force and effect and/or to qualify the Declaration as an exception to any such automatic termination or expiration provision of the Real Property Marketable Title Act or any other Legal Requirement.

Section 19. Exhibits For Lots 1 through 32, 55 and 56 in Phase 1 of the Community. For purposes of clarity, Declarant hereby discloses to the Owner(s) of Lots 1 through 32, 55 and 56 in Phase 1 of the Community the following:

- (a) Lots 1 through 19 are subject to the utility easement(s) depicted on Exhibit A attached hereto.
- (b) Lots 20 through 26 are subject to the Wetland Buffer, Coastal Shoreline Setback and/or CAMA Area of Environmental Concern depicted on Exhibit B attached hereto.
- (c) Lots 27 through 32 are subject to the Planted Buffer and/or Willow Street Buffer depicted on Exhibit B attached hereto.
- (d) Lots 55 and 56 are subject to Greenway Easement and Planted Buffer depicted on Exhibit C attached hereto.

[The remainder of this page is intentionally left blank. Signature page immediately follows.]

IN WITNESS WHEREOF, Declarant has caused this declaration to be executed by their authorized person on this the _____ day of _____, 2022.

BLUE TREASURE LLC,
a North Carolina limited liability company

By: _____
Name: _____
Title: Manager

STATE OF NORTH CAROLINA

COUNTY OF _____

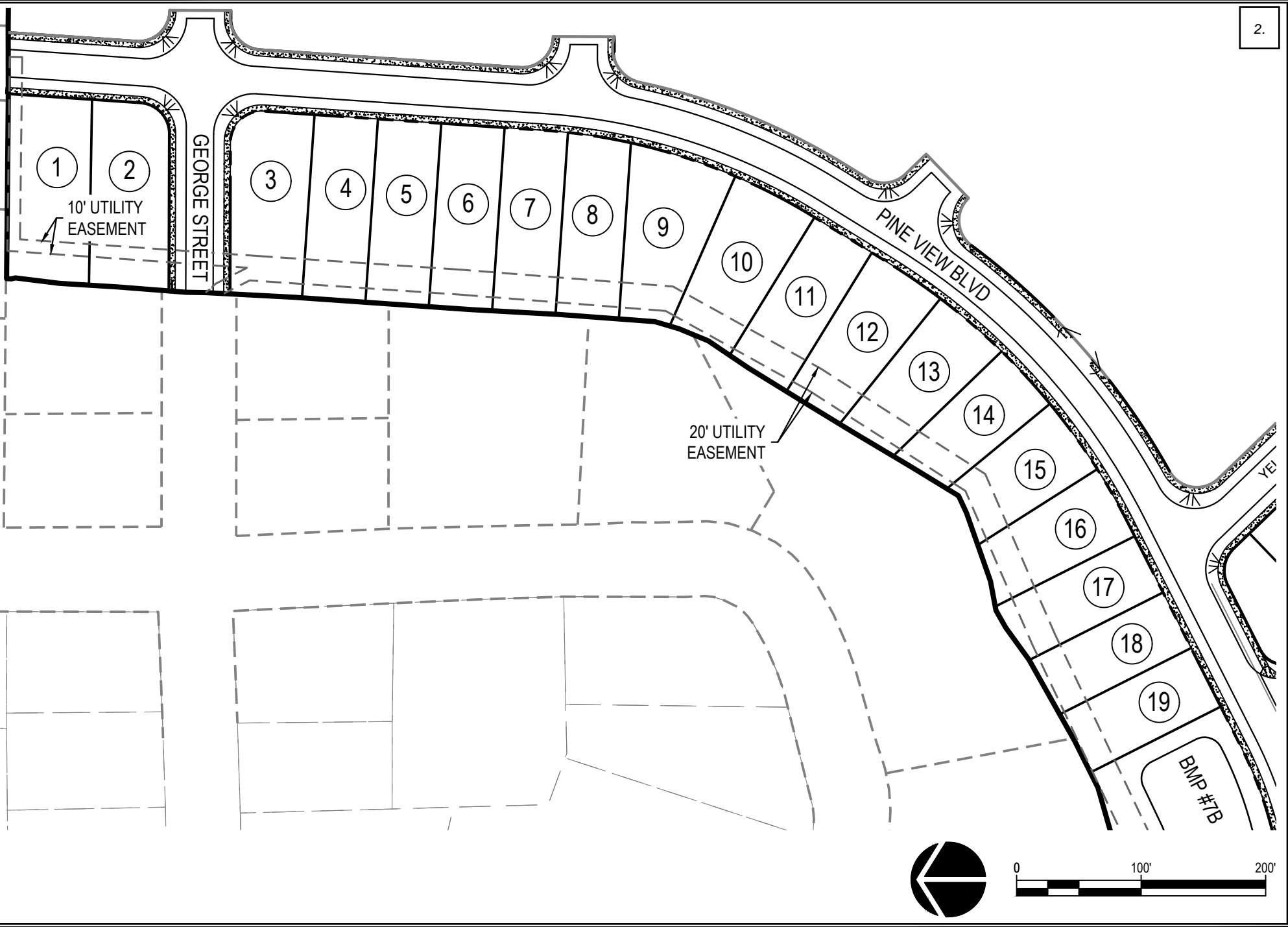
I, a Notary Public, certify that _____ personally came before me this day, acknowledging to me that he voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: Manager of Blue Treasure LLC, a North Carolina limited liability company.

Witness my hand and official seal, this ___ day of _____, 2022.

Notary Public

My commission expires _____

[NOTARIAL/OFFICIAL SEAL]



K:\0908-07\0908070-20-Beaufort East Village Ph. 1\CAD\Exhibits\Perimeter Scoring\Exhibits.dwg, April 6, 2022 - B.O.Y.D. \J.S.P.H.

Exhibit A-1

Legal Description of Property

BEING all of that certain real property, including but not limited to all of Lots 1-90, inclusive, as shown on that map entitled "SUBDIVISION MAP OF BEAUFORT EAST VILLAGE PHASE 1 PROPERTY OF BLUE TREASURE LLC", prepared by Rudolf A. Vandervelde, Jr., PLS of WithersRavenel, dated March 28, 2022, and recorded in Map Book _____, Page _____, in the office of the Register of Deeds, Carteret County, North Carolina.

Exhibit A-2

Additional Property

Being all or any real property that either is contiguous to any boundary of the Properties or is located within two (2) miles of any boundary of the Properties as such boundaries are constituted at the time of the annexation of such real property to this Declaration.

LEGEND



= WETLANDS

10' WETLAND BUFFER

30' COASTAL SHORELINE SETBACK

75' CAMA AREA OF ENVIRONMENTAL CONCERN (AEC)

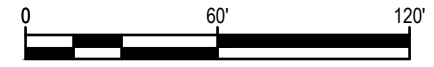
RICKS AVENUE

PINE VIEW BLVD (PUBLIC)

BMP #7A

20' WILLOW STREET BUFFER

10' PLANTED BUFFER



26 25 24 23 22 21 20

27 28 29 30 31 32

BEAU COAST WEST PH 1

WETLANDS AFFECTING LOTS
PLANTED BUFFER FOR LOTS
EXHIBIT B

363



K:\0908-07\0908070-20-Beaufort-East Village Ph. 1\CAD\Exhibits\Perimeter Scoring\Exhibits.dwg, April 7, 2022 - 8:07D - J05EPM

Exhibit B-1

SHORT-TERM RENTAL COMMUNITY

Notwithstanding that many Owners may reside in their Dwellings full-time, the Community is also a rental Community allowing for the rental of Dwellings, including the short-term rental thereof, as provided in this Declaration (including in this Exhibit B-1).

Applicability. The provisions of this Exhibit B-1 shall be applicable to the entire Community, but shall not be applicable to Declarant or any Builder.

Occupancy. Each Unit may be used as a temporary residential dwelling, in accordance with all applicable Legal Requirements. Notwithstanding the foregoing, in no event shall occupancy (except for temporary occupancy by visiting guests) exceed that which is permitted by Legal Requirements. Each tenant or occupant shall comply with the covenants, terms, conditions, restrictions of this Declaration and any and all Rules and Regulations of the Association, including, without limitation, any and all regulations and/or procedures, if any, adopted regarding mandatory check-in for Owners, lessees, occupants and residents; coordination of any charging privileges the Association may elect to afford Owners, their guests, invitees, or tenants; and any other matters reasonably necessary to: (i) allow Owners, lessees, occupants and guests to be well integrated in a rental program structure and operation; (ii) ensure that Dwellings and the use and occupancy thereof by Owners, lessees, occupants and guests are integrated to the extent contemplated by this Declaration; and (iii) ensure that all operations may be conducted in an efficient manner.

No Nuisance; Work in the Community. A short-term rental with transient guests, which shall be deemed any rental term that is less than 30 days, and the associated movement in and out of the same, shall not in and of themselves constitute a nuisance in the Community. Each Owner by acceptance of a deed to their Lot and Dwelling, agrees and acknowledges that any and all activities in any way related to the operation of the Community in whole or in part as a short-term rental community shall not be deemed a nuisance. Except during the initial build-out of the Community by Declarant and Builders, the Association shall have the right to establish non-discriminatory restrictions on any and all Persons performing work within the Community, including without limitation by (i) restricting the hours during which work may be performed and restricting access of contractors to certain areas, (ii) requiring that all Persons performing any work have all necessary licenses and permits to perform the work (iii) requiring that all Persons performing any work have adequate insurance coverage and the Association is named additional insured on such policy(ies) and (iv) requiring a security deposit or other collateral to protect against damage that may be caused during such work.

Leases. It is intended that the Dwellings may be used for short-term rentals. A such, leasing of Dwellings shall not be subject to the approval of the Association, or subject to any other limitations, other than as expressly provided herein. Accordingly, there shall be no minimum lease term, nor any maximum number of times that a Dwelling may be leased. The Owner of a Dwelling will be jointly and severally liable with the lessee or occupant of the same to the Association for any amount that is required by the Association, to repair any damage to the Common Area (including any Recreational Amenities) resulting from acts or omissions of lessees

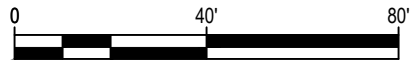
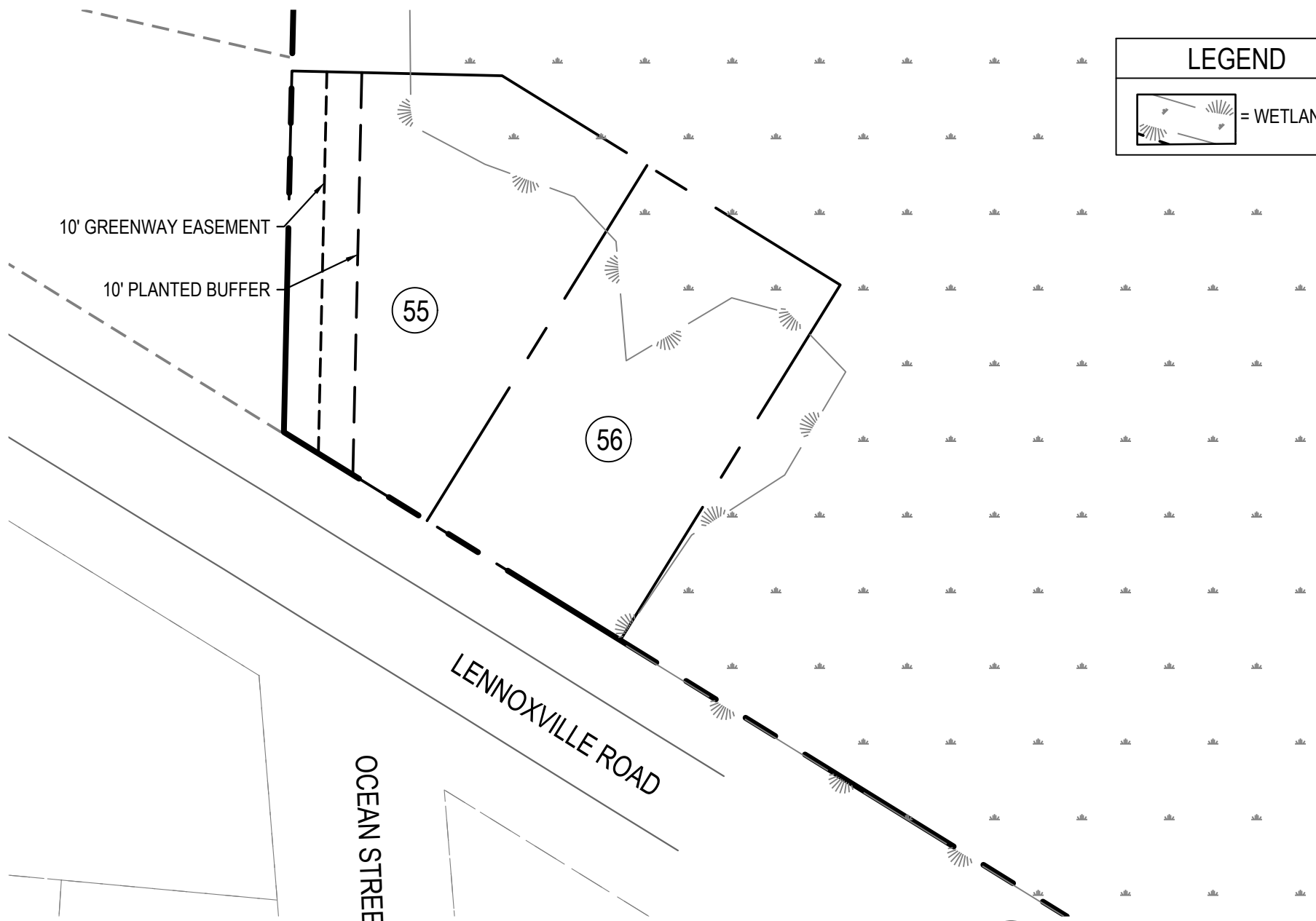
or occupants (as determined in the sole discretion of the Association) and to pay any claim for injury or damage to property caused by the negligence of the lessee or occupant, and special individual assessments may be levied against the Lots/Dwellings therefor. All tenancies are hereby made subordinate to any lien filed by the Association, whether prior or subsequent to such lease. It is expressly understood and agreed that rental of Lots/Dwellings for any term is expressly authorized and permitted.

Designation of Leasing Agent. Although Dwellings shall be leased without the prior written approval of the Association, the Owner of a leased Dwelling is required to provide to the Association, prior to the commencement of the lease, the name and contact information for the firm or individual representing the Owner as the Owner's leasing agent. All leases shall provide the Association shall have the right to terminate the respective lease in the event of a default by the Owner under this Exhibit B-1, or in the event that the Owner's lessee fails to observe the provisions of this Declaration or the Rules and Regulations adopted by the Board.

Extended Vacation and Absences. In the event a Dwelling will be unoccupied for an extended period, the Dwelling must be prepared prior to departure by: (i) notifying Association in writing; (ii) removing all removable furniture, plants and other objects from outside the Dwelling; and (iii) designating a responsible firm or individual to care for the Dwelling, should the Dwelling suffer damage or require attention, and providing a key to that firm or individual. The name of the designee shall be furnished to Association. Neither Association nor Declarant shall have any responsibility of any nature relating to any unoccupied Dwelling.

End of Exhibit B-1

LEGEND



K:\0908-07\0908070-20-Beaufort-Exhibit-1\0908070-20-Beaufort-Exhibit-1\Permit-Scoping-Exhibit.dwg, April 7, 2022 - 8:07:00 AM

BEAU COAST WEST PH 1
BEAUFORT CARTERET COUNTY NC

PLANTED BUFFER FOR
LOTS 55 AND 56 EXHIBIT 366

WithersRavenel



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, April 18, 2022 – 614 Broad Street – Train Depot**

AGENDA CATEGORY: New Business
SUBJECT: Case # 19-19 Site Plan - Compass Hotel - 18 Month extension request/Re-approval

BRIEF SUMMARY:

The Site Plan was approved in November 2019 by the Board of Commissioners.

In February 2020, a Certificate of Appropriateness was approved for the demolition of two existing structures, the removal of several existing trees, and installation of new screening/fencing with landscaping and construction of a new parking area on Cedar Street.

The developer began work on the project by demolishing the structure on the south side parking area and obtaining State development permits. Then the COVID pandemic occurred and the project was delayed. The Planning Board should take note that there are two sets of plans included in this application. One, is the set of plans that was approved by the Board of Commissioners in 2019 and then a Parking Plan layout that was approved by the Historic Commission 2020.

The approval for the Site Plan was for 18 months and expired in May 2021 due to half of the improvements for the development were not completed. The applicant is now asking for a re-approval/extension for an additional 18 months to finish the project. There have been no changes to the previously approved plans.

REQUESTED ACTION:

Recommendation on the Proposed Site Plan

EXPECTED LENGTH OF PRESENTATION:

10 Minutes

SUBMITTED BY:

Kyle Garner, AICP
Planning & Inspections Director

BUDGET AMENDMENT REQUIRED:

N/A

3.

STAFF REPORT



To: Planning Board Members
From: Kyle Garner, AICP
Date: April 12, 2022
Project Compass Hotel - Site Plan – 103, 113, 115 & 208 Cedar Street and 319 Orange Street

THE QUESTION: To recommend approval or denial to the Board of Commissioners for the 18 month re-approval/extension for the Compass Hotel site plan.

BACKGROUND:

The Site Plan was approved in November 2019 by the Board of Commissioners.

In February 2020, a Certificate of Appropriateness was approved for the demolition of two existing structures, the removal of several existing trees, and installation of new screening/fencing with landscaping and construction of a new parking area on Cedar Street.

The developer began work on the project by demolishing the structure on the south side parking area and obtaining State development permits. Then the COVID pandemic occurred and the project was delayed. The Planning Board should take note that there are two sets of plans included in this application. One, is the set of plans that was approved by the Board of Commissioners in 2019 and then a Parking Plan layout that was approved by the Historic Commission 2020.

The approval for the Site Plan was for 18 months and expired in May 2021 due to half of the improvements for the development were not completed. The applicant is now asking for a re-approval/extension for an additional 18 months to finish the project. There have been no changes to the previously approved plans.

Location: 103, 113, 115 & 208 Cedar Street and 319 Orange Street
 Owners: Beaufort Partners, LLC
 Requested Action: To recommend approval or denial to the Board of Commissioners
 Existing Zoning: BW, B-1 & R-8
 Pin #: 730617117934000, 730617114760000, 730617115739000, 730617114784000, 730617115739000
 Size: 2.80 acres
 Amount of Open Space: .62 acres
 Existing Land Use: Beaufort Yacht Basin & Marina

PUBLIC UTILITIES & WORKS:

Water: Town of Beaufort
 Sanitary Sewer: Town of Beaufort

OPTIONS:

1. Recommend approval of the Site Plan.
2. Recommend denial of the Site Plan based on specific failures to meet requirements of the LDO

ATTACHMENTS:

- Attachment A - Vicinity & Zoning Map
- Attachment B- Aerial Map
- Attachment C - Compass Suites - Site Development Plan
- Attachment C - Cedar Street Parking Lot-Rev - HPC COA
- Attachment C - SITE LIGHTING PLAN - HPC COA
- Attachment C - Lighting Specs - HPC COA
- Attachment D - Landscaping Calculation Sheets
- Attachment E - Letter from NCDOT Regarding the design
- Attachment F –Letter requesting an extension of Site Plan Approval

Staff Comments:

This hotel project is permitted by right in the existing zoning districts. The site plan has been reviewed and approved by the Town’s Technical Review Committee which consist of the Fire, Police, Public Works & Public Utilities Departments as well as the Town Engineer and Planning. Other groups involved include NCDOT, and the State Historic Preservation Office in Raleigh.

- Landscaping - The proposed vegetative plan for both parking areas exceed the requirements of the Land Development Ordinance and the applicant has submitted the required sheets (attached giving the breakdown of those requirements). Also, the current plan shows parking, landscaping and the required 8’ grass strip on the south side of Cedar Street within the existing NCDOT Right of Way. However, NCDOT has transferred 20’ of Right of Way to adjacent owners (See Attached Letter and Map from NCDOT Division Engineer, Preston Hunter) which eliminates this conflict and makes the parking, landscaping and 8’ planting strip conforming.
- Stormwater - As part of the design review process Staff encouraged the developer to include pervious pavement in the southern parking area in an effort to mitigate any stormwater impacts on the existing drainage system. The developer did include this suggestion in their plans and is shown as a shaded area and notated as being permeable paving. Also included is an infiltration basin on the southern Cedar Street lot which as shown on the plans will include a Type “A” Buffer to include a 6’ high opaque fence and landscaping adjacent to adjacent property owners.
- Parking – A parking table is provided below providing a clearer picture of what is required and provided.

PARKING TABLE	Required Spaces	Provided Spaces
Hotel*	85	93
Marina **	15	15
Public	-	24

*The requirement for the hotel is 85 spaces (1 space for each room + 5 = 106 – 20% = 85 this is due to the structure being over 25,000 square feet in area and a reduction of 20% required per Section 13-B-4 of the land development ordinance).

**The amount required for the marina is 15 spaces (One space per every 4 slips – this amount was based the standard the marina was developed under as part of previous Zoning Ordinance, the current ordinance requires 1 space for every 3 slips).

Public Parking (24 spaces) have also been shown on the west side of Orange Street and north side of Cedar Street. This parking is for the general public and can be used by Discovery Diving, Bull’s Prop Shop or those using the future Cedar Street Park.

SECTION 13 Parking Requirements

A) *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.

B) *Number of Parking Spaces Required.*

1) Limitations.

All developments in all zoning districts other than the Historic Business District and the Historic Waterfront Business District (H-BD & H-WBD) shall provide a sufficient number of parking spaces to accommodate the number of vehicles which ordinarily are likely to be attracted to the development in question. For any mixed-use development created after the adoption of this Ordinance who 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 B-4 of this section to satisfy the requirement stated in subsection B-1of this section; 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 subsection C of this section.

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.

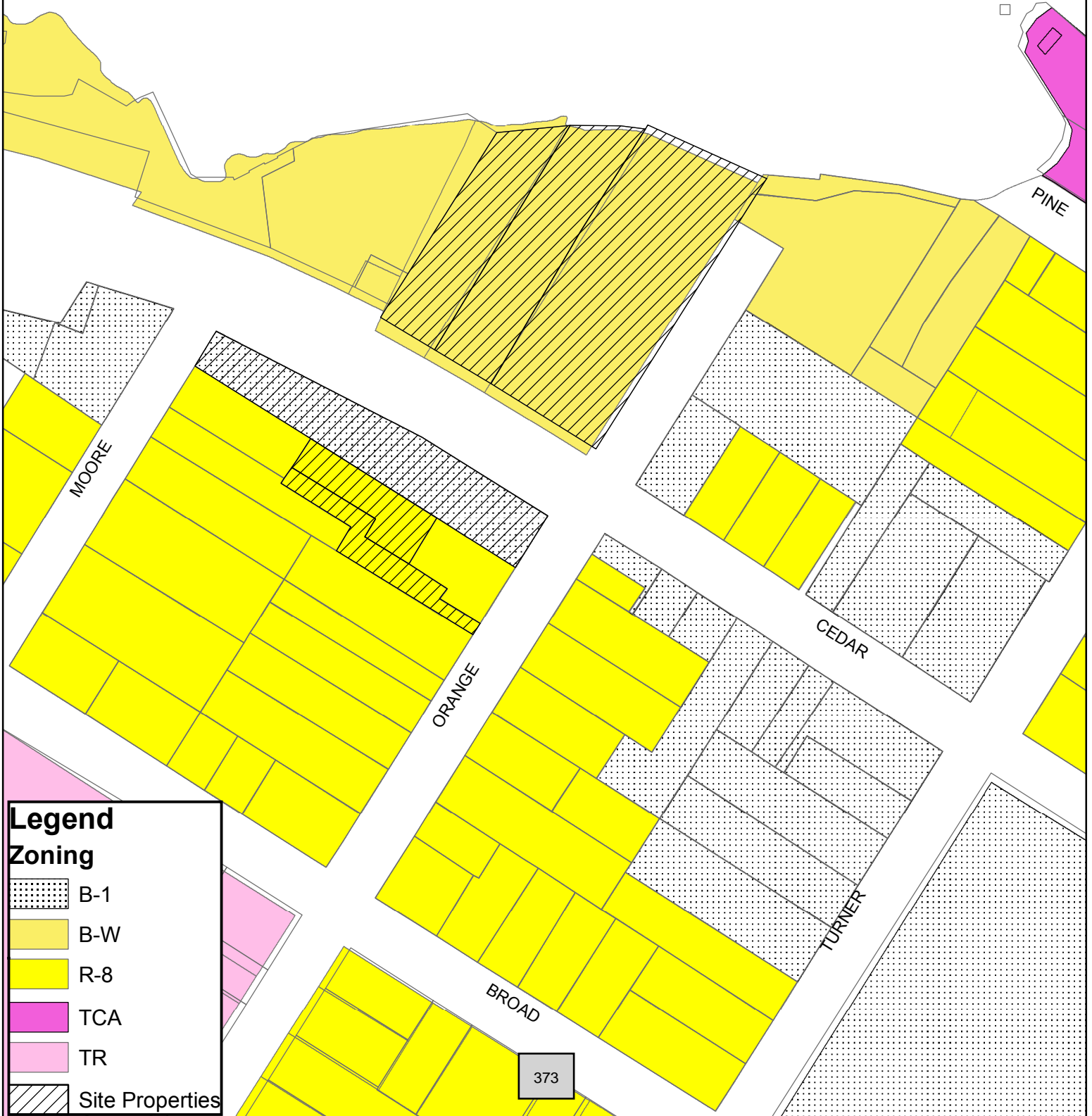
Table 13-1 of this section shall prescribe the number of parking spaces required for the respective uses when the existing or proposed development is less than twenty-five thousand square feet (25,000 ft²). For all existing, proposed, or combination thereof of development which is twenty-five thousand 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 13-1of this section cannot and does not cover every possible situation which may arise. Therefore, in cases not

specifically covered, the permit issuing authority is authorized to determine the parking requirements using the following table as a guide.







G) *Joint Use of Required Parking Spaces.*

- 1) One parking area may contain required spaces for several different uses however, except as otherwise provided in this section, the required spaces allocated for one use may not be credited to any other use.
- 2) To the extent developments wish to make joint use of the same parking spaces and who operate at different times of the day or week, the same spaces may be credited to both uses. For example, if a parking lot is used in connection with an office building Monday through Friday during regular business hours but is generally ninety percent (90%) vacant on weekends and another development which operates primarily on the weekends would use the business parking lot the secondary development could be credited with the ninety percent (90%) of the spaces on such lot for weekend use. Or if a place of worship’s parking lot is generally occupied at fifty percent (50%) or less capacity only on days other than the days of worship, another development could make use of the unused fifty percent (50%) of the lots spaces of the place of worship on days other than those used as days of worship.

Vicinity & Zoning Map for Compass Hotel - 208 Cedar Street



Legend Zoning

-  B-1
-  B-W
-  R-8
-  TCA
-  TR
-  Site Properties

Overhead Map for Compass Hotel - 208 Cedar Street

3.



MOORE

ORANGE

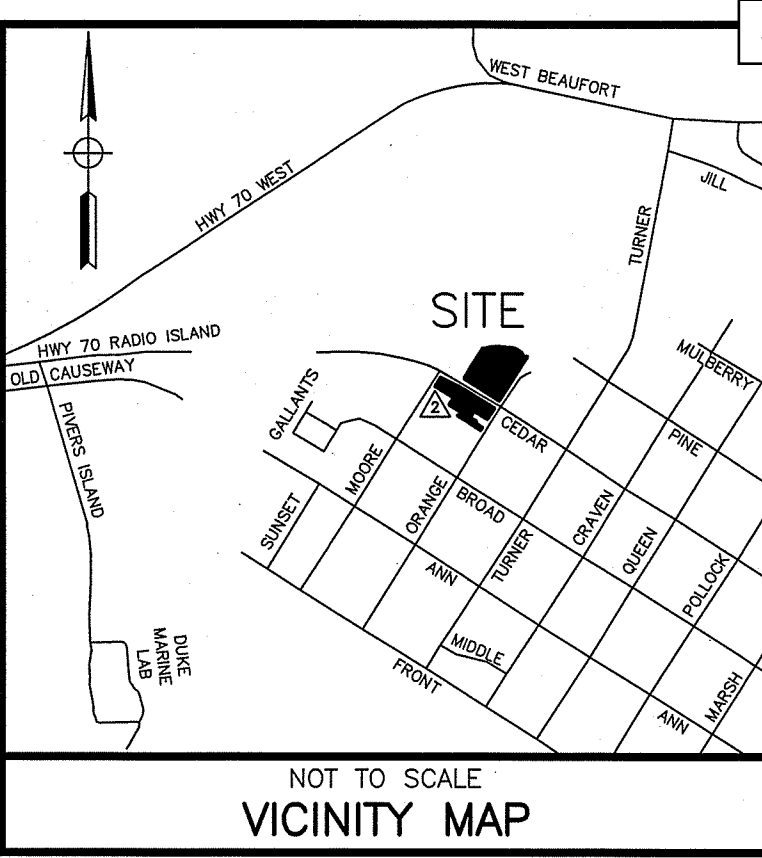
BROAD

CEDAR

TURNER

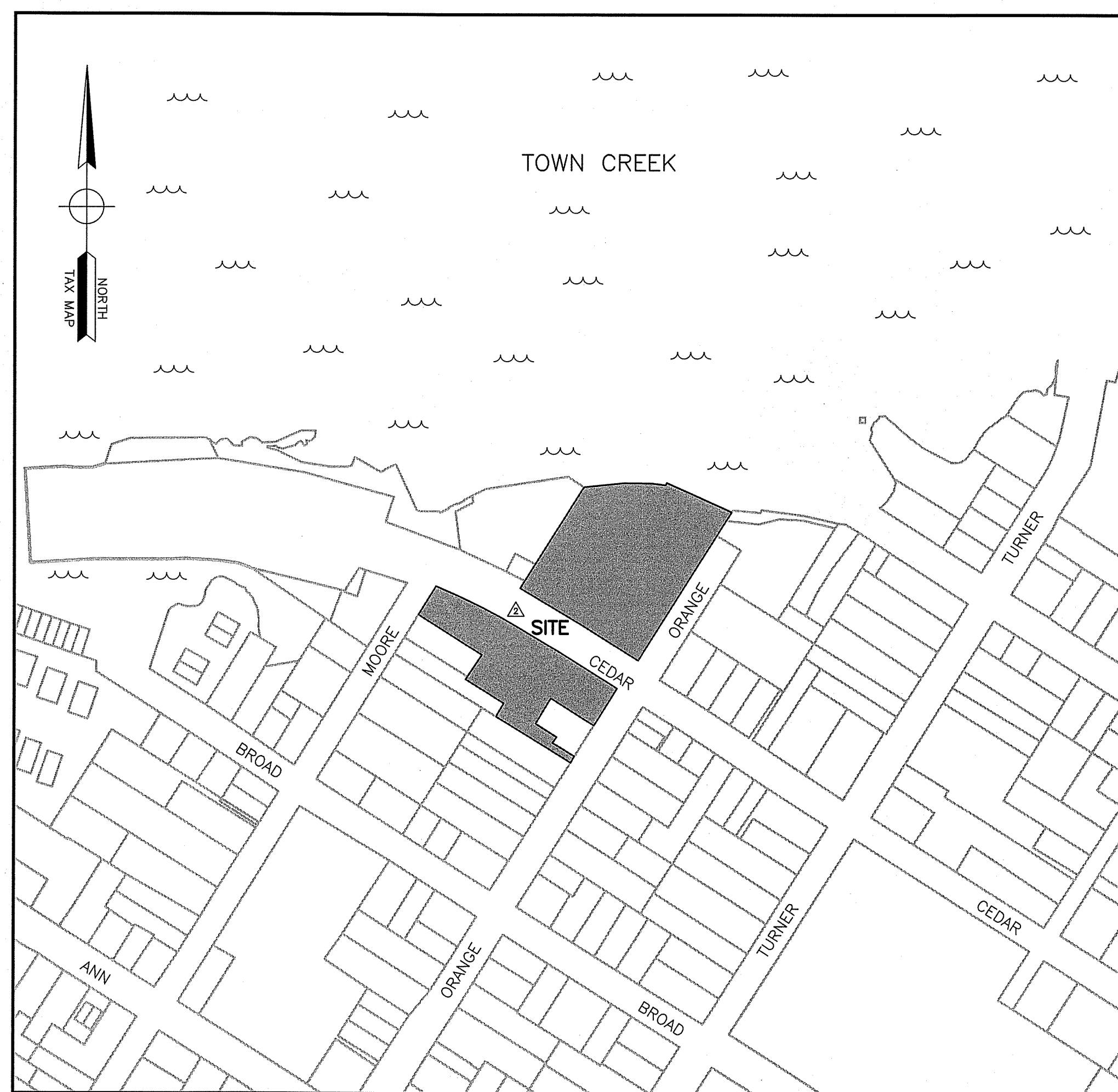
PINE

374



BEAUFORT, BEAUFORT TOWNSHIP, CARTERET COUNTY, N.C.

DEVELOPER: BEAUFORT PARTNERS, LLC
P.O. BOX 14165
NEW BERN, NC 28561
(252) 635-7476
DATE: JUNE 20th, 2019.



NOT TO SCALE

SHEET INDEX

- SHEET 1 OF 12 - COVER SHEET & SITE PLAN GENERAL NOTES
- SHEET 2 OF 12 - HOTEL & AMENITIES BOUNDARY, TOPOGRAPHIC SURVEY & DEMOLITION PLAN
- SHEET 3 OF 12 - PARKING LOT BOUNDARY, TOPOGRAPHIC SURVEY & DEMOLITION PLAN
- SHEET 4 OF 12 - HOTEL & AMENITIES SITE & STAKING PLAN
- SHEET 5 OF 12 - PARKING LOT SITE & STAKING PLAN
- SHEET 6 OF 12 - HOTEL & AMENITIES GRADING, PAVING, STORM DRAINAGE, EROSION CONTROL & UTILITIES PLAN
- SHEET 7 OF 12 - PARKING LOT GRADING, PAVING, STORM DRAINAGE & EROSION CONTROL PLAN
- △ SHEET 8 OF 12 - STORMWATER MANAGEMENT PLAN & DETAILS
- SHEET 9 OF 12 - HOTEL & AMENITIES SITE VEGETATION PLAN
- SHEET 10 OF 12 - PARKING LOT SITE VEGETATION PLAN
- SHEET 11 OF 12 - WATER SYSTEM DETAILS
- SHEET 12 OF 12 - EROSION CONTROL NOTES & DETAILS

GENERAL NOTES

1. A PORTION OF THIS PROPERTY IS LOCATED IN A SPECIAL FLOOD HAZARD AREA AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY. REFERENCE CARTERET COUNTY FIRM 3720730600, DATED JULY 16, 2003. BFE = 6.0' (NAVD 88), 7.04 (NGVD 1929).
2. REFERENCE: DEED BOOK 879, PAGE 793, DEED BOOK 937, PAGE 309, DEED BOOK 1449, PAGE 1, DEED BOOK 1259, PAGE 284 & DEED BOOK 1438, PAGE 496 OF THE CARTERET COUNTY REGISTER OF DEEDS.
3. THE WATER AND SEWER SYSTEM TO UTILIZED BY THE SITE AND ALL IMPROVEMENTS RELATING TO THE CONNECTION TO SUCH SYSTEM SHALL MEET ALL THE REQUIREMENTS OF THE TOWN'S PUBLIC UTILITIES DEPARTMENT.
4. PUBLIC SIDEWALKS SHALL BE CONSTRUCTED, AS PER TOWN STANDARDS, IN ACCORDANCE WITH THE TOWN'S ADOPTED MANUAL FOR DESIGN AND CONSTRUCTION OF STREETS, WATER AND WASTEWATER SYSTEMS.
5. ALL UTILITIES WILL BE UNDERGROUND.
6. ALL REQUIRED IMPROVEMENTS TO BE BUILT IN ACCORDANCE WITH THE TOWN OF BEAUFORT.
7. TRASH COLLECTION TO BE PROVIDED BY PRIVATE CONTRACTOR.
8. STORMWATER MANAGEMENT PLAN IS REQUIRED.
9. EROSION CONTROL PLAN IS REQUIRED.
10. NCDOT DRIVEWAY PERMIT IS REQUIRED.
11. ANY UNUSED DRIVEWAYS MUST BE CLOSED IN ACCORDANCE WITH THE TOWN OF BEAUFORT DRIVEWAY ORDINANCE.
12. NCDOT ENCROACHMENT AGREEMENT IS REQUIRED.
13. WATER AND SEWER SERVICES TO BE SCHEDULE 40 PVC, (PRIVATE).
14. EXISTING UNUSED WATER AND/OR SEWER SERVICES SHALL BE ABANDONED IN ACCORDANCE WITH TOWN OF BEAUFORT STANDARDS.
15. AGGREGATE BASE COURSE SHALL BE TYPE ABC CONFORMING TO DIVISION 5, SECTION 520 OF THE NCDOT STANDARD SPECIFICATIONS DATED 2018.
16. BITUMINOUS CONCRETE SURFACE SHALL BE TYPE S-9.5C CONFORMING TO DIVISION 10, SECTION 610 OF THE NCDOT STANDARD SPECIFICATIONS DATED 2018.
17. CONCRETE SIDEWALKS SHALL BE IN ACCORDANCE WITH DIVISION 8, SECTION 488 OF THE NCDOT STANDARD SPECIFICATIONS.
18. CONTRACTOR SHALL NOTIFY PUBLIC WORKS, STREET MAINTENANCE DIVISION 48 HOURS PRIOR TO MAKING CONNECTIONS TO EXISTING STORM DRAINS LOCATED WITHIN PUBLIC STORM DRAINAGE EASEMENTS OR RIGHT-OF-WAY.
19. GRADING SHALL BE IN ACCORDANCE WITH DIVISION 2, SECTION 226 "COMPREHENSIVE GRADING" OF THE NCDOT STANDARD SPECIFICATIONS DATED JANUARY 2018.
20. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION OF ANY EXISTING UTILITIES AND SHALL NOTIFY NC ONE CALL (1-800-632-4949) AT LEAST 72 HOURS PRIOR TO COMMENCING CONSTRUCTION IN ORDER THAT EXISTING UTILITIES IN THE AREA MAY BE FLAGGED OR STAKED.
21. THE CONTRACTOR SHALL GUARANTEE ALL MATERIALS AND WORKMANSHIP FOR THE CONSTRUCTION OF THE ROADWAY, DRAINAGE, WATER UTILITIES AND SEEDING FOR A PERIOD OF ONE YEAR FROM THE DATE OF ACCEPTANCE AND FINAL PAYMENT FROM THE OWNER.
22. FIRE SPRINKLER SYSTEM IS REQUIRED.
23. PARKING LOT WILL BE STRIPED IN ACCORDANCE WITH THIS PLAN.
24. ALL ELEVATIONS ARE RELATIVE TO NATIONAL GEODETIC VERTICAL DATUM. (NGVD 1929).
25. PARKING AREA LIGHTING, FENCING, BUFFERING, ETC. IS DEPENDENT UPON BCHP AND COA.
26. CAMA PERMIT APPLICATION IS IN PROCESS.

CONSTRUCTION NOTES

1. PAVED AREAS SHALL BE COMPACTED TO 95% MAXIMUM DRY DENSITY EXCEPT FOR THE TOP 6" OF SUBGRADE WHICH SHALL BE COMPACTED TO 100% MAXIMUM DRY DENSITY IN ACCORDANCE WITH AASHTO-199.
2. ALL EARTHWORK SHALL BE IN ACCORDANCE WITH DIVISION 2 - "EARTHWORK" OF THE NCDOT STANDARD SPECIFICATIONS FOR ROADS AND STRUCTURES DATED JANUARY 2018.
3. ALL PIPE CULVERTS SHALL BE IN ACCORDANCE WITH DIVISION 3 - "PIPE CULVERTS" OF THE NCDOT STANDARD SPECIFICATIONS FOR ROADS AND STRUCTURES DATED JANUARY 2018.
4. ALL MAJOR STRUCTURES SHALL BE IN ACCORDANCE WITH DIVISION 4 - "MAJOR STRUCTURES" OF THE NCDOT STANDARD SPECIFICATIONS FOR ROADS AND STRUCTURES DATED JANUARY 2018.
5. ALL SUBGRADE, BASES AND SHOULDERS SHALL BE IN ACCORDANCE WITH DIVISION 5 - "SUBGRADE, BASES AND SHOULDERS" OF THE NCDOT STANDARD SPECIFICATIONS FOR ROADS AND STRUCTURES DATED JANUARY 2018.
6. ALL ASPHALT PAVEMENTS SHALL BE IN ACCORDANCE WITH DIVISION 6 - "ASPHALT PAVEMENTS" OF THE NCDOT STANDARD SPECIFICATIONS FOR ROADS AND STRUCTURES DATED JANUARY 2018.
7. ALL CONCRETE PAVEMENTS AND SHOULDERS SHALL BE IN ACCORDANCE WITH DIVISION 7 - "CONCRETE PAVEMENTS AND SHOULDERS" OF THE NCDOT STANDARD SPECIFICATIONS FOR ROADS AND STRUCTURES DATED JANUARY 2018.
8. ALL INCIDENTALS SHALL BE IN ACCORDANCE WITH DIVISION 8 - "INCIDENTALS" OF THE NCDOT STANDARD SPECIFICATIONS FOR ROADS AND STRUCTURES DATED JANUARY 2018.
9. ALL SIGNING SHALL BE IN ACCORDANCE WITH DIVISION 9 - "SIGNING" OF THE NCDOT STANDARD SPECIFICATIONS FOR ROADS AND STRUCTURES DATED JANUARY 2018.
10. ALL MATERIALS SHALL BE IN ACCORDANCE WITH DIVISION 10 - "MATERIALS" OF THE NCDOT STANDARD SPECIFICATIONS FOR ROADS AND STRUCTURES DATED JANUARY 2018.
11. ALL SELECT FILL MATERIALS SHALL BE IN ACCORDANCE WITH DIVISION 10, SECTION 1016 - "SELECT MATERIALS" OF THE NCDOT STANDARD SPECIFICATIONS FOR SELECT MATERIALS. CLASS III, TYPE 2, DATED JANUARY 2018.
12. ALL WORK ZONE TRAFFIC CONTROL SHALL BE IN ACCORDANCE WITH DIVISION 11 - "WORK ZONE TRAFFIC CONTROL" OF THE NCDOT STANDARD SPECIFICATIONS FOR ROADS AND STRUCTURES DATED JANUARY 2018.
13. ALL PAVEMENT MARKINGS, MARKERS AND DELINEATION SHALL BE IN ACCORDANCE WITH DIVISION 12 - "PAVEMENT MARKINGS, MARKERS AND DELINEATION" OF THE NCDOT STANDARD SPECIFICATIONS FOR ROADS AND STRUCTURES DATED JANUARY 2018.
14. ALL LIGHTING SHALL BE IN ACCORDANCE WITH DIVISION 14 - "LIGHTING" OF THE NCDOT STANDARD SPECIFICATIONS FOR ROADS AND STRUCTURES DATED JANUARY 2018.
15. ALL UTILITY CONSTRUCTION SHALL BE IN ACCORDANCE WITH DIVISION 15 - "UTILITY CONSTRUCTION" OF THE NCDOT STANDARD SPECIFICATIONS FOR ROADS AND STRUCTURES DATED JANUARY 2018.
16. ALL EROSION CONTROL AND ROADSIDE DEVELOPMENT SHALL BE IN ACCORDANCE WITH DIVISION 16 - "EROSION CONTROL AND ROADSIDE DEVELOPMENT" OF THE NCDOT STANDARD SPECIFICATIONS FOR ROADS AND STRUCTURES DATED JANUARY 2018.
17. ALL SIGNALS AND INTELLIGENT TRANSPORTATION SYSTEMS SHALL BE IN ACCORDANCE WITH DIVISION 17 - "SIGNALS AND INTELLIGENT TRANSPORTATION SYSTEMS" OF THE NCDOT STANDARD SPECIFICATIONS FOR ROADS AND STRUCTURES DATED JANUARY 2018.
18. THE CONTRACTOR SHALL GUARANTEE ALL MATERIALS AND WORKMANSHIP FOR THE CONSTRUCTION OF THE ROADWAY, DRAINAGE, WATER UTILITIES AND SEEDING FOR A PERIOD OF ONE YEAR FROM THE DATE OF ACCEPTANCE AND FINAL PAYMENT FROM THE OWNER.

△ REVISED: 08-19-19 (TOWN OF BEAUFORT COMMENTS)(NRW)
REVISED VICINITY MAPS TO SHOW UPDATED BOUNDARY ON SOUTH SIDE OF CEDAR STREET
△ REVISED: 07-16-19 (TOWN OF BEAUFORT COMMENTS)(NRW)
REVISED GENERAL NOTES
UPDATED CONSTRUCTION NOTES & LEGEND
ADDED STORMWATER PLAN SHEET TO PLAN SET



Call 72 Hours Before You Dig!
1-800-632-4949

1. CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING APPROPRIATE PARTIES AND ENSURING THAT ALL EXISTING UTILITIES ARE LOCATED PRIOR TO CONSTRUCTION.
2. CONTRACTOR IS RESPONSIBLE FOR PLACING BARRICADES, USING FLAG MEN, ETC., AS NECESSARY TO ENSURE SAFETY OF THE PUBLIC.
3. ALL PAVEMENT CUTS, CONCRETE OR ASPHALT, ARE TO BE PLACED ACCORDING TO THE STANDARDS OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION, OR LOCAL JURISDICTION, WHICHEVER IS MORE STRINGENT.
4. SHORING SHALL BE IN ACCORDANCE WITH OSHA TRENCHING STANDARDS, 29 PART 1926, SUBPART, OR AS AMENDED.



SITE DATA

TOTAL AREA IN TRACTS 2,800 ACRES
 EXISTING LAND USE CLUB HOUSE & PARKING
 ZONING CLASSIFICATION B-W, B-1 & R-8

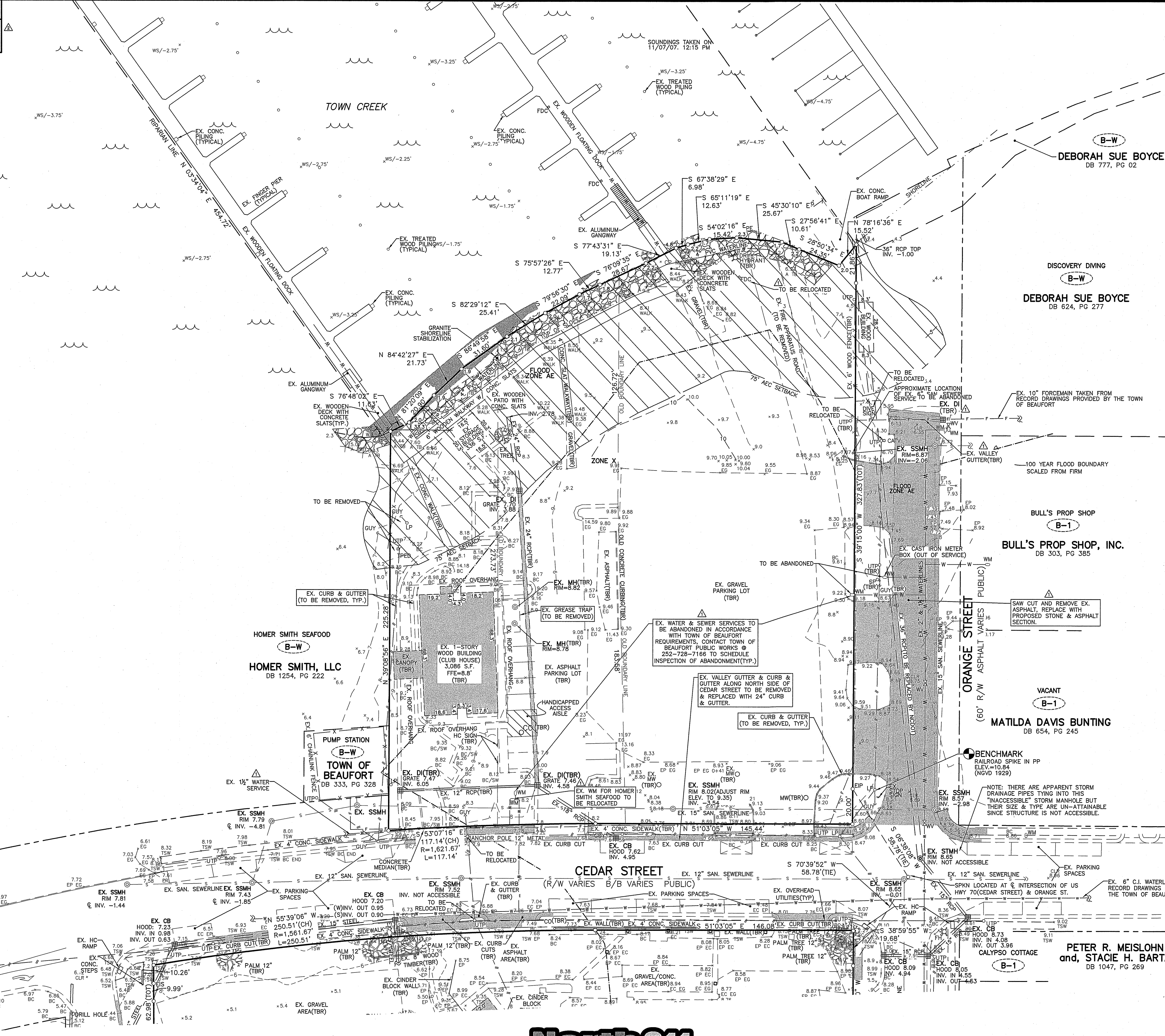
- LEGEND**
- ABS = ACRYLONITRILE-BUTADIENE-STYRENE
 - AEC = AREA OF ENVIRONMENTAL CONCERN
 - AL = AREA LIGHT
 - BB = BOTTOM OF BANK
 - CB = BACK OF CURB TO BACK OF CURB
 - CB = BACK OF CURB
 - BFE = BASE FLOOD ELEVATION
 - BH = BORE HOLE
 - BLD = BUILDING CORNER
 - BM = BENCH MARK
 - BMP = BEST MANAGEMENT PRACTICE
 - BO = BLOW OFF
 - BSP = BACTERIOLOGICAL SAMPLING POINT
 - CABC = CRUSHED AGGREGATE BASE COURSE
 - CATV = CABLE TELEVISION BOX
 - CB = CATCH BASIN
 - CLD = CENTERLINE DITCH
 - CLF = CHAIN LINK FENCE
 - CLP = CENTERLINE PATH
 - CLR = CENTERLINE ROAD
 - CM = CREPE MYRTLE
 - CMP = CORRUGATED METAL PIPE
 - CO = CLEAN OUT
 - CONC = CONCRETE
 - CPP = CORRUGATED PLASTIC PIPE
 - DI = DRAIN INLET
 - DIP = DUCTILE IRON PIPE
 - DS = DOWNSPOUT
 - DW = DRIVEWAY
 - EC = EDGE OF CONCRETE
 - ECM = EXISTING CONCRETE MONUMENT
 - EIA = EXISTING IRON AXLE
 - EIP = EXISTING IRON PIPE
 - EIS = EXISTING IRON STAKE
 - ELEC = ELECTRICAL
 - ECP = ELECTRICAL CONDUIT PIPE
 - ELM = ELECTRIC METER BOX
 - ELMH = ELECTRIC MANHOLE
 - EP = EDGE OF PAVEMENT
 - E.PATH = EDGE OF PATH
 - EPKN = EXISTING PARKER KALON NAIL
 - ER = EDGE OF ROAD
 - ERRS = EXISTING RAILROAD SPIKE
 - ESCP = EXTRA STRENGTH CONCRETE PIPE
 - FES = FLARED END SECTION
 - FF = FINISHED FLOOR ELEVATION
 - FH = FIRE HYDRANT
 - FIRM = FLOOD INSURANCE RATE MAP
 - FM = FORCE MAIN
 - F/O = FIBER OPTIC MAKER
 - GM = GAS METER
 - GUY = GAS VALVE
 - GUY = GUY WIRE
 - HB = HOSE BIB
 - HP = HIGH POINT
 - HW = HARDWOOD TREE
 - ICV = IRRIGATION CONTROL VALVE
 - INV = INVERT
 - JB = JUNCTION BOX
 - LP = LIGHT POLE
 - LSA = LANDSCAPED AREA
 - MB = MAIL BOX
 - MBL = MINIMUM BUILDING LINE
 - MH = MANHOLE
 - MHW = MEAN HIGH WATER
 - MP = METAL PIPE
 - MW = MONITORING WELL
 - NTS = NOT TO SCALE
 - OCS = OUTLET CONTROL STRUCTURE
 - OHD = OVERHEAD DOOR
 - PC = POINT OF CURVATURE
 - PCC = POINT OF CONCAVE CURVATURE
 - PRC = POINT OF REVERSE CURVATURE
 - PIV = POST INDICATOR VALVE
 - PT = POINT OF TANGENCY
 - PVC = POLYVINYL CHLORIDE
 - PH = PUMP HOUSE
 - R = RADIUS
 - RCP = REINFORCED CONCRETE PIPE
 - R/PZ = REDUCED PRESSURE ZONE DEVICE
 - R/W = RIGHT-OF-WAY
 - S-9.5C = S-9.5C ASPHALT MIX TYPE
 - SC = SECURITY CAMERA
 - SIP = SET IRON PIPE
 - SPKN = SET PARKER KALON NAIL
 - SRRS = SET RAILROAD SPIKE
 - SS = SEWER SERVICE
 - SSMH = SANITARY SEWER MANHOLE
 - STMH = STORM SEWER MANHOLE
 - SW = SIDEWALK
 - SWHDP = SMOOTH WALL HDPE
 - SWPP = SMOOTH WALL PLASTIC PIPE
 - TB = TOP OF BANK (TOPO ONLY)
 - TBK = TOP OF BLOCK
 - TC = TOP OF CONCRETE
 - TC = TOP OF GRAVEL
 - TLMH = TELEPHONE MANHOLE
 - TP = TOP OF PAVEMENT
 - TLMH = TELEPHONE MH
 - TPED = TELEPHONE PEDESTAL
 - TRANS = ELECTRICAL TRANSFORMER
 - TSP = TRAFFIC SIGNAL SUPPORT POLE
 - UTP = UTILITY POLE
 - VS = VALLEY GUTTER
 - WDL = WOODS LINE
 - WM = WATER METER BOX
 - WP = WETLAND POINT
 - WSE = WATER SURFACE ELEVATION
 - WV = WATER VALVE
 - X = NOT TO SCALE
 - Y = CLASS "B" STONE APRON
 - Z = CONSTRUCTION ENTRANCE/EXIT
 - ZONING = EXISTING OVERHEAD UTILITIES
 - ZONING = EXISTING SANITARY SEWER LINE
 - ZONING = EXISTING WATER LINE
 - ZONING = LIMITS OF CONSTRUCTION
 - ZONING = DRAINAGE EASEMENT
 - ZONING = AEC SETBACK
 - ZONING = SIGHT TRIANGLE
 - ZONING = SIGN EASEMENT
 - ZONING = CONCRETE LINED DITCH
 - ZONING = ZONING CLASSIFICATION
 - ZONING = AREA TO BE DEMOLISHED
 - ZONING = TREE
 - ZONING = TYPICAL RAMP

SURVEYOR'S CERTIFICATION

I, MICHAEL WEST BALDWIN, CERTIFY THAT THE BOUNDARY SURVEY, TOPOGRAPHICAL SURVEY, AND HORIZONTAL AND VERTICAL CONTROL SHOWN HEREON WERE COMPLETED UNDER MY DIRECT AND RESPONSIBLE CHARGE FROM AN ACTUAL GROUND SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN (SEE REFERENCES) OR FROM INFORMATION FOUND IN MAP BOOK N/A, PAGE N/A, OR AS REFERENCED HEREON; THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK N/A, PAGE N/A, OR AS REFERENCED HEREON; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000; THAT ALL INTERIOR LOT LINES SHOWN ARE PROPOSED AND SHALL NOT BE USED FOR THE CONVEYANCE OF PROPERTY; THAT THE TOPOGRAPHIC SURVEY WAS PERFORMED TO MEET FEDERAL GEOGRAPHIC DATA COMMITTEE STANDARDS AS APPLICABLE; THAT THE TOPOGRAPHIC DATA WAS OBTAINED ON 05/20/19; THAT THE SURVEY WAS COMPLETED ON 05/20/19; THAT THE CONTOURS SHOWN AS BROKEN LINES MAY NOT MEET THE STATED STANDARD; THAT VERTICAL CONTROL WAS ESTABLISHED AT THE SITE TO THE CLASS "A" STANDARD; AND THAT THIS MAP MEETS THE REQUIREMENTS OF THE "STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA" (21 NCAC 56.1600).

WITNESS MY ORIGINAL SIGNATURE AND SEAL THIS 20th DAY OF JUNE, 2019.

SIGNED: MICHAEL WEST BALDWIN, PLS L-3082



EXISTING WATER & SEWER SERVICES TO BE ABANDONED NOTES:

- SEWER SERVICES COMING FROM MANHOLE SHALL BE CUT AND CAPPED AT BACK OF CURB
- THE MANHOLE SHALL BE PLUGGED AND GROUTED AT THE TIE IN POINT INSIDE MANHOLE.
- SEWER SERVICES COMING FROM MAIN SHALL BE CUT AND CAPPED AT BACK OF CURB.
- WATER SERVICES SHALL BE CUT AND CAPPED AT CORPORATION STOP.

15A NCAC 02C .0113 WELL ABANDONMENT NOTES:

- ALL WELLS OTHER THAN WATER SUPPLY WELLS, INCLUDING TEMPORARY WELLS, MONITORING WELLS OR TEST BORINGS:
 - LESS THAN 20 FEET IN DEPTH AND WHICH DO NOT PENETRATE THE WATER TABLE SHALL BE ABANDONED BY FILLING THE ENTIRE WELL UP TO LAND SURFACE WITH GROUT, DRY CLAY, OR MATERIAL EXCAVATED DURING DRILLING OF THE WELL AND THEN COMPACTED IN PLACES AND
 - GREATER THAN 20 FEET IN DEPTH OR THAT OR THAT PENETRATE THE WATER TABLE SHALL BE ABANDONED BY COMPLETELY FILLING WITH A BENTONITE OR CEMENT TYPE GROUT.

REVISED: 08-19-19 (TOWN OF BEAUFORT COMMENTS)(NRW)
 UPDATED BOUNDARY ON SOUTH SIDE OF CEDAR STREET TO REFLECT R/W CONVEYANCE

REVISED: 07-16-19 (TOWN OF BEAUFORT COMMENTS)(NRW)
 REVISED EX. WATER SERVICES UPDATED DESCRIPTIONS FOR EX. COMMENTS SHOWN EX. DETAILING ASPHALT REPLACEMENT OF ORANGE STREET ADDED EX. LOT LINES UPDATED LEGEND

PIN #730617117934000
 PIN #730617114760000
 PIN #730617115739000
 PIN #730617114784000
 PIN #730617115739000



Call 72 Hours Before You Dig!
 1-800-632-4949

- CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING APPROPRIATE PARTIES AND ENSURING THAT ALL EXISTING UTILITIES ARE LOCATED PRIOR TO CONSTRUCTION
- CONTRACTOR IS RESPONSIBLE FOR PLACING BARRICADES, USING FLAG MEN, ETC., AS NECESSARY TO ENSURE SAFETY OF THE PUBLIC.
- ALL PAVEMENT CUTS, CONCRETE OR ASPHALT, ARE TO BE PLACED ACCORDING TO THE STANDARDS OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION, OR LOCAL JURISDICTION, WHICHEVER IS MORE STRINGENT
- SHORING SHALL BE IN ACCORDANCE WITH OSHA TRENCHING STANDARDS, 29 PART 1926, SUBPART, OR AS AMENDED.

COMPASS
 MARCANTONVILLE HOTELS & RESORTS

PROPERTY ADDRESS: 115 CEDAR STREET BEAUFORT, NC 28516
 BEAUFORT, BEAUFORT TOWNSHIP, CARTERET COUNTY, N.C.

OWNER: BEAUFORT PARTNERS, LLC
 ADDRESS: P.O. BOX 14165
 NEW BERN, NC 28561
 PHONE: (252) 635-7476

OWNER: BETTY APPERSON
 ADDRESS: P.O. BOX 625
 LAGRANGE, NC 28551
 PHONE: (252) 559-0592

Baldwin Design Consultants, PA
 LICENSE # C-3498
 ENGINEERING - SURVEYING - PLANNING
 1700-E EAST ARLINGTON BOULEVARD
 GREENVILLE, NC 27688 252.756.1390

SURVEYED: JP
 APPROVED: MWB

DRAWN: NRW
 DATE: 06/20/19

CHECKED: MWB
 SCALE: 1" = 30'

CLOSURE CHECK BOUNDARY
 CHECKED: NRW
 DATE: 06/19/19

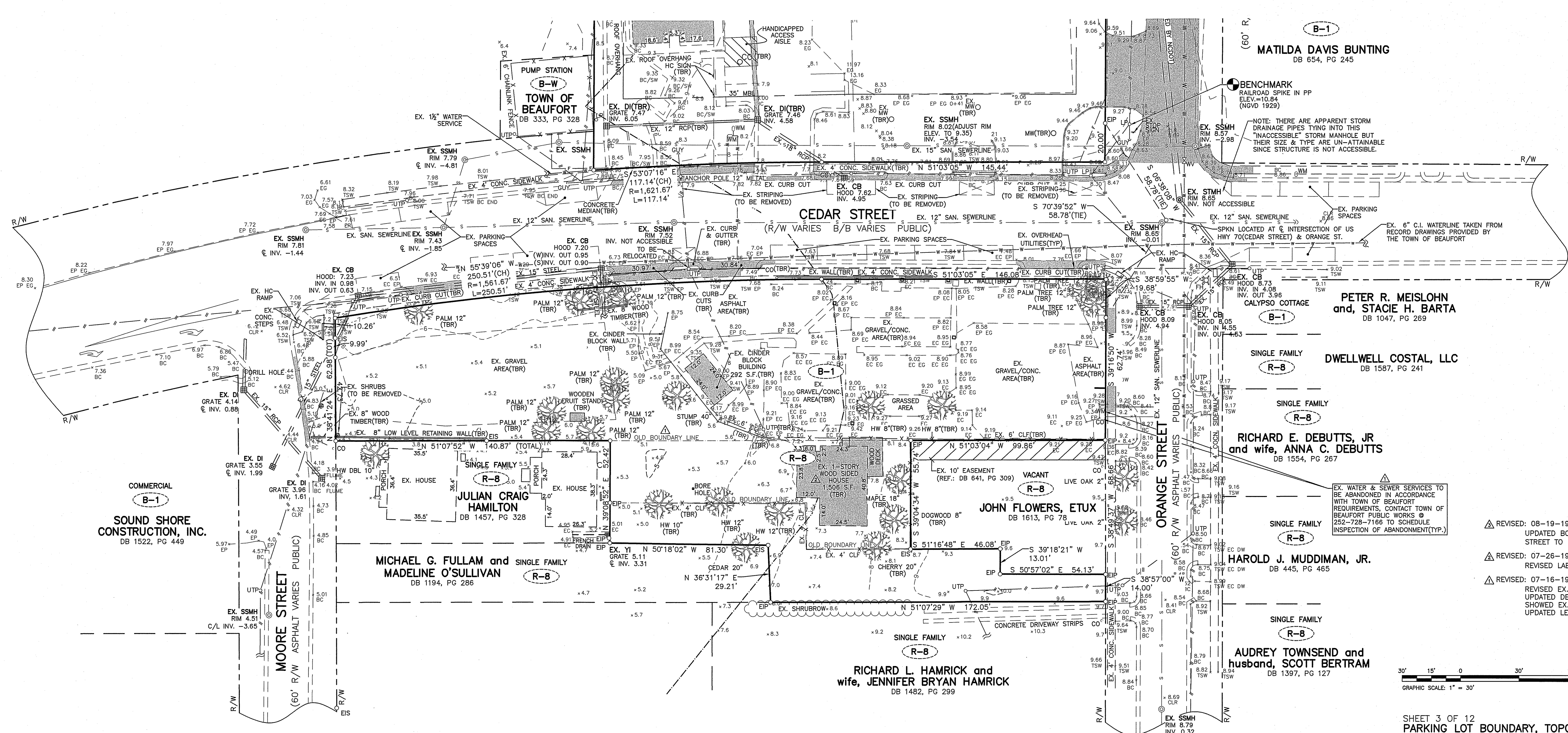
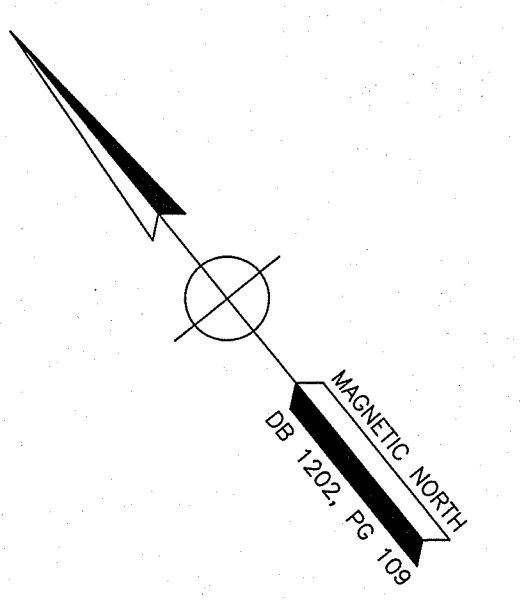
Y:\DRAWINGS\07-160 Beaufort - 160 Beaufort - 2017\17A SHEETS\DESIGN\SEA BOUNDARY & TOPO.dwg Tue, Sep 03, 2019 - 5:05pm RWELLS

LEGEND

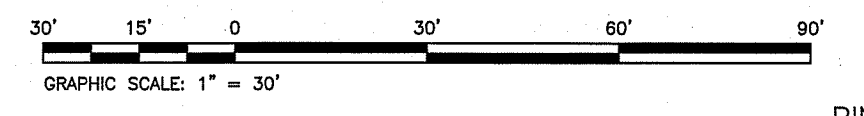
- ABS = ACRYLONITRILE-BUTADIENE-STYRENE
- AEC = AREA OF ENVIRONMENTAL CONCERN
- AL = AREA LIGHT
- BB = BOTTOM OF BANK
- B/B = BACK OF CURB TO BACK OF CURB
- BC = BACK OF CURB
- BFE = BASE FLOOD ELEVATION
- BH = BORE HOLE
- BLD = BUILDING CORNER
- BM = BENCH MARK
- BMP = BEST MANAGEMENT PRACTICE
- BO = BLOW OFF
- BSP = BACTERIOLOGICAL SAMPLING POINT
- CABC = CRUSHED AGGREGATE BASE COURSE
- CATV = CABLE TELEVISION BOX
- CB = CATCH BASIN
- CLD = CENTERLINE DITCH
- CLF = CHAIN LINK FENCE
- CLP = CENTERLINE PATH
- CLR = CENTERLINE ROAD
- CM = CREPE MYRTLE
- CO = CORRUGATED METAL PIPE
- CO = CLEAN OUT
- CONC = CONCRETE
- CPFP = CORRUGATED PLASTIC PIPE
- DI = DROP INLET
- DIP = DUCTILE IRON PIPE
- DS = DOWNSPOUT
- DW = DRIVEWAY
- EC = EDGE OF CONCRETE
- ECM = EXISTING CONCRETE MONUMENT
- EIA = EXISTING IRON AXLE
- EIP = EXISTING IRON PIPE
- EIS = EXISTING IRON STAKE
- ELEC = ELECTRICAL
- ECP = ELECTRICAL CONDUIT PIPE
- ELM = ELECTRIC METER BOX
- ELMH = ELECTRIC MANHOLE
- EP = EDGE OF PAVEMENT
- E PATH = EDGE OF PATH
- EPKM = EXISTING PARKER KALON NAIL
- ER = EDGE OF ROAD
- ERRS = EXISTING RAILROAD SPIKE
- ESCP = EXTRA STRENGTH CONCRETE PIPE
- FFS = FLARED END SECTION
- FFE = FINISHED FLOOR ELEVATION
- FH = FIRE HYDRANT
- FIRM = FLOOD INSURANCE RATE MAP
- FM = FORCE MAIN
- F/O = FIBER OPTIC MAKER
- GM = GAS METER
- GV = GAS VALVE
- GUY = GUY WIRE
- HB = HOSE BIB
- HP = HIGH POINT
- HW = HARDWOOD TREE
- ICV = IRRIGATION CONTROL VALVE
- INV = INVERT
- JB = JUNCTION BOX
- LP = LIGHT POLE
- LSA = LANDSCAPED AREA
- MB = MAIL BOX
- MBL = MINIMUM BUILDING LINE
- MH = MANHOLE
- MHW = MEAN HIGH WATER
- MP = METAL PIPE
- MW = MONITORING WELL
- NTS = NOT TO SCALE
- OCS = OUTLET CONTROL STRUCTURE
- ODP = OVERHEAD DOOR
- PC = POINT OF CURVATURE
- PCC = POINT OF CONCAVE CURVATURE
- PRC = POINT OF REVERSE CURVATURE
- PIV = POST INDICATOR VALVE
- PT = POINT OF TANGENCY
- PVC = POLYVINYL CHLORIDE
- PH = PUMP HOUSE
- R = RADIUS
- RCP = REINFORCED CONCRETE PIPE
- RPZ = REDUCED PRESSURE ZONE DEVICE
- R/W = RIGHT-OF-WAY
- S-9.5C = S-9.5C ASPHALT MIX TYPE
- SEC = SECURITY CAMERA
- SIP = SET IRON PIPE
- SPKN = SET PARKER KALON NAIL
- SRRS = SET RAILROAD SPIKE
- SS = SEWER SERVICE
- SSMH = SANITARY SEWER MANHOLE
- STMH = STORM SEWER MANHOLE
- SW = SIDEWALK
- SWHDPE = SMOOTH WALL HDPE
- SWPP = SMOOTH WALL PLASTIC PIPE
- TB = TOP OF BANK (TOPO ONLY)
- TBK = TOP OF BLOCK
- TC = TOP OF CONCRETE
- TG = TOP OF GRAVEL
- TLMH = TELEPHONE MANHOLE
- TP = TOP OF PAVEMENT
- TSW = TOP OF SIDEWALK
- TLMH = TELEPHONE MH
- TPED = TELEPHONE PEDestal
- TRANS = ELECTRICAL TRANSFORMER
- TSP = TRAFFIC SIGNAL SUPPORT POLE
- UTP = UTILITY POLE
- VALV = VALVE
- VG = VALLEY GUTTER
- WDL = WOODSLINE
- WM = WATER METER BOX
- WP = WETLAND POINT
- WSE = WATER SURFACE ELEVATION
- WV = WATER VALVE
- NOT TO SCALE
- CLASS "B" STONE APRON
- CONSTRUCTION ENTRANCE/EXIT
- EXISTING OVERHEAD UTILITIES
- EXISTING SANITARY SEWER LINE
- EXISTING WATER LINE
- LIMITS OF CONSTRUCTION
- SILT FENCE
- DRAINAGE EASEMENT
- AEC SETBACK
- SIGHT TRIANGLE
- SIGN EASEMENT
- CONCRETE LINED DITCH
- ZONING CLASSIFICATION
- AREA TO BE DEMOLISHED
- TREE
- TYPICAL RAMP

EXISTING WATER & SEWER SERVICES TO BE ABANDONED NOTES:

- SEWER SERVICES COMING FROM MANHOLE SHALL BE CUT AND CAPPED AT BACK OF CURB.
- THE MANHOLE SHALL BE PLUGGED AND GROUTED AT THE TIE IN POINT INSIDE MANHOLE.
- SEWER SERVICES COMING FROM MAIN SHALL BE CUT AND CAPPED AT BACK OF CURB.
- WATER SERVICES SHALL BE CUT AND CAPPED AT CORPORATION STOP.



- REVISD: 08-19-19 (TOWN OF BEAUFORT COMMENTS)(NRW) UPDATED BOUNDARY ON SOUTH SIDE OF CEDAR STREET TO REFLECT R/W CONVEYANCE
- REVISD: 07-26-19 (TOWN OF BEAUFORT COMMENTS)(NRW) REVISED LABEL TO SHOW EX. HOUSE EXTERIOR FINISH
- REVISD: 07-16-19 (TOWN OF BEAUFORT COMMENTS)(NRW) REVISED EX. WATER SERVICES UPDATED DESCRIPTIONS FOR EX. CONDITIONS SHOWED EX. LOT LINES UPDATED LEGEND

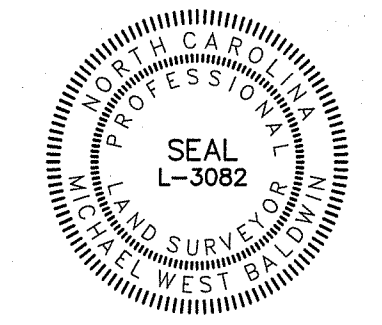


SURVEYOR'S CERTIFICATION

I, MICHAEL WEST BALDWIN, CERTIFY THAT THE BOUNDARY SURVEY, TOPOGRAPHICAL SURVEY, AND HORIZONTAL AND VERTICAL CONTROL SHOWN HEREON WERE COMPLETED UNDER MY DIRECT AND RESPONSIBLE CHARGE FROM AN ACTUAL GROUND SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN (SEE REFERENCES) OR FROM INFORMATION FOUND IN MAP BOOK N/A, PAGE N/A, OR AS REFERENCED HEREON; THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK N/A, PAGE N/A, OR AS REFERENCED HEREON; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000; THAT ALL INTERIOR LOT LINES SHOWN ARE PROPOSED AND SHALL NOT BE USED FOR THE CONVEYANCE OF PROPERTY; THAT THE TOPOGRAPHICAL SURVEY WAS PERFORMED TO MEET FEDERAL GEOGRAPHIC DATA COMMITTEE STANDARDS AND IS AVAILABLE; THAT THE TOPOGRAPHIC DATA WAS OBTAINED ON 05/02/19; THAT THE SURVEY WAS COMPLETED ON 05/20/19; THAT THE CONTOURS SHOWN AS BROKEN LINES MAY NOT MEET THE STATED STANDARD; THAT VERTICAL CONTROL WAS ESTABLISHED AT THE SITE TO THE CLASS "A" STANDARD; AND THAT THIS MAP MEETS THE REQUIREMENTS OF THE "STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA" (21 NCAC 56.100).

WITNESS MY ORIGINAL SIGNATURE AND SEAL THIS 20th DAY OF JUNE, 2019.

SIGNED: MICHAEL WEST BALDWIN PLS L-3082



Call 72 Hours Before You Dig!
1-800-632-4949

- CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING APPROPRIATE PARTIES AND ENSURING THAT ALL EXISTING UTILITIES ARE LOCATED PRIOR TO CONSTRUCTION.
- CONTRACTOR IS RESPONSIBLE FOR PLACING BARRICADES, USING FLAG MEN, ETC., AS NECESSARY TO ENSURE SAFETY OF THE PUBLIC.
- ALL PAVEMENT CUTS, CONCRETE OR ASPHALT, ARE TO BE PLACED ACCORDING TO THE STANDARDS OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION, OR LOCAL JURISDICTION, WHICHEVER IS MORE STRINGENT.
- SHORING SHALL BE IN ACCORDANCE WITH OSHA TRENCHING STANDARDS, 29 PART 1926, SUBPART, OR AS AMENDED.

DEMOLITION NOTES

- CONTRACTOR IS RESPONSIBLE FOR THE COORDINATION AND SEQUENCING OF DEMOLITION AS DESCRIBED BY THESE DOCUMENTS AND SPECIFICATIONS. CONTRACTOR SHALL OBTAIN ALL PERMITS.
- CONTRACTOR IS RESPONSIBLE FOR COORDINATION OF DEMOLITION OR RELOCATION WITH APPLICABLE UTILITY COMPANIES, IE, GAS, CABLE, POWER, TELEPHONE, WATER, SEWER, ETC.
- CONTRACTOR SHALL BE RESPONSIBLE TO IMMEDIATELY FIX ANY ACTIVE UTILITIES DAMAGED DURING CONSTRUCTION AT CONTRACTORS EXPENSE.
- ALL MATERIAL GENERATED BY THE DEMOLITION WILL BE HAULLED FROM THE SITE AND DISPOSED OF PER LOCAL ORDINANCES.
- SAW-CUT CONCRETE AND ASPHALT PAVEMENT, SIDEWALK OR CURB AND GUTTER BEFORE EXCAVATION WHERE CONSTRUCTION PLANS SHOW TIE-INS.
- SAW-CUTS TO BE PERPENDICULAR TO PAVEMENT/CURB EDGE.
- CONTRACTOR IS RESPONSIBLE FOR TRAFFIC CONTROL DURING CONSTRUCTION PER WORK AREA TRAFFIC CONTROL HANDBOOK STANDARDS, (W.A.T.C.H.).
- DEMOLITION OF STORM DRAINAGE AND SANITARY SEWER SYSTEM(S) BY CONTRACTOR SHALL ALLOW FOR CONTINUOUS USE OF THE SYSTEM(S). ANY IMPACTS SHALL BE COORDINATED WITH THE CITY/COUNTY AND/OR THE UTILITY PROVIDER.

CLOSURE CHECK BOUNDARY	
CHECKED: NRW	DATE: 06/19/19

Baldwin Design Consultants, PA
ENGINEERING - SURVEYING - PLANNING
1700-D EAST ARLINGTON BOULEVARD
GREENVILLE, NC 27656

SURVEYED: JP	APPROVED: MWB
DRAWN: NRW	DATE: 06/20/19
CHECKED: MWB	SCALE: 1" = 30'

SHEET 3 OF 12
PARKING LOT BOUNDARY, TOPOGRAPHIC SURVEY & DEMOLITION PLAN

COMPASS
MARGARITAVILLE HOTELS & RESORTS

PROPERTY ADDRESS: 115 CEDAR STREET BEAUFORT, NC 28516
BEAUFORT, BEAUFORT TOWNSHIP, CARTERET COUNTY, N.C.

OWNER: BEAUFORT PARTNERS, LLC	OWNER: BETTY APPERSON
ADDRESS: P.O. BOX 14165 NEW BERN, NC 28561	ADDRESS: P.O. BOX 625 LAGRANGE, NC 28551
PHONE: (252) 635-7476	PHONE: (252) 559-0592

SITE DATA

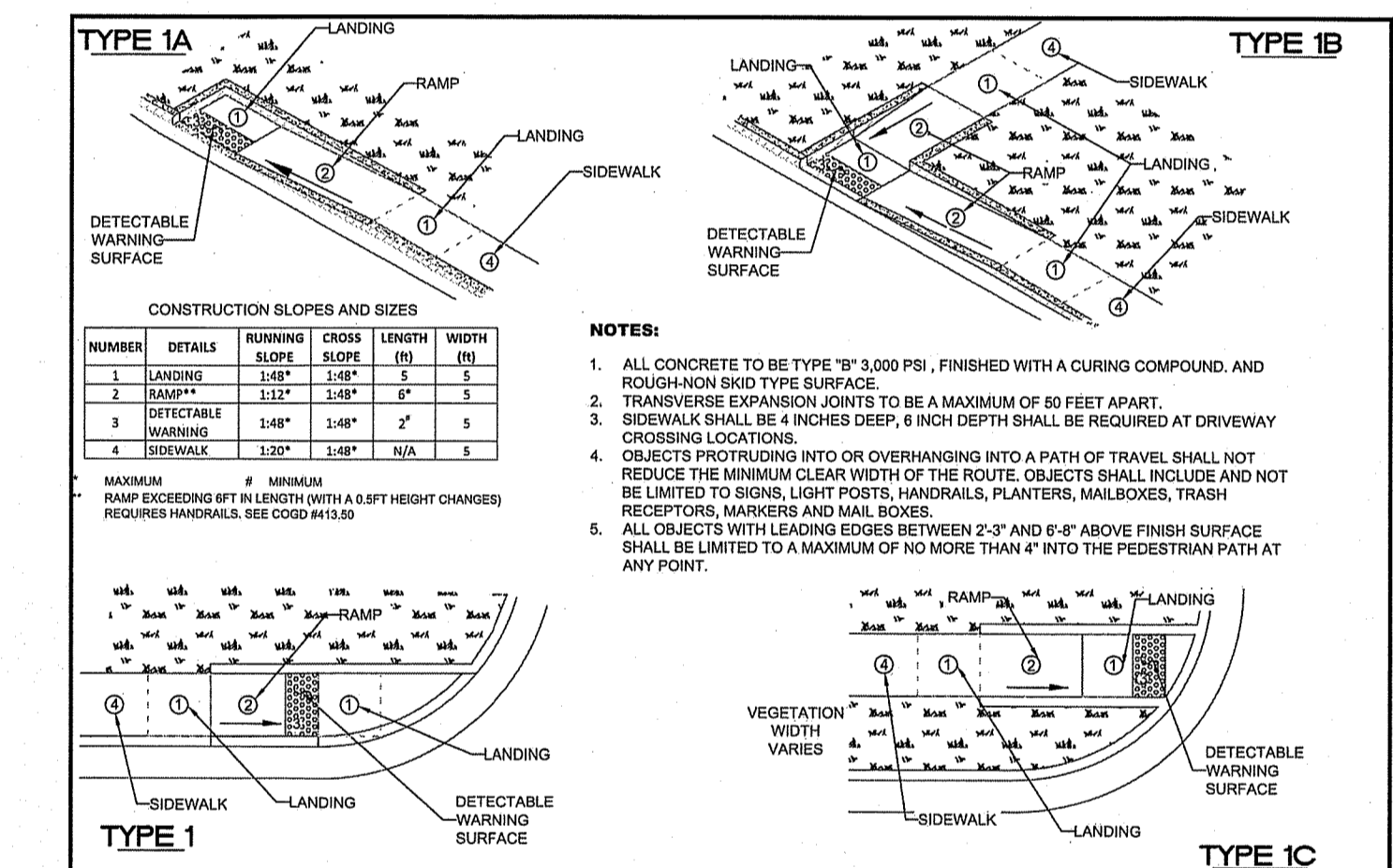
△	TOTAL AREA IN TRACTS	2,800 ACRES
△	ZONING CLASSIFICATION	B-W, B-1 & R-B
△	EXISTING BUILDING AREA (STORAGE)	5,252 S.F.
△	EXISTING SIDEWALK, CONC. PATIO, GRAVEL, ETC.	68,667 S.F.
△	TOTAL IMPERVIOUS AREA PRIOR TO DEVELOPMENT	73,919 S.F.
△	EXISTING BUILDING AREA (TO BE REMOVED)	4,912 S.F.
△	EXISTING SIDEWALK, CONC. PATIO, GRAVEL, ETC. (TO BE REMOVED)	68,279 S.F.
△	PROPOSED BUILDING AREA (HOTEL)	19,640 S.F.
△	PROPOSED BUILDING TOTAL FLOOR AREA (HOTEL)	77,632 S.F.
△	BUILDING HEIGHT (4 STORIES)	40'
△	PROPOSED IMPERVIOUS PARKING AREA	43,936 S.F.
△	PROPOSED IMPERVIOUS SIDEWALK, CONC. PATIO, ETC.	12,588 S.F.
△	TOTAL PROPOSED IMPERVIOUS AREA (AFTER DEVELOPMENT)	76,164 S.F.
△	TOTAL % OF BUILDING LOT COVERAGE	16.10%
△	NO. OF EXISTING WET SLIPS	59
△	NO. OF PARKING SPACES REQUIRED (EXISTING WET SLIPS)	15*
△	NO. OF PARKING SPACES PROVIDED (MARINA)	15
△	NO. OF PARKING SPACES REQUIRED (HOTEL)	85*
△	NUMBER OF PARKING SPACES PROVIDED (HOTEL)	93
△	NO. OF PARKING SPACES PROVIDED (PUBLIC)	24
△	NO. OF HC SPACES REQUIRED	5
△	NO. OF HC SPACES PROVIDED	5
△	TOTAL AREA TO BE DISTURBED	3.3 ACRES
△	TOTAL NUMBER OF LOTS	1
△	TOTAL NUMBER OF ROOMS IN HOTEL	101
△	TOTAL IMPERVIOUS AREA FOR VAA	40,453 S.F.
△	TOTAL REQUIRED LANDSCAPED AREA FOR VAA	6,469 S.F.
△	REFERENCE: DEED BOOK 879, PAGE 793, DEED BOOK 937, PAGE 309, DEED BOOK 1449, PAGE 1, DEED BOOK 1259, PAGE 284 & DEED BOOK 1438, PAGE 496	

PARKING SPACE REQUIREMENT TABULATION

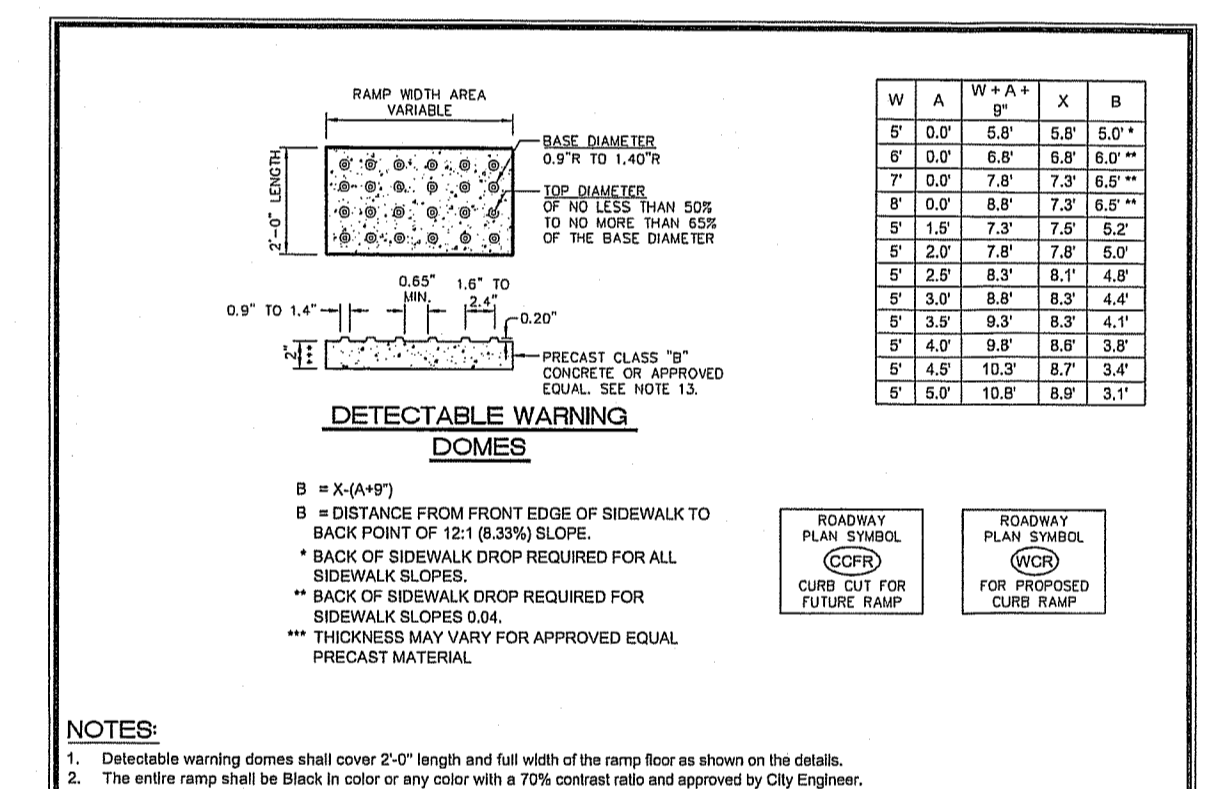
*MARINA: 1 SPACE PER 4 SLIPS(59) = 15 SPACES
 *HOTEL: 1 SPACE PER UNIT(101) + 5 = 106 x 20% = 21 - 106 = 85 SPACES
 (A 20% REDUCTION IN REQUIRED SPACES DUE TOTAL FLOOR AREA OF STRUCTURE EXCEEDING 25,000 S.F.)

DIMENSION CONTROL AND MATERIALS PLAN NOTES

- ALL DIMENSIONS ARE TO BACK OF CURB, FACE OF BUILDING, CENTERLINE UNLESS OTHERWISE NOTED.
- ALL DIMENSIONS ARE AT 90 DEGREE UNLESS OTHERWISE NOTED.
- REFER TO ARCHITECTURAL PLANS FOR ACTUAL BUILDING DIMENSIONS.
- ANY DISCREPANCIES BETWEEN THE CONTRACT DOCUMENTS AND ACTUAL FIELD CONDITIONS SHALL BE CALLED TO THE ATTENTION OF THE OWNER AND THE ENGINEER PRIOR TO PROCEEDING WITH THE WORK.
- THE CONTRACTOR SHALL CONTACT ALL OWNERS OF UTILITIES, EASEMENTS, AND RIGHTS-OF-WAY, PUBLIC AND PRIVATE, PRIOR TO WORKING IN THESE AREAS.
- ALL ASPHALT PAVING SHALL CONFORM TO THE APPLICABLE PROVISIONS OF THE NCDOT STANDARD SPECIFICATIONS FOR ROADS AND STRUCTURES, LATEST EDITION.
- CONTRACTOR SHALL FURNISH AND INSTALL ALL PAYMENT MARKINGS AS SHOWN ON THE PLANS.
- ALL SIGNS, PAVEMENT MARKINGS, AND OTHER TRAFFIC CONTROL DEVICES SHALL CONFORM TO THE LATEST EDITION OF THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD).
- ALL PARKING STALL STRIPING SHALL BE 4-INCH WHITE LINES, UNLESS OTHERWISE NOTED.
- STOP SIGNS SHALL BE R1-1, 30"x30".
- NO DEMOLITION LANDFILLS ALLOWED ON SITE.
- NO SOD AREAS STRIPING SHOWN FOR REFERENCE ONLY; NO STRIPING TO BE INSTALLED IN TURF AREAS.



DIRECTIONAL CURB RAMP DETAIL
(N.T.S.)



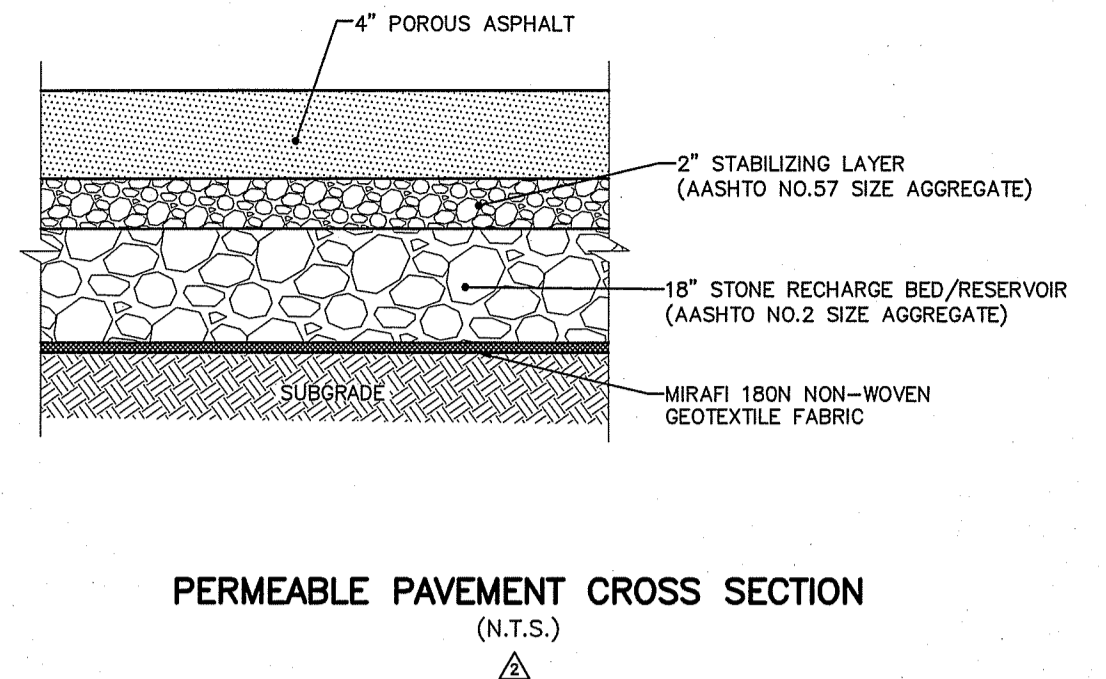
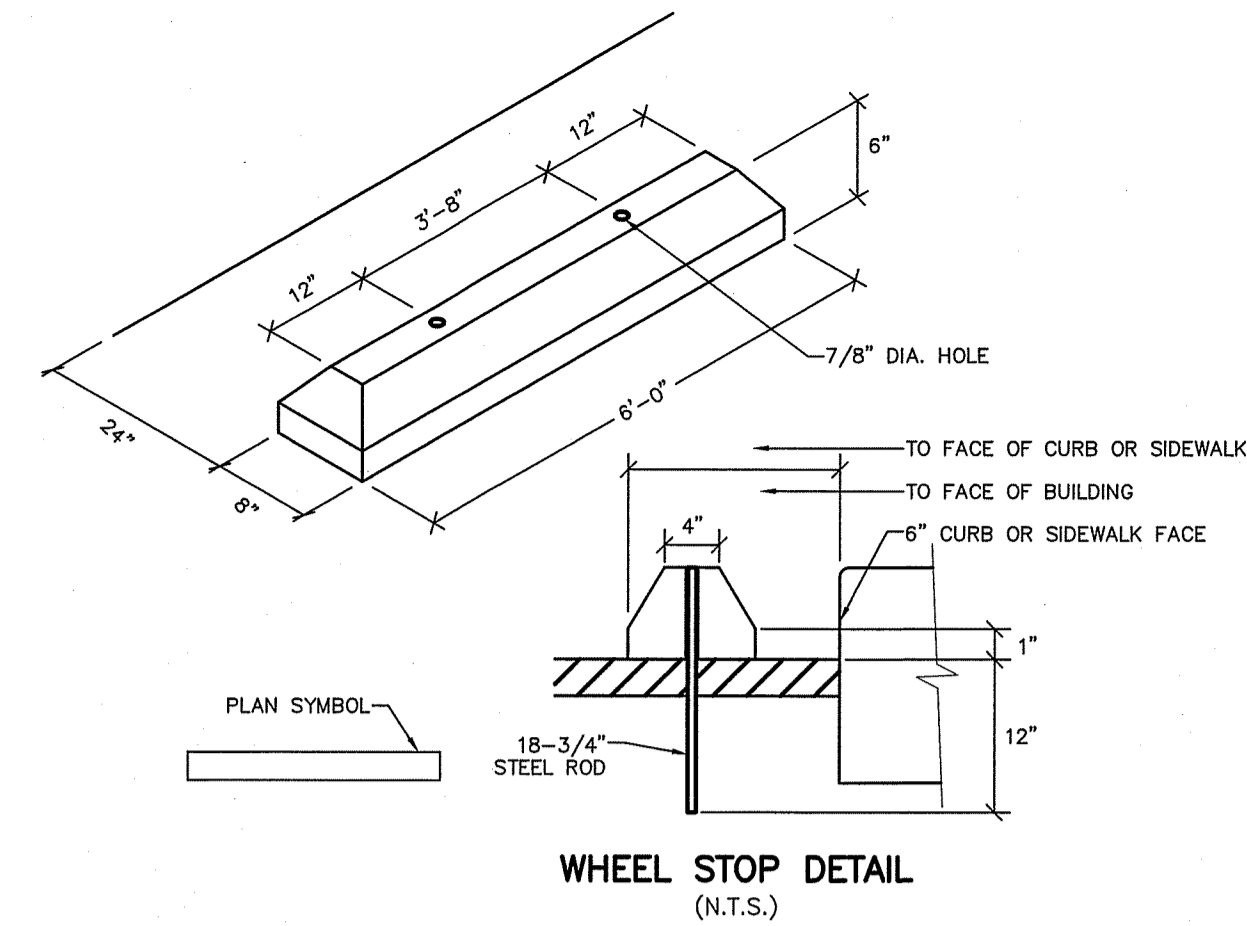
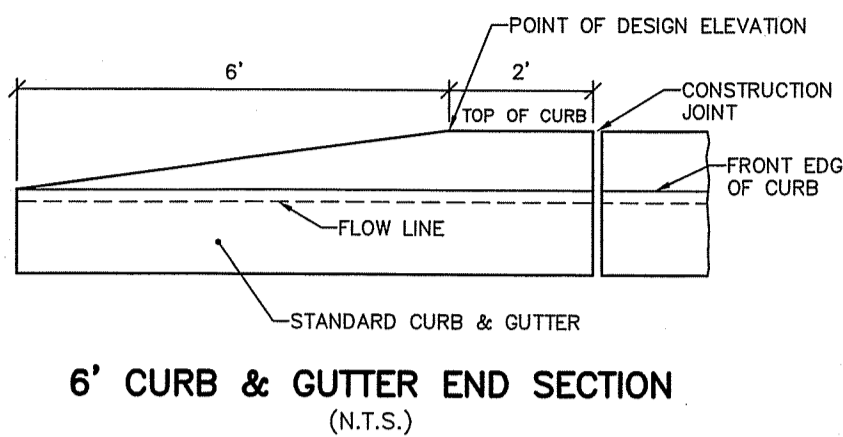
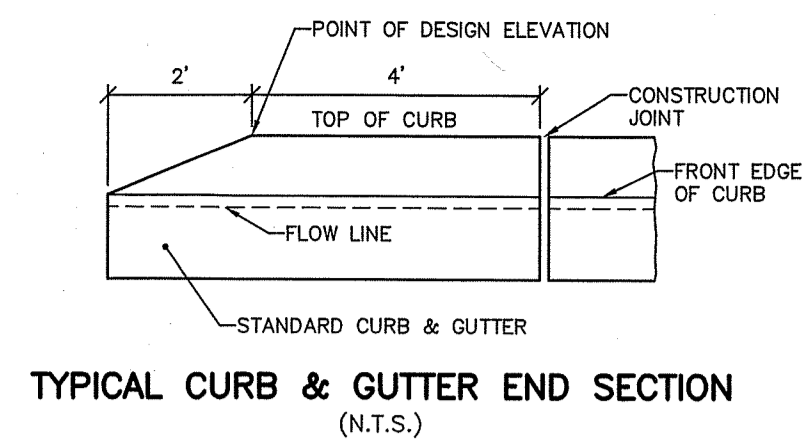
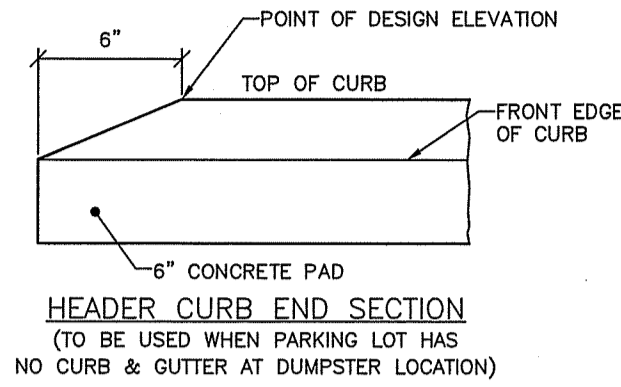
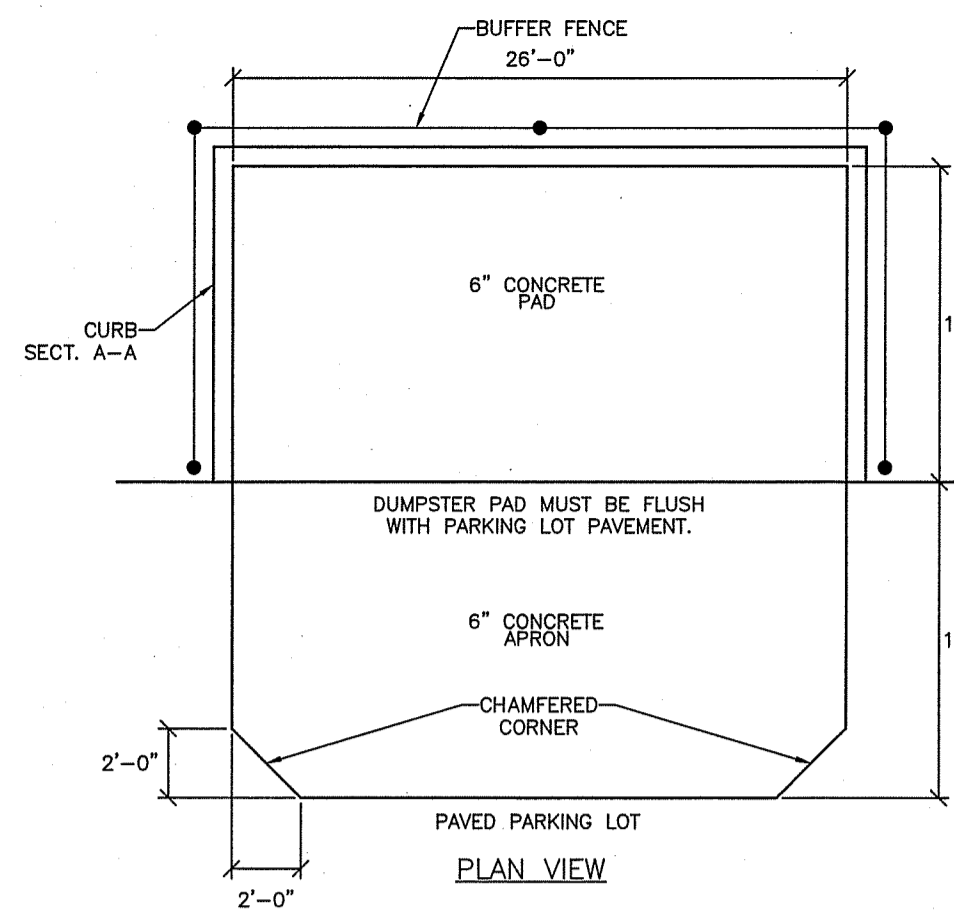
STANDARD CURB RAMP
SCALE: N.T.S.



Call 72 Hours Before You Dig!
1-800-632-4949

- CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING APPROPRIATE PARTIES AND ENSURING THAT ALL EXISTING UTILITIES ARE LOCATED PRIOR TO CONSTRUCTION.
- CONTRACTOR IS RESPONSIBLE FOR PLACING BARRICADES, USING FLAG MEN, ETC., AS NECESSARY TO ENSURE SAFETY OF THE PUBLIC.
- ALL PAVEMENT CUTS, CONCRETE OR ASPHALT, ARE TO BE PLACED ACCORDING TO THE STANDARDS OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION, OR LOCAL JURISDICTION, WHICHEVER IS MORE STRINGENT.
- SHORING SHALL BE IN ACCORDANCE WITH OSHA TRENCHING STANDARDS, 29 PART 1926, SUBPART, OR AS AMENDED.

X:\DRAWINGS\07-160-Beaufort Youth Club\HOTEL-2017\SHEETS SITE & STAKING.dwg Thu, Sep 12, 2019 11:58am RWELLS

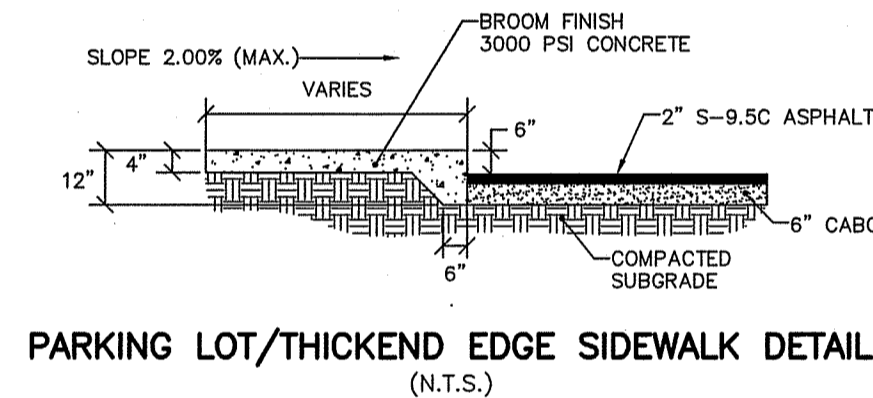


DUMPSTER PAD DETAIL (N.T.S.)

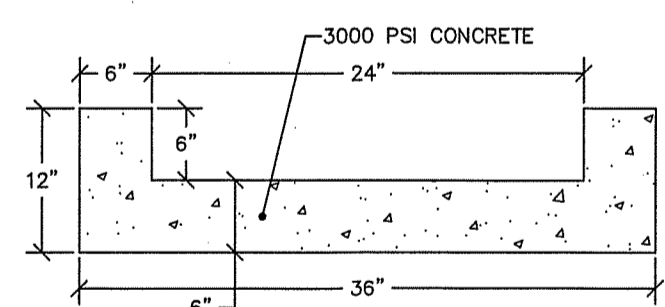
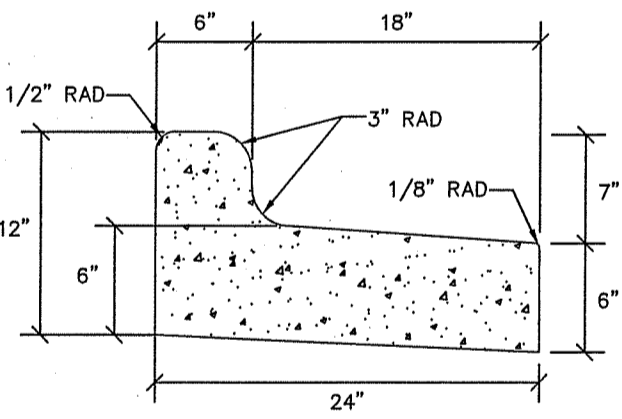
6' CURB & GUTTER END SECTION (N.T.S.)

WHEEL STOP DETAIL (N.T.S.)

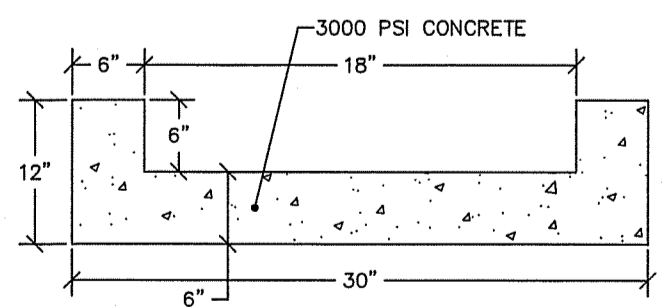
PERMEABLE PAVEMENT CROSS SECTION (N.T.S.)



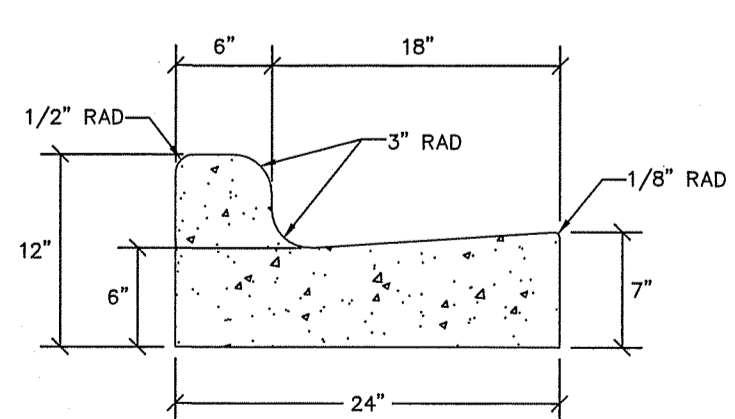
COMMERCIAL
B-1
SOUND SHORE CONSTRUCTION, INC.
DB 1522, PG 449



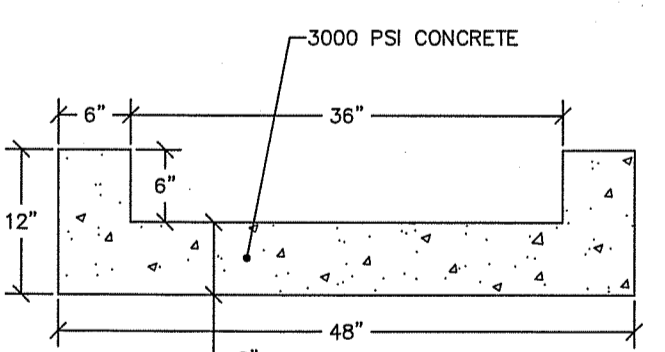
36" FLUME "B" DETAIL (N.T.S.)



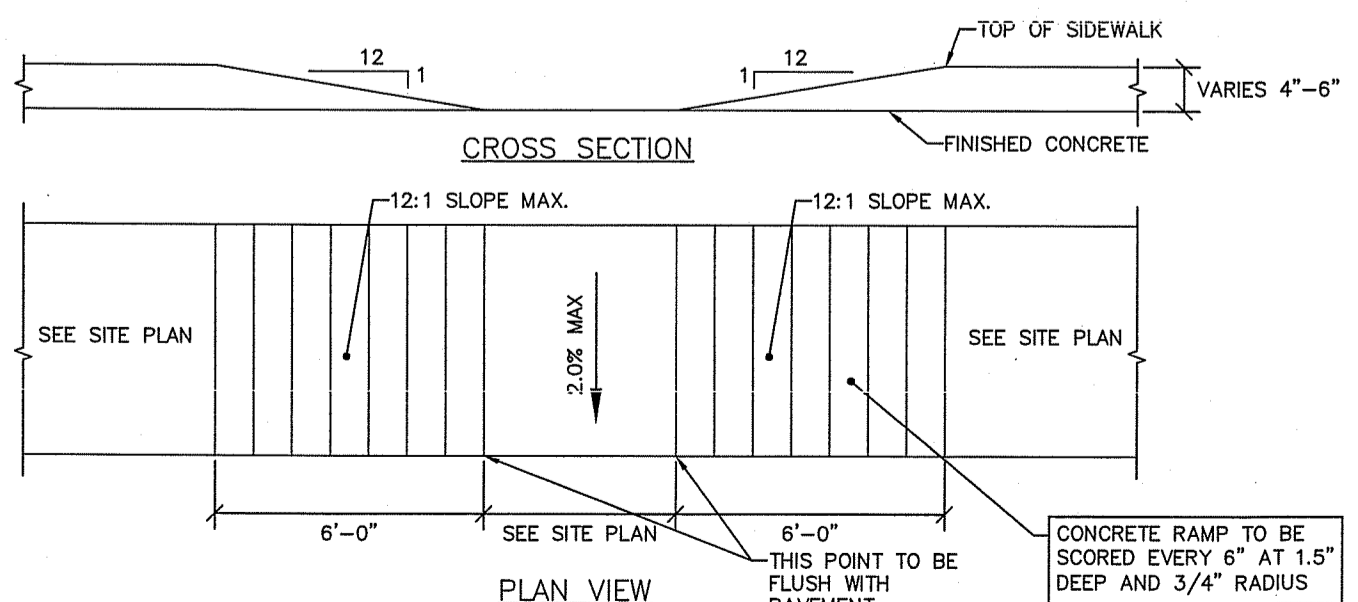
30" FLUME DETAIL (N.T.S.)



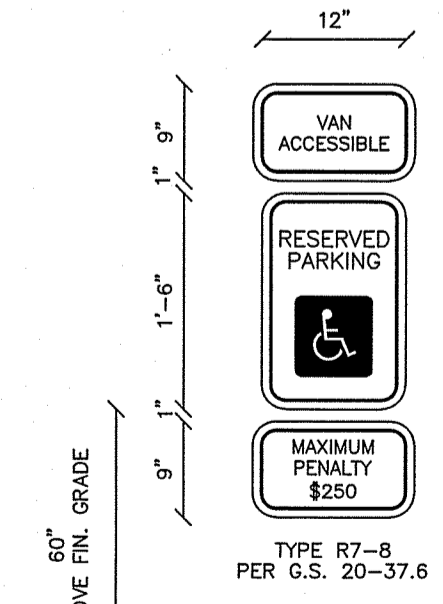
24" CURB & GUTTER STANDARD FACE (N.T.S.)



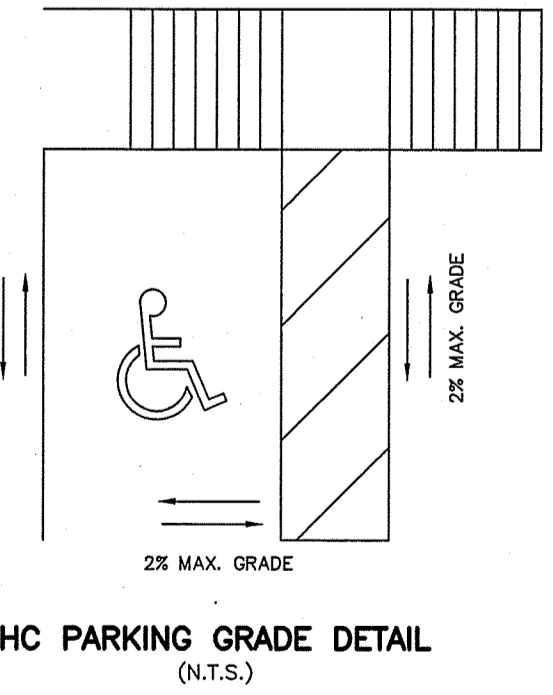
48" FLUME DETAIL (N.T.S.)



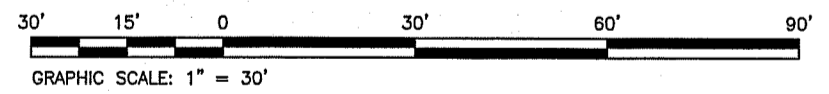
HANDICAPPED RAMP DETAIL WITHOUT CURB & GUTTER (N.T.S.)



TYPICAL HANDICAP PARKING SIGN (N.T.S.)



HC PARKING GRADE DETAIL (N.T.S.)



SHEET 5 OF 12
PARKING LOT SITE & STAKING PLAN

COMPASS
MARGARITAVILLE HOTELS & RESORTS

PROPERTY ADDRESS: 115 CEDAR STREET BEAUFORT, NC 28516
BEAUFORT, BEAUFORT TOWNSHIP, CARTERET COUNTY, N.C.

OWNER: BEAUFORT PARTNERS, LLC	OWNER: BETTY APPERSON
ADDRESS: P.O. BOX 14165 NEW BERN, NC 28561	ADDRESS: P.O. BOX 625 LAGRANGE, NC 28551
PHONE: (252) 635-7476	PHONE: (252) 559-0592

PIN #730617117934000
PIN #730617114760000
PIN #730617115739000
PIN #730617114784000
PIN #730617115739000

Baldwin Design Consultants, PA
ENGINEERING - SURVEYING - PLANNING
1700-D EAST ARLINGTON BOULEVARD
GREENVILLE, NC 27656 252.756.1390

DESIGNED: MWB	APPROVED: MWB
DRAWN: NRW	DATE: 06/20/19
CHECKED: MWB	SCALE: 1" = 30'



Call 72 Hours Before You Dig!
1-800-632-4949

- CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING APPROPRIATE PARTIES AND ENSURING THAT ALL EXISTING UTILITIES ARE LOCATED PRIOR TO CONSTRUCTION.
- CONTRACTOR IS RESPONSIBLE FOR PLACING BARRICADES, USING FLAG MEN, ETC., AS NECESSARY TO ENSURE SAFETY OF THE PUBLIC.
- ALL PAVEMENT CUTS, CONCRETE OR ASPHALT, ARE TO BE PLACED ACCORDING TO THE STANDARDS OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION OR LOCAL JURISDICTION, WHICHEVER IS MORE STRINGENT.
- SHORING SHALL BE IN ACCORDANCE WITH OSHA TRENCHING STANDARDS, 29 PART 1926, SUBPART, OR AS AMENDED.

- PARKING LOT STRIPING NOTES**
- ALL PARKING LOT STRIPING PAINT TO BE FEDERAL SPECIFICATION TRAFFIC PAINT.
 - PAINT COLOR MAY BE YELLOW OR WHITE (OWNER'S CHOICE)
 - PARKING LOT STRIPING IN HANDICAP ACCESS AREAS TO BE THE COLOR TO COMPLY WITH THE MOST CURRENT ADA REQUIREMENTS.
 - STRIPING WIDTH TO BE 4"
 - STRIPING PAINT TO BE WATER BASED SATIN WITH 40 MINUTE DRYING TIME.
 - RESIN TYPE: ACRYLIC LATEX COPOLYMER
 - VISCOSITY: 80-90 KU

GRADING AND EARTHWORK NOTES

- 1. CONTRACTOR SHALL CONTACT INSPECTOR 48 HOURS BEFORE CONSTRUCTION.
2. REFER TO EROSION CONTROL PLAN FOR CONSTRUCTION SEQUENCE REQUIREMENTS.
3. ANY GRADING BEYOND THE DENUDED LIMITS INDICATED ON THE CONSTRUCTION DOCUMENTS IS A VIOLATION OF EROSION CONTROL ORDINANCES AND IS SUBJECT TO A FINE.
4. APPROVAL OF THIS PLAN IS NOT AN AUTHORIZATION TO GRADE ADJACENT PROPERTIES.
5. THE CONTRACTOR SHALL IMMEDIATELY REPORT TO OWNER ANY DISCREPANCIES FOUND BETWEEN ACTUAL FIELD CONDITIONS AND CONSTRUCTION DOCUMENTS.
6. CONTRACTOR SHALL VERIFY LOCATION OF ALL EXISTING UTILITIES IN THE FIELD PRIOR TO BEGINNING CONSTRUCTION.
7. LIMITS OF CLEARING SHOWN ON GRADING PLAN ARE BASED UPON THE APPROXIMATE CUT AND FILL SLOPE LIMITS, OR OTHER GRADING REQUIREMENTS.
8. ALL ELEVATIONS ARE IN REFERENCE TO THE SITE BENCHMARK. CONTRACTOR SHALL VERIFY THE BENCHMARK PRIOR TO GROUND BREAKING.
9. THE PROPOSED CONTOURS AND SPOT ELEVATIONS SHOWN WITHIN ROADWAYS, PARKING LOTS, AND SIDEWALKS ARE REFLECT FINISH ELEVATIONS INCLUDING PAVEMENT. REFER TO PAVEMENT CROSS SECTION DATA TO ESTABLISH CORRECT SUBBASE OR AGGREGATE COURSE ELEVATIONS TO BE COMPLETED UNDER THIS CONTRACT.
10. GRADES SHALL BE ESTABLISHED TO PROVIDE A SMOOTH SURFACE, FREE FROM IRREGULAR SURFACE CHANGES. GRADING SHALL COMPLY WITH COMPACTION REQUIREMENTS AND GRADE CROSS SECTIONS, LINES, AND ELEVATIONS INDICATED.
11. WHERE NO SPOT GRADES ARE INDICATED, THE GRADE SHALL BE ESTABLISHED BASED ON INTERPOLATION OF THE ELEVATIONS BETWEEN ADJACENT SPOT GRADES WHILE MAINTAINING APPROPRIATE TRANSITION AT STRUCTURES AND PAVING, AND UNINTERRUPTED DRAINAGE FLOW INTO INLETS.
12. CONTRACTOR SHALL ENSURE POSITIVE DRAINAGE SUCH THAT RUNOFF WILL DRAIN BY GRAVITY FLOW ACROSS NEW GRADED AREAS TO NEW OR EXISTING DRAINAGE INLETS, OR SHEET OVERLOAD.
13. ALL SIDEWALKS, STAIRS, TERRACES AND OTHER PAVED AREAS SHALL SLOPE AWAY FROM BUILDING(S) AT A 2.0% SLOPE MINIMUM.
14. ALL FILL SHALL BE PLACED IN A MAXIMUM 8-INCH LIFTS AND COMPACTED, ALL FILL WITHIN LIMITS OF BUILDING AND PAVEMENT SHALL BE COMPACTED TO 100% OF MAXIMUM STANDARD PROCTOR DENSITY WITHIN THE TOP 12 INCHES AND A MINIMUM 95% OF MAXIMUM STANDARD PROCTOR DENSITY BELOW 12-INCH DEPTH.
15. FILL WITHIN LANDSCAPE AREAS SHALL BE COMPACTED TO MINIMUM 90% OF MAXIMUM STANDARD PROCTOR DENSITY. MAXIMUM STANDARD PROCTOR DENSITIES SHALL BE DETERMINED IN ACCORDANCE WITH ASTM D698.
16. ALL PROJECT SUBGRADE SHALL BE INSPECTED BY THE ENGINEER. IF THE ENGINEER DETERMINES THAT UNSATISFACTORY SOIL IS PRESENT, THE UNSATISFACTORY MATERIAL SHALL BE REMOVED AND REPLACED WITH COMPACTED BACKFILL. SUCH ADDITIONAL AUTHORIZED EXCAVATION SHALL BE PAID FOR ACCORDING TO THE CONTRACT PROVISIONS FOR UNIT PRICES.
17. CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING ALL FILL AND BACKFILL MATERIAL WITHIN 3 PERCENT OF THE OPTIMUM MOISTURE CONTENT AS DETERMINED BY ASTM D698. SOIL MATERIAL THAT EXCEEDS THE OPTIMUM MOISTURE CONTENT BY 3 PERCENT OR MORE, AND IS TOO WET TO COMPACT TO THE SPECIFIED DRY UNIT WEIGHT, SHALL BE SCARIFIED AND AIR DRIED, LIME STABILIZED, OR REMOVED AND REPLACED.
18. CONTRACTOR SHALL PROVIDE ALL DEWATERING MEASURES NECESSARY, INCLUDING WELL POINTS, SUMP PUMPS, TEMPORARY SHORING, ETC., TO ENSURE COMPLETION OF STABLE EXCAVATION AND BACKFILL OPERATIONS. GROUNDWATER SHALL BE MAINTAINED A MINIMUM OF 2 FT. BELOW THE BOTTOM OF ALL EXCAVATIONS.
19. CONTRACTOR SHALL CONSULT WITH THE ENGINEER AND PROVIDE ANY AND ALL SHORING DETERMINED TO BE NECESSARY TO PROTECT EXISTING BUILDING FOUNDATIONS OR OTHER ADJACENT IMPROVEMENTS.
20. ALL GRADED OR DISTURBED AREAS BEYOND THE LIMITS OF PAVING, SIDEWALKS, BUILDINGS, ETC. THAT ARE NOT OTHERWISE LANDSCAPED PER LANDSCAPING PLAN, SHALL BE STABILIZED WITH A WEEDY BASIS AND AFTER EACH RAIN EVENT OF 1/2 OR MORE, FAILURE TO KEEP EROSION CONTROL DEVICES IN GOOD WORKING ORDER MAY RESULT IN ISSUANCE OF A STOP WORK ORDER OR CIVIL PENALTIES UP TO \$5000 PER DAY OF VIOLATION. SITES UTILIZING SEDIMENT TRAPS MUST ALSO SPECIFY A MAXIMUM DEPTH OF SEDIMENT PRIOR TO CLEAN OUT.
21. THE STATE ENGINEER RESERVES THE RIGHT TO REQUIRE ADDITIONAL EROSION CONTROL MEASURES SHOULD THE PLAN OR ITS IMPLEMENTATION PROVE TO BE INADEQUATE. NO PERSON MAY INITIATE A LAND DISTURBING ACTIVITY BEFORE NOTIFYING THE STATE OF THE DATE OF THE LAND DISTURBING ACTIVITY.
22. ACCEPTANCE & APPROVAL OF THIS PLAN IS CONDITIONED UPON YOUR COMPLIANCE WITH FEDERAL AND STATE WATER QUALITY LAWS, REGULATIONS AND RULES. IN ADDITION, LOCAL CITY AND COUNTY ORDINANCES OR RULES MAY ALSO APPLY TO THIS LAND DISTURBING ACTIVITY. APPROVAL BY THE STATE DOES NOT SUPERSEDE ANY OTHER PERMIT OR APPROVAL.
23. THE STATE RESERVES THE RIGHT TO ENTER AND INSPECT ANY PROPERTY WITHIN ITS JURISDICTION FOR COMPLIANCE WITH THE SOIL EROSION AND SEDIMENTATION CONTROL ORDINANCE.
24. IN ANY EVENT, SLOPES LEFT EXPOSED WILL BE PLANTED OR OTHERWISE PROVIDED WITH GROUND COVER, DEVICES OR STRUCTURES SUFFICIENT TO RESTRAIN EROSION WITHIN FOURTEEN (14) CALENDAR DAYS OF COMPLETION OF ANY PHASE OF GRADING.
25. MAINTAIN EROSION CONTROL MEASURES AS NECESSARY.

EROSION CONTROL NOTES:

- 1. NO LAND DISTURBING ACTIVITY BEYOND THE REQUIRED TO INSTALL APPROPRIATE EROSION CONTROL MEASURES MAY NOT PROCEED UNTIL EROSION CONTROL MEASURES ARE INSPECTED AND APPROVED BY THE STATE.
2. SCHEDULING OF A PRE-CONSTRUCTION CONFERENCE WITH THE EROSION CONTROL INSPECTOR IS REQUIRED PRIOR TO INITIATING LAND DISTURBING ACTIVITIES. FOR INSPECTION PLEASE CALL (910) 796-7215. A 24-HOUR NOTICE IS REQUIRED.
3. SEED OR OTHERWISE PROVIDE GROUND COVER DEVICES OR STRUCTURES SUFFICIENT TO RESTRAIN EROSION FOR ALL DENUDED SLOPES WITHIN 7 DAYS FOR SLOPES STEEPER THAN 3:1 OR 14 DAYS FOR SLOPES FLATTER THAN 4:1.
4. CONTRACTOR SHALL INSPECT AND MAINTAIN ALL EROSION CONTROL DEVICES ON A WEEKLY BASIS AND AFTER EACH RAIN EVENT OF 1/2 OR MORE. FAILURE TO KEEP EROSION CONTROL DEVICES IN GOOD WORKING ORDER MAY RESULT IN ISSUANCE OF A STOP WORK ORDER OR CIVIL PENALTIES UP TO \$5000 PER DAY OF VIOLATION. SITES UTILIZING SEDIMENT TRAPS MUST ALSO SPECIFY A MAXIMUM DEPTH OF SEDIMENT PRIOR TO CLEAN OUT.
5. THE STATE ENGINEER RESERVES THE RIGHT TO REQUIRE ADDITIONAL EROSION CONTROL MEASURES SHOULD THE PLAN OR ITS IMPLEMENTATION PROVE TO BE INADEQUATE. NO PERSON MAY INITIATE A LAND DISTURBING ACTIVITY BEFORE NOTIFYING THE STATE OF THE DATE OF THE LAND DISTURBING ACTIVITY.
6. ACCEPTANCE & APPROVAL OF THIS PLAN IS CONDITIONED UPON YOUR COMPLIANCE WITH FEDERAL AND STATE WATER QUALITY LAWS, REGULATIONS AND RULES. IN ADDITION, LOCAL CITY AND COUNTY ORDINANCES OR RULES MAY ALSO APPLY TO THIS LAND DISTURBING ACTIVITY. APPROVAL BY THE STATE DOES NOT SUPERSEDE ANY OTHER PERMIT OR APPROVAL.
7. THE STATE RESERVES THE RIGHT TO ENTER AND INSPECT ANY PROPERTY WITHIN ITS JURISDICTION FOR COMPLIANCE WITH THE SOIL EROSION AND SEDIMENTATION CONTROL ORDINANCE.
8. IN ANY EVENT, SLOPES LEFT EXPOSED WILL BE PLANTED OR OTHERWISE PROVIDED WITH GROUND COVER, DEVICES OR STRUCTURES SUFFICIENT TO RESTRAIN EROSION WITHIN FOURTEEN (14) CALENDAR DAYS OF COMPLETION OF ANY PHASE OF GRADING.
9. MAINTAIN EROSION CONTROL MEASURES AS NECESSARY.

CONTACT PERSON RESPONSIBLE FOR MAINTENANCE: JOSEPH E. THOMAS (252) 635-7476

NOTE: THERE WILL BE NO LARGE STOCKPILES AT THIS SITE. ALL TOPSOIL & SPOIL FROM EXCAVATED AREAS SHALL BE USED IN FILL SECTIONS AND TO TOP DRESS AREAS WHERE STRUCTURAL IMPROVEMENTS WILL NOT BE PLACED.

NOTE: ANY BORROW MATERIAL BROUGHT ON TOP THIS SITE MUST BE FROM A LEGALLY OPERATED MINE OR OTHER APPROVED SOURCE. ANY SOIL WASTE THAT LEAVES THIS SITE CAN BE TRANSPORTED TO A PERMITTED MINE OR SEPARATELY PERMITTED CONSTRUCTION SITES WITHOUT ADDITIONAL PERMITS UNDER NCGS 74-49(7)(d). DISPOSAL AT ANY OTHER LOCATION WOULD HAVE TO BE INCLUDED AS A PERMIT REVISION FOR THIS APPROVAL.

CONSTRUCTION SCHEDULE:

- 1. OBTAIN PLAN APPROVALS AND ALL APPLICABLE PERMITS. (45 DAYS)
2. INSTALL TEMPORARY CONSTRUCTION ENTRANCE/EXIT. (1 DAY)
3. INSTALL SILT FENCE AS SHOWN ON PLANS. (1 DAY)
4. STRIP TOPSOIL, INSTALL BUILDING PAD & ROUGH GRADE PARKING LOT. (7 DAYS)
5. INSTALL UNDERGROUND UTILITIES. (7 DAYS)
6. INSTALL STONE, SIDEWALKS & CONCRETE PARKING. (7 DAYS)
7. STRIPE PARKING SPACES. (1 DAY)
8. FINE GRADE SLOPES, SEED AND MULCH ALL DISTURBED AREAS. (1 DAY)
9. CHECK EROSION CONTROL DEVICES PERIODICALLY FOR STABILITY & PERFORMANCE.
10. REMOVE EROSION CONTROL DEVICES ONCE VEGETATION IS ESTABLISHED @ +80%.

STORM DRAINAGE NOTES

- 1. ALL PIPE TO BE INSTALLED AND BEDDED PER MANUFACTURER'S SPECIFICATIONS. NO VEHICULAR TRAFFIC SHALL BE ALLOWED ACROSS PIPES UNTIL A MINIMUM OF 2' OF COMPACTED COVER HAS BEEN INSTALLED, UNLESS OTHERWISE NOTED.
2. ALL CONSTRUCTION TO MEET OR EXCEED NCDOT AND LOCAL STANDARDS.

MAINTENANCE PLAN:

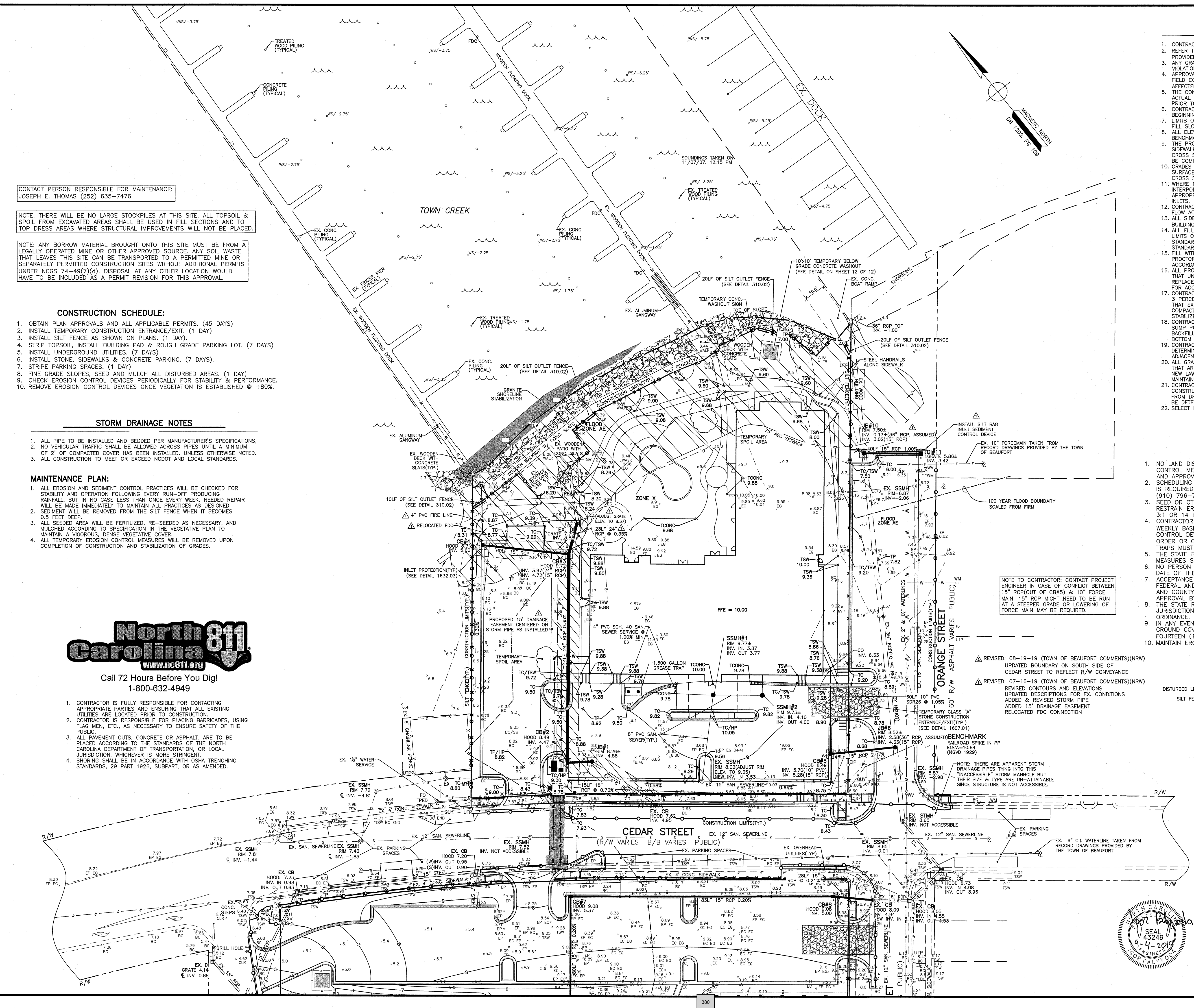
- 1. ALL EROSION AND SEDIMENT CONTROL PRACTICES WILL BE CHECKED FOR STABILITY AND OPERATION FOLLOWING EVERY RUN-OFF PRODUCING RAINFALL, BUT IN NO CASE LESS THAN ONCE EVERY WEEK. NEEDED REPAIR WILL BE MADE IMMEDIATELY TO MAINTAIN ALL PRACTICES AS DESIGNED.
2. SEDIMENT WILL BE REMOVED FROM THE SILT FENCE WHEN IT BECOMES 0.5 FEET DEEP.
3. ALL SEEDING AREA WILL BE FERTILIZED, RE-SEEDING AS NECESSARY, AND MULCHED ACCORDING TO SPECIFICATION IN THE VEGETATIVE PLAN TO MAINTAIN A VIGOROUS, DENSE VEGETATIVE COVER.
4. ALL TEMPORARY EROSION CONTROL MEASURES WILL BE REMOVED UPON COMPLETION OF CONSTRUCTION AND STABILIZATION OF GRADES.



Call 72 Hours Before You Dig! 1-800-632-4949

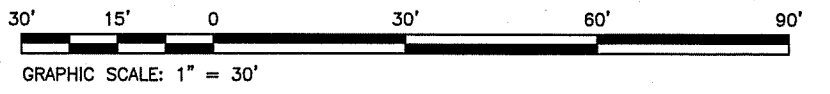
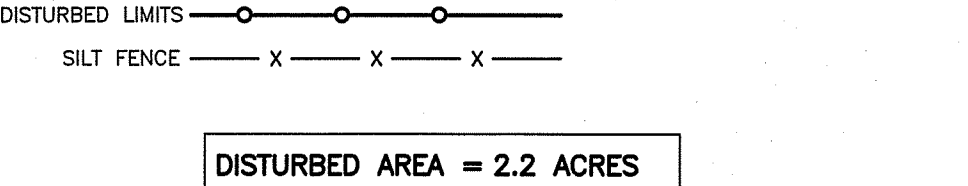
- 1. CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING APPROPRIATE PARTIES AND ENSURING THAT ALL EXISTING UTILITIES ARE LOCATED PRIOR TO CONSTRUCTION.
2. CONTRACTOR IS RESPONSIBLE FOR PLACING BARRICADES, USING FLAG MEN, ETC., AS NECESSARY TO ENSURE SAFETY OF THE PUBLIC.
3. ALL PAVEMENT CUTS, CONCRETE OR ASPHALT, ARE TO BE PLACED ACCORDING TO THE STANDARDS OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION, OR LOCAL JURISDICTION, WHICHEVER IS MORE STRINGENT.
4. SHORING SHALL BE IN ACCORDANCE WITH OSHA TRENCHING STANDARDS, 29 PART 1926, SUBPART, OR AS AMENDED.

Vertical text on the left margin: Y:\DRAWINGS\07-160 Beaufort Youth Club\NOTEL-2017\17 SHEETS\DESIGN SET\GRADING & UTILITIES.dwg Fri, Aug 23, 2019 - 10:40am RWELLS



NOTE TO CONTRACTOR: CONTACT PROJECT ENGINEER IN CASE OF CONFLICT BETWEEN 15" RCP(OUT OF CB#5) & 10" FORCE MAIN. 15" RCP MIGHT NEED TO BE RUN AT A STEEPER GRADE OR LOWERING OF FORCE MAIN MAY BE REQUIRED.

REVIS: 08-19-19 (TOWN OF BEAUFORT COMMENTS)(NRW) UPDATED BOUNDARY ON SOUTH SIDE OF CEDAR STREET TO REFLECT R/W CONFORMANCE
REVIS: 07-16-19 (TOWN OF BEAUFORT COMMENTS)(NRW) REVISED CONTOURS AND ELEVATIONS UPDATED DESCRIPTIONS FOR EX. CONDITIONS ADDED & REVISED STORM PIPE ADDED 15" DRAINAGE EASEMENT RELOCATED FDC CONNECTION



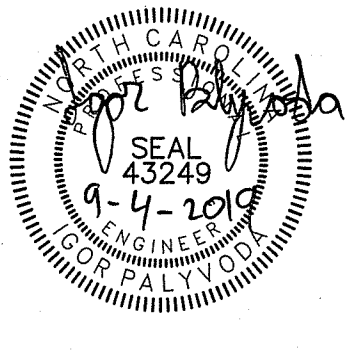
SHEET 6 OF 12 HOTEL & AMENITIES GRADING, PAVING, STORM DRAINAGE, EROSION CONTROL & UTILITIES PLAN

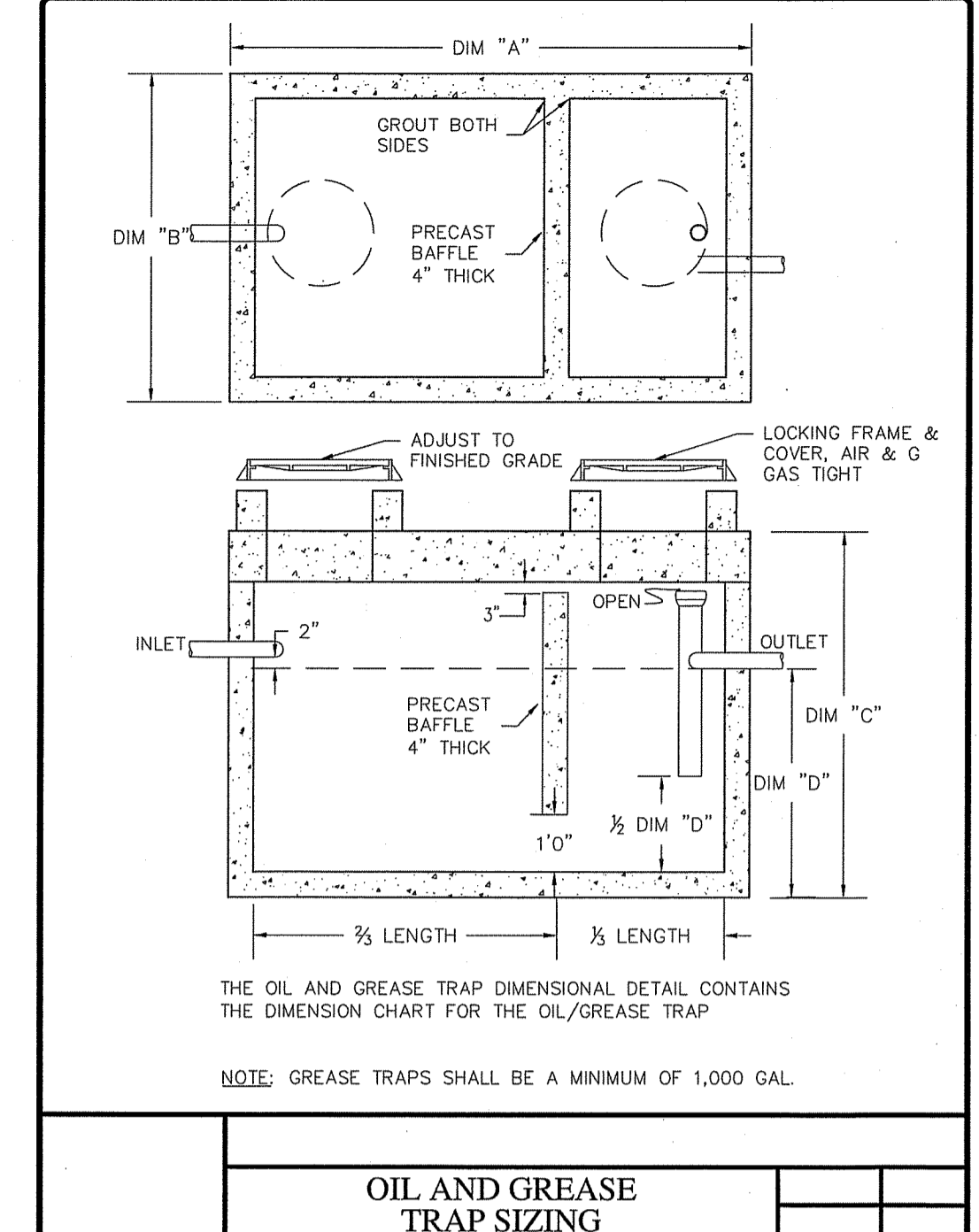
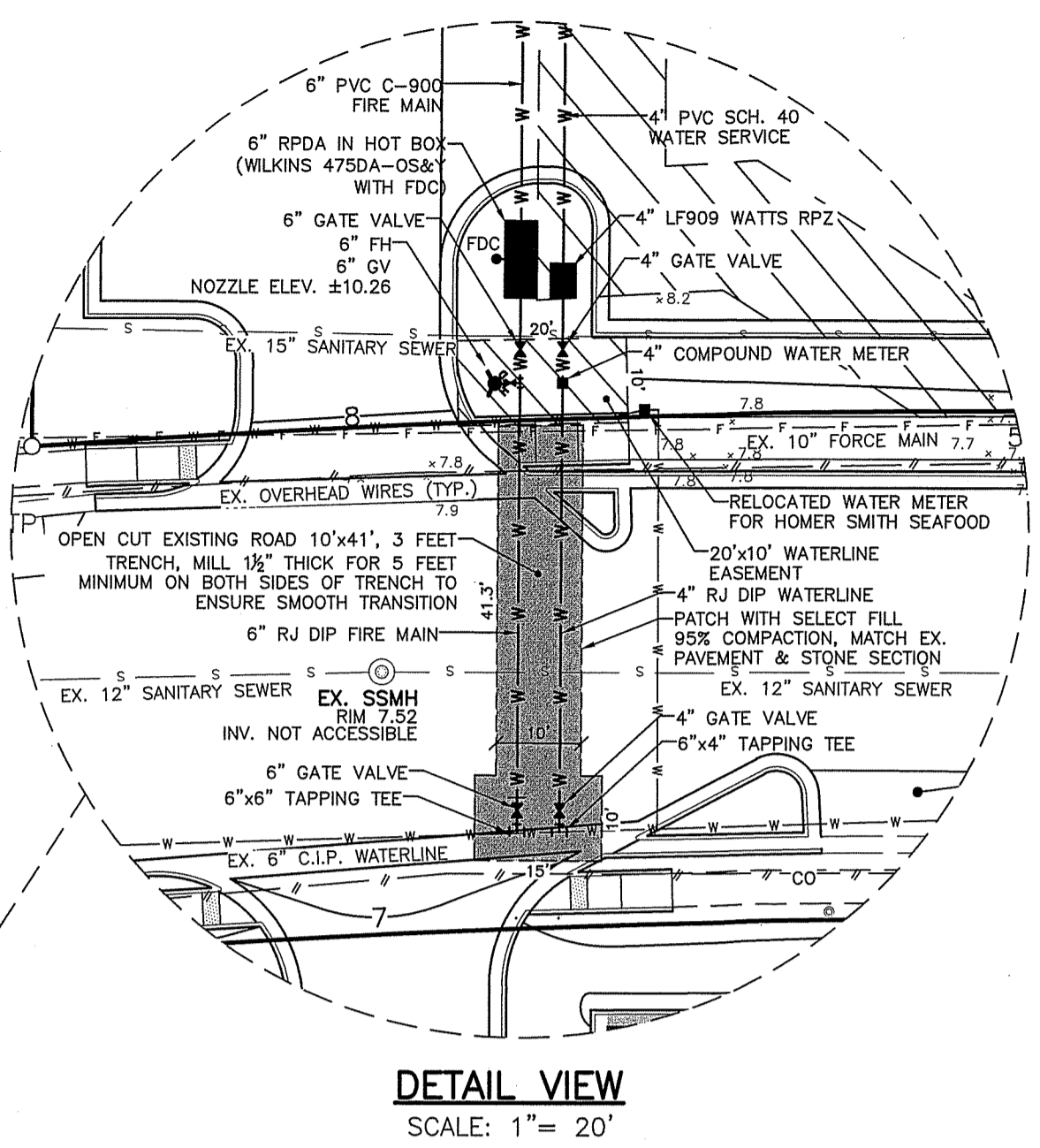
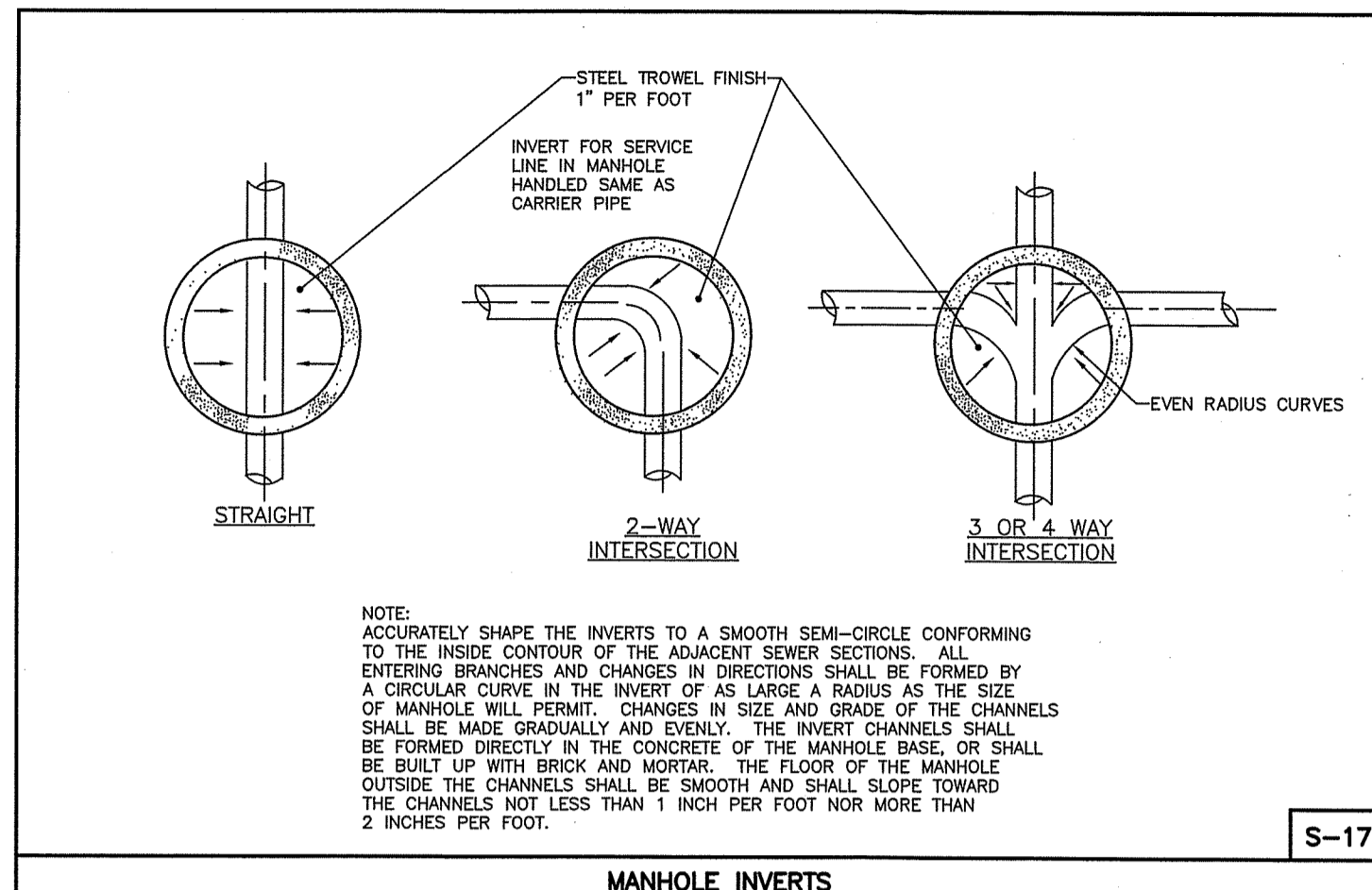
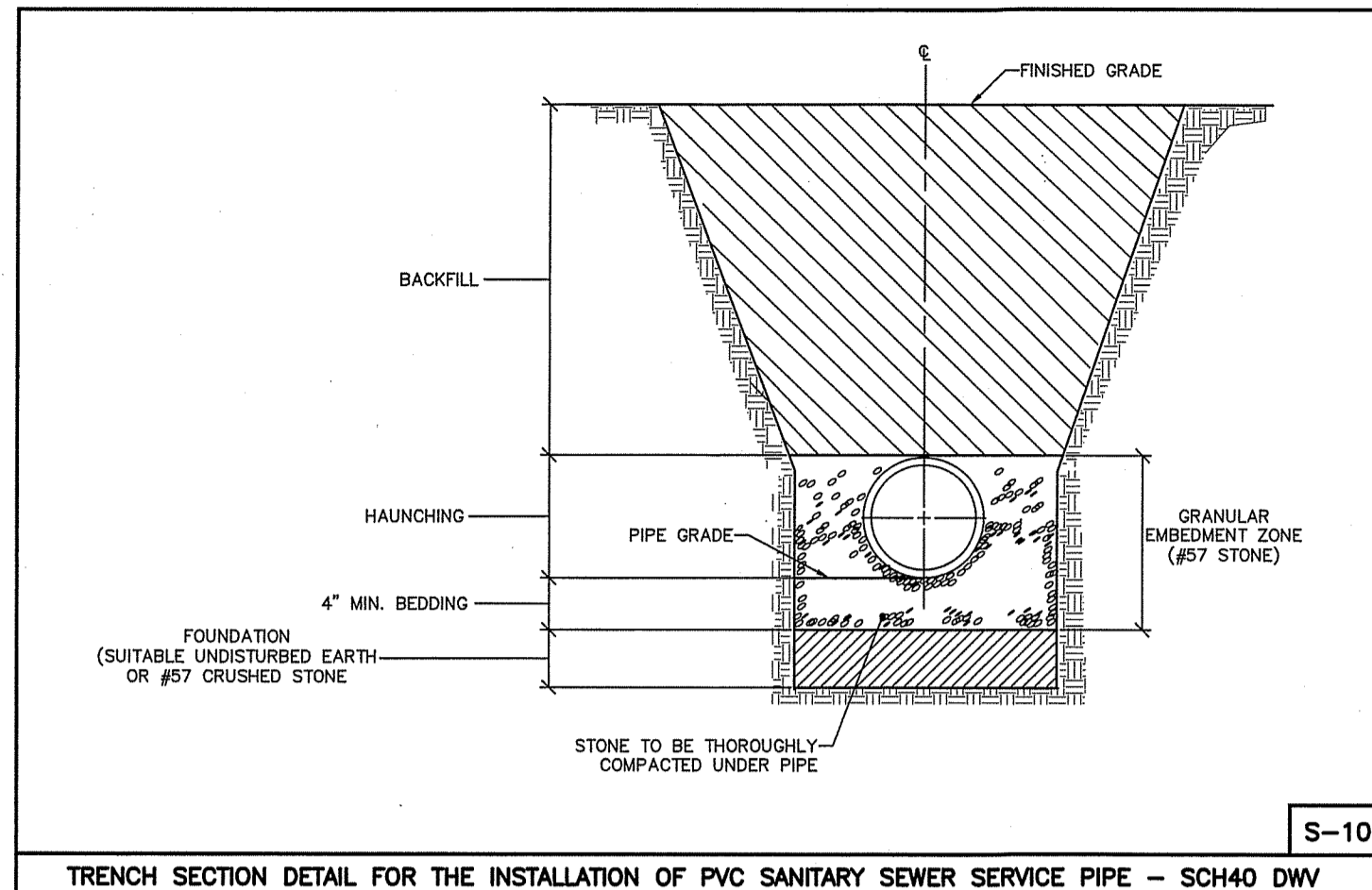


PROPERTY ADDRESS: 115 CEDAR STREET BEAUFORT, NC 28516 BEAUFORT, BEAUFORT TOWNSHIP, CARTERET COUNTY, N.C.

OWNER: BEAUFORT PARTNERS, LLC ADDRESS: P.O. BOX 14165 NEW BERN, NC 28561 PHONE: (252) 635-7476
OWNER: BETTY APPERSON ADDRESS: P.O. BOX 625 LAGRANGE, NC 28551 PHONE: (252) 559-0592

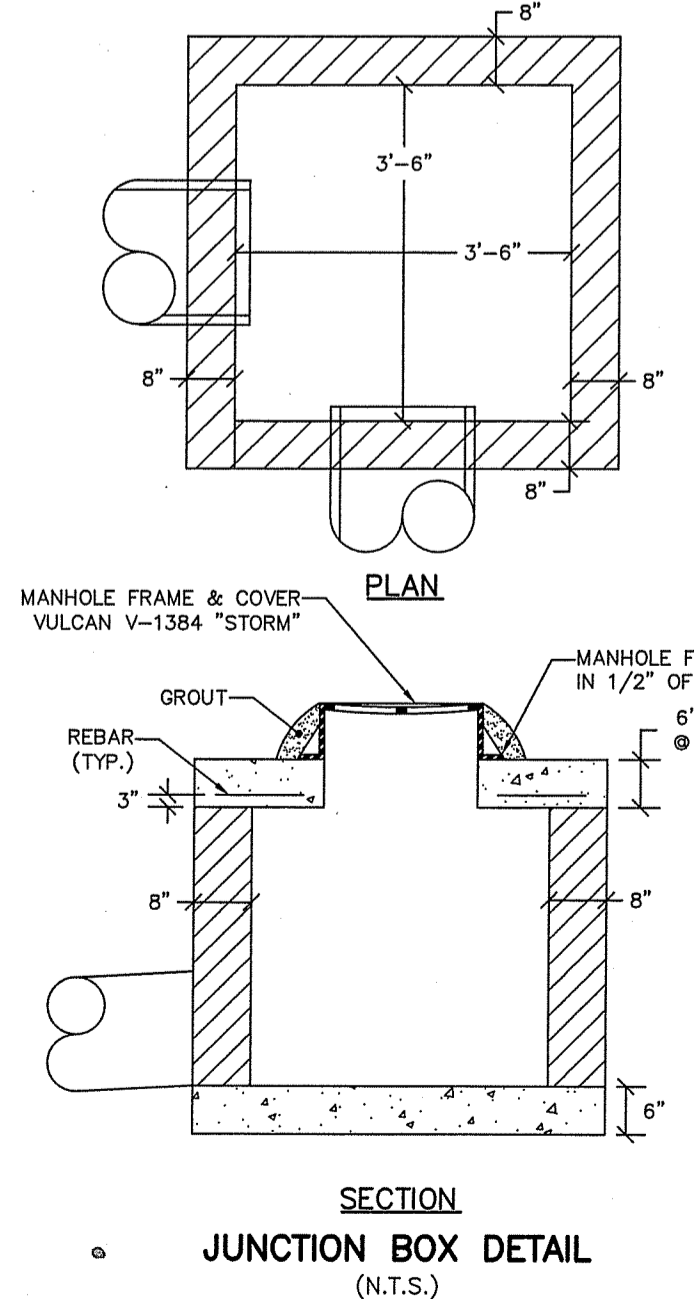
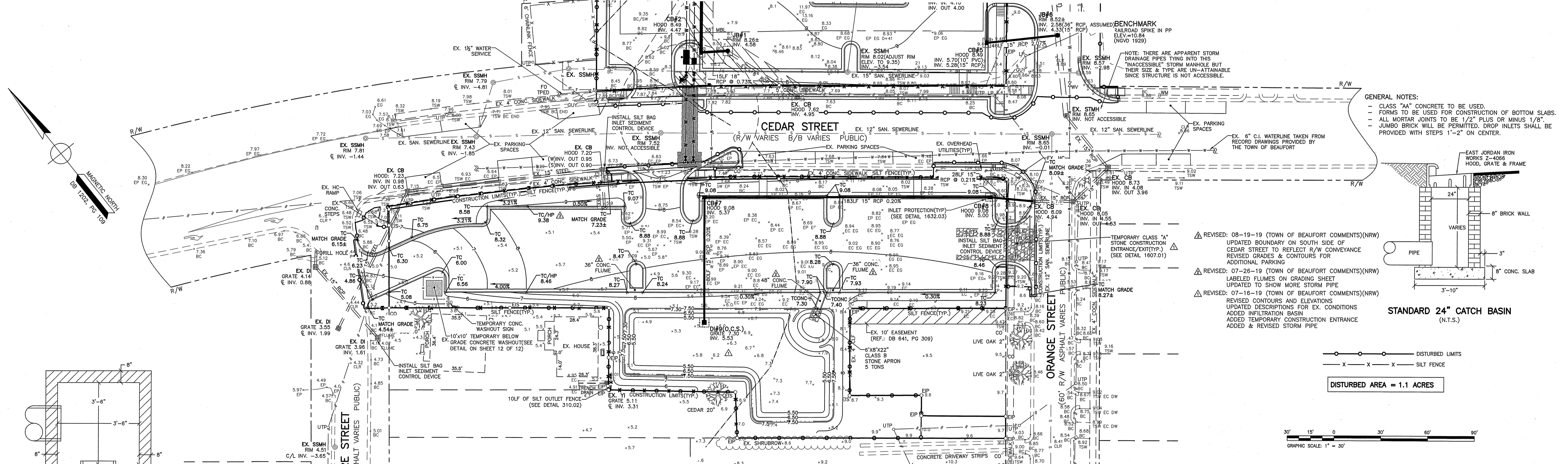
Baldwin Design Consultants, PA LICENSE C-3468
DESIGNED: IP APPROVED: IP
DRAWN: NRW DATE: 06/20/19
CHECKED: IP/MWB SCALE: 1" = 30'



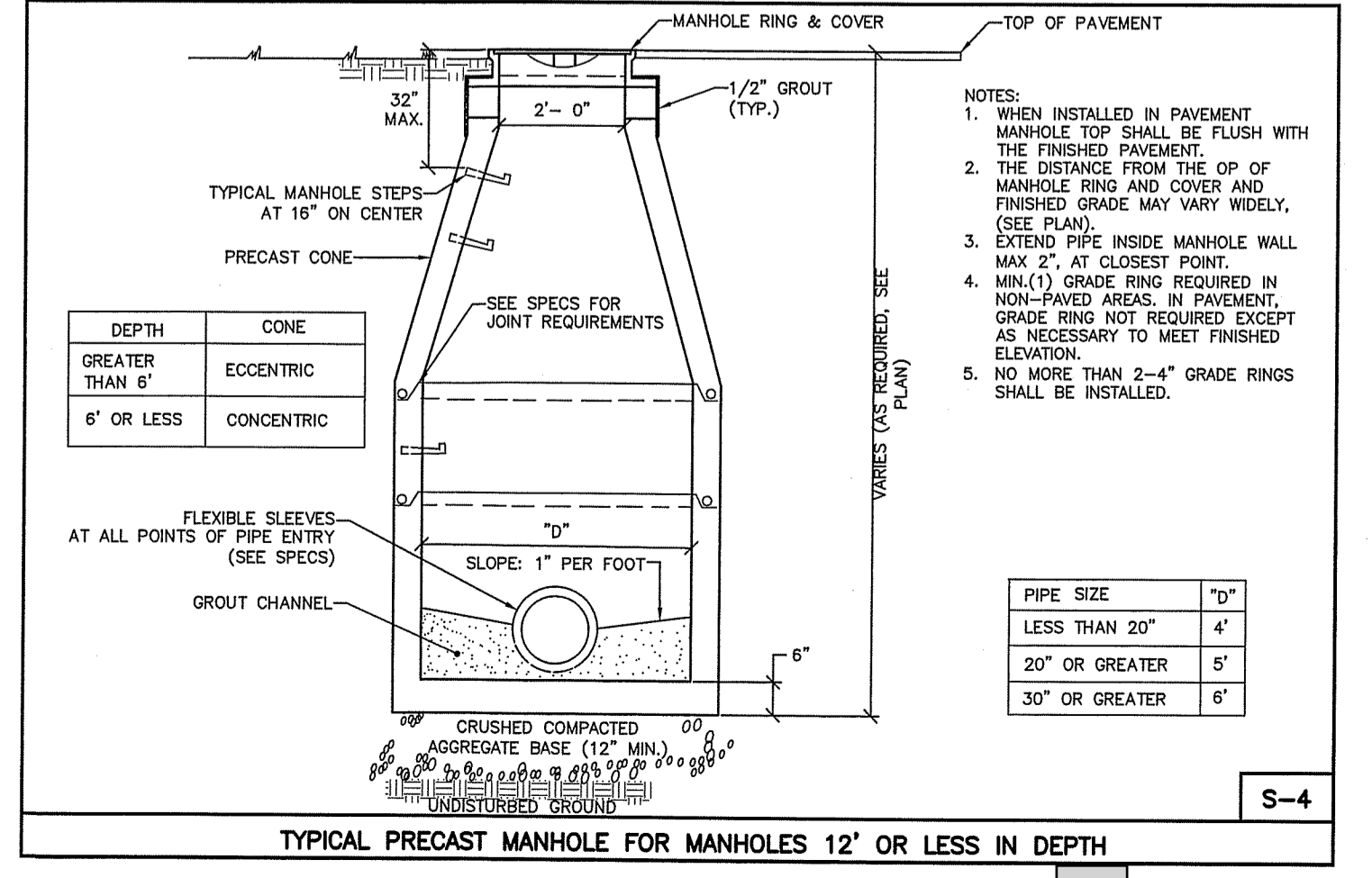


OIL AND GREASE TRAP DIMENSION CHART				
CAP (GAL)	DIM "A"	DIM "B"	DIM "C"	DIM "D"
1000	9'0"	5'0"	7'2"	4'2"
1250	9'0"	5'0"	7'2"	5'2"
1500	11'2"	5'8"	7'2"	4'4"
1750	11'2"	5'8"	7'2"	4'11"
2000	12'8"	6'8"	8'0"	4'7"
2500	12'8"	6'8"	8'0"	5'6"
2750	12'8"	6'8"	8'0"	6'0"
3000	15'7"	9'7"	8'6.5"	5'0"
4000	15'7"	9'7"	8'6.5"	6'3"
5000	19'11"	9'11"	8'11"	6'2"
6000	19'11"	9'11"	10'5"	7'2"

NOTES:
 1. CONCRETE: 28 DAY $f_c=4500$ PSI
 2. REBAR: ASTM A-615 GRADE 60
 3. MESH: ASTM A-185 GRADE 65
 4. DESIGN: ACI 318-83 BUILDING CODE ASTM C-857 MINIMUM STRUCTURAL DESIGN LOADING FOR UNDERGROUND PRECAST CONCRETE UTILITY STRUCTURES
 5. LOADS: H-20 TRUCK WHEEL WITH 30% IMPACT PER AASHTO
 6. FILL WITH CLEAN WATER PRIOR TO START UP OF SYSTEM
 7. CONTRACTOR TO SUPPLY AND INSTALL ALL R/W SANITARY TEES, AND 4\"/>

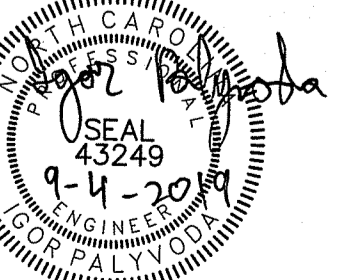


GENERAL NOTES:
 -CLASS "AA" CONCRETE TO BE USED.
 -FORMS TO BE USED FOR CONSTRUCTION OF BOTTOM SLABS.
 -ALL MORTAR JOINTS TO BE 1/2" PLUS OR MINUS 1/8".
 -JUMBO BRICK WILL BE PERMITTED. DROP INLETS SHALL BE PROVIDED WITH STEPS 1'-2" ON CENTER.



North 811
 Carolina
 www.nc811.org
 Call 72 Hours Before You Dig!
 1-800-632-4949

- CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING APPROPRIATE PARTIES AND ENSURING THAT ALL EXISTING UTILITIES ARE LOCATED PRIOR TO CONSTRUCTION.
- CONTRACTOR IS RESPONSIBLE FOR PLACING BARRICADES, USING FLAG MEN, ETC., AS NECESSARY TO ENSURE SAFETY OF THE PUBLIC.
- ALL PAVEMENT CUTS, CONCRETE OR ASPHALT, ARE TO BE PLACED ACCORDING TO THE STANDARDS OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION, OR LOCAL JURISDICTION, WHICHEVER IS MORE STRINGENT.
- SHORING SHALL BE IN ACCORDANCE WITH OSHA TRENCHING STANDARDS, 29 PART 1926, SUBPART, OR AS AMENDED.



SHEET 7 OF 12
 PARKING LOT GRADING, PAVING, STORM DRAINAGE & EROSION CONTROL PLAN

COMPASS
 MARGARTAVILLE HOTELS & RESORTS

PROPERTY ADDRESS: 115 CEDAR STREET BEAUFORT, NC 28516
 BEAUFORT, BEAUFORT TOWNSHIP, CARTERET COUNTY, N.C.

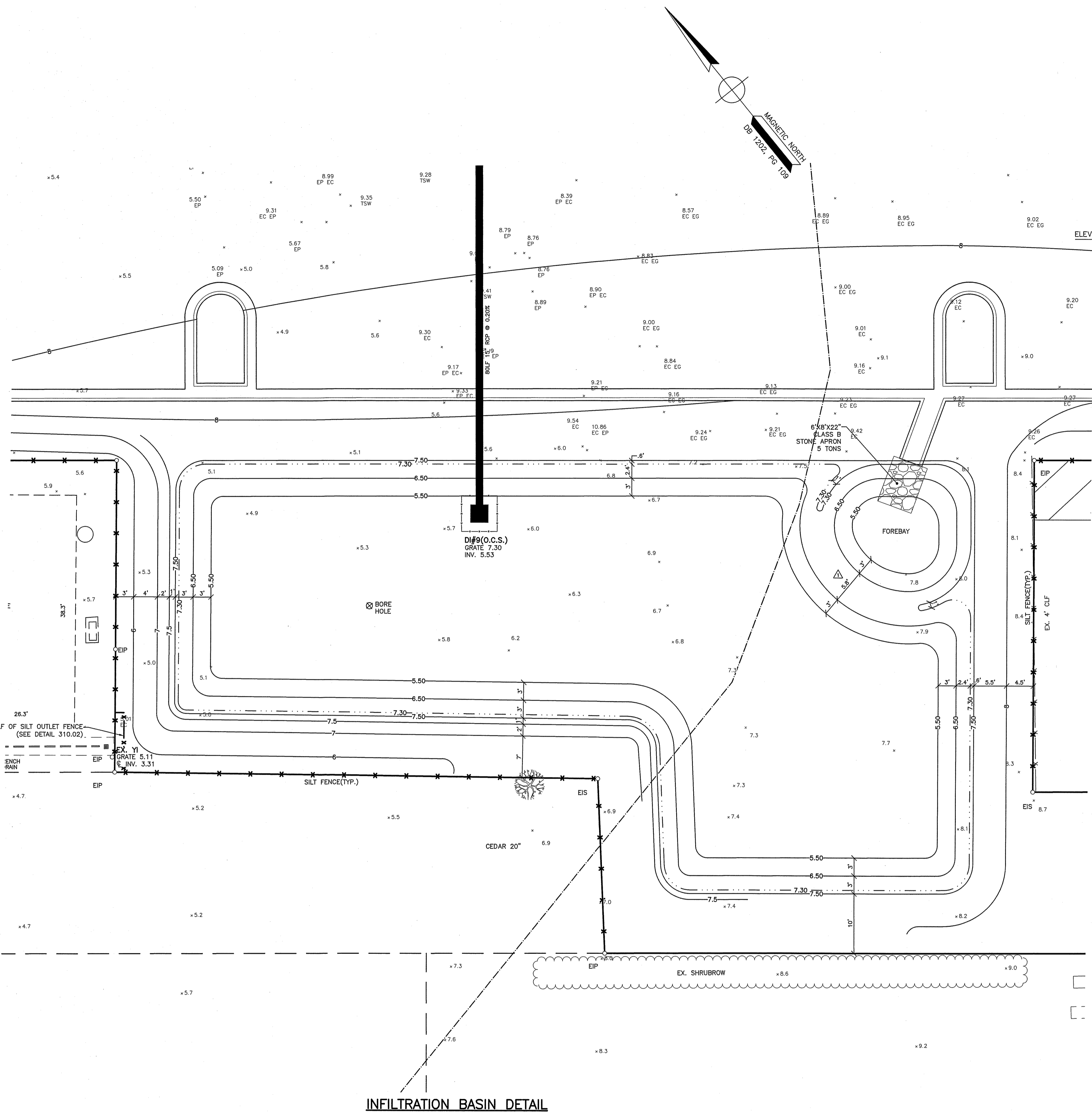
OWNER: BEAUFORT PARTNERS, LLC ADDRESS: P.O. BOX 14165 NEW BERN, NC 28511 PHONE: (252) 635-7476	OWNER: BETTY APPERSON ADDRESS: P.O. BOX 625 LAGRANGE, NC 28551 PHONE: (252) 559-0592
---	---

Baldwin Design Consultants, PA
 ENGINEERING - SURVEYING - PLANNING
 1700-D EAST ARLINGTON BOULEVARD
 GREENVILLE, NC 27858 252.756.1390

DESIGNED: IP	APPROVED: IP
DRAWN: NRW	DATE: 06/20/19
CHECKED: IP/MWB	SCALE: 1" = 30'

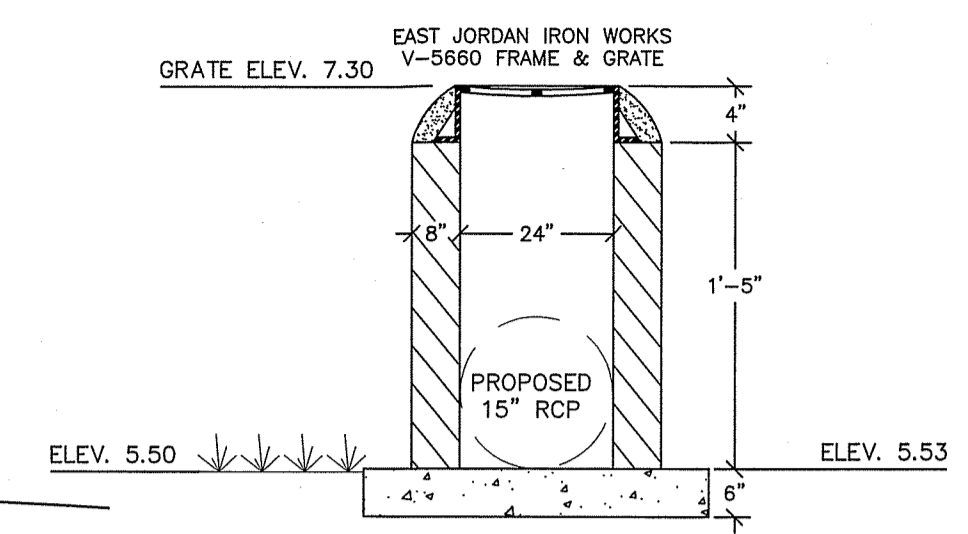
Y:\DRAWINGS\07-160 Beaufort Youth Club\HOTEL-201\ASSETS\SET\GRADING & UTILITIES.dwg Wed, Sep 04, 2019 7:53am RWLKS

Y:\DRAWINGS\07-160 Beaufort Tech\Chab\HOTEL-2017\Drawings\DETAILED\STORMWATER.dwg, Tue, Sep 03, 2019 - 5:09pm RWELLS



INTEGRATION BASIN DETAIL
SCALE: 1" = 10'

GENERAL NOTES:
 -CLASS "AA" CONCRETE TO BE USED.
 -FORMS TO BE USED FOR CONSTRUCTION OF BOTTOM SLABS.
 -ALL MORTAR JOINTS TO BE 1/2" PLUS OR MINUS 1/8".
 -JUMBO BRICK WILL BE PERMITTED.



DROP INLET #9
(OUTLET CONTROL STRUCTURE)
24"x24" INSIDE DIMENSION
(N.T.S.)

STATE OF NORTH CAROLINA
DEPT. OF TRANSPORTATION
HALEIGH, N.C.

ENGLISH STANDARD DRAWING FOR
BRICK JUNCTION BOX
(WITH OPTIONAL MANHOLE)
12" THRU 66" PIPE

SECTION X-X
BRICK MAY BE USED TO ADJUST FRAME & COVER TO SURFACE ELEVATION MAX. 1"

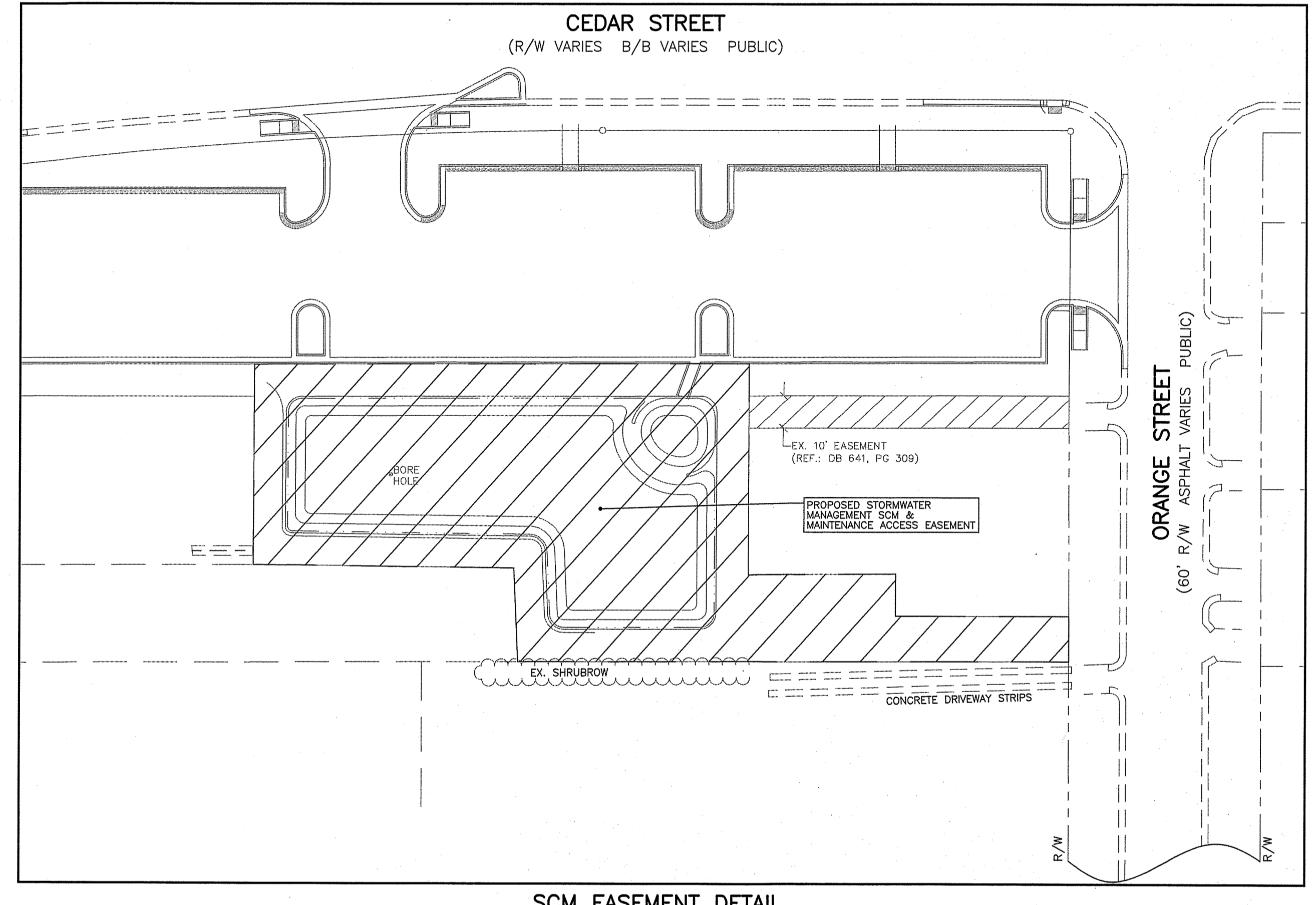
SECTION Y-Y
SEE STANDARD 840.54 FOR MANHOLE COVER & FRAME TO SURFACE ELEVATION MAX. 1"

GENERAL NOTES:
 CHAMFER ALL EXPOSED CORNERS 1".
 USE CLASS "A" CONCRETE THROUGHOUT.
 USE #4 BAR COILS AT 12" CENTERS.
 MORTAR JOINTS 1/2" ± 1/8" THICK.
 CONCAVE TO ALL EXPOSED JOINTS.
 USE FORMS TO CONSTRUCT THE BOTTOM SLAB.
 JOINTS BRICK WILL BE PERMITTED. CONCRETE BRICK OR 4" SOLID CONCRETE BRICKS MAY BE USED IN LIEU OF CLAY BRICK.
 FOR 4"-6" IN HEIGHT OR LESS, USE #4 WALL. OVER 6"-12" IN HEIGHT, USE 12" WALL TO 6"-8" FROM TOP OF WALL, AND 6" WALL FOR THE REMAINDER 6"-12". ADJUST DIMENSIONS AND QUANTITIES ACCORDINGLY.
 IF REINFORCED CONCRETE PIPE IS SET IN BASE SLAB OF BOX, ADD TO BASE AS SHOWN ON STANDARD NO. 840.00.
 PROVIDE ALL JOINTS SLOPED OVER 1/4" IN DEPTH WITH STEPS 1/2" IN CENTER IN ACCORDANCE WITH STD. NO. 840.00.
 ADJUST THE STEEL, CONCRETE AND BRICK MASONRY QUANTITIES TO INCLUDE THE WEIGHT OF THE MANHOLE (I.E. STANDARD BARS BENDING AROUND OPENING IN TOP SLAB, ADDITIONAL VARIABLE REINFORCING BRICK MASONRY, OPENING IN TOP SLAB).
 BOX, CURBS OF THIS STRUCTURE FROM TOP OF BOTTOM SLAB TO TOP ELEVATION IS 18 TO FEET.

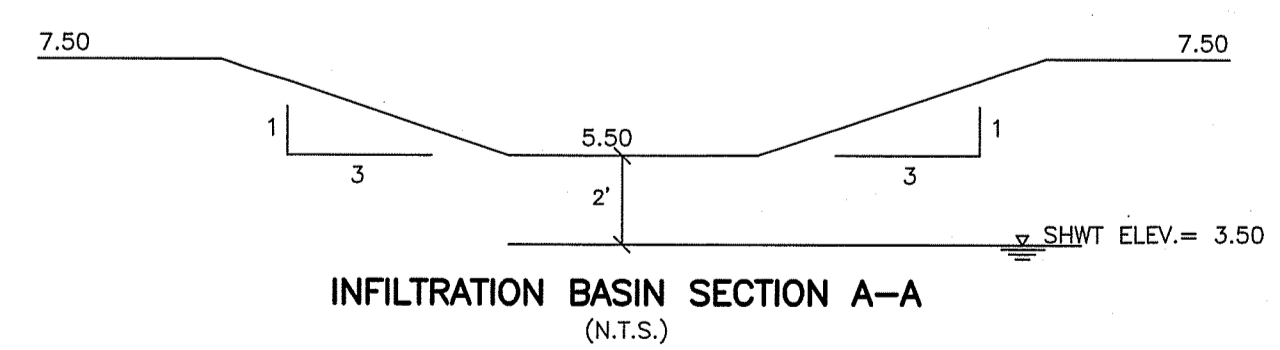
DIMENSIONS OF BOX AND PIPE				DIMENSIONS AND QUANTITIES FOR BRICK JUNCTION BOXES				CONCRETE WEIGHT				DEFLECTIONS FOR ONE PIPE @ 100 LBS.			
PIPE DIA.	SPAN	WIDTH	HEIGHT	NO.	LENGTH	E	F	CONC.	REIN.	BRICK	MASONRY	DEFLECTION	C.P.	R.C.	
12"	2'-0"	2'-0"	2'-3"	12	3'-11"	3'-4"	3'-4"	0.412	0.261	0.263	0.020	0.031	0.047		
15"	2'-0"	2'-0"	2'-6"	12	3'-11"	3'-4"	3'-4"	0.412	0.267	0.263	0.021	0.031	0.047		
18"	2'-0"	2'-0"	2'-9"	14	3'-11"	3'-4"	3'-4"	0.412	0.288	0.264	0.024	0.031	0.047		
24"	3'-0"	3'-0"	3'-3"	16	4'-11"	4'-4"	4'-4"	0.465	1.176	0.262	0.028	0.113	0.113		
30"	3'-4"	3'-4"	3'-6"	16	4'-3"	4'-3"	4'-3"	0.627	1.481	0.262	0.122	0.170	0.170		
36"	4'-0"	4'-0"	4'-3"	22	5'-11"	5'-4"	5'-4"	1.024	2.023	0.261	0.176	0.228	0.228		
42"	4'-8"	4'-8"	4'-9"	22	5'-9"	5'-2"	5'-2"	1.323	2.203	0.267	0.240	0.293	0.293		
48"	5'-4"	5'-4"	5'-6"	28	6'-3"	5'-8"	5'-8"	1.648	2.840	0.260	0.313	0.422	0.422		
54"	6'-0"	6'-0"	6'-3"	28	6'-11"	6'-2"	6'-2"	2.021	3.023	0.259	0.381	0.505	0.505		
60"	6'-6"	6'-6"	6'-9"	30	7'-3"	7'-10"	7'-10"	2.272	4.113	0.268	0.449	0.605	0.605		
66"	7'-11"	7'-11"	8'-0"	32	8'-2"	8'-5"	8'-5"	2.624	4.778	0.268	0.691	0.798	0.798		

ENGLISH STANDARD DRAWING FOR
BRICK JUNCTION BOX
(WITH OPTIONAL MANHOLE)
12" THRU 66" PIPE

SHEET 1 OF 12
840.32



SCM EASEMENT DETAIL
SCALE: 1" = 30'



INFILTRATION BASIN SECTION A-A
(N.T.S.)

INFILTRATION BASIN—CONSTRUCTION SCHEDULE:

1. EXCAVATE INFILTRATION BASIN AREA TO ROUGH BASE ELEVATION DURING CONSTRUCTION. THE INFILTRATION BASIN IS TO BE USED AS SEDIMENT BASIN DURING CONSTRUCTION.
2. INSTALL EROSION CONTROL MEASURES TO STABILIZE INFILTRATION BASIN AREA.
3. WHEN THE SITE HAS BEEN STABILIZED WITH TEMPORARY SEEDING, CABC AND CURB AND GUTTER, CLEAN SEDIMENT OUT OF INFILTRATION BASIN.
4. PERMANENT SEED BANKS AND SLOPES OF BERM AND INFILTRATION BASIN AREA.

NOTE: THE SOILS ON THIS PROPERTY ARE COMPOSED ENTIRELY OF LEON—URBAN LAND COMPLEX(Lu), WHICH BELONGS TO HYDROLOGIC SOIL GROUP A. THE SEASONAL HIGH WATER TABLE WAS DETERMINED TO BE ON AT AN ELEVATION OF 3.50.

CUSTOM STAGE DATA (CONIC):

ELEVATION (ft)	SURFACE AREA (ft²)	INC. STORE (ft³)	CUM. STORE (ft³)
5.50	4,492	0	0
6.50	5,589	5,031	5,031
7.30	6,536	4,845	9,876
7.50	7,345	1,387	11,263

MAINTENANCE NOTES:

1. THE DRAINAGE AREA WILL BE CAREFULLY MANAGED TO REDUCE THE SEDIMENT LOAD TO THE INFILTRATION BASIN.
2. NO PORTION OF THE INFILTRATION BASIN WILL BE FERTILIZED AFTER THE INITIAL FERTILIZATION THAT IS REQUIRED TO ESTABLISH THE VEGETATION. LIME MAY BE ALLOWED IF VEGETATION IS PLANTED ON THE SURFACE OF THE INFILTRATION SYSTEM AND A SOIL TEST SHOWS THAT IT IS NEEDED.
3. THE VEGETATION IN AND AROUND THE BASIN WILL BE MAINTAINED AT A HEIGHT OF FOUR TO SIX INCHES.

AFTER THE INFILTRATION BASIN IS ESTABLISHED, IT WILL BE INSPECTED ONCE A QUARTER AND WITHIN 24 HOURS AFTER EVERY STORM EVENT GREATER THAN 1.5 INCHES. RECORDS OF OPERATION AND MAINTENANCE WILL BE KEPT IN A KNOWN SET LOCATION AND WILL BE AVAILABLE UPON REQUEST.



Call 72 Hours Before You Dig!
1-800-632-4949

1. CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING APPROPRIATE PARTIES AND ENSURING THAT ALL EXISTING UTILITIES ARE LOCATED PRIOR TO CONSTRUCTION.
2. CONTRACTOR IS RESPONSIBLE FOR PLACING BARRICADES, USING FLAG MEN, ETC., AS NECESSARY TO ENSURE SAFETY OF THE PUBLIC.
3. ALL PAVEMENT CUTS, CONCRETE OR ASPHALT, ARE TO BE PLACED ACCORDING TO THE STANDARDS OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION, OR LOCAL JURISDICTION, WHICHEVER IS MORE STRINGENT.
4. SHORING SHALL BE IN ACCORDANCE WITH OSHA TRENCHING STANDARDS, 29 PART 1926, SUBPART, OR AS AMENDED.

SHEET 8 OF 12
STORMWATER MANAGEMENT PLAN & DETAILS

COMPASS
MARGARITAVILLE, HOTELS & RESORTS

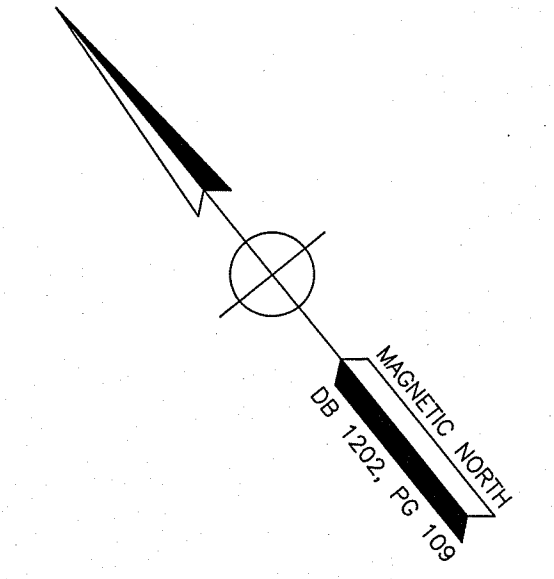
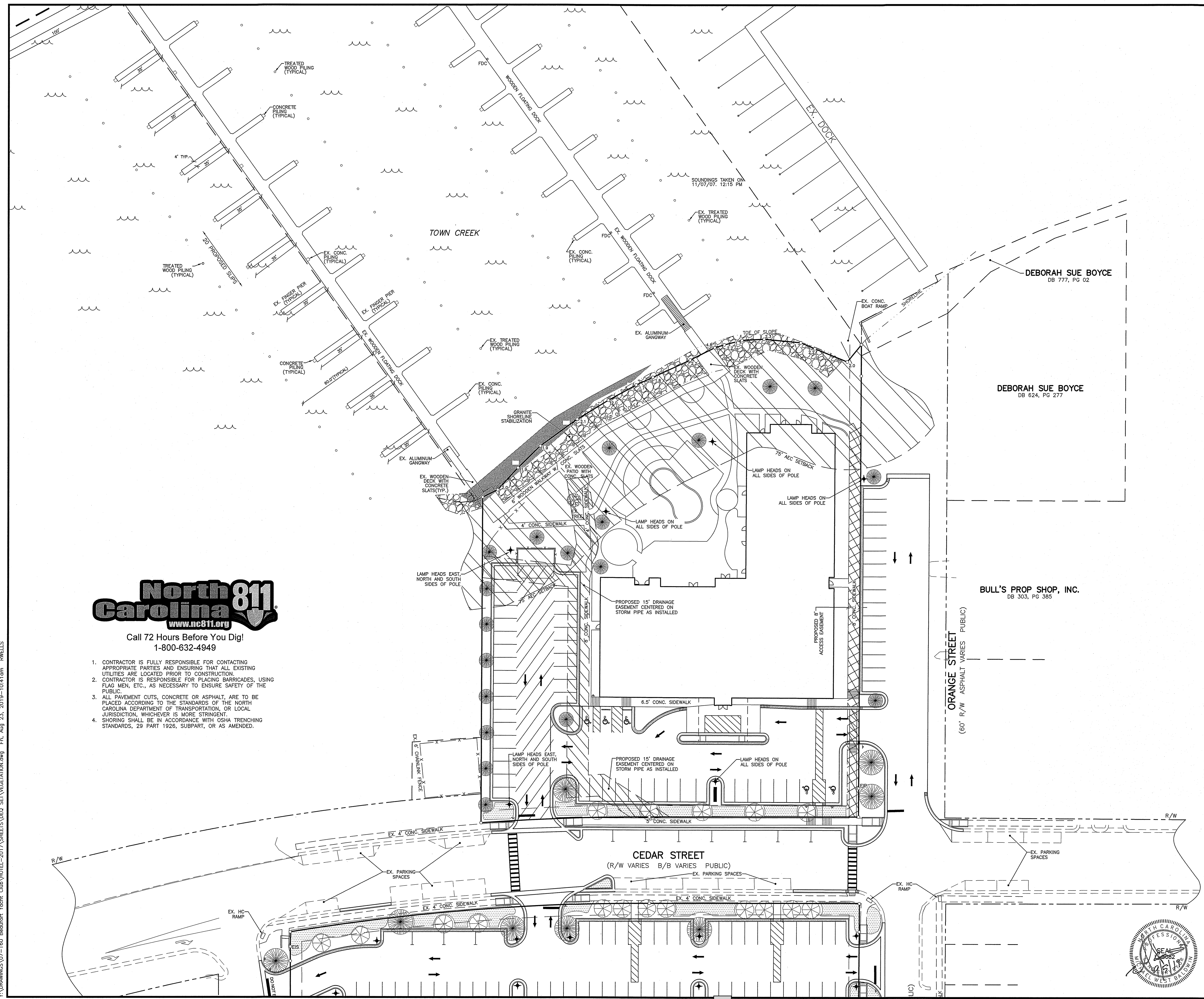
PROPERTY ADDRESS: 115 CEDAR STREET BEAUFORT, NC 28516
BEAUFORT, BEAUFORT TOWNSHIP, CARTERET COUNTY, N.C.

OWNER: **BEAUFORT PARTNERS, LLC**
ADDRESS: P.O. BOX 14165
NEW BERN, NC 28561
PHONE: (252) 635-7476

OWNER: **BETTY APPERSON**
ADDRESS: P.O. BOX 625
LAGRANGE, NC 28551
PHONE: (252) 559-0592

Baldwin Design Consultants, PA
ENGINEERING - SURVEYING - PLANNING
1700-D EAST ARLINGTON BOULEVARD
GREENVILLE, NC 27658 252.756.1390

DESIGNED: IP
APPROVED: IP
DRAWN: NRW
DATE: 06/20/19
CHECKED: IP
SCALE: 1" = 00'



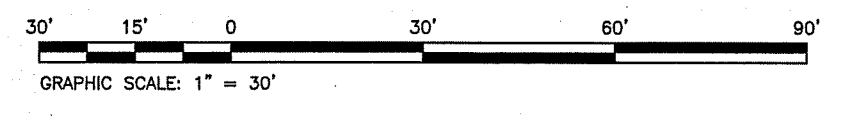
- LEGEND**
- PROPOSED LIVE OAK
 - PROPOSED FLOWERING DOGWOOD
 - PROPOSED WAX MYRTLE
 - PROPOSED AMERICAN HOLLY
 - PROPOSED DWARF AZALEA, COASTAL



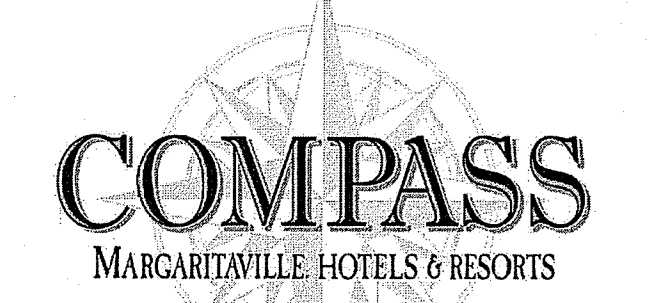
Call 72 Hours Before You Dig!
1-800-632-4949

1. CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING APPROPRIATE PARTIES AND ENSURING THAT ALL EXISTING UTILITIES ARE LOCATED PRIOR TO CONSTRUCTION.
2. CONTRACTOR IS RESPONSIBLE FOR PLACING BARRICADES, USING FLAG MEN, ETC., AS NECESSARY TO ENSURE SAFETY OF THE PUBLIC.
3. ALL PAVEMENT CUTS, CONCRETE OR ASPHALT, ARE TO BE PLACED ACCORDING TO THE STANDARDS OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION, OR LOCAL JURISDICTION, WHICHEVER IS MORE STRINGENT.
4. SHORING SHALL BE IN ACCORDANCE WITH OSHA TRENCHING STANDARDS, 29 PART 1926, SUBPART, OR AS AMENDED.

REVISED: 08-19-19 (TOWN OF BEAUFORT COMMENTS)(NRW)
UPDATED BOUNDARY ON SOUTH SIDE OF CEDAR STREET TO REFLECT R/W CONVEYANCE



SHEET 9 OF 12
HOTEL & AMENITIES SITE VEGETATION PLAN

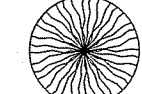
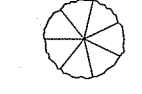
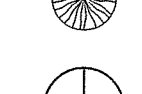
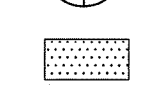



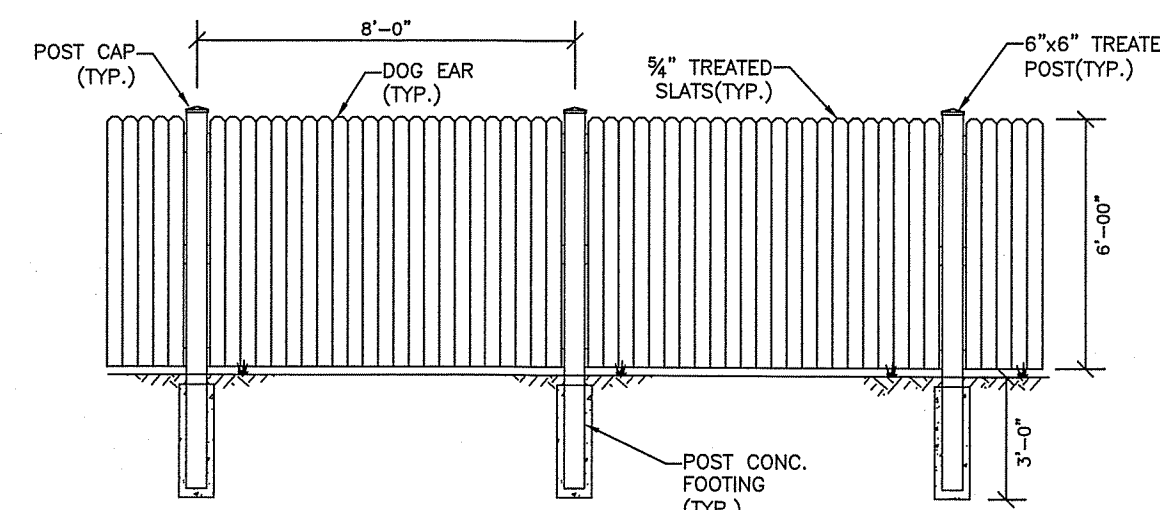
PROPERTY ADDRESS: 115 CEDAR STREET BEAUFORT, NC 28516
BEAUFORT, BEAUFORT TOWNSHIP, CARTERET COUNTY, N.C.

OWNER: BEAUFORT PARTNERS, LLC ADDRESS: P.O. BOX 14165 NEW BERN, NC 28561 PHONE: (252) 635-7476	OWNER: BETTY APPERSON ADDRESS: P.O. BOX 625 LAGRANGE, NC 28551 PHONE: (252) 559-0592
---	---

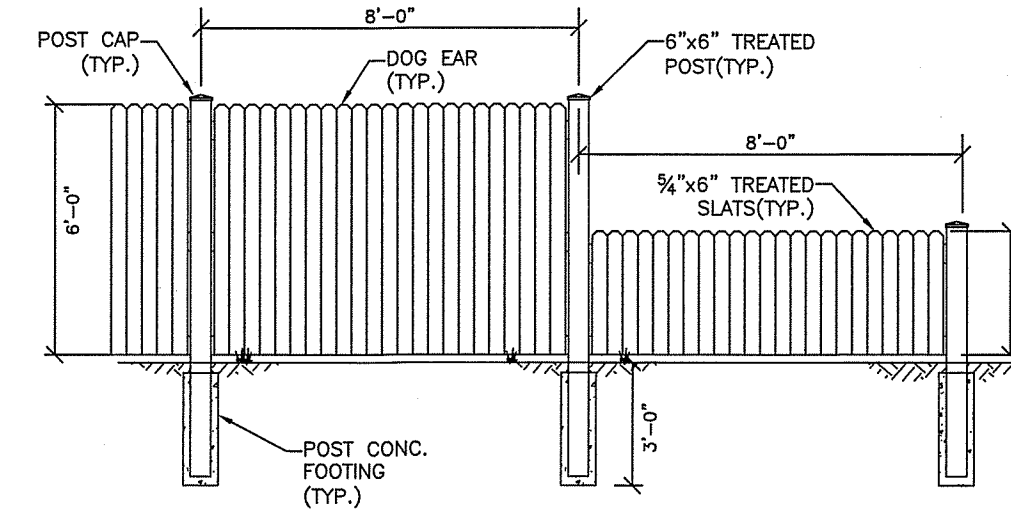
	DESIGNED: MWB	APPROVED: MWB
	DRAWN: NRW	DATE: 06/20/19
	CHECKED: MWB	SCALE: 1" = 30'

Y:\DRAWINGS\07-160 Beaufort Youth Club\HOTEL-2017\SHEETS\DEO SET VEGETATION.dwg, Fri, Aug 23, 2019, 10:41 am, RWELLS

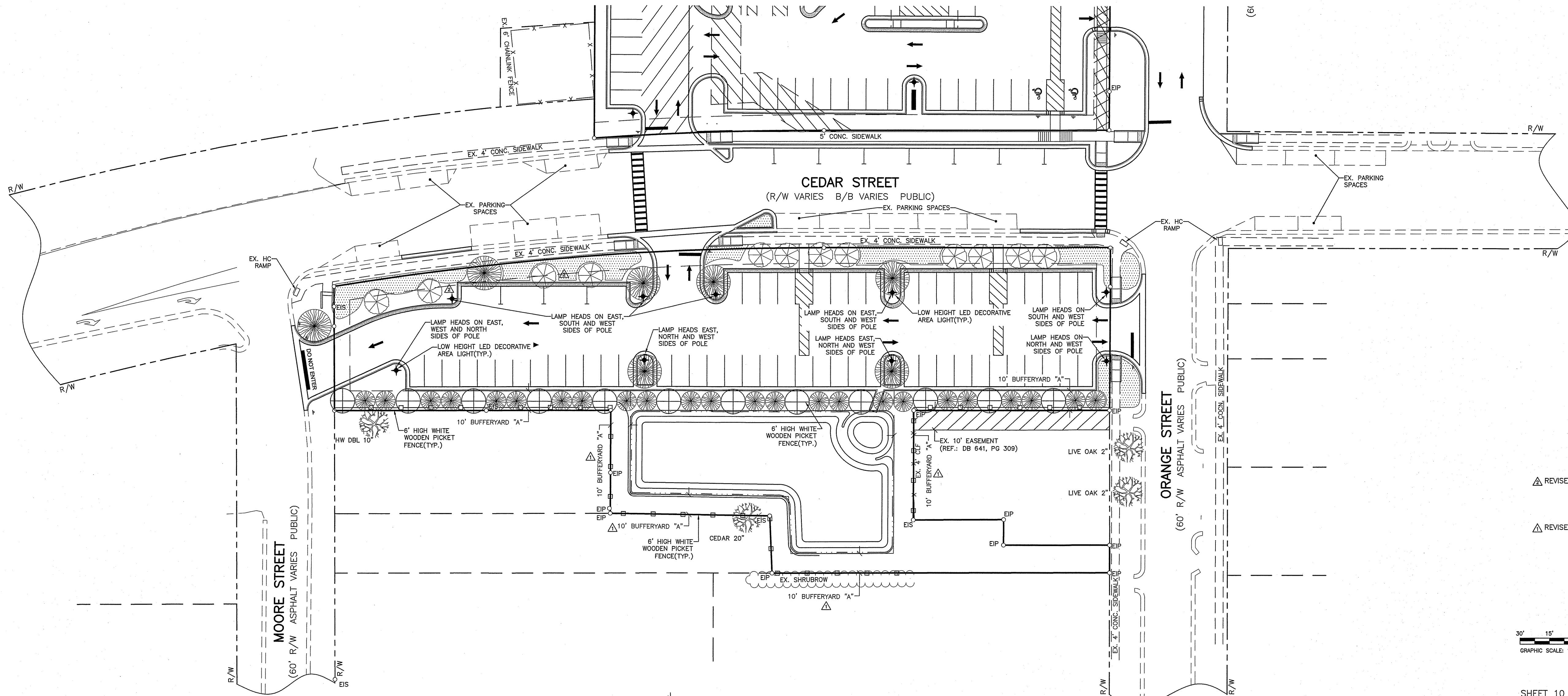
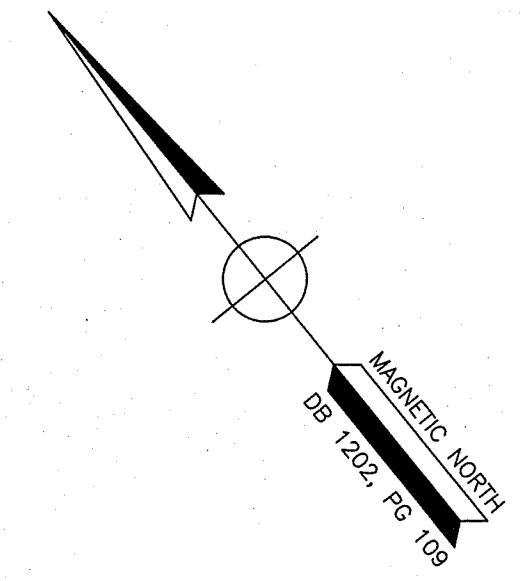
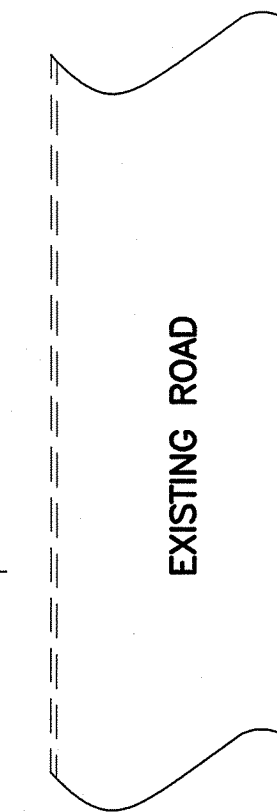
- LEGEND**
-  PROPOSED LIVE OAK
 -  PROPOSED FLOWERING DOGWOOD
 -  PROPOSED WAX MYRTLE
 -  PROPOSED AMERICAN HOLLY
 -  PROPOSED DWARF AZALEA, COASTAL



6' WOOD PRIVACY FENCE DETAIL
SCALE: N.T.S.



3' TO 6' FENCE TRANSITION DETAIL AT ENTRANCES
SCALE: N.T.S.



- ▲ REVISED: 08-19-19 (TOWN OF BEAUFORT COMMENTS)(NRW) UPDATED BOUNDARY ON SOUTH SIDE OF CEDAR STREET TO REFLECT R/W CONVEYANCE REVISED VEGETATION AND LIGHTING AROUND ADDITIONAL PARKING SPACES
- ▲ REVISED: 07-26-19 (TOWN OF BEAUFORT COMMENTS)(NRW) LABELED BUFFERYARDS AROUND POND

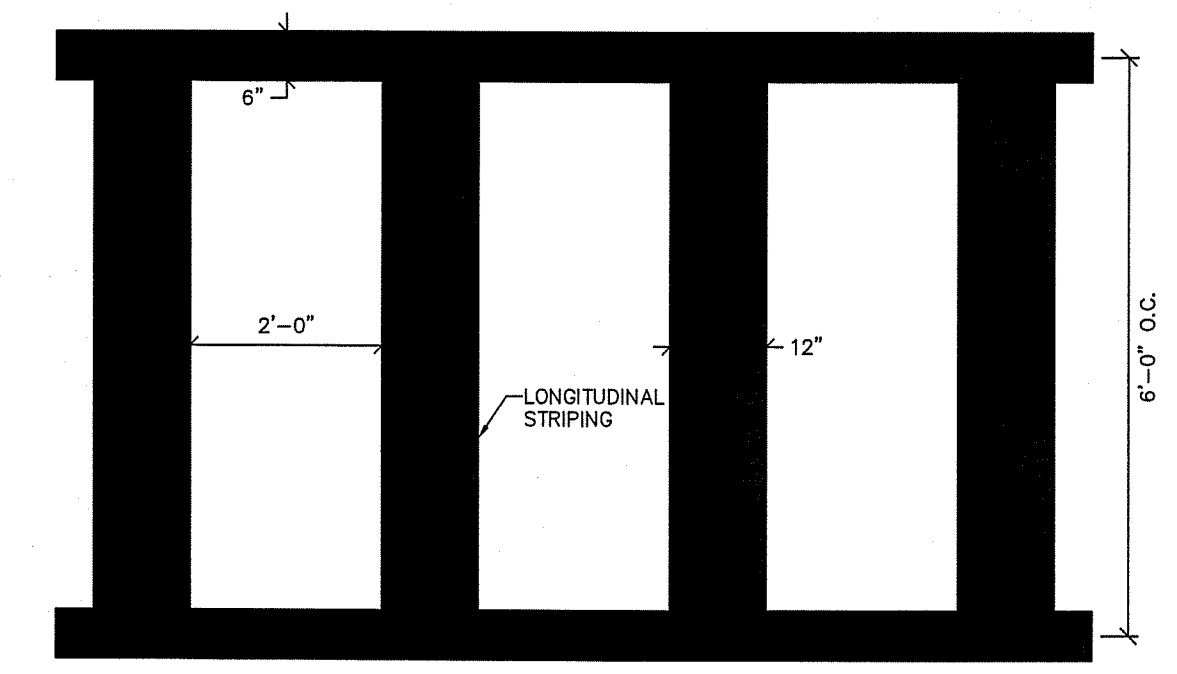


SHEET 10 OF 12
PARKING LOT SITE VEGETATION PLAN

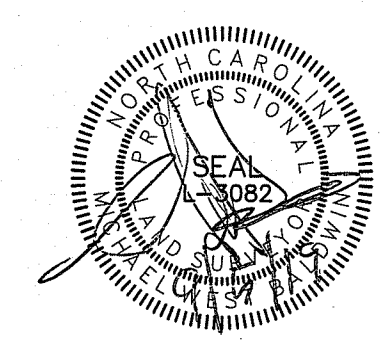


Call 72 Hours Before You Dig!
1-800-632-4949

1. CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING APPROPRIATE PARTIES AND ENSURING THAT ALL EXISTING UTILITIES ARE LOCATED PRIOR TO CONSTRUCTION.
2. CONTRACTOR IS RESPONSIBLE FOR PLACING BARRICADES, USING FLAG MEN, ETC., AS NECESSARY TO ENSURE SAFETY OF THE PUBLIC.
3. ALL PAVEMENT CUTS, CONCRETE OR ASPHALT, ARE TO BE PLACED ACCORDING TO THE STANDARDS OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION, OR LOCAL JURISDICTION, WHICHEVER IS MORE STRINGENT.
4. SHORING SHALL BE IN ACCORDANCE WITH OSHA TRENCHING STANDARDS, 29 PART 1926, SUBPART, OR AS AMENDED.



CROSSWALK
(N.T.S.)

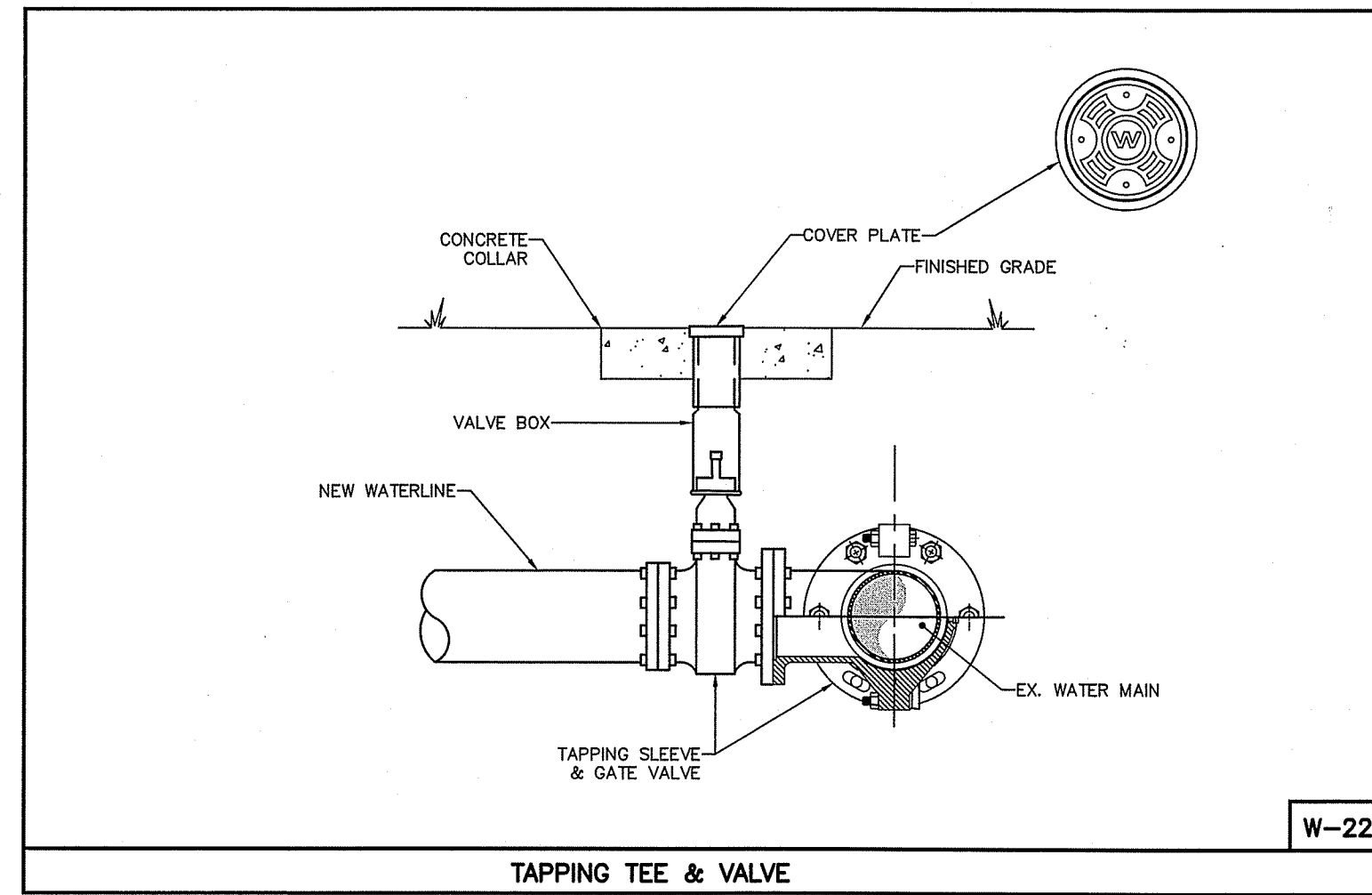
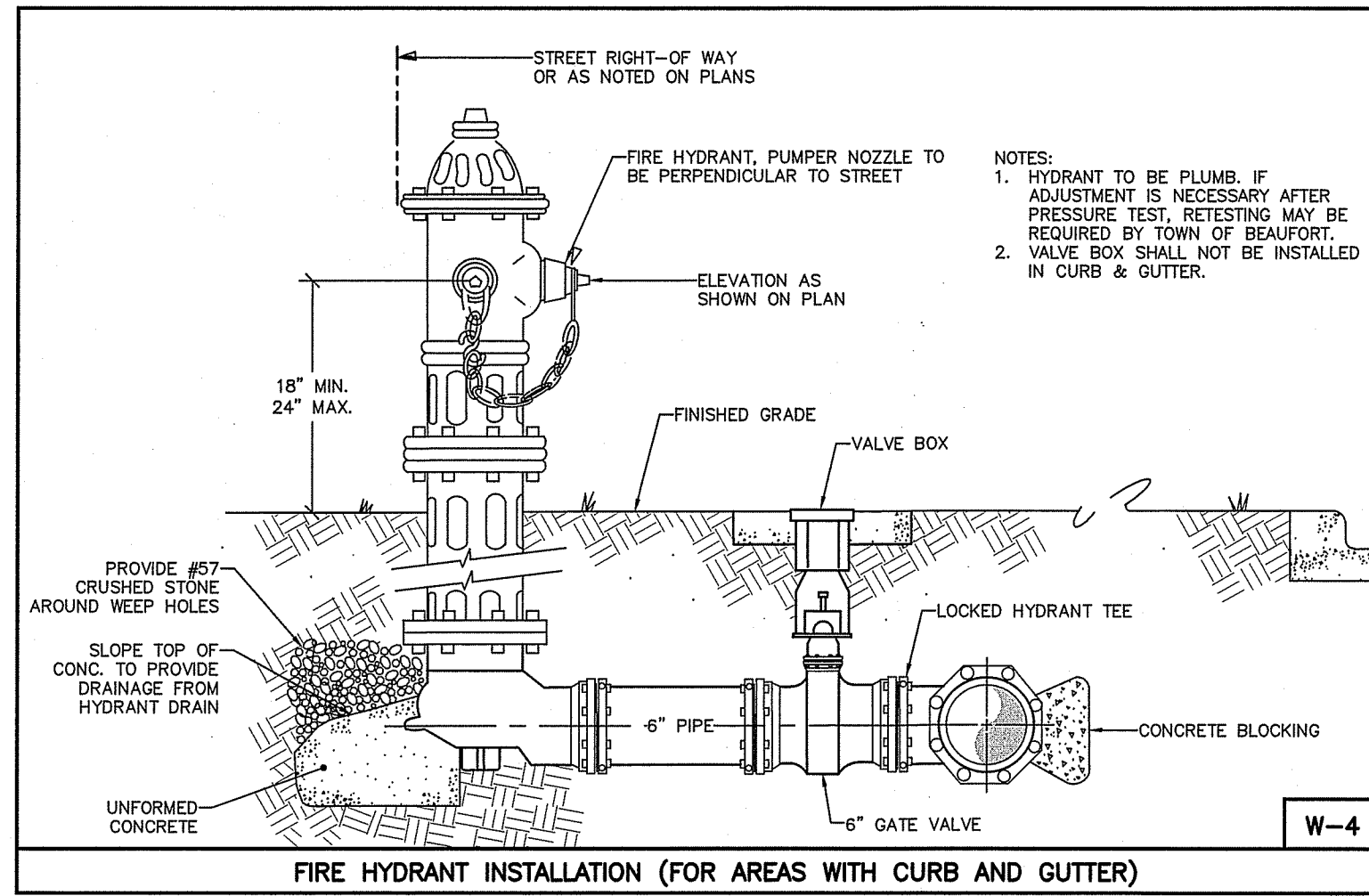


PROPERTY ADDRESS: 115 CEDAR STREET BEAUFORT, NC 28516
BEAUFORT, BEAUFORT TOWNSHIP, CARTERET COUNTY, N.C.

OWNER: BEAUFORT PARTNERS, LLC ADDRESS: P.O. BOX 14165 NEW BERN, NC 28561 PHONE: (252) 635-7476	OWNER: BETTY APPERSON ADDRESS: P.O. BOX 625 LAGRANGE, NC 28551 PHONE: (252) 559-0592
---	---

Baldwin Design Consultants, PA ENGINEERING - SURVEYING - PLANNING 1700-D EAST ARLINGTON BOULEVARD GREENVILLE, NC 27858 252.756.1390	DESIGNED: MWB DRAWN: NRW CHECKED: MWB	APPROVED: MWB DATE: 06/20/19 SCALE: 1" = 30'
---	---	--

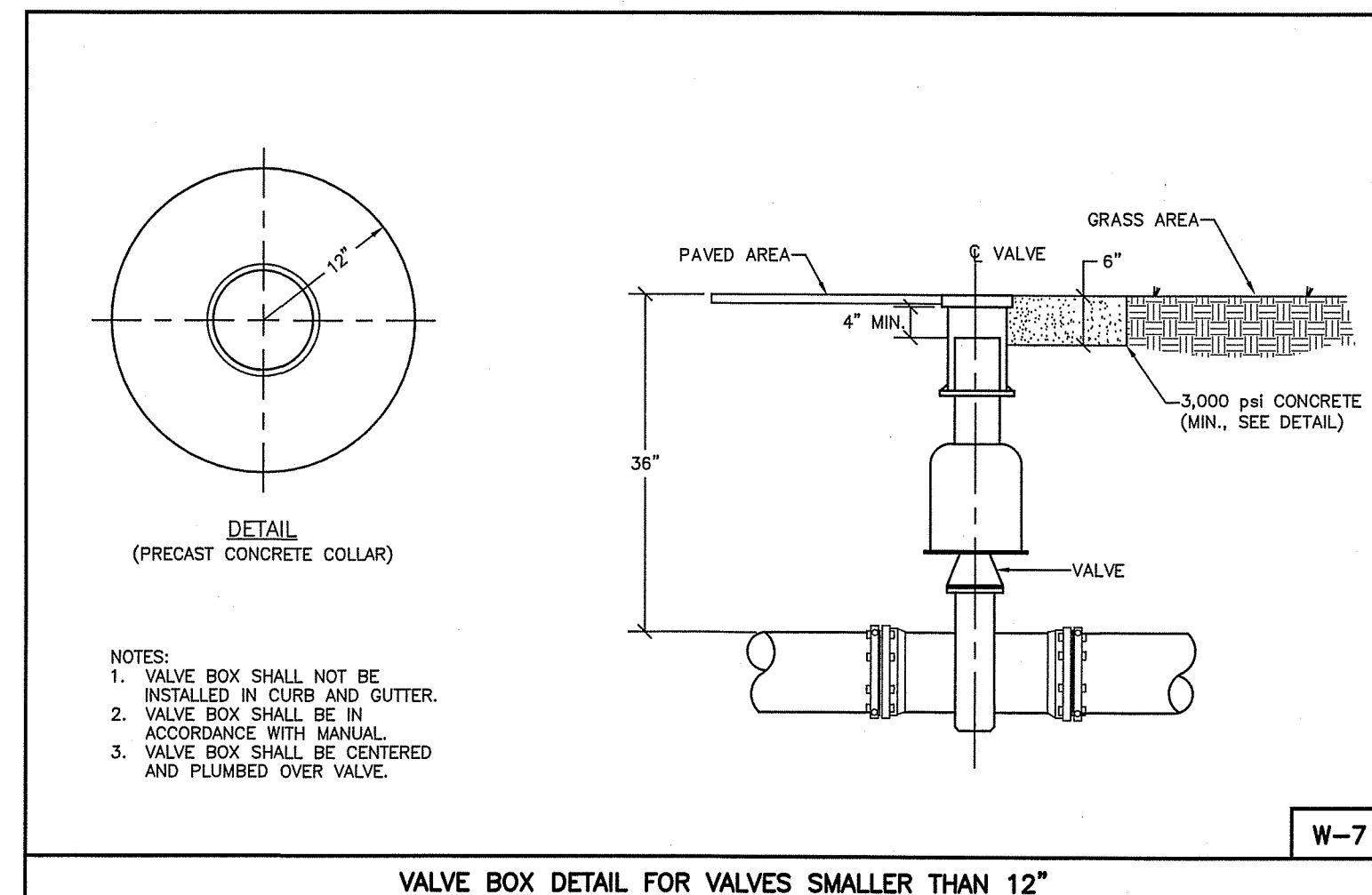
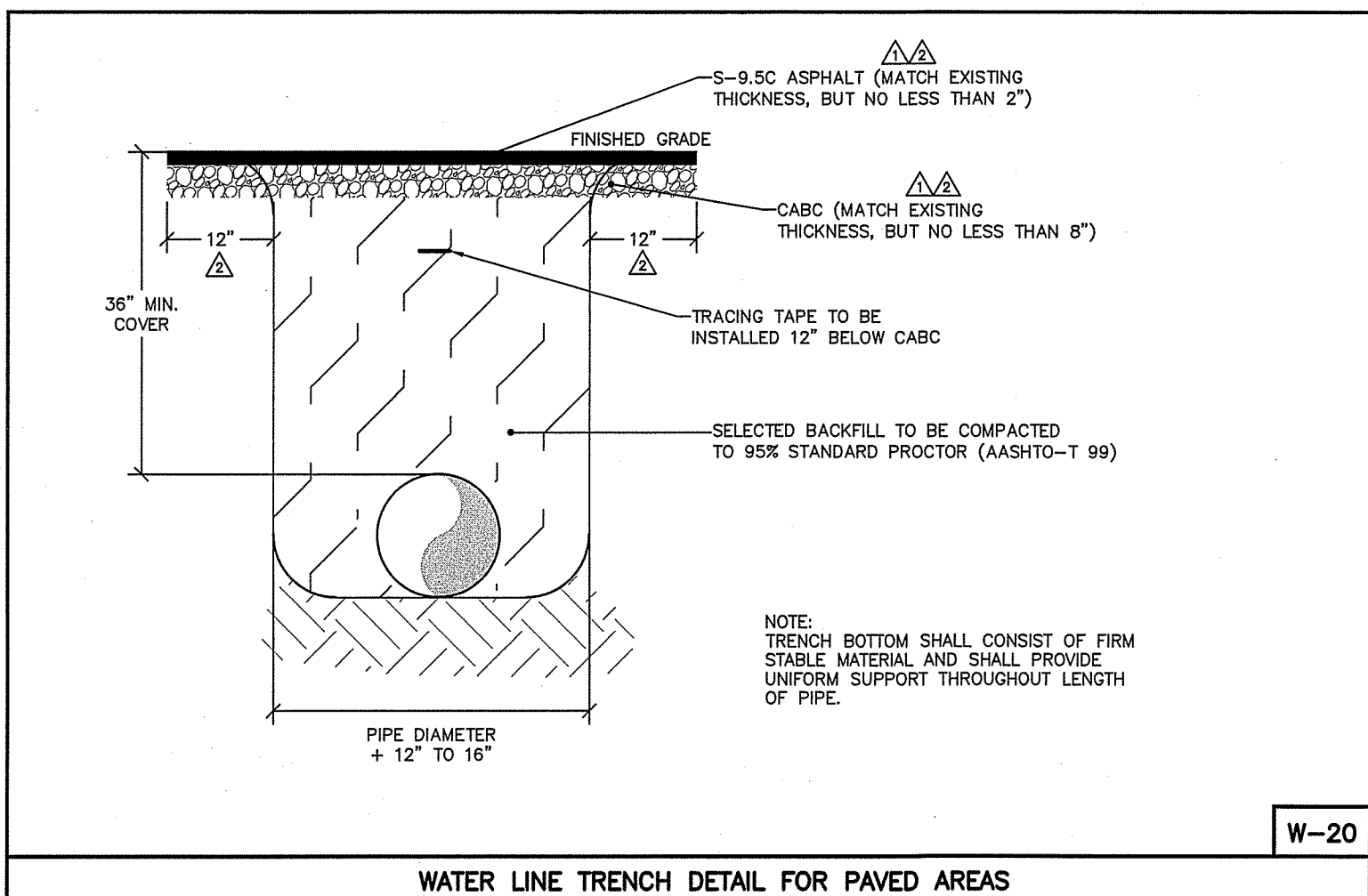
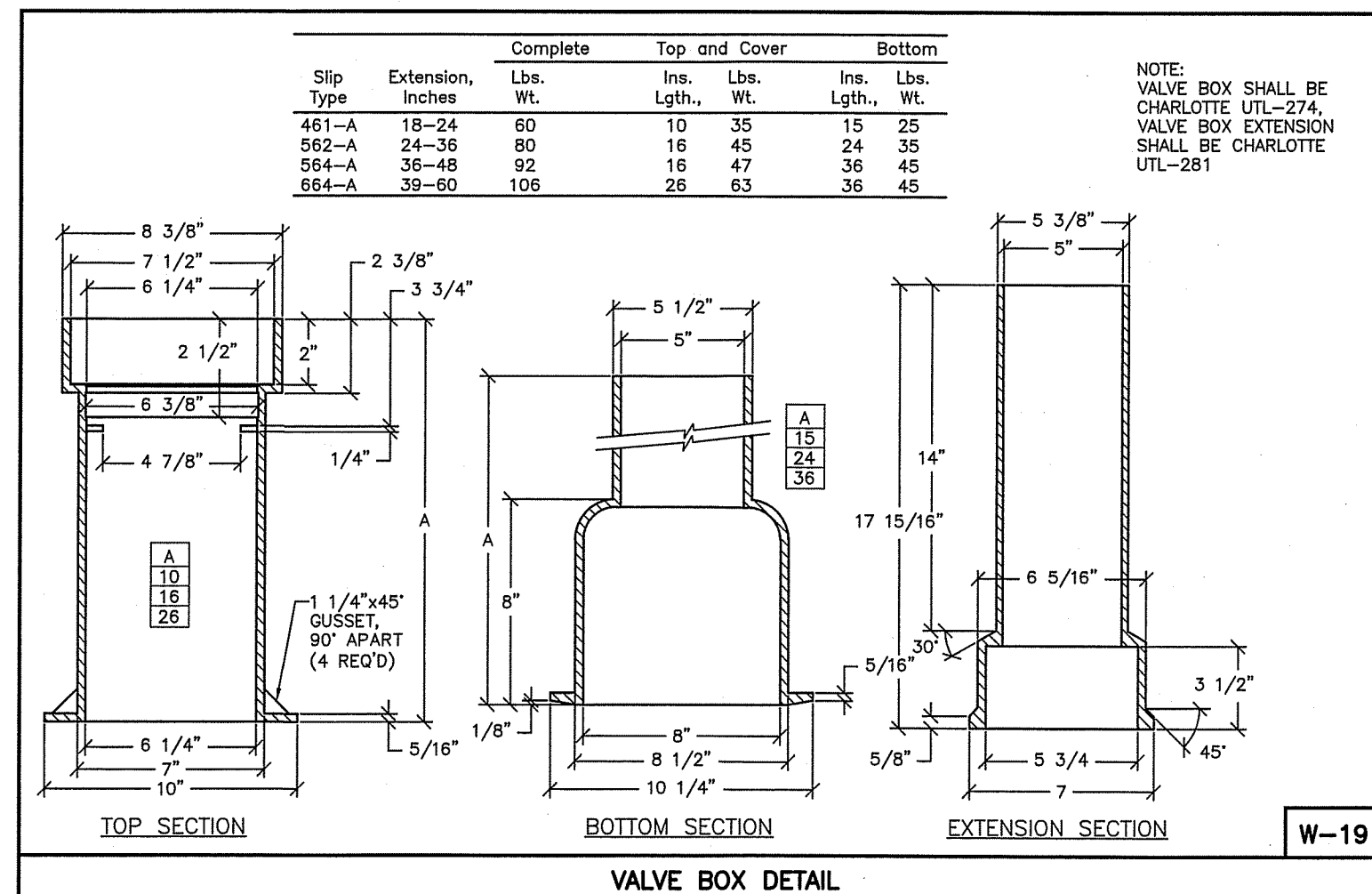
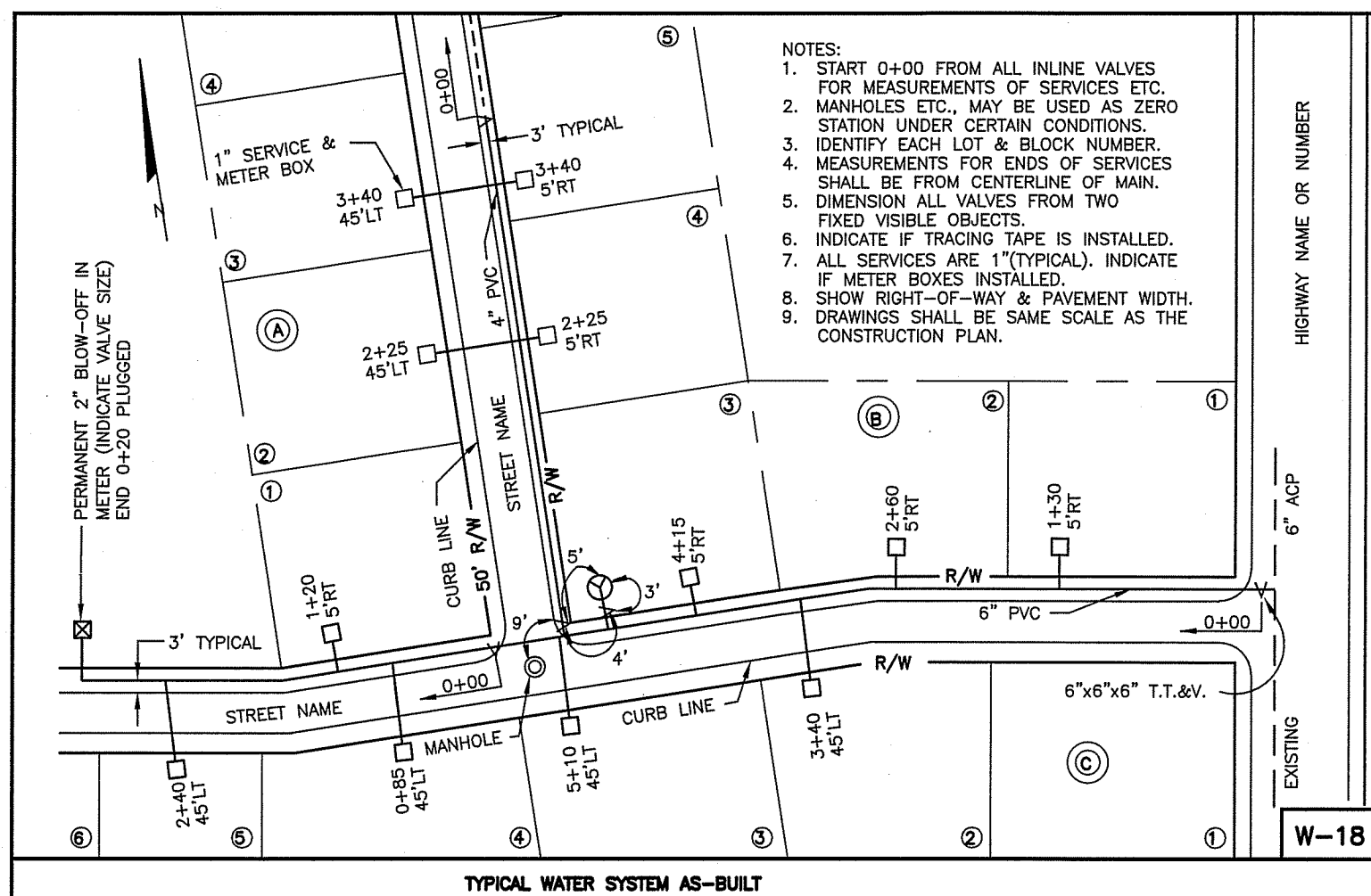
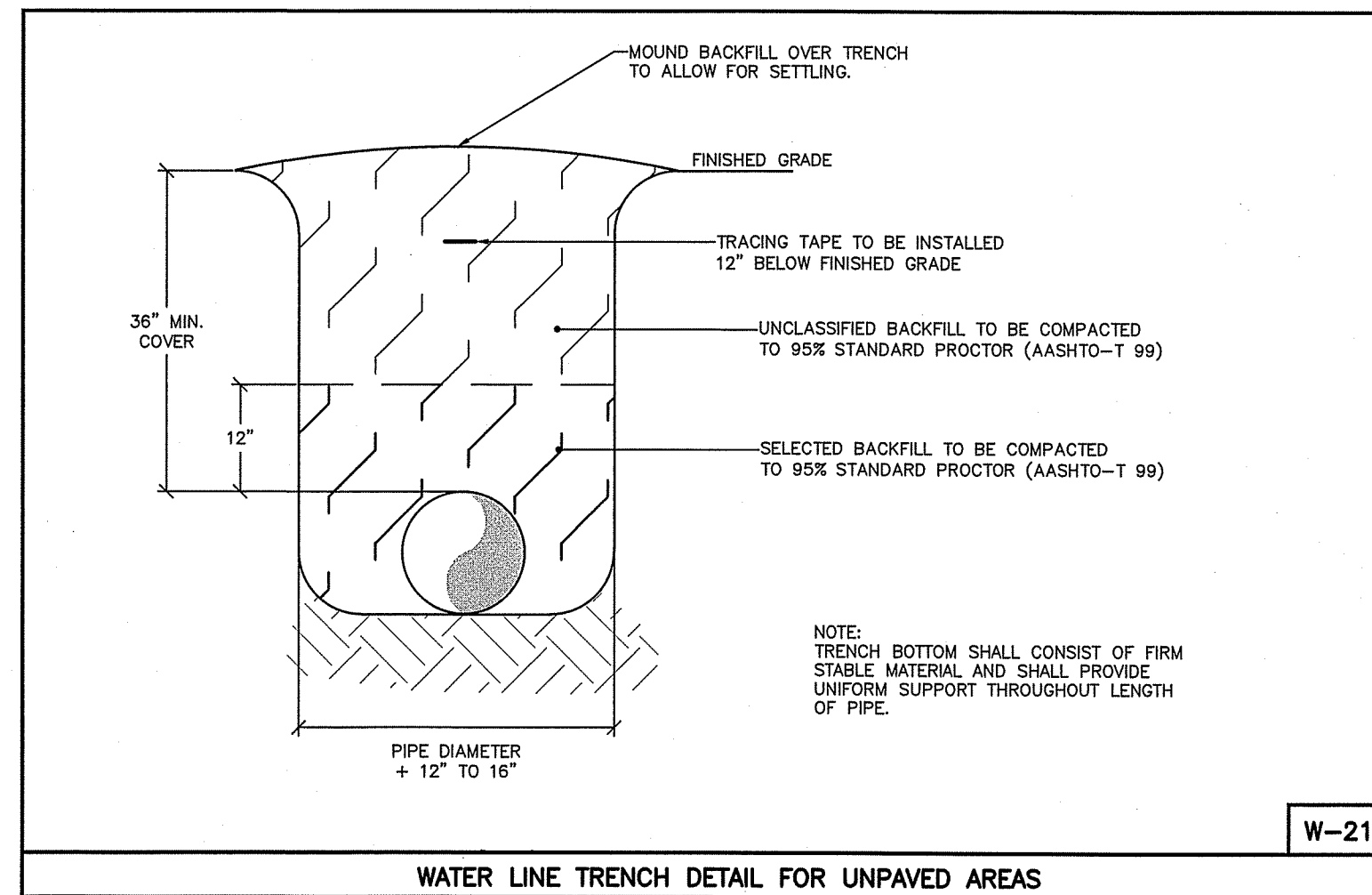
Y:\DRAWINGS\07-160 Beaufort Youth Club\HOTEL-2017\VEGETATION\VEG SET\VEGETATION.dwg Fri, Aug 23, 2019 - 10:41 am RWELLS



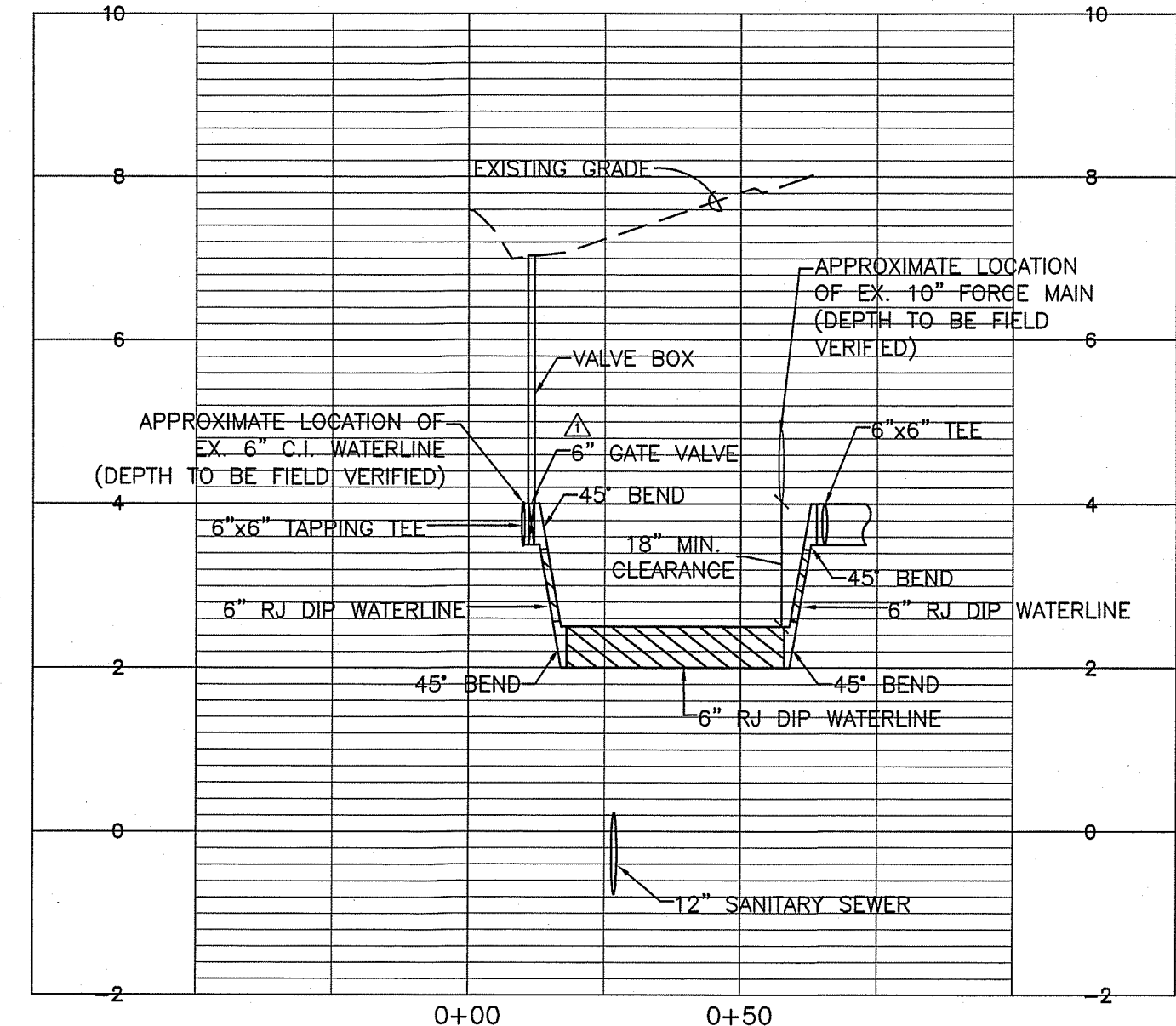
RESULTANT THRUST AT FITTING AT 150 PSI WATER PRESSURE

PIPE DIA.	TOTAL POUNDS						
	90° BEND	45° BEND	22-1/2° BEND	11-1/4° BEND	THRU LINE CONNECTION, TEE	CROSS USED AS TEE	DIRECTION CHANGE, ELBOW
4"	2,700	3,800	2,100	1,100	530		
6"	5,600	8,000	4,300	2,200	1,100		
8"	9,700	13,600	7,400	3,800	1,900		
10"	14,500	20,500	11,100	5,700	2,900		
12"	20,500	29,000	15,700	8,000	4,000		
14"	27,600	39,000	21,100	11,000	5,400		
16"	35,700	50,400	27,300	14,000	7,000		
18"	44,800	63,400	34,400	17,500	8,800		
20"	55,000	77,000	42,100	21,500	10,800		
24"	78,500	110,000	60,000	31,600	15,400		
30"	120,600	170,600	92,300	47,100	23,600		
36"	172,800	244,400	132,300	67,500	33,900		
42"	233,300	330,000	178,600	91,000	45,700		
48"	304,000	430,000	232,700	118,600	59,600		
54"	384,100	543,200	294,000	149,000	75,300		

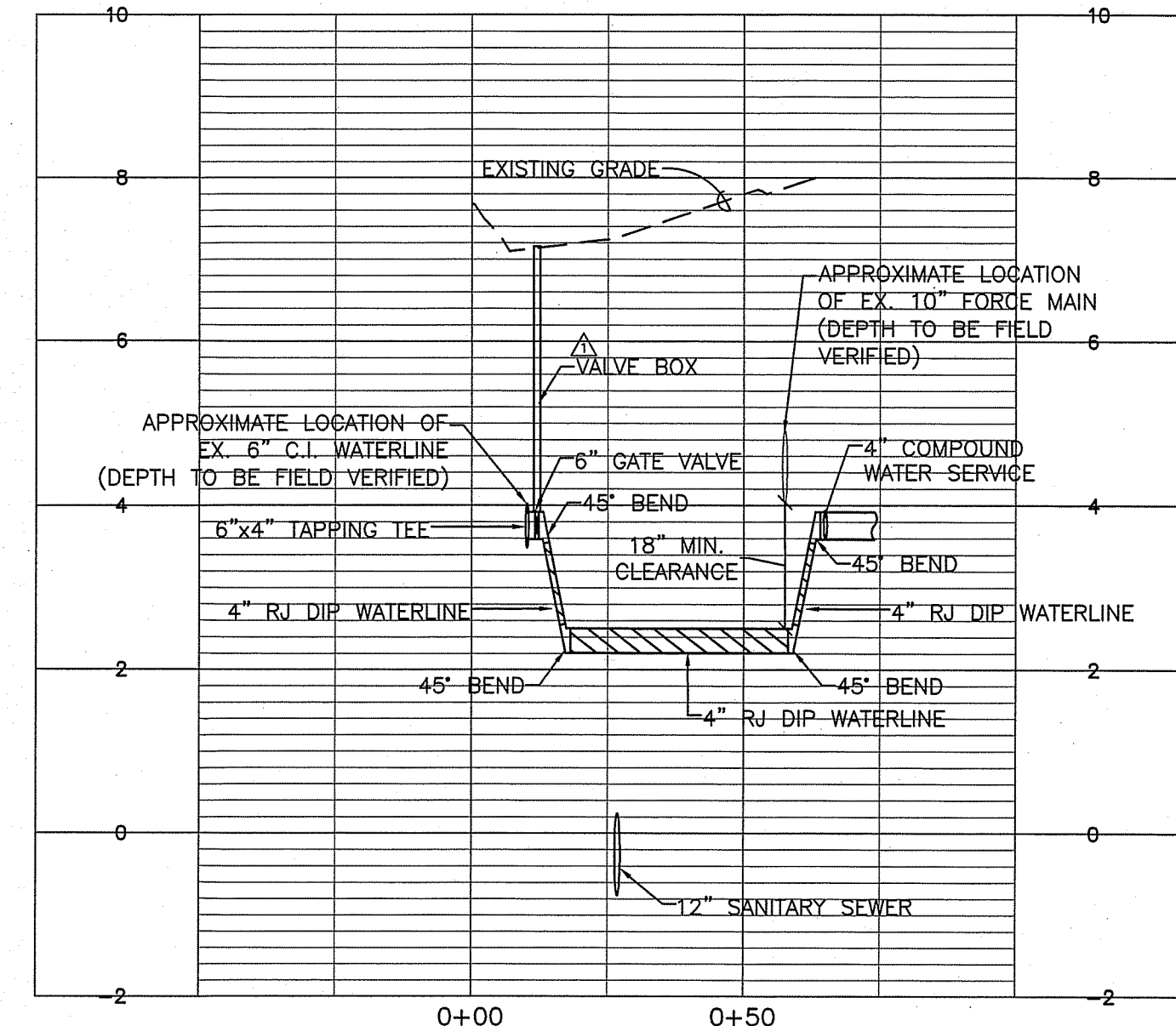
NOTES:
 1. POLYWRAP SHALL BE USED TO COVER FITTINGS AND BOLTS.
 2. TO DETERMINE THE SIZE OF A CONCRETE THRUST BLOCK, DIVIDE THE TOTAL FORCE BY THE BEARING VALUES OF THE SOIL. THE QUOTIENT WILL BE THE SIZE OF THE BEARING AREA OF THE THRUST BLOCK IN SQUARE FEET. APPROXIMATE VALUES FOR VARIOUS TYPES OF SOIL ARE LISTED IN TABLE.
 3. NO RESPONSIBILITY CAN BE ASSUMED FOR THE ACCURACY OF THE DATA IN THIS TABLE DUE TO THE WIDE VARIATION OF BEARING LOAD CAPABILITIES FOR EACH SOIL TYPE.



NOTE: SUBMIT TO THE PUBLIC UTILITIES DIRECTOR FOR APPROVAL MANUFACTURER'S DATA FOR ALL PROPOSED WATER AND SEWER VALVES, FITTINGS, HYDRANTS, PIPES, TUBING, ETC. THAT ARE TO BE DEDICATED TO AND MAINTAINED BY THE TOWN OF BEAUFORT PRIOR TO INSTALLATION.



FIRELINE CROSSING (CEDAR STREET)
 HORIZONTAL SCALE: 1" = 30'
 VERTICAL SCALE: 1" = 2'



WATERLINE CROSSING (CEDAR STREET)
 HORIZONTAL SCALE: 1" = 30'
 VERTICAL SCALE: 1" = 2'

REVISED: 07-26-19 (TOWN OF BEAUFORT COMMENTS)(NRW)
 REVISED TRENCH DETAIL
 REVISED: 07-16-19 (TOWN OF BEAUFORT COMMENTS)(NRW)
 REVISED TRENCH FOR PAVED AREAS DETAIL
 REMOVED WATER MAIN ENCASUREMENT DETAIL
 SHOWED VALVE BOX IN PROFILE SECTIONS

SHEET 11 OF 12
 WATER SYSTEM DETAILS

PROPERTY ADDRESS: 115 CEDAR STREET BEAUFORT, NC 28516
 BEAUFORT, BEAUFORT TOWNSHIP, CARTERET COUNTY, N.C.

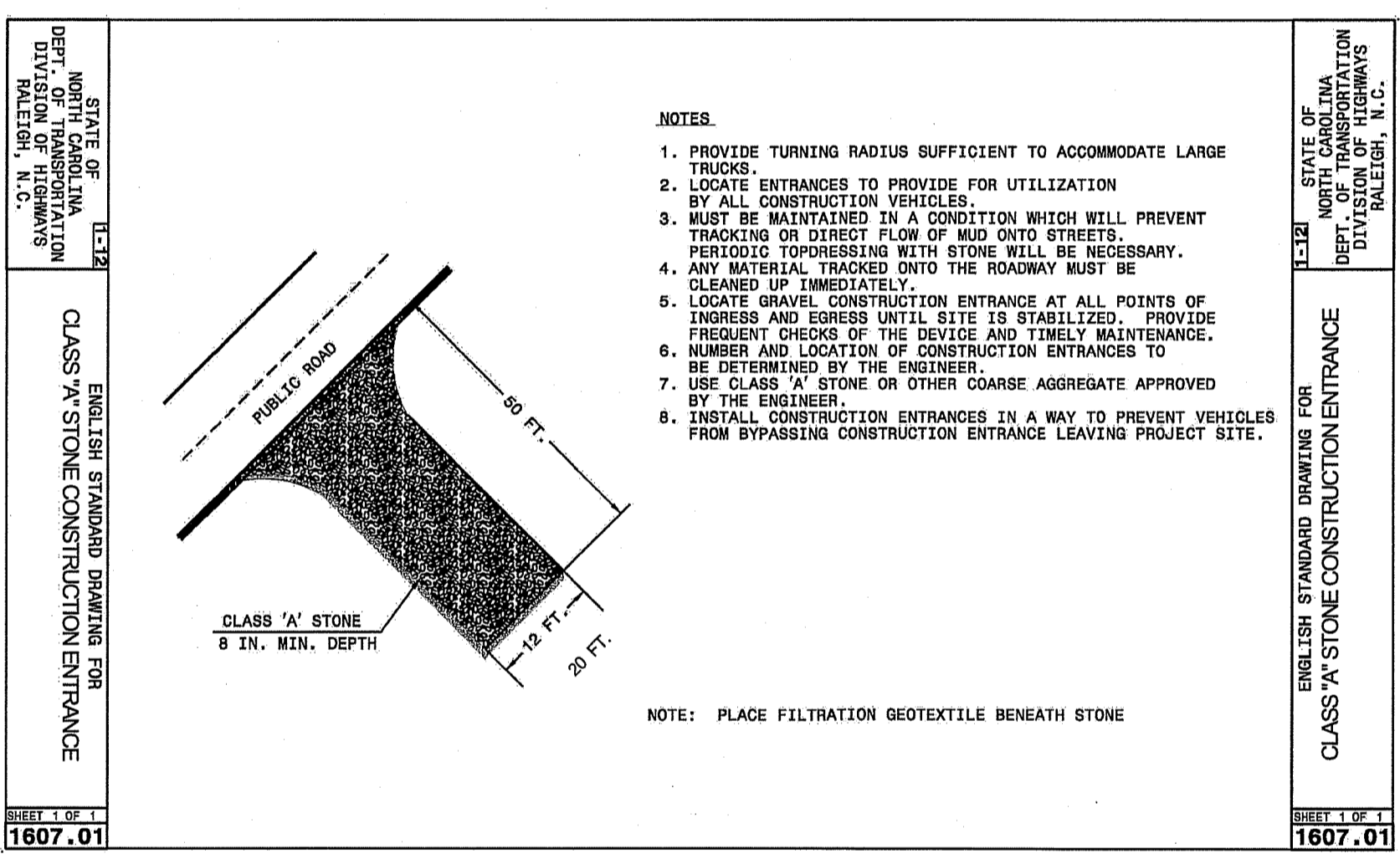
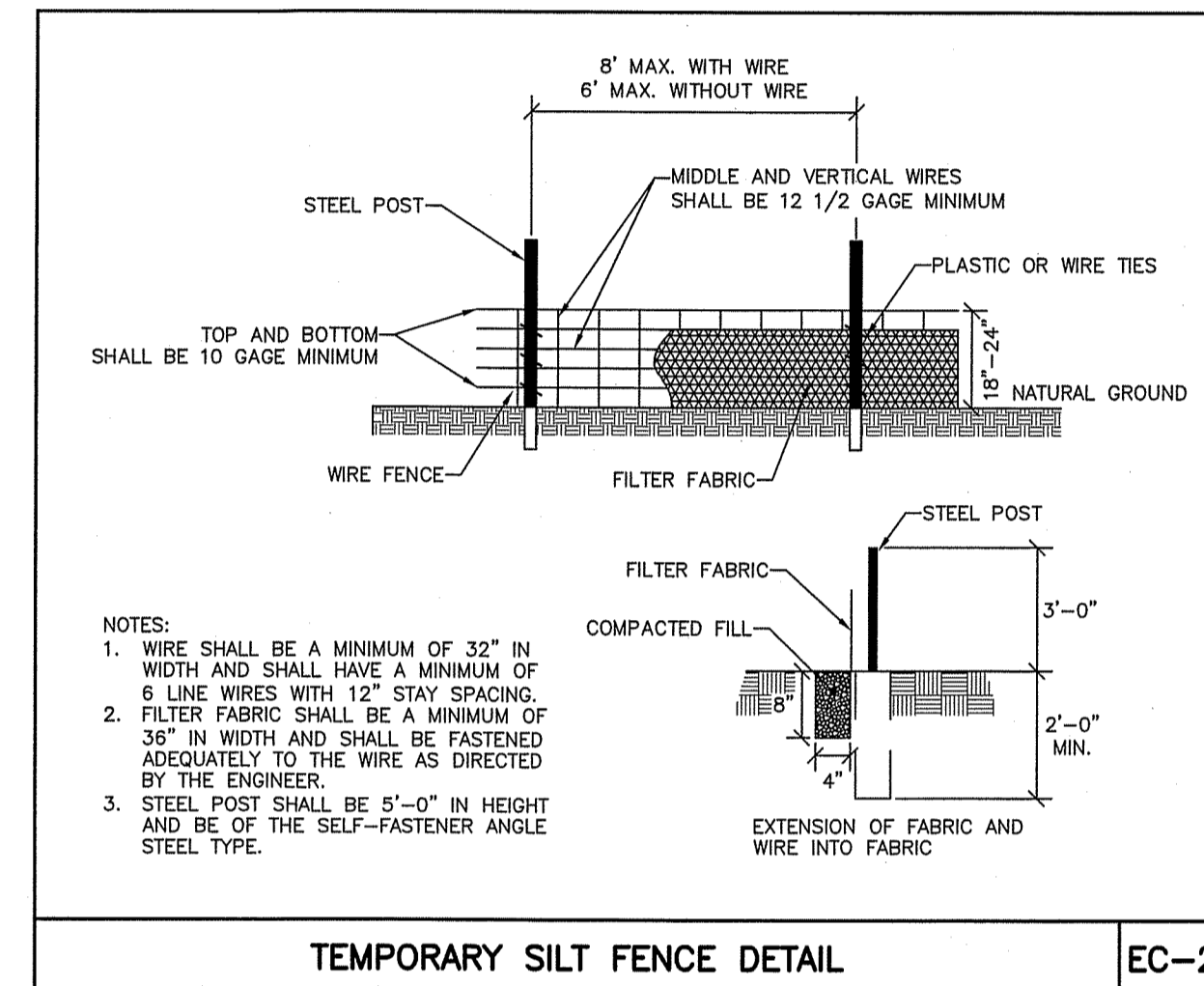
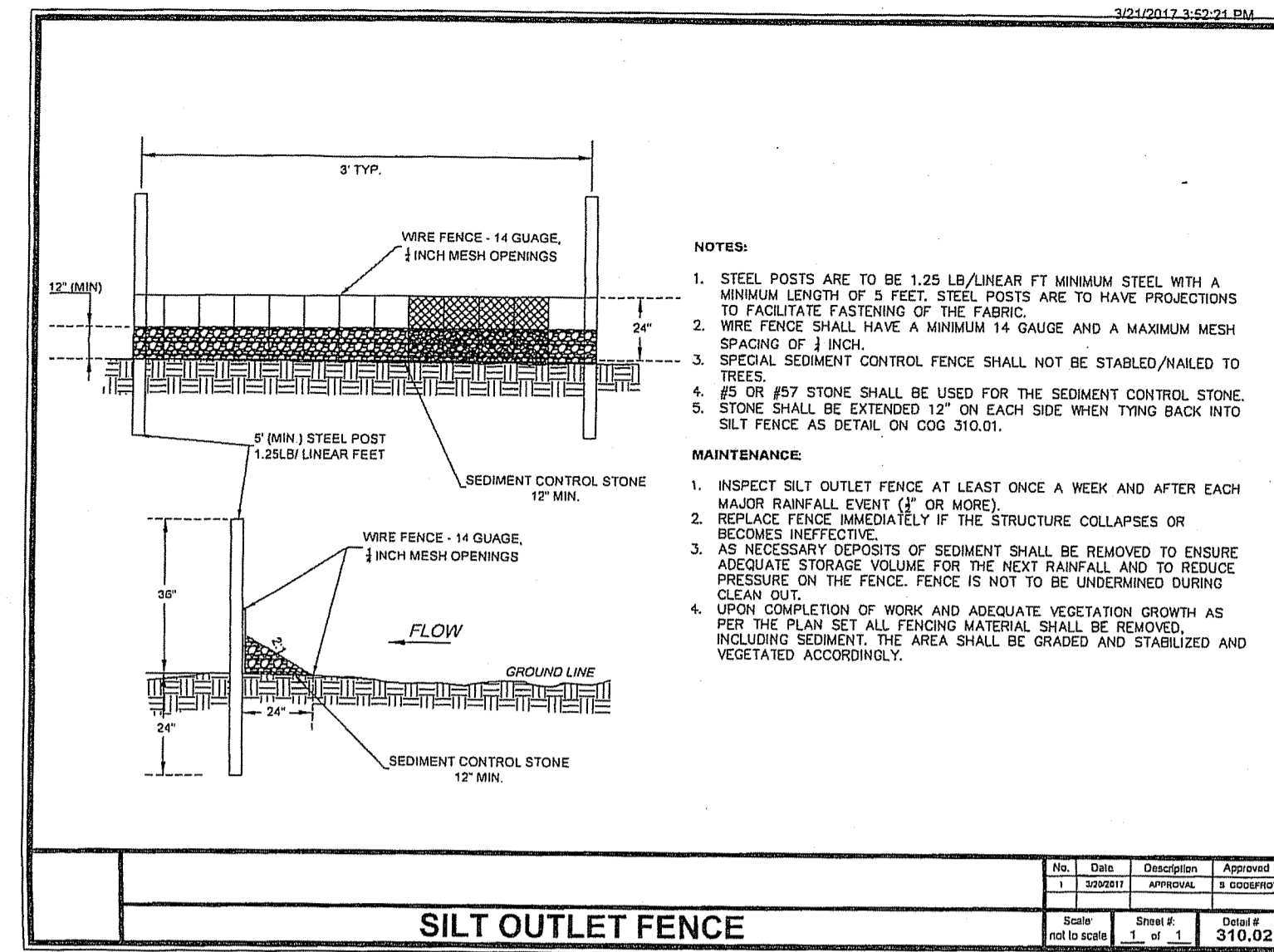
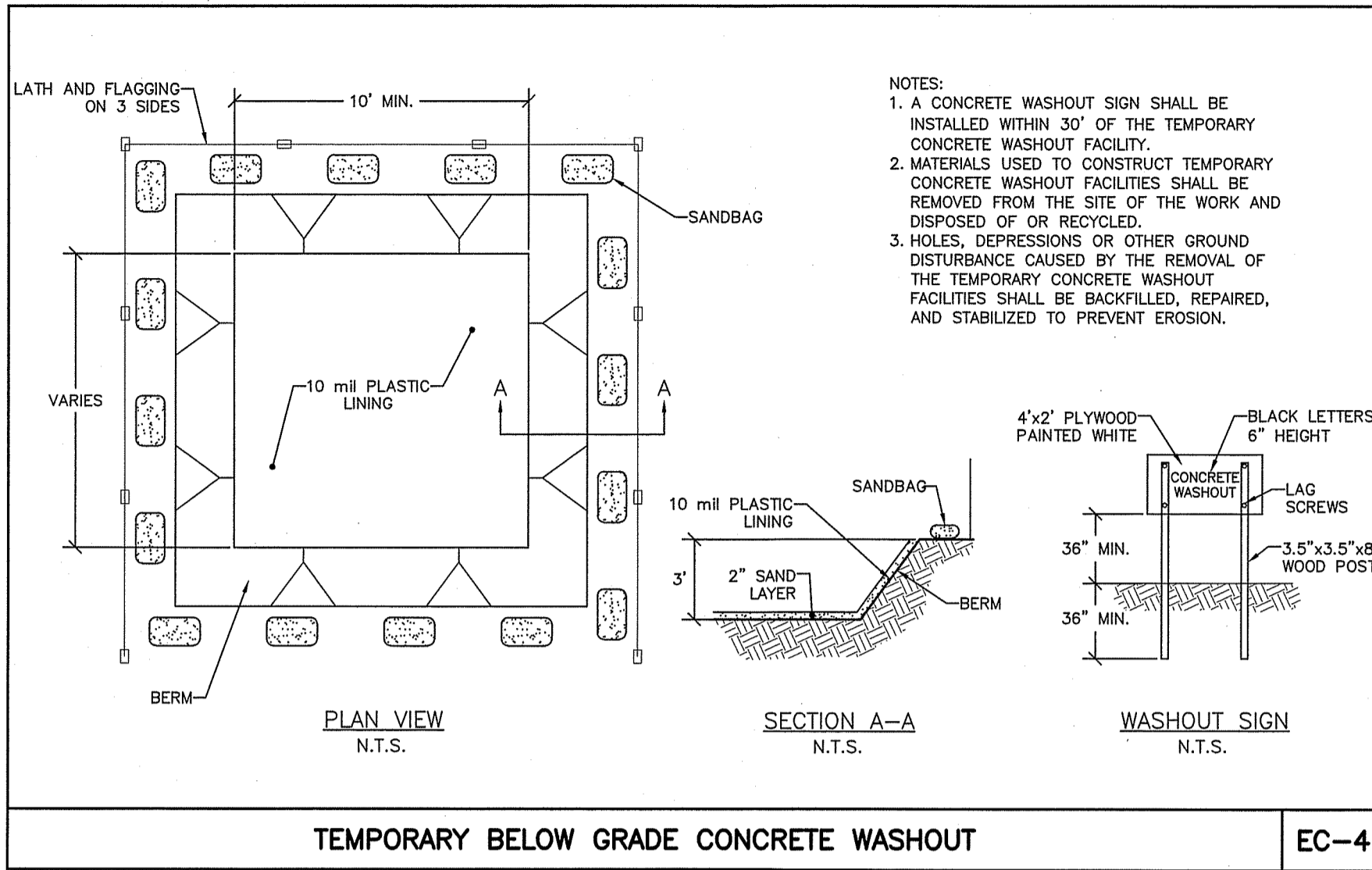
OWNER: BEAUFORT PARTNERS, LLC
 ADDRESS: P.O. BOX 14165
 NEW BERN, NC 28561
 PHONE: (252) 635-7476

OWNER: BETTY APPERSON
 ADDRESS: P.O. BOX 625
 LAGRANGE, NC 28551
 PHONE: (252) 559-0592

Baldwin Design Consultants, PA
 ENGINEERING - SURVEYING - PLANNING
 1700-D EAST ARLINGTON BOULEVARD
 GREENVILLE, NC 27858 252.756.1390

DESIGNED: N/A APPROVED: IP
 DRAWN: NRW DATE: 06/20/19
 CHECKED: IP/MWB SCALE: AS SHOWN

Y:\DRAWINGS\07-19 Beaufort Youth Club\HOTEL-2017\17 SHEETS\DEQ SET\WATER.dwg Tue, Sep 03, 2019 - 5:11pm RWELLS



NEW STABILIZATION TIMEFRAMES
(EFFECTIVE AUGUST 3, 2011)

SITE AREA DESCRIPTION	STABILIZATION	TIMEFRAME EXCEPTIONS
PERIMETER DIKES, SWALES, DITCHES, SLOPES	7 DAYS	NONE
HIGH QUALITY WATER (HQW) ZONES	7 DAYS	NONE
SLOPES STEEPER THAN 3:1	7 DAYS	IF SLOPES ARE 10' LESS IN LENGTH AND ARE NOT STEEPER THAN 2:1, 14 DAYS ARE ALLOWED.
SLOPES 3:1 OR FLATTER	14 DAYS	7 DAYS FOR SLOPES GREATER THAN 50' IN LENGTH.
ALL OTHER AREAS WITH SLOPES FLATTER THAN 4:1	14 DAYS	NONE EXCEPT FOR PERIMETERS AND HQW ZONES.

MAINTENANCE PLAN

CONSTRUCTION ENTRANCE
MAINTAIN THE GRAVEL PAD IN A CONDITION TO PREVENT MUD OR SEDIMENT FROM LEAVING THE CONSTRUCTION SITE. THIS MAY REQUIRE PERIODIC TOP DRESSING WITH 2-INCH STONE. AFTER EACH RAINFALL, INSPECT ANY STRUCTURE USED TO TRAP SEDIMENT AND CLEAN IT OUT AS NECESSARY. IMMEDIATELY REMOVE ALL OBJECTIONABLE MATERIALS SPILLED, WASHED, OR TRACKED ONTO PUBLIC ROADWAYS.

SILT FENCE
INSPECT SEDIMENT FENCES AT LEAST ONCE A WEEK AND AFTER EACH RAINFALL. ENSURE SEDIMENT FENCE IS STILL TIED IN AS PER DRAWINGS. MAKE ANY REQUIRED REPAIRS IMMEDIATELY. SHOULD THE FABRIC OF SEDIMENT FENCE COLLAPSE, TEAR, DECOMPOSE OR BECOME INEFFECTIVE, REPLACE IT PROMPTLY. REMOVE SEDIMENT DEPOSITS AS NECESSARY TO PROVIDE ADEQUATE STORAGE VOLUME FOR THE NEXT RAIN AND TO REDUCE PRESSURE ON THE FENCE. TAKE CARE TO AVOID UNDERMINING THE FENCE DURING CLEANOUT. REMOVE ALL FENCING MATERIALS AND UNSTABLE SEDIMENT DEPOSITS AND BRING THE AREA TO GRADE AND STABILIZE IT AFTER THE CONTRIBUTING DRAINAGE AREA HAS BEEN PROPERLY STABILIZED.

INLET PROTECTION - HARDWARE CLOTH AND GRAVEL INLET PROTECTION
INSPECT INLETS AT LEAST WEEKLY AND AFTER EACH SIGNIFICANT (1/2 INCH OR GREATER) RAINFALL EVENT. CLEAR THE MESH WIRE OF ANY DEBRIS OR OTHER OBJECTS TO PROVIDE ADEQUATE FLOW FOR SUBSEQUENT RAINS. TAKE CARE NOT TO DAMAGE OR UNDERMINE THE WIRE MESH DURING SEDIMENT REMOVAL. REPLACE STONE AS NEEDED.

GRADED AREAS
PERIODICALLY CHECK ALL GRADED AREAS AND THE SUPPORTING EROSION AND SEDIMENTATION CONTROL PRACTICES, ESPECIALLY AFTER HEAVY RAINFALLS. PROMPTLY REMOVE ALL SEDIMENT FROM DIVERSIONS AND OTHER WATER-DISPOSAL PRACTICES. IF WASHOUTS OR BREAKS OCCUR, REPAIR THEM IMMEDIATELY. PROMPT MAINTENANCE OF SMALL ERODED AREAS BEFORE THEY BECOME SIGNIFICANT GULLIES. AREAS ARE TO BE SEED AS PER NORTH CAROLINA EROSION AND SEDIMENTATION NOTES AND SEEDING CRITERIA.

DUST CONTROL
MAINTAIN ALL AND ANY DUST CONTROL MEASURES THROUGH DRY WEATHER PERIODS UNTIL ALL DISTURBED AREAS HAVE BEEN STABILIZED.

CONCRETE WASHOUT
OPERATING AND INSPECTING WASHOUT FACILITIES CONCRETE WASHOUT FACILITIES SHOULD BE INSPECTED WEEKLY AND ESPECIALLY AFTER HEAVY RAINS TO CHECK FOR LEAKS, IDENTIFY ANY PLASTIC LININGS AND SIDEWALLS HAVE BEEN DAMAGED BY CONSTRUCTION ACTIVITIES, AND DETERMINE WHETHER THEY HAVE BEEN FILLED TO OVER 75 PERCENT CAPACITY. WHEN THE WASHOUT CONTAINER IS FILLED TO OVER 75 PERCENT OF ITS CAPACITY, DISCONTINUE POURING CONCRETE INTO THE FACILITY UNTIL IT HAS BEEN CLEANED OUT. ALLOW SLURRY TO EVAPORATE OR REMOVE FROM SITE IN A SAFE MANNER. ALL HARDENED MATERIAL SHOULD BE REMOVED AND RECYCLED. DAMAGES TO THE CONTAINER SHOULD BE REPAIRED PROMPTLY. BEFORE HEAVY RAINS, THE WASHOUT CONTAINER'S LIQUID LEVEL SHOULD BE LOWERED OR THE CONTAINER SHOULD BE COVERED TO AVOID AN OVERFLOW DURING THE RAIN STORM. ANY OVERFLOWING OF THE WASHOUT FACILITIES ONTO THE GROUND MUST BE CLEANED AND REMOVED WITHIN 24 HOURS OF EVENT. REMOVE TEMPORARY CONCRETE WASHOUT FACILITY WHEN THEY ARE NO LONGER NEEDED AND RESTORE THE DISTURBED AREAS TO THEIR ORIGINAL CONDITION OR AS PROPOSED ON THE PLAN.

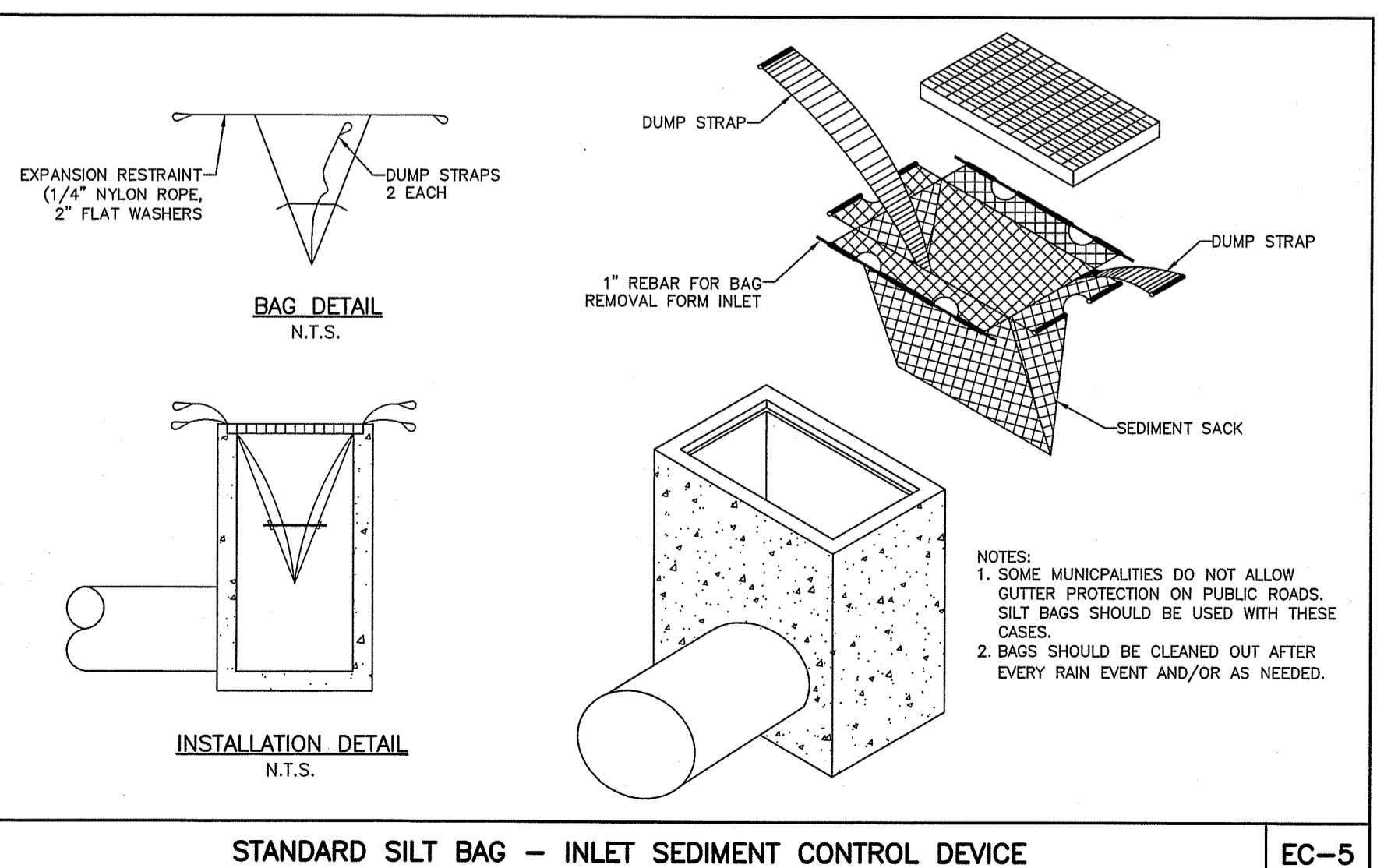
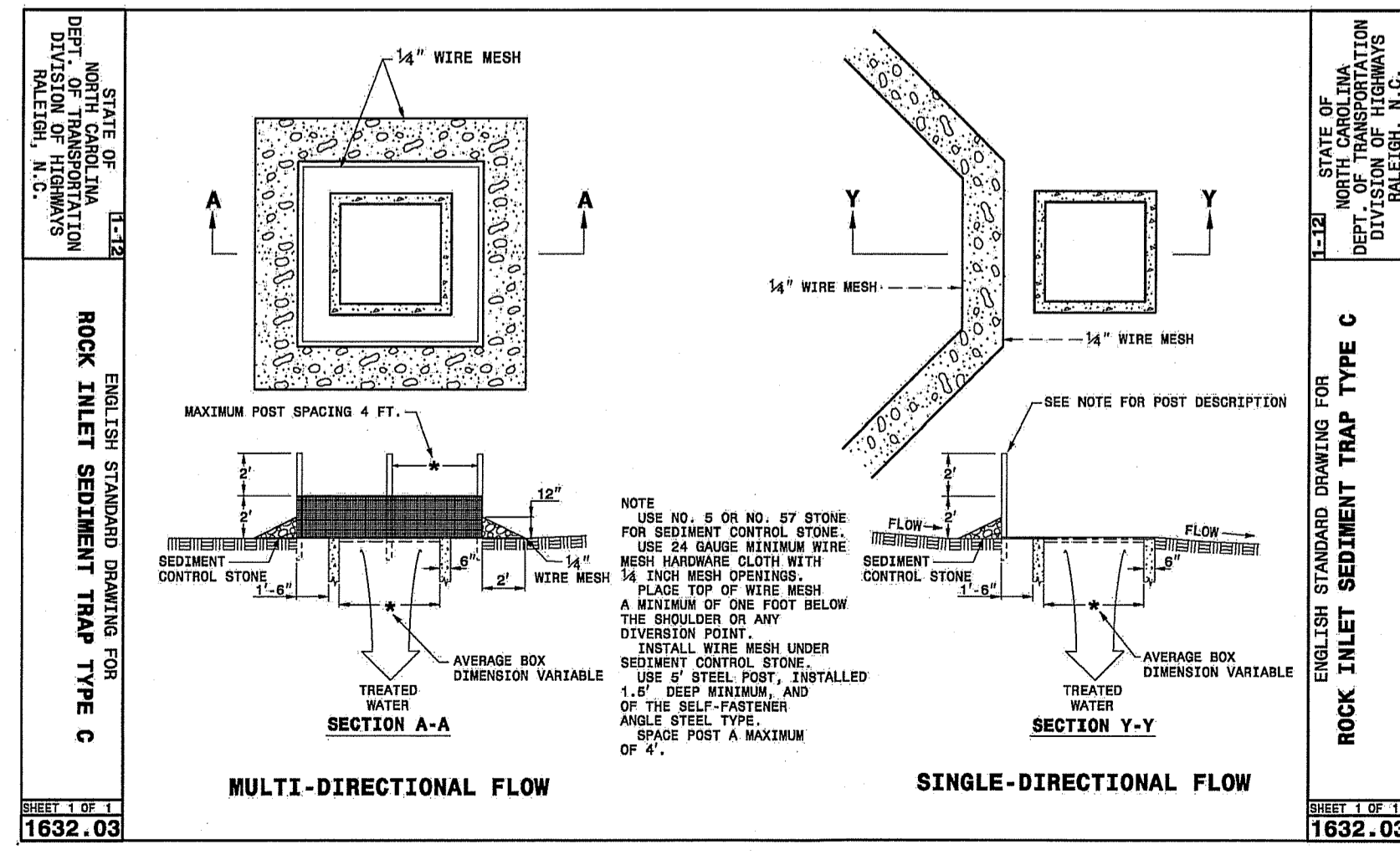
TEMPORARY VEGETATION
RESEED AND MULCH AREA WHERE SEEDLING EMERGENCE IS POOR, OR WHERE EROSION OCCURS, AS SOON AS POSSIBLE. DO NOT MOW. PROTECT FROM TRAFFIC AS MUCH AS POSSIBLE.

MULCHING
INSPECT ALL MULCHES PERIODICALLY AND AFTER RAINSTORMS TO CHECK FOR RILL EROSION, DISLOCATION OR FAILURE. WHERE EROSION IS OBSERVED, APPLY ADDITIONAL MULCH. IF WASHOUT OCCURS, REPAIR THE SLOPE GRADE, RESEED AND REINSTALL MULCH. CONTINUE INSPECTIONS UNTIL VEGETATION IS FIRMLY ESTABLISHED.

SILT BAG
REMOVE ALL ACCUMULATED SEDIMENT AND DEBRIS FROM THE SURFACE AND VICINITY OF THE UNIT AFTER EACH SIGNIFICANT (1/2 INCH OR GREATER) RAINFALL EVENT.
REMOVE THE SEDIMENT THAT HAS ACCUMULATED WITHIN CONTAINMENT AREA OF THE SILT BAG WHEN TRAPPED SEDIMENT HAS ACCUMULATED TO 50% OF THE BAG CAPACITY OR IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS.
IF USING OPTIONAL OIL ABSORBENTS, REMOVE AND REPLACE ABSORBENT PILLOW WHEN NEAR SATURATION.

MINIMUM SELF INSPECTION AND REPORTING REQUIREMENTS ARE AS FOLLOWS UNLESS OTHERWISE APPROVED IN WRITING BY THE DIVISION OF WATER QUALITY.

- A RAIN GAUGE SHALL BE MAINTAINED IN GOOD WORKING ORDER ON THE SITE UNLESS ANOTHER RAIN-MONITORING DEVICE HAS BEEN APPROVED BY THE DIVISION OF WATER QUALITY.
- A WRITTEN RECORD OF THE DAILY RAINFALL AMOUNTS SHALL BE RETAINED AND ALL RECORDS SHALL BE MADE AVAILABLE TO DIVISION OF WATER QUALITY OR AUTHORIZED AGENT UPON REQUEST. IF NO DAILY RAIN GAUGE OBSERVATIONS ARE MADE DURING WEEKEND OR HOLIDAY PERIODS, AND NO INDIVIDUAL-DAY RAINFALL INFORMATION IS AVAILABLE, THE CUMULATIVE RAIN MEASUREMENT FOR THOSE UN-ATTENDED DAYS WILL DETERMINE IF A SITE INSPECTION IS NEEDED. (NOTE: IF NO RAINFALL OCCURRED, THE PERMITEE MUST RECORD "ZERO").
- EROSION AND SEDIMENTATION CONTROL MEASURES SHALL BE INSPECTED TO ENSURE THAT THEY ARE OPERATING CORRECTLY. INSPECTION RECORDS MUST BE MAINTAINED FOR EACH INSPECTION EVENT AND FOR EACH MEASURE. AT A MINIMUM, INSPECTION OF MEASURES MUST OCCUR AT THE FREQUENCY INDICATED BELOW:
 - ALL EROSION AND SEDIMENTATION CONTROL MEASURES MUST BE INSPECTED BY OR UNDER THE DIRECTION OF THE PERMITEE AT LEAST ONCE EVERY SEVEN CALENDAR DAYS, AND
 - ALL EROSION AND SEDIMENTATION CONTROL MEASURES MUST BE INSPECTED BY OR UNDER THE DIRECTION OF THE PERMITEE WITHIN 24 HOURS AFTER ANY STORM EVENT OF GREATER THAN 0.50 INCHES OF RAIN PER 24 HOUR PERIOD.
- ONCE LAND DISTURBANCE HAS BEGUN ON THE SITE, STORMWATER RUNOFF DISCHARGE OUTFALLS SHALL BE INSPECTED BY OBSERVATION FOR EROSION, SEDIMENTATION AND OTHER STORMWATER DISCHARGE CHARACTERISTICS SUCH AS CLARITY, FLOATING SOLIDS, AND OIL SHEENS. INSPECTIONS OF THE OUTFALLS SHALL BE MADE AT LEAST ONCE EVERY SEVEN CALENDAR DAYS AND WITHIN 24 HOURS AFTER ANY STORM EVENT OF GREATER THAN 0.50 INCHES OF RAIN PER 24 HOUR PERIOD.
- INSPECTIONS ARE ONLY REQUIRED TO BE MADE DURING NORMAL BUSINESS HOURS. WHEN ADVERSE WEATHER CONDITIONS WOULD CAUSE THE SAFETY OF THE INSPECTION PERSONNEL TO BE IN JEOPARDY, THE INSPECTION CAN BE DELAYED UNTIL IT IS DURING NORMAL BUSINESS HOURS. WHEN INSPECTIONS WERE DELAYED BECAUSE OF SAFETY ISSUES SHOULD BE NOTED IN THE INSPECTION RECORD. IF THE INSPECTION CANNOT BE DONE ON THAT DAY, IT MUST BE COMPLETED ON THE FOLLOWING BUSINESS DAY.
- TWENTY-FOUR HOUR REPORTING FOR VISIBLE SEDIMENT DEPOSITION
 - THE PERMITEE SHALL REPORT TO THE DIVISION OF WATER QUALITY CENTRAL OFFICE OR THE APPROPRIATE REGIONAL OFFICE ANY VISIBLE SEDIMENT BEING DEPOSITED IN ANY STREAM OR WETLAND OR ANY NONCOMPLIANCE WHICH MAY ENDANGER HEALTH OR THE ENVIRONMENT. (SEE SECTION VIII OF THIS PERMIT FOR CONTACT INFORMATION). ANY INFORMATION SHALL BE PROVIDED ORALLY OR ELECTRONICALLY WITHIN 24 HOURS FROM THE TIME THE PERMITEE BECAME AWARE OF THE CIRCUMSTANCES.
 - A WRITTEN SUBMISSION SHALL BE PROVIDED TO THE APPROPRIATE REGIONAL OFFICE OF THE DIVISION OF WATER QUALITY WITHIN 5 DAYS OF THE TIME THE PERMITEE BECAME AWARE OF THE CIRCUMSTANCES. THE WRITTEN SUBMISSION SHALL CONTAIN A DESCRIPTION OF THE SEDIMENT DEPOSITION AND ACTIONS TAKEN TO ADDRESS THE CAUSE OF THE DEPOSITION. THE DIVISION OF WATER QUALITY STAFF MAY WAIVE THE REQUIREMENT FOR A WRITTEN REPORT ON A CASE-BY-CASE BASIS.
- RECORDS OF INSPECTIONS MADE DURING THE PREVIOUS 30 DAYS SHALL REMAIN ON THE SITE AND AVAILABLE FOR AGENCY INSPECTORS AT ALL TIMES DURING NORMAL WORKING HOURS, UNLESS THE DIVISION OF WATER QUALITY PROVIDES A SITE-SPECIFIC EXEMPTION BASED ON UNIQUE SITE CONDITIONS THAT MAKE THIS REQUIREMENT NOT PRACTICAL. OLDER RECORDS MUST BE MAINTAINED FOR A PERIOD OF THREE YEARS AFTER PROJECT COMPLETION AND MADE AVAILABLE UPON REQUEST. THE RECORDS MUST PROVIDE THE DETAILS OF EACH INSPECTION INCLUDING OBSERVATIONS, AND ACTIONS TAKEN IN ACCORDANCE WITH THIS PERMIT. THE PERMITEE SHALL RECORD THE REQUIRED RAINFALL, AND MONITORING OBSERVATIONS ON THE INSPECTION RECORD FORM PROVIDED BY THE DIVISION OF WATER QUALITY. THIS INCLUDES ALL OF THE ELEMENTS CONTAINED IN THE DIVISION'S FORM. USE OF ELECTRONICALLY-AVAILABLE RECORDS, IN LIEU OF THE REQUIRED PAPER COPIES FOR INSPECTION WILL BE ALLOWED IF SHOWN TO PROVIDE EQUAL ACCESS AND UTILITY AS THE HARD-COPY RECORDS.
- INSPECTION RECORDS MUST INCLUDE, AT A MINIMUM, THE FOLLOWING:
 - CONTROL MEASURE INSPECTIONS: INSPECTION RECORDS MUST INCLUDE AT A MINIMUM: 1) IDENTIFICATION OF THE MEASURES INSPECTED, 2) DATE AND TIME OF THE INSPECTION, 3) NAME OF THE PERSON PERFORMING THE INSPECTION, 4) INDICATION OF WHETHER THE MEASURES WERE OPERATING PROPERLY, 5) DESCRIPTION OF MAINTENANCE NEEDS FOR THE MEASURE, 6) CORRECTIVE ACTIONS TAKEN (7) DATE OF ACTIONS TAKEN, AS WELL AS THE DATE AND AMOUNTS OF RAINFALL RECEIVED.
 - STORMWATER DISCHARGE INSPECTIONS: INSPECTION RECORDS MUST INCLUDE AT A MINIMUM: 1) IDENTIFICATION OF THE DISCHARGE OUTFALL INSPECTED, 2) DATE AND TIME OF THE INSPECTION, 3) NAME OF THE PERSON PERFORMING THE INSPECTION, 4) EVIDENCE OF INDICATORS OF STORMWATER POLLUTION SUCH AS OIL SHEEN, FLOATING OR SUSPENDED SOLIDS OR DISCOLORATION, 5) INDICATION OF VISIBLE SEDIMENT LEAVING THE SITE, 6) ACTIONS TAKEN TO CORRECT/PREVENT SEDIMENTATION AND 7) DATE OF ACTIONS TAKEN.
 - VISIBLE SEDIMENTATION FOUND OUTSIDE THE SITE LIMITS: INSPECTION RECORDS MUST INCLUDE: 1) A/N EXPLANATION AS TO THE ACTIONS TAKEN TO CONTROL FUTURE RECURRENTS, 2) ACTIONS TAKEN TO CLEAN UP OR STABILIZE THE SEDIMENT THAT HAS LEFT THE SITE, 3) THE DATE OF ACTIONS TAKEN.
 - VISIBLE SEDIMENTATION FOUND IN STREAMS OR WETLANDS: ALL INSPECTIONS SHOULD INCLUDE EVALUATION OF STREAMS OR WETLANDS ONSITE OR OFFSITE (WHERE ACCESSIBLE) TO DETERMINE IF VISIBLE SEDIMENTATION HAS OCCURRED.
 - VISIBLE STREAM TURBIDITY - IF THE DISCHARGE FROM A SITE RESULTS IN AN INCREASE IN VISIBLE STREAM TURBIDITY, INSPECTION RECORDS MUST RECORD THAT EVIDENCE AND ACTIONS TAKEN TO REDUCE SEDIMENT CONTRIBUTIONS. SITES DISCHARGING TO STREAMS NAMED ON THE STATE'S 303(D) LIST AS IMPAIRED FOR SEDIMENT-RELATED CAUSES MAY BE REQUIRED TO PERFORM ADDITIONAL MONITORING, INSPECTIONS OR APPLICATION OF MORE-STRINGENT MANAGEMENT PRACTICES IF IT IS DETERMINED THAT THE ADDITIONAL REQUIREMENTS ARE NEEDED TO ASSURE COMPLIANCE WITH THE FEDERAL OR STATE IMPAIRED-WATERS CONDITIONS. IF A DISCHARGE COVERED BY THIS PERMIT ENTERS A STREAM SEGMENT THAT IS LISTED ON THE IMPAIRED STREAM LIST FOR SEDIMENT-RELATED CAUSES, AND A TOTAL MAXIMUM DAILY LOAD (TMDL) HAS BEEN PREPARED FOR THOSE POLLUTANTS, THE PERMITEE MUST IMPLEMENT MEASURES TO ENSURE THAT THE DISCHARGE OF POLLUTANTS FROM THE SITE IS CONSISTENT WITH THE ASSUMPTIONS AND MEETS THE REQUIREMENTS OF THE APPROVED TMDL. THE DIVISION OF WATER QUALITY 303(D) LIST CAN BE FOUND AT: http://h2o.dnr.state.nc.us/TMDL/GENERAL_303D/H2M/



SEEDING AND MULCHING SCHEDULE PER ACRE

THE KINDS OF SEED AND FERTILIZER, AND THE RATES OF APPLICATION OF SEED, FERTILIZER, AND LIME, SHALL BE AS STATED BELOW. DURING PERIODS OF OVERLAPPING DATES, THE KIND OF SEED TO BE USED SHALL BE DETERMINED BY THE ENGINEER.

LIME	2 TONS/AC
10-10-20	1,000 LBS/AC
0-20-0	500 LBS/AC
STRAW MULCH	2 TONS/AC (AFTER SEEDING)
ASPHALT TACK	200 GAL/TON OF MULCH

JANUARY 1-DECEMBER 31

50#	TALL FESCUE
10#	CENTPEDE
10#	BERMUDA GRASS
500#	FERTILIZER
4000#	LIMESTONE

SLOPES 2:1 AND STEEPER AND WASTE AND BORROW LOCATIONS: JANUARY 1-DECEMBER 31

75#	TALL FESCUE
10#	BERMUDA GRASS
500#	FERTILIZER
4000#	LIMESTONE

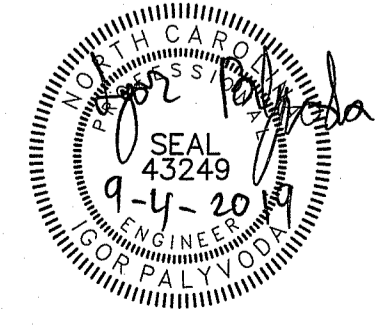
TEMPORARY SEEDING

"COOL SEASON" PLANTED BETWEEN 15 AUGUST AND 15 APRIL

120#	RYE GRASS (NO RYE GRASS)
------	--------------------------

"WARM SEASON" PLANTED BETWEEN 15 APRIL AND 15 AUGUST

65#	GERMAN BROWN TOP OR FOX TAIL MILLET
-----	-------------------------------------



EROSION CONTROL NOTES:

- NO LAND DISTURBING ACTIVITY BEYOND THE REQUIRED TO INSTALL APPROPRIATE EROSION CONTROL MEASURES MAY NOT PROCEED UNTIL EROSION CONTROL MEASURES ARE INSPECTED AND APPROVED BY THE STATE.
- SCHEDULING OF A PRE-CONSTRUCTION CONFERENCE WITH THE EROSION CONTROL INSPECTOR IS REQUIRED PRIOR TO INITIATING LAND DISTURBING ACTIVITIES. FOR INSPECTION PLEASE CALL (910) 796-7215. A 24-HOUR NOTICE IS REQUIRED.
- SEED OR OTHERWISE PROVIDE GROUND COVER DEVICES OR STRUCTURES SUFFICIENT TO RESTRAIN EROSION FOR ALL DENUDED SLOPES WITHIN 7 DAYS FOR SLOPES STEEPER THAN 3:1 OR 14 DAYS FOR SLOPES FLATTER THAN 4:1.
- CONTRACTOR SHALL INSPECT AND MAINTAIN AS NEEDED ALL EROSION CONTROL DEVICES ON A WEEKLY BASIS AND AFTER EACH RAIN EVENT OF 1/2" OR MORE. FAILURE TO KEEP EROSION CONTROL DEVICES IN GOOD WORKING ORDER MAY RESULT IN ISSUANCE OF A STOP WORK ORDER OR CIVIL PENALTIES UP TO \$5000 PER DAY OF VIOLATION. SITES UTILIZING SEDIMENT TRAPS MUST ALSO SPECIFY A MAXIMUM DEPTH OF SEDIMENT PRIOR TO CLEAN OUT.
- THE STATE ENGINEER RESERVES THE RIGHT TO REQUIRE ADDITIONAL EROSION CONTROL MEASURES SHOULD THE PLAN OR ITS IMPLEMENTATION PROVE TO BE INADEQUATE.
- NO PERSON MAY INITIATE A LAND DISTURBING ACTIVITY BEFORE NOTIFYING THE STATE OF THE DATE OF THE LAND DISTURBING ACTIVITY.
- ACCEPTANCE & APPROVAL OF THIS PLAN IS CONDITIONED UPON YOUR COMPLIANCE WITH FEDERAL AND STATE ENGINEERING LAWS, REGULATIONS AND RULES, IN ADDITION LOCAL CITY AND COUNTY ORDINANCES OR RULES MAY ALSO APPLY TO THIS LAND DISTURBING ACTIVITY. APPROVAL BY THE STATE DOES NOT SUPERSEDE ANY OTHER PERMIT OR APPROVAL.
- THE STATE RESERVES THE RIGHT TO ENTER AND INSPECT ANY PROPERTY WITHIN ITS JURISDICTION FOR COMPLIANCE WITH THE SOIL EROSION AND SEDIMENTATION CONTROL ORDINANCE.
- IN ANY EVENT, SLOPES LEFT EXPOSED WILL BE PLANTED OR OTHERWISE PROVIDED WITH GROUND COVER, DEVICES OR STRUCTURES SUFFICIENT TO RESTRAIN EROSION WITHIN FOURTEEN (14) CALENDAR DAYS OF COMPLETION OF ANY PHASE OF GRADING.
- MAINTAIN EROSION CONTROL MEASURES AS NECESSARY.

SHEET 12 OF 12
EROSION CONTROL NOTES & DETAILS

COMPASS
MARGARITAVILLE HOTELS & RESORTS

PROPERTY ADDRESS: 115 CEDAR STREET BEAUFORT, NC 28516
BEAUFORT, BEAUFORT TOWNSHIP, CARTERET COUNTY, N.C.

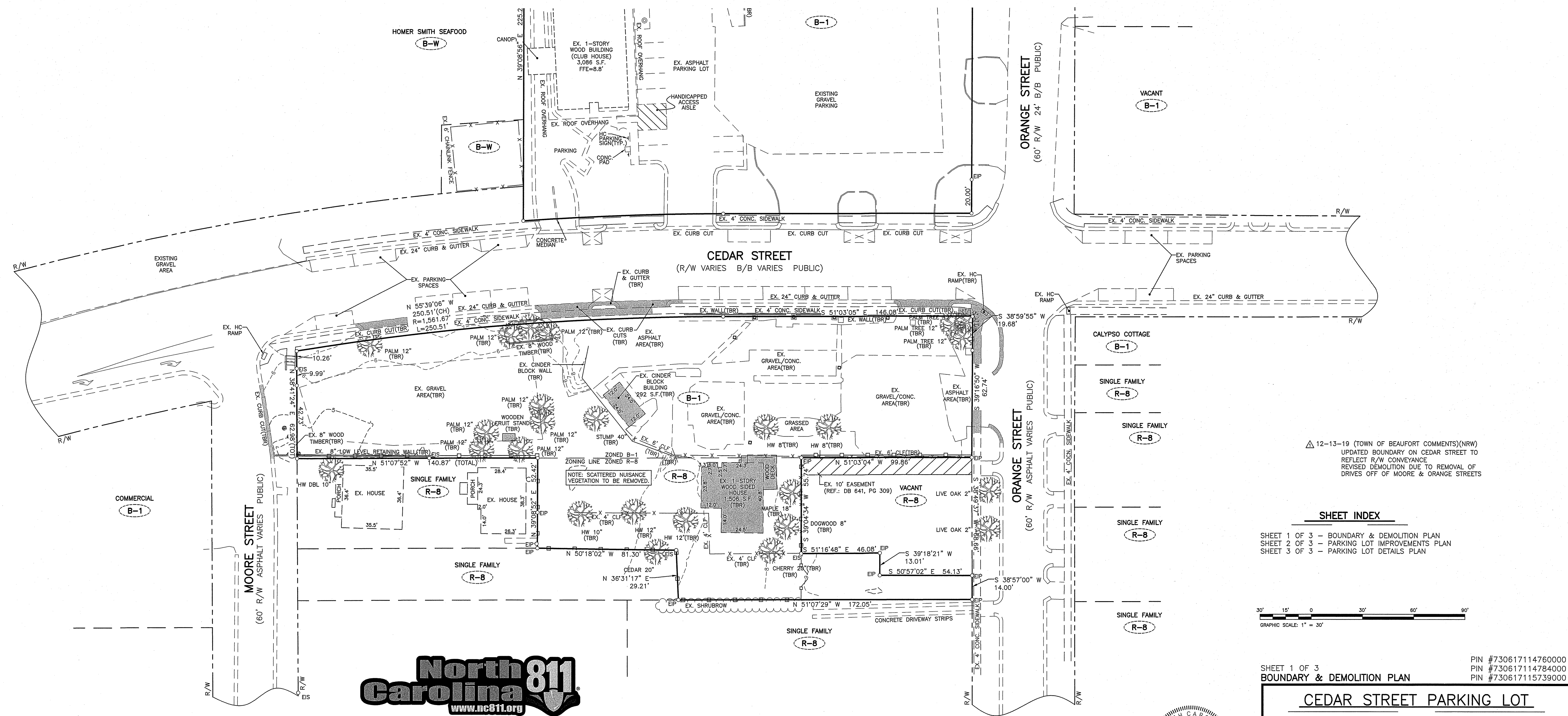
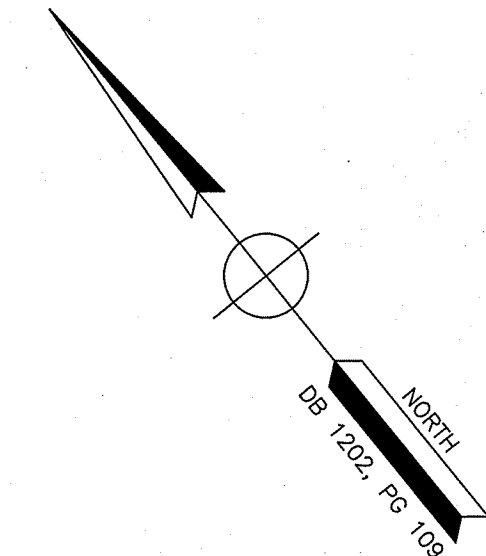
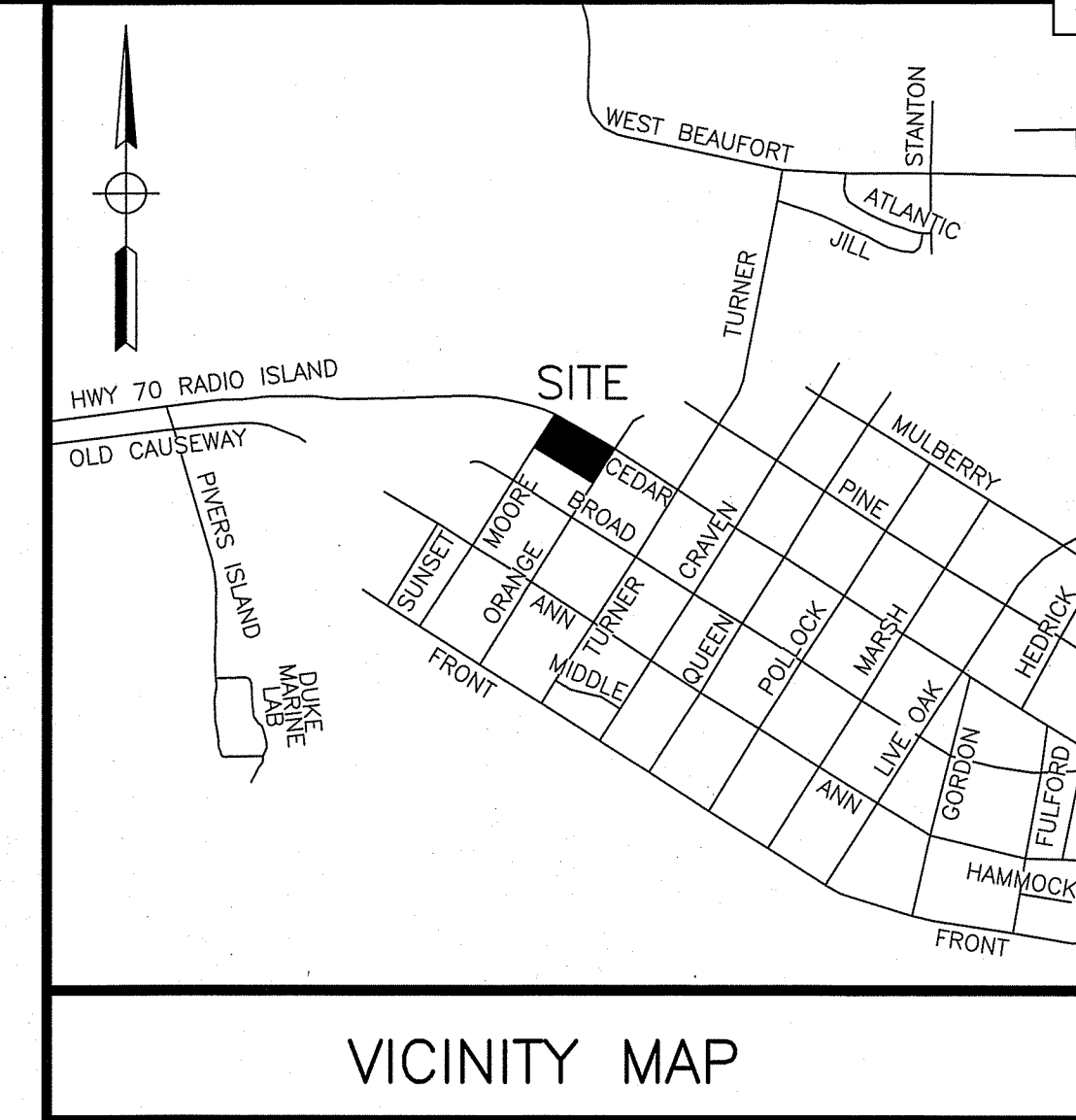
OWNER: BEAUFORT PARTNERS, LLC
ADDRESS: P.O. BOX 14165
NEW BERN, NC 28561
PHONE: (252) 635-7476

Baldwin Design Consultants, PA
LICENSED C-3468
ENGINEERING SURVEYING PLANNING
1700-D EAST ARLINGTON BOULEVARD
GREENVILLE, NC 27659 252.756.1390

DESIGNED: N/A APPROVED: IP
DRAWN: NRW DATE: 06/20/19
CHECKED: IP/MWB SCALE: AS SHOWN

SITE DATA	
TOTAL AREA IN TRACT	0.816 ACRE
ZONING CLASSIFICATION	B-1 & R-8

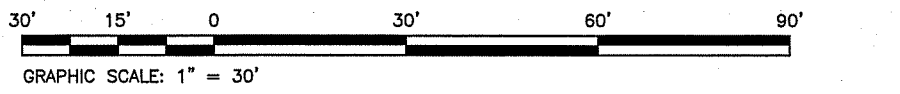
- LEGEND**
- ABS = ACRYLONITRILE-BUTADIENE-STYRENE
 - BB = BOTTOM OF BANK
 - B/B = BACK OF CURB TO BACK OF CURB
 - BC = BACK OF CURB
 - BD = BOLLARD
 - BFE = BASE FLOOD ELEVATION
 - BLD = BUILDING CORNER
 - BM = BENCH MARK
 - BMP = BEST MANAGEMENT PRACTICE
 - BO = BLOW OFF
 - BSP = BACTERIOLOGICAL SAMPLING POINT
 - BV = BALL VALVE
 - CATV = CABLE TELEVISION BOX
 - CB = CATCH BASIN
 - CLD = CENTERLINE DITCH
 - CLP = CENTERLINE PATH
 - CLR = CENTERLINE ROAD
 - CMP = CORRUGATED METAL PIPE
 - CO = CLEAN OUT
 - CONC = CONCRETE
 - CP = COMPACT PARKING SPACE
 - CPP = CORRUGATED PLASTIC PIPE
 - DI = DROP INLET
 - DIP = DUCTILE IRON PIPE
 - DS = DOWNSPOUT
 - DW = DRIVEWAY
 - ECM = EXISTING CONCRETE MONUMENT
 - EIA = EXISTING IRON AXLE
 - EIP = EXISTING IRON PIPE
 - EIS = EXISTING IRON STAKE
 - ELEC = ELECTRICAL
 - ELM = ELECTRIC METER BOX
 - ELMH = ELECTRIC MANHOLE
 - EP = EDGE OF PAVEMENT
 - EPKN = EXISTING PARKER KALON NAIL
 - ERRS = EXISTING RAILROAD SPIKE
 - ESCP = EXTRA STRENGTH CONCRETE PIPE
 - FES = FLARED END SECTION
 - FFE = FINISHED FLOOR ELEVATION
 - FH = FIRE HYDRANT
 - FIRM = FLOOD INSURANCE RATE MAP
 - FM = FORCE MAIN
 - FMV = FORCE MAIN VALVE
 - F/O = FIBER OPTIC MARKER
 - GM = GAS METER
 - GV = GAS VALVE
 - GIW = GIUY WIRE
 - HB = HOSE BIB
 - ICV = IRRIGATION CONTROL VALVE
 - INV = INVERT
 - JB = JUNCTION BOX
 - LP = LIGHT POLE
 - LSA = LANDSCAPED AREA
 - MB = MAIL BOX
 - MBL = MINIMUM BUILDING LINE
 - MH = MANHOLE
 - MHW = MEAN HIGH WATER
 - MP = METAL PIPE
 - MW = MONITORING WELL
 - NTS = NOT TO SCALE
 - OUT = OUTLET CONTROL STRUCTURE
 - OUP = OVERHEAD UTILITY POLE
 - PH = PUMP HOUSE
 - PC = POINT OF CURVATURE
 - PCC = POINT OF COMPOUND CURVATURE
 - PGB = POINT OF BEGINNING
 - PRC = POINT OF REVERSE CURVATURE
 - PT = POINT OF TANGENCY
 - PVC = POLYVINYL CHLORIDE
 - RCP = REINFORCED CONCRETE PIPE
 - R/W = RIGHT-OF-WAY
 - SIP = SET IRON PIPE
 - SMN = SET MAG NAIL
 - SPKN = SET PARKER KALON NAIL
 - SRRS = SET RAILROAD SPIKE
 - SS = SEWER SERVICE
 - SSMH = SANITARY SEWER MANHOLE
 - STMH = STORM SEWER MANHOLE
 - SV = SEWER VENT
 - SW = SIDEWALK
 - SWHDPE = SMOOTH WALL HDPE
 - SWPPP = SMOOTH WALL PLASTIC PIPE
 - TB = TOP OF BANK (TOPO ONLY)
 - TBL = TOP OF BLOCK
 - TBR = TO BE REMOVED
 - TC = TOP OF CURB
 - TCONC = TOP OF CONCRETE
 - TG = TOP OF GRAVEL
 - TMH = TELEPHONE MANHOLE
 - TP = TOP OF PAVEMENT
 - TSW = TOP OF SIDEWALK
 - TMH = TELEPHONE MH
 - TOT = TOTAL
 - TPED = TELEPHONE PEDESTAL
 - TRANS = ELECTRICAL TRANSFORMER
 - TSP = TRAFFIC SIGNAL SUPPORT POLE
 - UTP = UTILITY POLE
 - VG = VALLEY GUTTER
 - WDL = WOODSLINE
 - WM = WATER METER BOX
 - WP = WETLAND POINT
 - WS = WRAPPED STEEL
 - WV = WATER VALVE
 - WV = NOT TO SCALE
 - WV = CLASS "B" STONE APRON
 - WV = CONSTRUCTION ENTRANCE/EXIT
 - WV = EXISTING OVERHEAD UTILITIES
 - WV = EXISTING SANITARY SEWER LINE
 - WV = SANITARY SEWER FORCE MAIN
 - WV = EXISTING WATER LINE
 - WV = LIMITS OF CONSTRUCTION
 - WV = UNDERGROUND COMMUNICATIONS LINE
 - WV = GAS LINE
 - WV = FIBER OPTIC LINE
 - WV = UNDERGROUND ELECTRICAL LINE
 - WV = UNDERGROUND CABLE
 - WV = SILT FENCE
 - WV = DRAINAGE EASEMENT
 - WV = RIPARIAN BUFFER
 - WV = SIGHT TRIANGLE
 - WV = SIGN EASEMENT
 - WV = ZONING CLASSIFICATION
 - WV = AREA TO BE DEMOLISHED
 - WV = EXISTING TREE



△ 12-13-19 (TOWN OF BEAUFORT COMMENTS)(NRW)
 UPDATED BOUNDARY ON CEDAR STREET TO
 REFLECT R/W CONVEYANCE
 REVISED DEMOLITION DUE TO REMOVAL OF
 DRIVES OFF OF MOORE & ORANGE STREETS

SHEET INDEX

SHEET 1 OF 3	BOUNDARY & DEMOLITION PLAN
SHEET 2 OF 3	PARKING LOT IMPROVEMENTS PLAN
SHEET 3 OF 3	PARKING LOT DETAILS PLAN

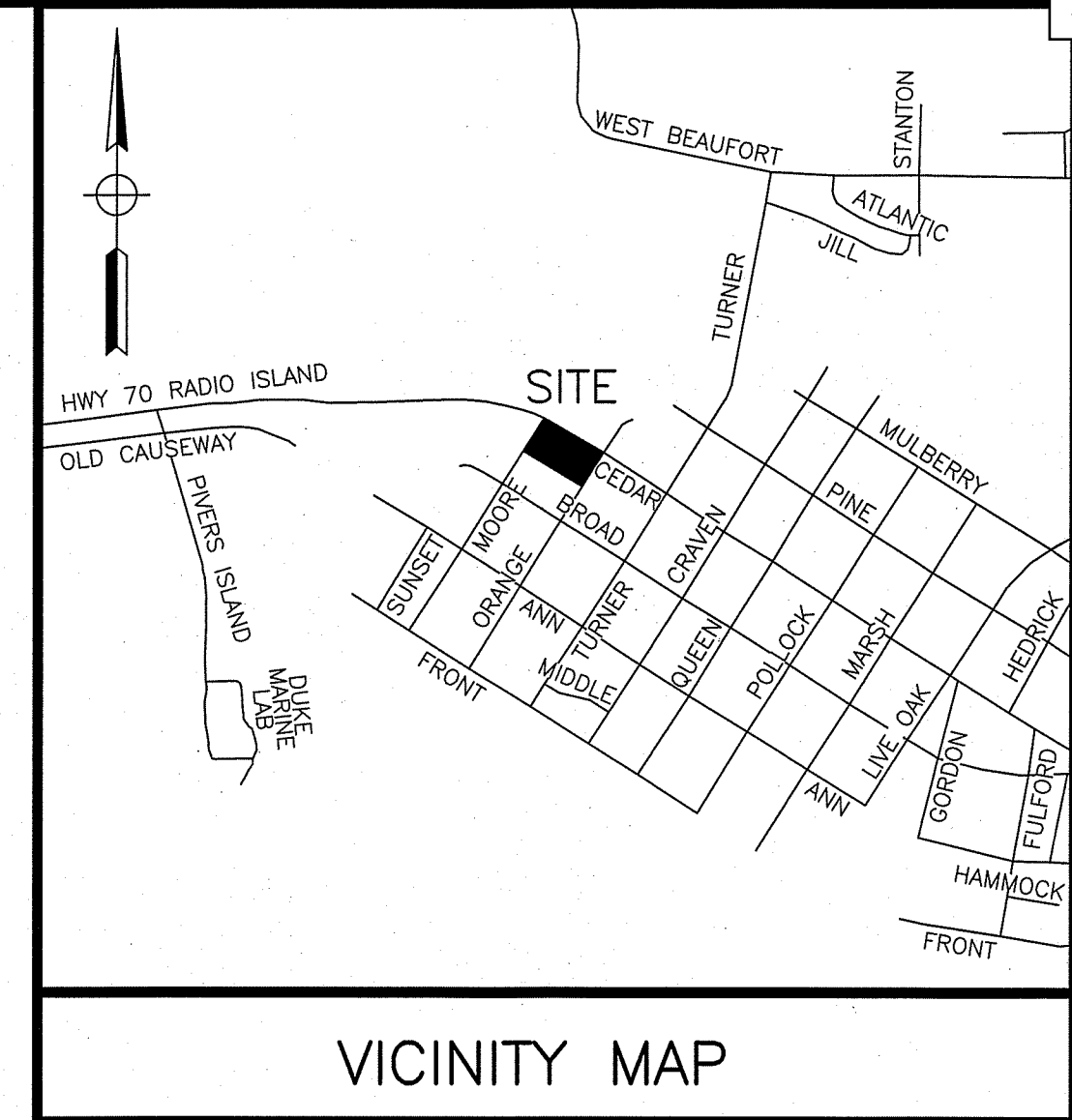


- Call 72 Hours Before You Dig!
 1-800-632-4949
- CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING APPROPRIATE PARTIES AND ENSURING THAT ALL EXISTING UTILITIES ARE LOCATED PRIOR TO CONSTRUCTION.
 - CONTRACTOR IS RESPONSIBLE FOR PLACING BARRICADES, USING FLAG MEN, ETC., AS NECESSARY TO ENSURE SAFETY OF THE PUBLIC.
 - ALL PAVEMENT CUTS, CONCRETE OR ASPHALT, ARE TO BE PLACED ACCORDING TO THE STANDARDS OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION, OR LOCAL JURISDICTION, WHICHEVER IS MORE STRINGENT.
 - SHORING SHALL BE IN ACCORDANCE WITH OSHA TRENCHING STANDARDS, 29 PART 1926, SUBPART, OR AS AMENDED.

DEVELOPER: BEAUFORT PARTNERS, LLC
 P.O. BOX 14165
 NEW BERN, NC 28551
 (252) 635-7476

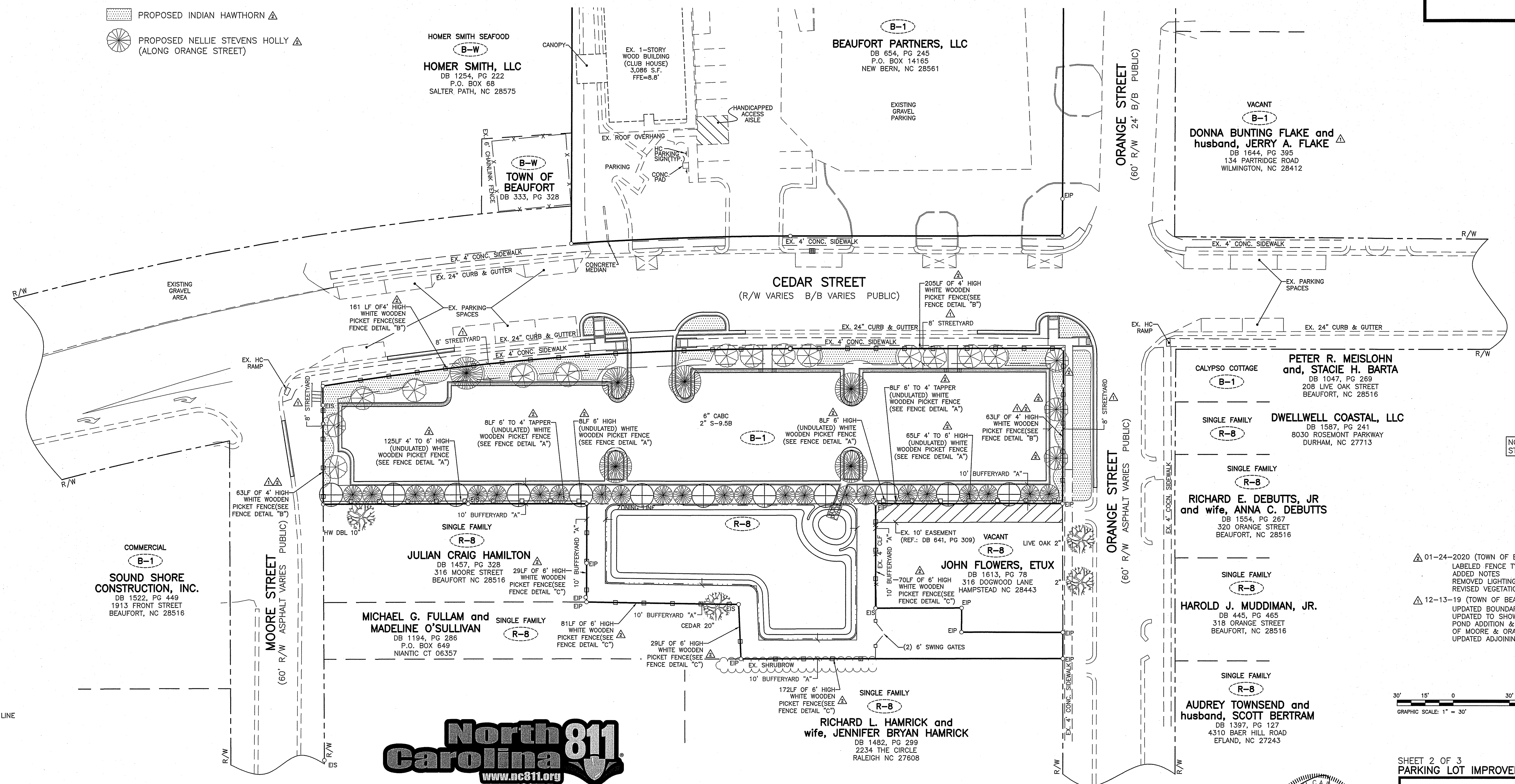
	DESIGNED: MWB	APPROVED: MWB
	DRAWN: NRW	DATE: 05/13/19
	CHECKED: MWB	SCALE: 1" = 30'

Y:\DRAWINGS\07-160 Beaufort Yacht Club\HOTEL-2017\CEDAR STREET PARKING LOT IMPROVEMENTS-REV.dwg Men, Dec. 16, 2019 9:51:18am RWELLS



- LEGEND**
- ABS = ACRYLONITRILE-BUTADIENE-STYRENE
 - BB = BOTTOM OF BANK
 - B/B = BACK OF CURB TO BACK OF CURB
 - BC = BACK OF CURB
 - BD = BOLLARD
 - BFE = BASE FLOOD ELEVATION
 - BLD = BUILDING CORNER
 - BM = BENCH MARK
 - BMP = BEST MANAGEMENT PRACTICE
 - BO = BLOW OFF
 - BSP = BACTERIOLOGICAL SAMPLING POINT
 - BV = BALL VALVE
 - CATV = CABLE TELEVISION BOX
 - CB = CATCH BASIN
 - CLD = CENTERLINE DITCH
 - CLP = CENTERLINE PATH
 - CLR = CENTERLINE ROAD
 - CMF = CORRUGATED METAL PIPE
 - CO = CLEAN OUT
 - CONC = CONCRETE
 - CP = COMPACT PAVING SPACE
 - CPP = CORRUGATED PLASTIC PIPE
 - DI = DROP INLET
 - DIP = DUCTILE IRON PIPE
 - DS = DOWNSPRING
 - DW = DRIVEWAY
 - ECM = EXISTING CONCRETE MONUMENT
 - EA = EXISTING IRON AXLE
 - EIP = EXISTING IRON PIPE
 - EIS = EXISTING IRON STAKE
 - ELEC = ELECTRICAL
 - ELM = ELECTRIC METER BOX
 - ELMH = ELECTRIC MANHOLE
 - EP = EDGE OF PAVEMENT
 - EPKH = EXISTING PARKER KALON NAIL
 - ERRS = EXISTING RAILROAD SPIKE
 - ESCP = EXTRA STRENGTH CONCRETE PIPE
 - FES = FLARED END SECTION
 - FPE = FINISHED FLOOR ELEVATION
 - FH = FIRE HYDRANT
 - FIRM = FLOOD INSURANCE RATE MAP
 - FM = FORCE MAIN
 - FMV = FORCE MAIN VALVE
 - F/O = FIBER OPTIC MARKER
 - GM = GAS METER
 - GV = GAS VALVE
 - GUY = GUY WIRE
 - HB = HOSE BIB
 - ICV = IRRIGATION CONTROL VALVE
 - INV = INVERT
 - JB = JUNCTION BOX
 - LP = LIGHT POLE
 - LSA = LANDSCAPED AREA
 - MB = MAIL BOX
 - MBL = MINIMUM BUILDING LINE
 - MH = MANHOLE
 - MHW = MEAN HIGH WATER
 - MP = METAL PIPE
 - MW = MONITORING WELL
 - N/S = NOT TO SCALE
 - OCS = OUTLET CONTROL STRUCTURE
 - OUP = OVERHEAD UTILITY POLE
 - PH = PUMP HOUSE
 - PC = POINT OF CURVATURE
 - PCC = POINT OF COMPOUND CURVATURE
 - POB = POINT OF BEGINNING
 - PRC = POINT OF REVERSE CURVATURE
 - PT = POINT OF TANGENCY
 - PVC = POLYVINYL CHLORIDE
 - RADIUS = RADIUS
 - RCP = REINFORCED CONCRETE PIPE
 - R/W = RIGHT-OF-WAY
 - SIP = SET IRON PIPE
 - SIN = SET MANHOLE
 - SPKN = SET PARKER KALON NAIL
 - SRRS = SET RAILROAD SPIKE
 - SS = SEWER SERVICE
 - SSMH = SANITARY SEWER MANHOLE
 - STMH = STORM SEWER MANHOLE
 - SV = SEWER VENT
 - SW = SIDEWALK
 - SWHDPE = SMOOTH WALL HDPE
 - SWPPP = SMOOTH WALL PLASTIC PIPE
 - TB = TOP OF BANK (TOPO ONLY)
 - TBK = TOP OF BLOCK
 - TBR = TO BE REMOVED
 - TC = TOP OF CURB
 - TCONC = TOP OF CONCRETE
 - TG = TOP OF GRAVEL
 - TLMH = TELEPHONE MANHOLE
 - TP = TOP OF PAVEMENT
 - TSW = TOP OF SIDEWALK
 - TLMH = TELEPHONE MH
 - TOT = TOTAL
 - TPED = TELEPHONE PEDESTAL
 - TRANS = ELECTRICAL TRANSFORMER
 - TSP = TRAFFIC SIGNAL SUPPORT POLE
 - UTP = UTILITY POLE
 - VG = VALLEY GUTTER
 - WDL = WOODSLINE
 - WM = WATER METER BOX
 - WP = WETLAND POINT
 - WS = WRAPPED STEEL
 - WV = WATER VALVE
 - = NOT TO SCALE
 - = CLASS "B" STONE APRON
 - = CONSTRUCTION ENTRANCE/EXIT
 - = EXISTING OVERHEAD UTILITIES
 - = EXISTING SANITARY SEWER LINE
 - = SANITARY SEWER FORCE MAIN
 - = EXISTING WATER LINE
 - = LIMITS OF CONSTRUCTION
 - = UNDERGROUND COMMUNICATIONS LINE
 - = GAS LINE
 - = FIBER OPTIC LINE
 - = UNDERGROUND ELECTRICAL LINE
 - = UNDERGROUND CABLE
 - = SILT FENCE
 - = DRAINAGE EASEMENT
 - = RIPARIAN BUFFER
 - = SIGHT TRIANGLE
 - = SIGN EASEMENT
 - = ZONING CLASSIFICATION
 - = AREA TO BE DEMOLISHED
 - = EXISTING TREE

- LEGEND**
- PROPOSED LIVE OAK
 - PROPOSED FLOWERING DOGWOOD
 - PROPOSED WAX MYRTLE
 - PROPOSED AMERICAN HOLLY
 - △ PROPOSED INDIAN HAWTHORN
 - △ PROPOSED NELLIE STEVENS HOLLY (ALONG ORANGE STREET)



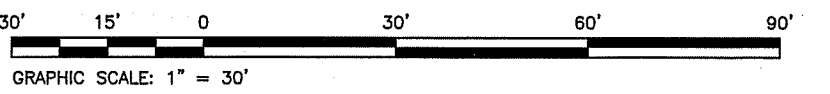
North 811
Carolina
www.nc811.org

Call 72 Hours Before You Dig!
1-800-632-4949

1. CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING APPROPRIATE PARTIES AND ENSURING THAT ALL EXISTING UTILITIES ARE LOCATED PRIOR TO CONSTRUCTION.
2. CONTRACTOR IS RESPONSIBLE FOR PLACING BARRICADES, USING FLAG MEN, ETC., AS NECESSARY TO ENSURE SAFETY OF THE PUBLIC.
3. ALL PAVEMENT CUTS, CONCRETE OR ASPHALT, ARE TO BE PLACED ACCORDING TO THE STANDARDS OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION, OR LOCAL JURISDICTION, WHICHEVER IS MORE STRINGENT.
4. SHORING SHALL BE IN ACCORDANCE WITH OSHA TRENCHING STANDARDS, 29 PART 1926, SUBPART, OR AS AMENDED.

△ 01-24-2020 (TOWN OF BEAUFORT COMMENTS)(NRW)
LABELED FENCE TYPES AND LENGTHS
ADDED NOTES
REMOVED LIGHTING INFORMATION FROM PLANS
REVISED VEGETATION TYPES

△ 12-13-19 (TOWN OF BEAUFORT COMMENTS)(NRW)
UPDATED BOUNDARY ON CEDAR STREET TO
UPDATED TO SHOW REVISED PARKING AND
POND ADDITION & REMOVAL OF DRIVES OFF
OF MOORE & ORANGE STREETS
UPDATED ADJOINING PROPERTY OWNER



SHEET 2 OF 3
PARKING LOT IMPROVEMENTS

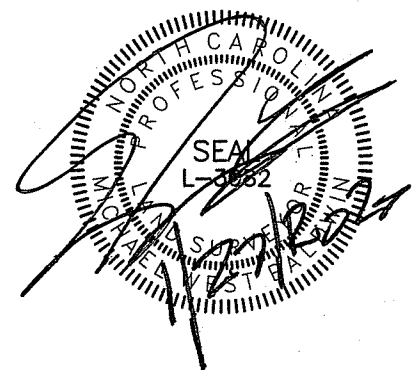
CEDAR STREET PARKING LOT

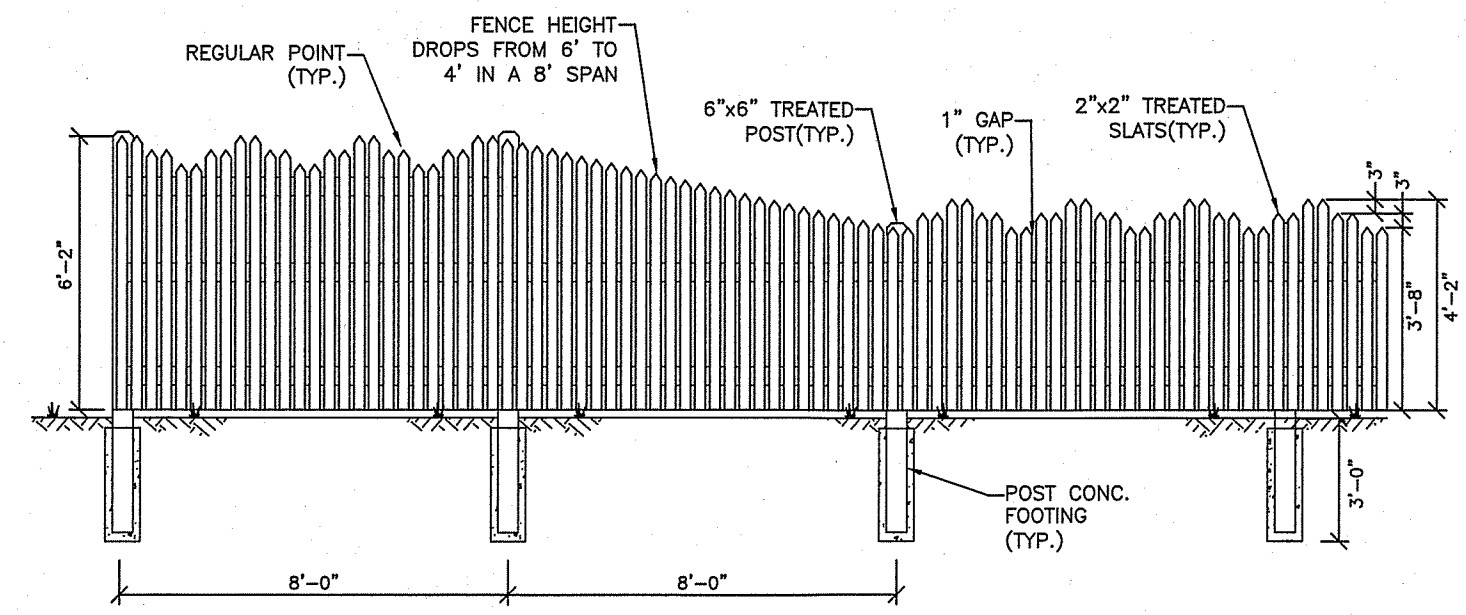
REFERENCE: DEED BOOK 879, PAGE 793 & DEED BOOK 937, PAGE 309 & DEED BOOK 1449, PAGE 1 OF THE CARTERET COUNTY REGISTER OF DEEDS
BEAUFORT, BEAUFORT TOWNSHIP, CARTERET COUNTY, N.C.

OWNER: BETTY APPERSON
ADDRESS: P.O. BOX 625
LAGRANGE, NC 28551
PHONE: (252) 559-0592

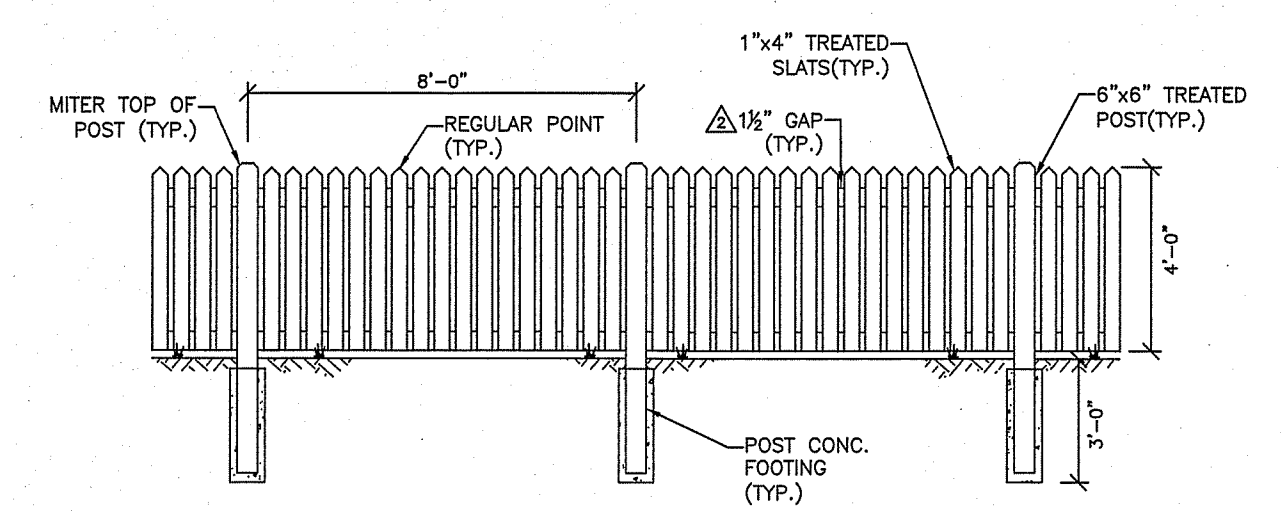
DEVELOPER: BEAUFORT PARTNERS, LLC
P.O. BOX 14165
NEW BERN, NC 28561
(252) 635-7476

Baldwin Design Consultants, PA ENGINEERING - SURVEYING - PLANNING 1700-3 EAST ARLINGTON BOULEVARD GREENVILLE, NC 27608 252.756.1390	DESIGNED: MWB	APPROVED: MWB
	DRAWN: NRW	DATE: 05/13/19
	CHECKED: MWB	SCALE: 1" = 30'

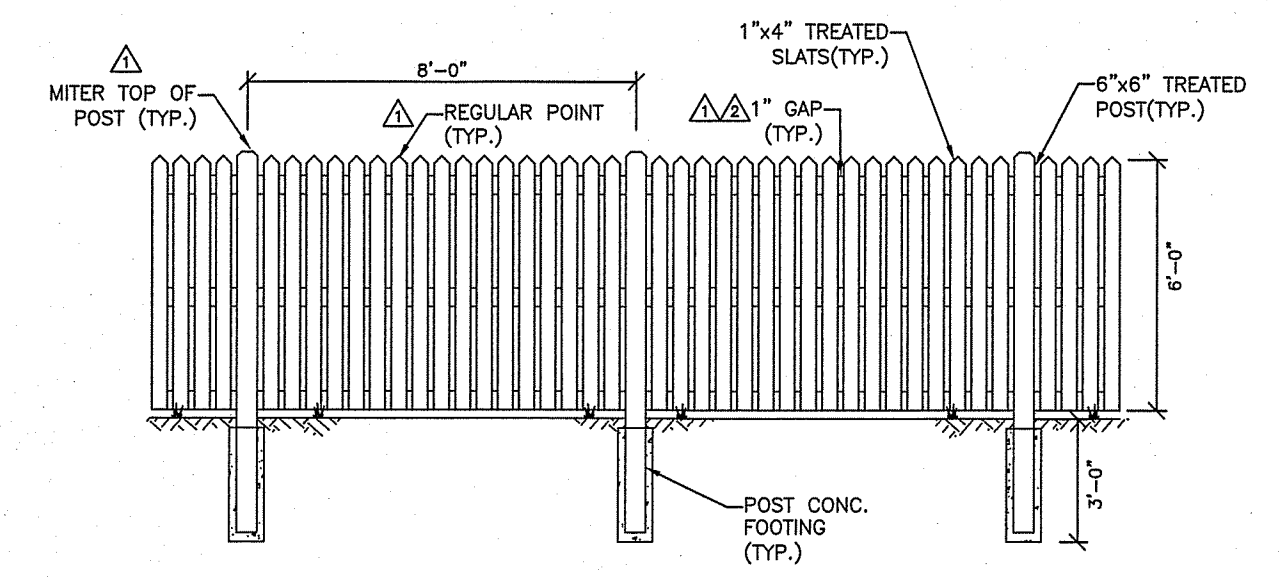




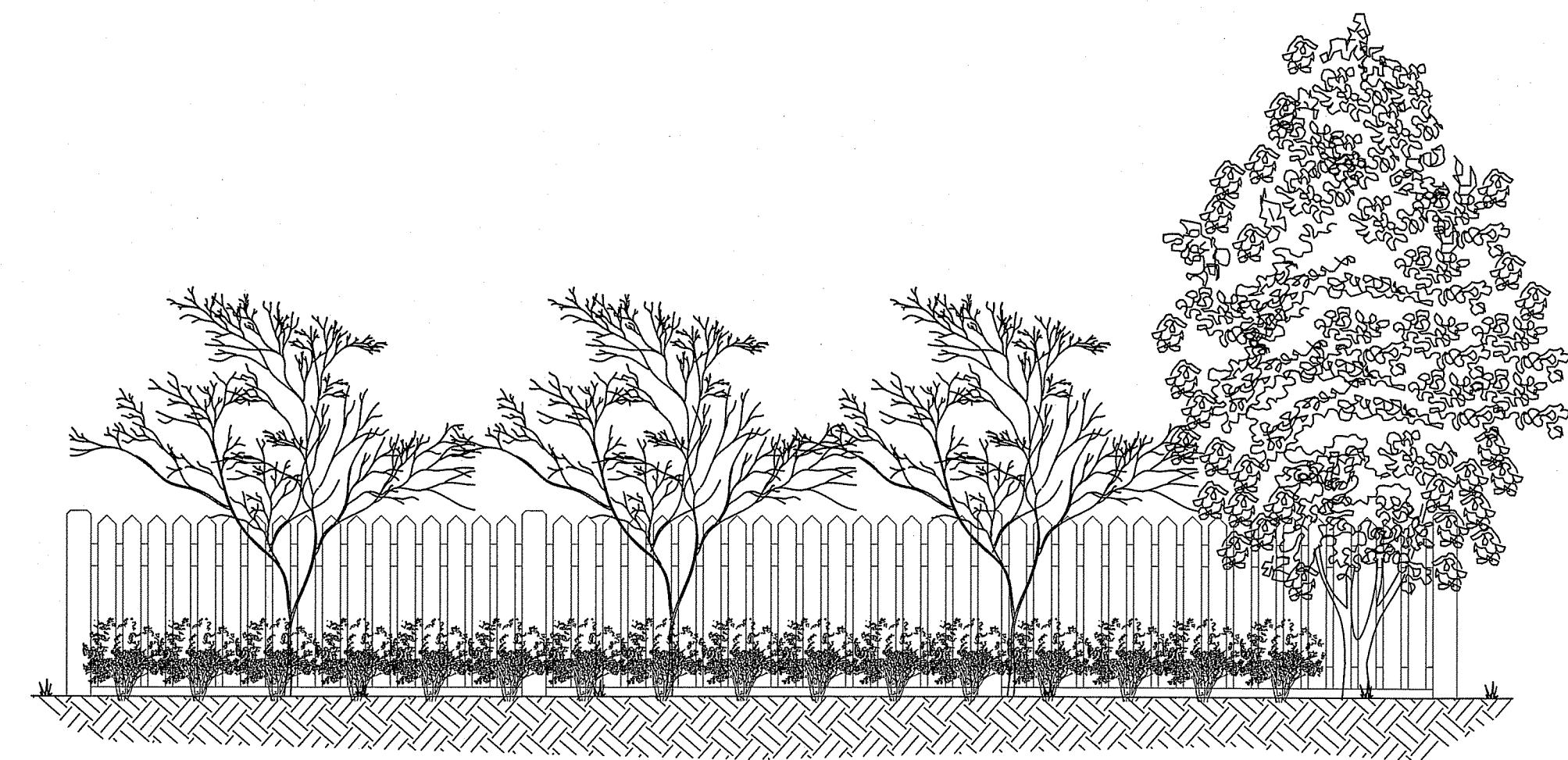
4' TO 6' (UNDULATED) FENCE DETAIL "A"
(ALONG ADJOINING PROPERTY LINES)
SCALE: N.T.S.



4' FENCE DETAIL "B"
(ALONG ROAD FRONTAGE)
SCALE: N.T.S.



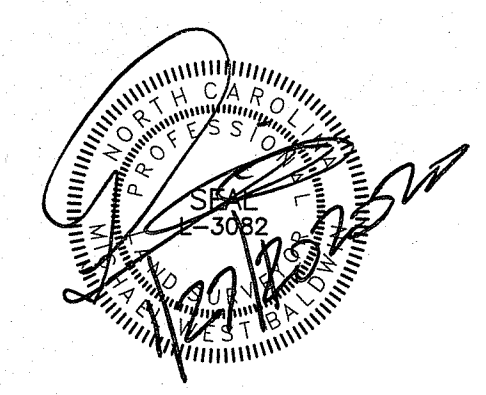
6' WOOD PRIVACY FENCE DETAIL "C"
(ALONG POND PERIMETER)
SCALE: N.T.S.



STREET ELEVATION VIEW (ALONG MOORE STREET)
SCALE: N.T.S.

- ▲ 01-24-2020 (TOWN OF BEAUFORT COMMENTS)(NRW)
REVISED AND ADDED DETAILS FOR FENCE TYPES
UPDATED DECORATIVE LIGHT DETAIL NOTES
REMOVED LIGHTING DETAILS
- ▲ 12-13-2019 (TOWN OF BEAUFORT COMMENTS)(NRW)
REMOVED DETAILS FOR CHARGING STATIONS
REVISED DETAILS FOR PRIVACY FENCE
UPDATED DECORATIVE LIGHT DETAIL NOTES

X:\DRAWINGS\07-160 Beaufort Yacht Club\HOTEL-2017\CEDAR STREET PARKING LOT IMPROVEMENTS-REV.dwg Mon, Jun 27, 2020-4:34pm RHELLS



SHEET 3 OF 3
PARKING LOT DETAILS

CEDAR STREET PARKING LOT

REFERENCE: DEED BOOK 879, PAGE 793 & DEED BOOK 937, PAGE 309 & DEED BOOK 1449, PAGE 1 OF THE CARTERET COUNTY REGISTER OF DEEDS
BEAUFORT, BEAUFORT TOWNSHIP, CARTERET COUNTY, N.C.

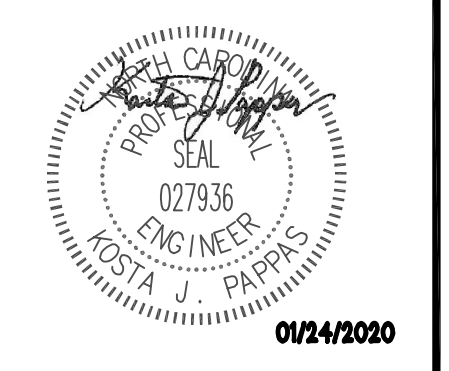
OWNER: BETTY APPERSON
ADDRESS: P.O. BOX 625
LAGRANGE, NC 28551
PHONE: (252) 559-0592

	DESIGNED: N/A	APPROVED: MWB
	DRAWN: NRW	DATE: 05/13/19
	CHECKED: MWB	SCALE: AS SHOWN



VP ENGINEERING
 Mechanical | Electrical | Plumbing
VRETTOS PAPPAS
 CONSULTING ENGINEERS, P.A.
 PO Box 31847, Charlotte, NC 28231
 2815 Coliseum Centre Drive, Suite 180
 Charlotte, NC 28217
 704.372.7755
 www.vpce.com

**CEDAR ST
 PARKING**
 BEAUFORT, NC

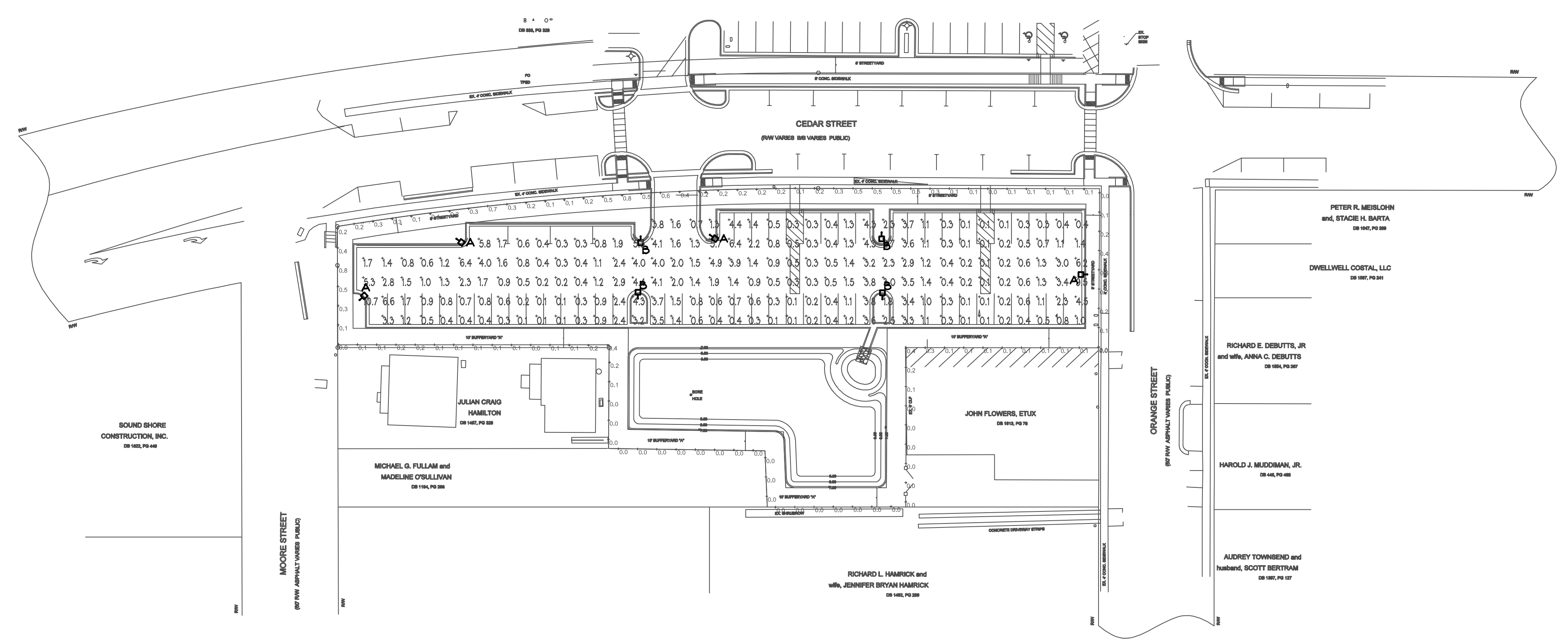


DISCLAIMER
 THESE DRAWINGS, THE PROJECT SPECIFICATIONS MANUAL AND THE DESIGN ARE INSTRUMENTS OF SERVICE ONLY AND REMAIN THE PROPERTY OF VRETTOS PAPPAS CONSULTING ENGINEERS, INC. THE REPRODUCTION AND/OR UNAUTHORIZED USE OF THESE DOCUMENTS WITHOUT THE EXPRESS WRITTEN PERMISSION OF VRETTOS PAPPAS CONSULTING ENGINEERS, INC. IS PROHIBITED.

REVISION #	DATE

PROJECT #: 4833
 DATE: 01/24/2020
 DRAWN BY: JTE
 CHECKED BY: DP
 SITE LIGHTING PLAN

ES1



1 SITE LIGHTING PLAN
 ES1 1" = 40'

STATISTICS

Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
PARKING	-	1.6 fc	10.6 fc	0.1 fc	106.0:1	16.0:1
PROPERTY LINE	-	0.2 fc	0.8 fc	0.0 fc	N/A	N/A

SITE LIGHTING FIXTURE SCHEDULE

SYMBOL OR TAG LETTER	MANUF.	CATALOG NUMBER	LAMP DATA		WATTS	MOUNTING	DESCRIPTION
			NO.	TYPE			
A	LSI	XDL5-FT-LED-S6-WW	1	LED	68.8	POLE TOP	12' - HEIGHT
B	LSI	XDL5-5-LED-S6-WW	1	LED	68.7	POLE TOP	12' - HEIGHT

LED LIFESTYLE SMALL DECORATIVE AREA LIGHTS (XDLS)



US patent 7,828,456 8,002,428, 8,177,386 8,434,893 8,567,983 and US & int'l. patents pending

SMARTTEC™ - LSI drivers feature integral sensor which reduces drive current when ambient temperatures exceed rated temperature

ENERGY SAVING CONTROL OPTION - DIM - 0-10 volt dimming enabled with controls by others. BLS - Bi-level switching responds to external line voltage signal from separate 120-277V controller or sensor (by others), with low light level decreased to 30% maximum drive current.

LEDS - Select high-brightness LEDs in Cool White (5000K), Neutral White (4000K) or Warm White (3500K) color temperature. 70 CRI CW. 80 CRI NW and WW.

DISTRIBUTION PATTERN - Types 3, FT and 5. Exceptional uniformity creates bright environment at lower light levels. **Improved backlight cutoff minimizes light trespass.**

CROWN - Cast aluminum. Wiring emerges from crown through compression seal fitting to prevent water entry. One-piece silicone gasket seals crown to shade for water- and dust-tight construction.

SHADES - Spun aluminum. Two shade styles available - A - Angle and B - Bell.

OPTICAL UNIT - Optical unit and aluminum door frame recessed into shade and sealed with one-piece silicone gasket. Clear tempered flat glass lens sealed with silicone gasket to door frame (includes pressure-stabilizing breather). Optical unit is tethered and provides access to driver. Door frame retaining fasteners are captive.

BRACKETS - Brackets are extruded and cast aluminum assemblies or fabrications. All decorative elements are die cast or extruded aluminum.

MOUNTING - Classic Hook (CH), Side Arm (SA - 4" O.D. minimum pole top required), Wall Mount (W - for use with CH or SA style) and Universal Pole Clamp (UCL) available. See Steel Round Pole and Aluminum Round Pole data sheets for pole selection information. Side Arm pole mount requires 3" reduced drilling pattern. Classic hook mount requires a 4" O.D. pole or tenon.

ELECTRICAL - Two-stage surge protection (including separate surge protection built into electronic driver) meets IEEE C62.41.2-2002, Location Category C. Available with universal voltage power supply 120-277VAC (UE - 50/60Hz input), and 347-480 VAC. Optional button-type photocells (PCI) are available in 120, 208, 240, 277 or 347 volt (supply voltage must be specified).

DRIVERS - Available in SS (Super Saver) and HO (High Output) drive currents (Drive currents are factory programmed.). Components are fully encased in potting material for moisture resistance. Driver complies with FCC standards. Driver and key electronic components can easily be accessed.

OPERATING TEMPERATURE - -40°C to +50°C (-40°F to +122°F).

FINISH - Each fixture is finished with LSI's DuraGrip polyester powder coat process. The DuraGrip finish withstands extreme weather changes without cracking or peeling.

WARRANTY - LSI LED fixtures carry a limited 5-year warranty.

PHOTOMETRICS - Please visit our web site at www.lsi-industries.com for detailed photometric data.

SHIPPING WEIGHT (IN CARTON) - 24 lbs. (10.8 kg)

LISTINGS - UL listed to U.S. and Canadian safety standards. Suitable for wet locations

This product, or selected versions of this product, meet the standards listed below. Please consult factory for your specific requirements.

		Lumens (Nominal)			Watts (Nominal)
		Type 3	Type FT	Type 5	
Cool White	SS	7100	6540	6220	71
	HO	9600	8990	8500	106
Neutral White	SS	6510	5840	5680	71
	HO	8810	7890	7780	106
Warm White	SS	4790	5170	5010	71
	HO	6460	6880	6740	106

LED Chips are frequently updated therefore values may increase.



LED LIFESTYLE SMALL DECORATIVE AREA LIGHTS (XDLS)

PRODUCT ORDERING INFORMATION

TYPICAL ORDER EXAMPLE: **XDLSB 3 LED SS CW UE BLK CH S PCI120**

Prefix	Distribution	Light Source	Drive Current	Color Temp	Input Voltage	Finish	Mounting Style ^{1,2}	Mounting Configuration ^{1,2}	Options
XDLSA ¹ Angle Shade	3 - Type III 5 - Type V FT - Forward Throw	LED	SS - Super Saver	CW - Cool White (5000K) NW - Neutral White (4000K) WW - Warm White (3500K)	UE - Universal Electronic (120-277V) 347-480 Universal Voltage (347-480V)	BLK - Black BRZ - Bronze WHT - White GPT - Graphite MSV - Metallic Silver PLP - Platinum Plus SVG - Satin Verde Green	CH - Classic Hook SA4 - Side Arm Mount for 4" O.D. Round Poles ³ SA5 - Side Arm Mount for 5" O.D. Round Poles ³ UCL4 - Universal Pole Clamp for 4" O.D. Round Poles UCL5 - Universal Pole Clamp for 5" O.D. Round Poles	S - Single D180 - Double D90 - Double ⁴ T90 - Triple ⁴ TN120 - Triple ⁴ Q90 - Quad ⁴ W - Wall Mount (For use with CH or Side Arm Mounting Style)	DIM - 0-10 Volt Dimming (from external signal) ⁵ BLS - Bi-level Switching (from external 120-277V signal) ⁵ Button Type Photocells PCI120 - 120V PCI208-277V - 208-277V PCI347 - 347V

ACCESSORY ORDERING INFORMATION (Accessories are field installed)			
Description	Order Number	Description	Order Number
FK120 Single Fusing (120V)	FK120 ⁶	DFK480 Double Fusing (480V)	DFK480 ⁶
FK277 Single Fusing (277V)	FK277 ⁶	FK347 Single Fusing (347V)	FK347 ⁶
DFK208, 240 Double Fusing (208V, 240V)	DFK208, 240 ⁶		

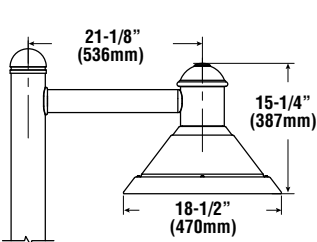
LUMINAIRE EPA CHART - XDLS	
Single	1.6
D180°	2.7
D90°	2.3
T90°	3.3
TN120°	3.4
Q90°	4.1

Note: Includes Bracket

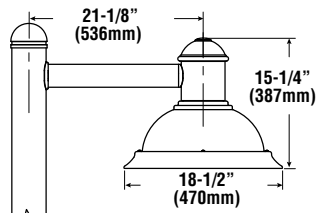
FOOTNOTES:

- When ordering a multiple configuration (D180, etc.) order one fixture/bracket configuration per pole - i.e. order one XDLSB 3 LED SS CW UE BLK CH D180 PCI120 to receive two fixtures and one CH D180 bracket (see drawing on this page). See STEEL ROUND POLES and ALUMINUM ROUND POLES data sheets for pole ordering information.
- See Lifestyle Bracket ordering chart for Mounting Style/Configurations availability.
- 3- 3" reduced drilling pattern required.
- For use with SA4 and SA5 mounting styles only.
- DIM and BLS cannot be ordered together.
- Fusing must be located in the hand hole of pole.

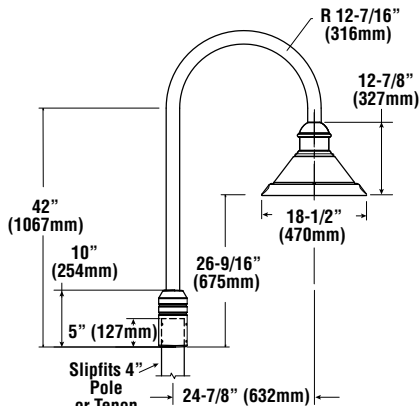
DIMENSIONS



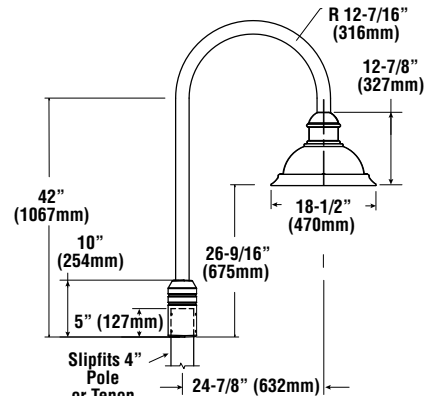
SIDE ARM (SA4 S) - ANGLE SHADE



SIDE ARM (SA4 S) - BELL SHADE

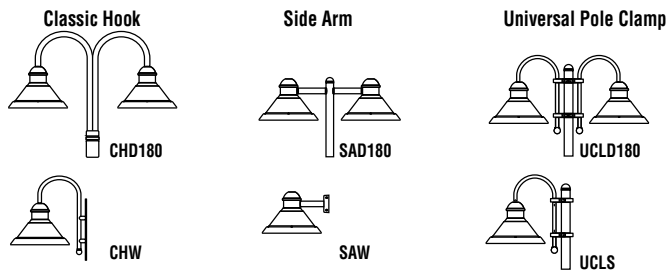


CLASSIC HOOK (CH S) - ANGLE SHADE



CLASSIC HOOK (CH S) - BELL SHADE

See Lifestyle Brackets and Mounts in outdoor section of latest Buyers Guide for details on other bracket sizes.



LED LIFESTYLE SMALL DECORATIVE AREA LIGHTS (XDLS)

BUG LISTING

XDLS - TYPE 3

Drive Current	Color Temp.*	Lumens	Watts	LER	BUG Rating
HO	CW	9603	106.1	91	B2-U0-G2
SS	CW	7096	71.4	99	B1-U0-G1

XDLS - TYPE 5

Drive Current	Color Temp.*	Lumens	Watts	LER	BUG Rating
HO	CW	8501	106	80	B3-U0-G1
	NW	7779	104	75	B3-U0-G1
SS	CW	6225	71	88	B3-U0-G1
	NW	5685	71	80	B2-U0-G1
	WW	5007	70	72	B2-U0-G1

XDLS - TYPE FT

Drive Current	Color Temp.*	Lumens	Watts	LER	BUG Rating
HO	CW	8994	106	85	B1-U0-G2
	NW	7891	104	76	B1-U0-G2
SS	CW	6543	71	92	B1-U0-G2
	NW	5846	71	83	B1-U0-G2
	WW	5171	70	74	B1-U0-G1

* Color Temperature: WW-3000K, NW-4000K, CW-5000K

APPENDIX B Vehicle Accommodation Area (VAA) Calculations

VAA Calculations.

1) Required Landscaping Area of VAAs.

The following is an elementary formula for determining the number of shade trees required in and around parking lots in order to presumptively satisfy the landscaping requirements of this section.

Table B-1 VAA Landscaping Calculations

1. Including parking spaces, driveways, loading areas, parking isles, and other circulation areas and not including building area or any area which will remain completely undeveloped, calculate square footage of the VAA.	53,906 sq. ft.
2. Required landscaping percentage.	12%
3. For required landscaping area, multiply line 1 by line 2.	6,469 sq. ft.
4. Interior landscaping percentage.	50 %
5. For the required landscaping in the interior of the VAA, multiply line 3 and line 4.	3,234 sq. ft.
6. Existing landscaping area, if any, to be retained in and around the VAA.	N/A sq. ft.
7. Subtract line 3 from line 6. This is the landscape area required.	N/A sq. ft.

2) Impervious Surface Ratio (ISR).

The ISR is a measure of the amount of impervious surface relative to the total development area.

Table B-2 ISR Calculations

8. Total amount of impervious surface area on the lot including building area, parking spaces, driveways, loading areas, parking aisles, and other circulation areas and not including any area which will remain completely undeveloped.	73,194 sq. ft.
9. Total development impact area (do not include areas in wetlands or flood plains)	61,802 sq. ft.
10. For Impervious Surface Ratio (ISR), divide line 1 by line 2:	0.84 %
11. Including parking spaces, driveways, loading areas, parking aisles, and other circulation areas and not including building area or any area which will remain completely undeveloped, calculate the square footage of the VAA.	53,906 sq. ft.

3) Impervious Surface Intensity (ISI).

The ISI categorizes intensity based upon the ISR.

Table B-3 ISI Categories

<i>Impervious Surface Ratio (ISR)</i>	<i>Impervious Surface Intensity (ISI)</i>
0.86 - 1.0%	High
0.70 - 0.85%	Moderately High
0.41 - 0.69%	Moderate
0.40% and below	Low

Land Development Ordinance for the Town of Beaufort

4) Required VAA Landscaping Calculations.

The following calculations determine required tree and shrub landscaping.

Table B-4 Required VAA Landscaping Calculations

12. Deciduous trees needed (use ISR from line 11 above to determine ISI ratio): For High ISR , enter 0.0003: For Moderately High ISR , enter 0.00025: For Moderate ISR , enter 0.00020: For Low ISR , enter 0.00016:	<u>13</u> Trees	
13. Shrubs needed (use ISR from line 11 above to determine ISI ratio): For High ISR , enter 0.0030: For Moderately High ISR , enter 0.0020: For Moderate ISR , enter 0.0010: For Low ISR , enter 0.0003:	<u>108</u> Shrubs	
14. Is the amount of parking more than what is prescribed in section 13	If <u>YES</u> go to line 15	If NO stop here.
15. For extra trees required, multiply line 12 by 0.05:	<u>1</u> Trees	
16. For extra shrubs required, multiply line 13 by 0.05:	<u>5</u> Shrubs	
17. Subtotal (deciduous trees) add line 12 & line 15:	<u>14</u> Trees	
18. Subtotal (shrubs) add line 13 & line 16:	<u>113</u> Shrubs	
Exceptions to Landscaping. Check all boxes which apply in lines 19-22.		
19. A minimum of 30% of the parking is provided in the side or rear of the building.	✓	
20. VAAs are distinctly divided into smaller units (each less than 25,000 ft. ²).	✓	
21. Storm water detention pond is incorporated with the landscaping elements.	N/A	
22. A minimum of 20% of the total VAAs are paved using paving grids.	N/A	
23. Total number of boxes checked in lines 19 through 22:	<u>2</u>	
24. Reduction multiplier: Multiply line 23 by 0.05 (5% reduction in required landscaping)	<u>0.1</u> %	
Additional Exemptions. Check all boxes which apply in lines 25-27.		
25. Street trees planted at a rate of 1 per 30' of street.	N/A	
26. Evergreen shrubs screen VAAs from adjacent lots and street rights-of-way.	N/A	
27. Adequate provisions have been made for pedestrian and bike traffic by installing walkways, bikeways, bicycle parking, and other similar facilities within the VAAs.	N/A	
28. Total number of boxes checked in lines 25 – 27:	<u>0</u>	
29. Reduction in landscaping : Multiply line 28 by 0.1 (10% reduction in required landscaping)	<u>0</u> %	

Land Development Ordinance for the Town of Beaufort

30. Total Exemptions – add line 24 & line 29:		<u>0.1%</u>
Reduction in Landscaping.		
31. For the reduction in the number of deciduous trees required, multiply line 17 and line 30:		<u>1.4</u> Trees
32. For the reduction in the number of shrubs required, multiply line 18 and line 30:		<u>11.3</u> Shrubs
TOTAL LANDSCAPING REQUIRED		
33. Deciduous Trees: Subtract line 31 from line 17:		<u>13</u> Trees
34. Shrubs: Subtract line 32 from line 18:		<u>102</u> Shrubs

When the determination of the number of trees and shrubs required by this table results in a total of a fractional tree or shrub, any fraction up to and including one-half should be rounded down; any fraction in excess of one-half shall be counted as one additional tree or shrub.



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

JAMES H. TROGDON, III
SECRETARY

September 3, 2019

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

Mr. Day,

This is to follow up on our conversation regarding the right of way along Cedar Street between Orange Street and Moore Street. We have received requests from the adjoining property owners to reduce our current right of way width from 100' to 60'. After reviewing this request, the Department is moving forward with disposing of the additional 20' of right of way on either side of the road in front of the Betty C. Apperson Property and Beaufort Partners LLC. With the construction of the new Gallant's Channel Bridge project, the US 70 designation was moved to the new roadway and Cedar Street is now designated as SR 1493. After looking at both the current and future use of the roadway in this area, we do not anticipate the need for the additional right of way beyond 60'. I have attached a map provided by the requesting parties designating the proposed disposal.

As with any right of way disposal, we must carry this request to our Right of Way Disposal Committee for review and concurrence. This should take place during the month of November.

If you need any additional information, please contact my office.

Sincerely

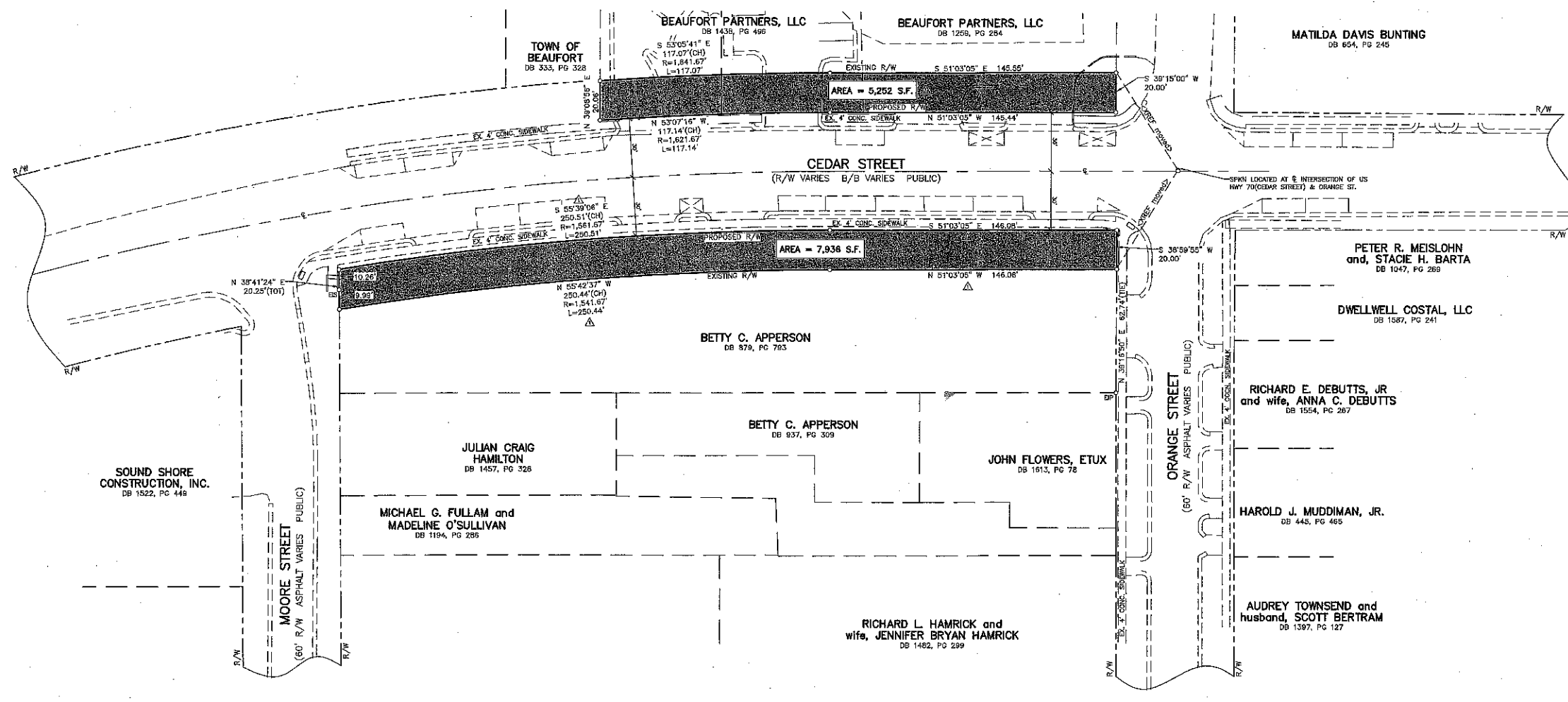
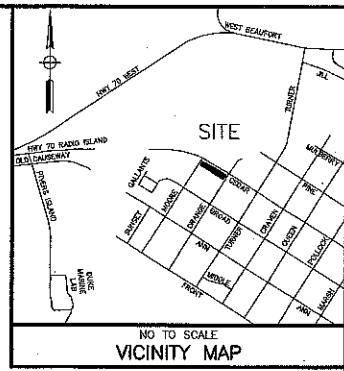
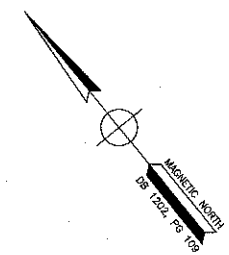
Preston Hunter, P.E.
Division Engineer

Mailing Address:
NC DEPARTMENT OF TRANSPORTATION
DIVISION 2
2815 ROUSE ROAD EXTENSION
KINSTON, NC 28504

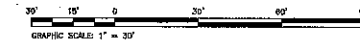
Telephone: (252)775-6100
Fax: (252) 830-3352
Customer Service: 1-877-368-4968

Location:
2815 ROUSE ROAD EXTENSION
KINSTON, NC 28504

Website: www.ncdot.gov



△ REVISED: 08-21-19 (NCDOT COMMENTS)(NRW)
REVISED EXISTING RIGHT-OF-WAY
SHOWED ADDITIONAL AREA TO BE CONVEYED



SHEET 1 OF 1
RIGHT-OF-WAY CONVEYANCE MAP PIN #730817115739000

CEDAR STREET RIGHT-OF-WAY

REFERENCE: DEED BOOK 879, PAGE 793, DEED BOOK 1438, PAGE 498 & DEED BOOK 1259, PAGE 284 OF THE CARTERET COUNTY REGISTER OF DEEDS
BEAUFORT, BEAUFORT TOWNSHIP, CARTERET COUNTY, N.C.

OWNER: BEAUFORT PARTNERS, LLC ADDRESS: P.O. BOX 14165 NEW BERN, NC 28561 PHONE: (252) 635-7476	OWNER: BETTY C. APPERSON ADDRESS: P.O. BOX 625 LOGRANGE, NC 28551 PHONE: (252) 359-0592
---	--

Baldwin Design Consultants, PA
ENGINEERING - SURVEYING - PLANNING
1700-D EAST ARDENWICK ROLLINGWOOD
GREENVILLE, NC 27659 252.756.1380

SURVEYED: MRB	APPROVED: MRB
DRAWN: NRW	DATE: 08/05/19
CHECKED: MRB	SCALE: 1" = 30'

CLOSURE CHECK BOUNDARY

CHECKED: NRW	DATE: 08/05/19
--------------	----------------



LEGEND

- R/W = RIGHT-OF-WAY
- MBL = MINIMUM BUILDING LINE
- EIP = EXISTING IRON PIPE
- EIS = EXISTING IRON STAKE
- EPKN = EXISTING PARKER KALON NAIL
- SPKN = SET PARKER KALON NAIL
- SMN = SET MAG NAIL
- CL = CENTERLINE
- TOT = TOTAL
- PC = POINT OF CURVATURE
- PT = POINT OF TANGENCY
- EMN = EXISTING MAG NAIL
- B/B = BACK OF CURB TO BACK OF CURB
- ~ = NOT TO SCALE

GENERAL NOTES

1. ALL AREAS CALCULATED BY COORDINATE GEOMETRY.
2. A PORTION OF THIS PROPERTY IS LOCATED IN A SPECIAL FLOOD HAZARD AREA AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY. REFERENCE CARTERET COUNTY FIRM 37207306004, DATED JULY 16, 2003. BFE = 6.0' (NAVD 88), 7.04' (NOVD 1929).
3. REFERENCE: DEED BOOK 879, PAGE 793 OF THE CARTERET COUNTY REGISTER OF DEEDS.
4. ALL ELEVATIONS ARE RELATIVE TO NATIONAL GEODETIC VERTICAL DATUM (NOVD 1929).



Call 72 Hours Before You Dig!
1-800-632-4949

1. CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING APPROPRIATE PARTIES AND ENSURING THAT ALL EXISTING UTILITIES ARE LOCATED PRIOR TO CONSTRUCTION.
2. CONTRACTOR IS RESPONSIBLE FOR PLACING BARRICADES, USING FLAG MEN, ETC., AS NECESSARY TO ENSURE SAFETY OF THE PUBLIC.
3. ALL PAVEMENT CUTS, CONCRETE OR ASPHALT, ARE TO BE PLACED ACCORDING TO THE STANDARDS OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION, OR LOCAL JURISDICTION, WHICHEVER IS MORE STRINGENT.
4. SHORING SHALL BE IN ACCORDANCE WITH OSHA TRENCHING STANDARDS, 29 PART 1926, SUBPART, OR AS AMENDED.

X:\DRAWINGS\07-180 Beaufort Yeark Ches\0718-2017\BARRICADES\19-04 CONVEYANCES MAP.dwg P1, Aug 23, 2019, 10:00am RWELLS



January 31, 2022

Mr. Kyle Garner, AICP
Planning & Inspections Director
Town of Beaufort
701 Front Street
Beaufort, NC 28516

VIA Email: k.garner@beaufortnc.org

REF: Extension of the Site Plan and associated Town approvals for Compass Suites
Hotel

Dear Mr. Garner:

Pursuant to our telephone conversation this morning and in behalf of Beaufort Partners, LLC, we would like to request the permits for Compass Suites Hotel and all associated improvements be extended.

Thank you for your prompt expedition of this request. As always, feel free to contact me with any questions.

Sincerely,

Michael W. Baldwin, PLS
President

MWB/dp

cc: Beaufort Partners, LLC