



STATE OF NORTH CAROLINA
DEPARTMENT OF JUSTICE

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July 27, 2012

Tim Buck
Pamlico County Manager
302 Main Street
Bayboro, NC 28515

CERTIFIED MAIL RETURN RECEIPT
REQUESTED *Electronically*:
tim.buck@pamlicocounty.org

Skip Lee
Planning Department
P.O. Box 776
Bayboro, NC 28515

US MAIL
Electronically: skip.lee@pamlicocounty.org

**Re: Final Decision Granting Certification of First Amendment to
Pamlico County's 2004 Joint CAMA Land Use Plan**

Dear Mr. Buck and Mr. Lee:

Please find enclosed the written Final Decision of the Coastal Resources Commission granting Pamlico County's request for certification of the first amendment to its 2004 Joint CAMA Land Use Plan. Let me know if you have any questions.

Very truly yours,

Mary L. Lucasse
Special Deputy Attorney General and
Counsel to the Coastal Resources Commission

cc via email: Robert R. Emory, Jr.
J. Allen Jernigan
Braxton Davis, Director
Maureen M. Will
Angela Willis

IN THE MATTER OF PAMLICO)
COUNTY'S REQUEST FOR)
CERTIFICATION OF PAMLICO)
COUNTY'S FIRST AMENDMENT TO)
JOINT CAMA LAND USE PLAN DATED)
NOVEMBER 2004)

FINAL DECISION

FACTS

1. Pamlico County (County) is located on the North Carolina coast between the Pamlico River and the Neuse River. Highway 306 and Highway 55 are the major corridors through the County. Bayboro, Mesic, the Town of Minnesott Beach, and Vandemere are four municipalities located within the County (Towns).

2. The Towns and County together prepared a Joint CAMA Land Use Plan dated November 2004 (2004 LUP). The 2004 LUP does not include the Town of Oriental. The 2004 LUP is an advanced core land use plan and exceeds the core CAMA planning requirements. The 2004 LUP was certified by the Coastal Resources Commission (CRC) on January 26 2005.

3. Pamlico County has requested the Commission certify an amendment to the LUP. This will be the first amendment to the 2004 LUP.

4. Specifically, due to changing demographics and economic trends, the Town of Minnesott Beach requested that the County seek an amendment to the 2004 LUP in order to revise the policy section applicable to the Town of Minnesott Beach and allow construction of dry stack storage facilities. Accordingly, the first amendment to the 2004 LUP removes the phrase "or dry dock stack storage facilities" from Section 6.5.3.3. The amendment to the 2004 LUP at page 71, Section 6.5.3.3 relating to Minnesott Beach is set forth below:

6.5.3.3. *The Town will support an open water or upland marina only if it meets state and federal requirements, the CAMA land use plan policy, and the requirements of the Town's zoning ordinance. The Town does not support floating homes.*

The text amendment did not trigger any other text or map changes.

5. Pamlico County Board of Commissioners adopted the amendment to its LUP by resolution on 7 May 2012, after a duly advertised public hearing.

6. The public had the opportunity to provide written comments on the proposed change to the 2004 LUP before the next scheduled Commission meeting which was held on June 20 and 21, 2012. The deadline by which the public could provide written comments was May 30, 2012 (fifteen days before the CRC meeting). No comments, written or otherwise, were received).

7. On June 20, 2012, the CRC unanimously approved certification of the first amendment to Pamlico County's 2004 LUP.

CONCLUSIONS OF LAW

1. The first amendment to Pamlico County's 2004 LUP meets the substantive requirements outlined within the 2002 Land Use Plan Guidelines.

2. There are no conflicts evident in the first amendment to the 2004 LUP with either state or federal law or the State's Coastal Management Program.

3. The elected body of Pamlico County Board of Commissioners made a final decision on the contents of the first amendment to the 2004 LUP and provided opportunity for the public to provide written comment following local adoption of the plan, as required by N.C.G.S. § 113A-110 and 15A NCAC 7B .0801 and .0802. The proposed first amendment to the 2004 LUP was submitted to the Commission without written objection or comment from the public.

DECISION

For the reasons stated herein, Pamlico County's request for certification of the first amendment to the 2004 LUP is GRANTED.

This is the 27th day of July 2012.



Robert R. Emory, Jr., Chairman
N.C. Coastal Resources Commission

CERTIFICATE OF SERVICE

This is to certify that I have served a copy of the attached **Final Decision** on Pamlico County and the Division of Coastal Management by the means specified below:

Method of Service

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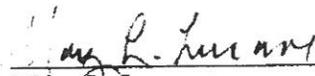
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This the 27th day of July 2012.



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