

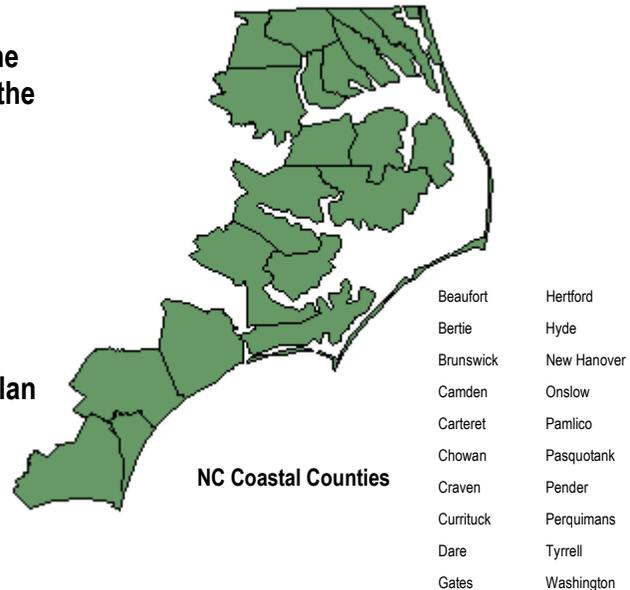


Module 7. Coastal Area Planning

by Jane Daughtridge, AICP
District Planner
Division of Coastal Management
NC Department of Environment, Health and Natural Resources
Washington, NC

This module has 6 parts:

- The Coastal Area Management Act, the Coastal Resources Commission and the Division of Coastal Management
- Land Use Planning in Coastal North Carolina
- Producing a CAMA Land Use Plan
- Requirements of a CAMA Land Use Plan
- Adoption and Certification
- Areas of Environmental Concern



The Coastal Area Management Act, the Coastal Resources Commission and the Division of Coastal Management

In 1974, the North Carolina General Assembly passed the Coastal Area Management Act (CAMA). By adopting the CAMA, the State Legislature answered a need for an effective coastal management program in North Carolina, and fulfilled the requirements of the federal Coastal Zone Management Act of 1972, which provides incentives for states to develop comprehensive management plans. The North Carolina CAMA is considered one of the foremost coastal management operations in the country, and has been used as a model for many other states as they developed coastal planning programs.

• CAMA Strategies:

The CAMA program influences growth in the coastal region by:

- *requiring coastal local governments to develop and adopt a **comprehensive land use plan (LUP)** to guide growth and development within the community.*
- *promoting the identification of **Areas of Environmental Concern (AECs)** within the coastal region and establishing a **permitting program** to address development within Areas of Environmental Concern.*

• Coastal Resources Commission

The board of directors of the North Carolina Coastal Management Program is the *Coastal Resources Commission (CRC)*. The 15 members of the CRC are appointed by the Governor. Meeting with the CRC is the 45 member *Coastal Resources Advisory Council (CRAC)*, which represents the interests of state agencies, coastal area planning districts, local governments, and marine sciences. CRC and CRAC members are not paid for their service; they accept appointment in the interest of the welfare of North Carolina's coast. CRC and CRAC members can serve on one of two committees:

- (1) *Planning and Special Issues Committee*
- (2) *Implementation and Standards Committee.*

These committees meet during the CRC meetings and make recommendations to the full CRC on planning and regulatory issues. The Coastal Resources Commission holds six meetings each year, one every other month. The meetings take place over a 2 day period and consist of presentations, committee meetings, public hearings, contested cases, and reports. The CRC meetings are held alternatively in the southern, central, and northern coastal areas, and are open to the public.

• Division of Coastal Management

The Coastal Area Management Act is carried out in the 20 coastal county jurisdiction by state personnel in the *Division of Coastal Management* (within the North Carolina Department of Environment and Natural Resources). The Division's main office is located in Raleigh and there are four District Offices:

- **Elizabeth City**
- **Washington**
- **Morehead City**
- **Wilmington**

Each District has a District Manager, who oversees the CAMA Program for the region, and a District Planner, who coordinates the planning program for the region.

• Why is the coast treated differently from the rest of the state?

The North Carolina coast is a special place. It is an increasingly desirable place to live and work...so much so that it is also the fastest growing region in the state. It is also an extraordinarily sensitive environment, an environment where natural and economic forces are delicately balanced.

The coastal region supports many different types of livelihood that are sometimes at odds with each other. Fishing, tourism, manufacturing, farming, and other industries are all very important to the coastal areas, but without proper planning, damaging conflicts can emerge that can destroy the very resources that support these economic activities. Without an overarching mandate from the State Legislature for all communities to plan and control their growth for maximum benefit to both the natural environment and the economic health of a community, towns and counties within the region would be pitted against each other in competition for economic growth, with some choosing to accelerate growth at the expense of their natural resources. This could negatively affect other industries like fishing and tourism that are the backbone of economic development in other communities on the coast.

The land use planning requirement levels the playing field for all communities and ensures that all of them can be economically healthy over the long run, and that North Carolina's spectacular coastal region can continue to be a source of pride, a naturally unique and unspoiled environment, and an economic benefit to all the citizens of the state.

Land Use Planning in Coastal North Carolina

Prior to the CAMA, most coastal counties and towns did not have a comprehensive planning program. In creating the program, the Legislature concluded that permitting responsibilities should rest in the hands of the state, while the long term development issues found in the land use plan were best addressed by the local communities themselves.

Therefore,

- **CAMA requires each of the 20 coastal counties to prepare a local land use plan;**
- **Cities and towns may elect to adopt plans of their own.**
- **Land use plans must be updated every five years.**
- **Land use plans must be certified by the Coastal Resources Commission.**

The Division of Coastal Management provides financial and technical support to local governments throughout the land use planning process. Once a land use plan is certified by the CRC the plan is used in making local land use and permitting decisions. CAMA permits and federal agency actions must be consistent with the enforceable policies of a local land use plan.

The land use plan represents a collaborative effort between the citizens of a community and the local government. It provides the community with a means to identify the direction of development and change they desire. The process of taking the community's shared goals and ideals and putting them into a documented, predictable course of action is land use planning.

• What is a Land Use Plan?

In the twenty North Carolina counties that are covered by the Coastal Area Management Act, the land use plan (LUP) is the guide that citizens and governments use for making development decisions within a town or county. It provides a way for local citizens and local governments to set goals and a vision for how their county or town will develop, and to make sure that the community grows in the most sensible and sustainable way possible. The LUP should balance economic and population growth with the ability of the local government to provide services. A LUP should also provide for protection of the natural environment and resources which private citizens and the overall community depend on for their health and livelihood.

• Why is a Land Use Plan important?

People are often surprised and occasionally disappointed by the way their community changes over time. Many changes occur without notice and without adequate local input. Land use planning gives you a tool for taking control of the future. As things change, the transition may be more acceptable if a direction is established by the citizens

and procedures are in place to help nudge development in that direction. This is a more effective way of managing local issues than reacting to events as they occur.

Creating a LUP is an opportunity for your community to take stock of itself. You answer the questions:

- *What are we?*
- *What do we have in our community that is important to us?*
- *How do we want our community to look and function in the future?*
- *What do we need to do to make sure that our community's future turns out the way we want it to be?*

Perhaps the most important use of the LUP is as a foundation for tools to manage land use. The North Carolina Coastal Management Program, which requires local land use plans, controls many development activities in CAMA counties.

Under federal law and state executive order, all federal and state plans, policies, and programs must be consistent, to the "maximum extent possible," with the Coastal Area Management Program.

With a land use plan in place, a community can influence many of the government actions within its jurisdiction.

Local governments also use land use plans as a reference and guide when making decisions concerning the community. Your zoning ordinances, subdivision regulations, and capital improvement plans will have more authority and political support if they are based on the policies of the LUP. The CAMA rules require these ordinances to be consistent with the land use plan. Also, if someone challenges your local ordinances in the courts, you will have a stronger defense if you can show that the policies are consistent with the land use plan.

• Contents of the Land Use Plan

Your LUP is required by CAMA rules to have **eleven basic elements**, each of which is explained in more detail later in this document. Using the required format will make the job of reviewing your plan easier for the staff at the Division of Coastal Management, so they will be able to move your plan through the approval process more quickly and effectively. Also, if every community uses the same format, private citizens and officials at all levels of government will have an easier time understanding and following the LUPs for the different planning areas.

Producing a CAMA Land Use Plan

• Who Pays?

The Division of Coastal Management (DCM) notifies local governments when it is time for their plan update and provides a grant cycle announcement. Grants typically cover about 80% of the anticipated cost of production. The remaining 20% can be divided equally into local cash and in-kind services.

• Who Does the Work?

After executing their grant contracts with the state, most local governments hire planning consultants to assist them with their land use planning effort. DCM exercises approval of any proposed planner-in-charge (based on planning education and coastal policy experience) in an effort to help assure a professional outcome. **The planning consultant works for the local government** and must be able to grasp and articulate local strengths and weaknesses, local visions for the future, and local policy choices. At the same time, the consultant must develop a product which adheres to the guideline requirements demanded by the State.

Typically, the local elected board assigns responsibility for production of the plan to a local workgroup. Most often, the Planning Board serves that function, but sometimes an ad hoc group is appointed to assure a good cross-section of opinions and viewpoints. Occasionally, the elected board retains these duties. Appointed workgroups produce only a recommended preliminary plan and pass it back to the elected officials for final adoption.

• Whose Plan Is It?

Local elected officials are responsible for producing, adopting and implementing the local land use plan. Policy choices may be proposed by any interested person or group, but the final decision is a matter for elected decision-makers. This makes sense because elected officials have been chosen by the voters to represent the best interest and majority viewpoint of people in the jurisdiction. It also makes sense because carrying out the plan (implementation) may require personnel, expenditure of public funds, or local ordinance changes which fall under the authority of the elected board.

After local adoption, land use plans are certified by the Coastal Resources Commission, a 15-member commission appointed by the Governor to oversee coastal issues. The Governor's Executive Order Number 15 instructs state and federal permitting agencies to recognize and respect local policies when issuing permits in that jurisdiction.

• How Does The Plan Develop?

Planning grants are contracted for a 12-month period but the actual planning process may take 18 months to two years from beginning of the grant to final state certification.

Preliminaries

A public meeting is held at the beginning of the process to explain existing policies, outline the planning process, and adopt a Citizen Participation Plan. Usually, a Division of Coastal Management District Planner is present to provide an overview of the CAMA

program and the State's requirements. Sometimes the planning consultant conducts this meeting.

The local government is required to adopt a Citizen Participation Plan which includes:

- (1) *designation of the principal local group responsible for preparing the update*
- (2) *a description of the means to be used for soliciting public input*
- (3) *a schedule of opportunities for public input*
- (4) *a description of how the public will be notified of its opportunity for input*

At the first meeting of the workgroup, a regular meeting schedule is decided. Most often, the group chooses a standing meeting to be held at the same time and place every month. This schedule is then incorporated into the Citizen Participation Plan.

The most common means for informing the public and gaining public input include such activities as:

- **public opinion surveys**
- **news articles and press releases**
- **neighborhood meetings and presentations to civic clubs or church groups.**

The planning consultant or a member of the workgroup may agree to prepare and distribute regular press releases to report on planning issues discussed by the group.

Getting Down to Work

After the logistics are decided, the detailed work of review and update begins. Small governments which are not under great development pressure tend to take a relatively passive role in plan preparation and rely heavily on the planning consultant to lead them through the stages of plan development. In most cases, the consultant prepares sections of draft language for the workgroup to preview and discuss at each planning meeting. Larger governments which have adequate staff and production capacity, and those which are under intense development pressure may take a more active role in steering the consultant's activities.

This is the point at which the planning consultant exerts the greatest influence in the process. It is extremely important that the workgroup frankly express local views and preferences so that the resulting plan is truly a reflection of local desires and State requirements, and not simply a "boilerplate" creation by an outside consultant. The workgroup needs to schedule a minimum of 1 hour per meeting for plan development and discussion.

The flow of activity to accomplish the required elements of the land use plan becomes very much a matter of local preference and convenience at this time. Regardless of the methodology used to plow through the 16 pages of detailed planning guidelines in the administrative code, **a local planner or planning consultant who is knowledgeable in all aspects of environmental concerns is a valuable asset.** The planner should explain the issues in ways that help the workgroup understand how each issue is relevant and why it must be addressed.

Required Elements of a CAMA Land Use Plan

The following is a generalized description of those elements which, by Rule, must be included. A copy of the full text of NCAC T15A: 07B.0200 is available from your local planner or from the Division of Coastal Management.

• Element 1.

EXECUTIVE SUMMARY [NCAC07B.0202]

Obviously, this requirement is prepared after the entire plan is complete. It includes a summary of land use issues which will affect the jurisdiction; policies selected to address those issues; and the land classification map (by inclusion or detailed reference)

• Element 2.

INTRODUCTION [NCAC 07B.0203]

The purpose of this element is to explain to the general public the specific reason for preparing a CAMA Land Use Plan. The following suggested language is taken from excerpts of NCAC 07B.0100.

The Coastal Area Management Act of 1974 established a cooperative program of coastal area management between local governments and the state. Land use planning lies at the center of the local government's involvement and gives the local leaders an opportunity and responsibility to establish and enforce policies to guide the development of their community.

Land development generally takes place as the result of a series of decisions by private individuals and government. If left entirely to chance, the resulting pattern of development may not be in the best interest of the overall community. In order to promote community interest for both present and future generations, a Land Use Plan shall be developed, adopted and kept current by local governments in the coastal area. Local governments, through the land use planning process, address issues and adopt policies that guide the development of their community. Many decisions affecting development are made by other levels of government, and local policies must consider and be consistent with established state and federal policies.

When development issues are carefully and explicitly addressed in the local Land Use Plan, other levels of government will follow local policies in their actions that affect those issues. State and federal agencies will use local Land Use Plans and policies in making project consistency, funding and permit decisions.

• Element 3.

GOALS AND OBJECTIVES [NCAC 07B.0204]

This section describes how the local government will apply local actions to CAMA's goals. Those goals stated in the legislation [N.C.G.S. 113A-102(b)]are:

- *To provide a management system capable of preserving and managing the natural ecological conditions of coastal areas;*

-
- *To insure that development or preservation of land and water resources proceeds in a manner consistent with the capability of the land and water for development, use, or preservation based on ecological considerations;*
 - *To insure the orderly and balanced use and preservation of our coastal resources;*
 - *To establish policies, guidelines, and standards for:*
 - *Protection, preservation, and conservation of natural resources;*
 - *Economic development of the coastal area;*
 - *Recreation and tourist facilities and park lands;*
 - *Transportation and circulation patterns;*
 - *Preservation and enhancement of historic, cultural and scientific aspects;*
 - *Protection of common-law and statutory public rights in the lands and waters of the coastal area; and*
 - *Any other purpose deemed necessary.*

- **Elements 4 and 5.**

**DATA COLLECTION & ANALYSIS [NCAC 07B.0206]
PRESENT CONDITIONS [NCAC 07B.0207]**

Both elements are generally satisfied within the Present Conditions portion of the plan. They overlap in expressing required facts pertaining to socio-economic conditions, predicted land use demands (based on current trends), small watershed surface water quality, major conclusions drawn from the data, existing land and water uses (discussed and mapped), and current local plans, policies and regulations which impact land use. The Division of Coastal Management provides extensive data on these topics to the local government for use in their analysis.

- **Element 6.**

CONSTRAINTS [NCAC 07B.0210]

This section discusses those physical or man-made local conditions which potentially cause development to be a threat to the environment, at risk from the environment or costly to build because of the environment. The types and extent of designated **Areas of Environmental Concern** which pertain to the jurisdiction are outlined, as well as limitations of local service capacity to support anticipated growth or overcome physical constraints.

- **Element 7.**

ESTIMATED DEMANDS [NCAC 07B.0211]

Based on past and present trends, what kind of growth can this location expect to experience over the next 5 to 10 years? Is there adequate land to accommodate development? Are there adequate services and infrastructure to handle anticipated growth? Do the needs fluctuate according to seasonal tourist pressure? Is the *expected*

growth compatible with the *desired* growth? If not, will the local government take some action to re-direct the current trend?

• **Element 8.**

POLICY STATEMENTS [NCAC 07B.0212]

Policy statements are the heart of the plan. They represent the attitudes and priorities which the local government can be expected to support and pursue during the planning period.

Either as an introduction to this section or in some other part of the plan, the local government must review its existing land use plan policies and evaluate the effectiveness of the existing plan since the last update. What progress has been made toward local or state goals? Have the implementation methods outlined in the plan been pursued? If so, should the same policy be carried forward? If not, why not? Has the issue been fully addressed? Did new situations arise? Were some policies inadequate to fit actual local need? Did political or other changes alter the described direction of the local government? Were there staff changes that slowed or confused the policy direction? Though the actual assessment of past performance can take place near the beginning of the update process, if this assessment is included as an introduction to the new policy section, a more complete and cohesive flow of policy considerations is laid out for the workgroup.

There are five broad categories of issues which must be addressed in local policy statements. These are further refined into 39 individual issues of coastal concern. Local issues can be added if the required statements do not adequately cover local land use concerns. Not all individual issues are relevant to every local government.

The categories are:

- (1) **RESOURCE PROTECTION**
14 individual issues
- (2) **RESOURCE PRODUCTION & MANAGEMENT**
7 individual issues
- (3) **ECONOMIC & COMMUNITY DEVELOPMENT**
10 individual issues
- (4) **CONTINUED PUBLIC PARTICIPATION**
3 individual issues
- (5) **STORM HAZARD MITIGATION/POST DISASTER RECOVERY/EVACUATION PLANS**
5 individual issues

A general vision statement is required at the beginning of this section, describing the type of community desired in 10 years. **For the resource categories, a statement of local attitude is required as well.** As each issue is discussed, action alternatives which help accomplish the local vision should be the guiding principal behind the policy chosen. Therefore, it is beneficial to stage the policy discussions in the required four-part format which facilitates adequate consideration of each issue. The format requirement for each policy statement is:

- (1) *Define the land use issues affecting the community [Scope & importance]*

-
- (2) *List possible alternatives/different scenarios/cost-benefit considered*
 - (3) *Describe the selected policies [reasonable & achievable by local government]*
 - (4) *(a) Proposed implementation methods [description/action needed/timetable]*
(b) Is action consistent with existing land use ordinances /capital improvement plans/budgets and priority for carrying out?

• **Element 9.**

LAND CLASSIFICATION [NCAC 07B.0213]

The administrative code describes land classification as a

system . . . devised as a means of assisting in the implementation of the local policies adopted pursuant to Rule .0212 . . . By delineating land classes on a map, local government and its citizens can specify those areas where certain policies (local, state, federal) will apply. The land classification system should be supported by and consistent with zoning, sub-division and other local growth management tools. Although specific areas are outlined on a land classification map, land classification is merely a tool to help implement policies and not, in the strict sense of the term, a regulatory mechanism. Boundaries of each land classification should be described in the text as clearly as possible. To further clarify its intent, the local government should describe how land classification is linked to policy. . . The designation of land classes allows the local government to illustrate their policy statements as to where and to what intensity they want growth to occur, and where they want to conserve natural and cultural resources by guiding growth.

The only actual requirement for inclusion in this element is a **land classification map at a scale of 1:100,000 for counties**, which references a standard coordinate system. Seven land classification options are included in the guidelines. These are:

- **Developed**
- **Urban Transition**
- **Limited Transition**
- **Community, Rural**
- **Rural with services**
- **Conservation**

Each class is based on appropriate density, use types, and infrastructure available to support such development. The local government may sub-divide the classes to better match local conditions and desires. **All designated Areas of Environmental Concern should be classified as "Conservation."**

Workgroup discussions should examine the entire jurisdiction and apply appropriate classifications based on the policies chosen in ELEMENT 8. In other words, if the local policy is to conserve wetland areas to maintain flood control, don't classify those areas likely to have wetlands as "Urban Transition" --- use the "Conservation" classification and don't then budget for extension of water and sewer service into those areas. Likewise, if the local policy is to extend water and sewer service to all sub-divisions, classify those locations as "Urban Transition" or "Rural with Services" and not "Conservation."

• **Element 10.**

INTERGOVERNMENTAL COORDINATION & IMPLEMENTATION [NCAC 07B.0214]

Policies and land classifications serve as tools for coordinating multi-level governmental actions. The Land Use Plan should make reference to the ways the plan will help coordinate local land use decisions, state decisions related to the local jurisdiction and federal decisions of local interest. For example, can citizens expect the local budget to reflect spending patterns which support policy statements in the plan? There is also a requirement to ensure that issues and concerns of adjoining jurisdictions are addressed.

• **Element 11.**

PUBLIC PARTICIPATION [NCAC 07B.0215]

The Coastal Resources Commission has placed a high priority on encouragement of public participation in the local planning process. Special interest groups or individual citizens often come before the CRC to complain about local action (or lack of action) with regard to land and water uses or to express a lack of knowledge about the existence of a local land use plan and its contents. For this reason, the local government must:

- (a) use a variety of efforts and techniques for involving the public in the planning process*
- (b) adopt a citizen participation plan at the beginning of the Land Use Plan update process and include in the plan:*
 - (1) designation of the principal local group responsible for update*
 - (2) means for soliciting public input*
 - (3) schedule of opportunities for public input*
 - (4) how will public be notified of opportunity to input*
- (c) Hold a public hearing or public meeting at the beginning of the update to discuss current policies and explain the participation plan*
- (d) Ensure diversity of viewpoint will be considered*
- (e) Assess effectiveness of the participation plan and say how local officials were involved*

NOTE: The guidelines clearly acknowledge that final policy decisions are made by local elected officials. The participation plan is designed to provide opportunity for the public to voice its views on required policy items.

Adoption and Certification

• The Preliminary Draft

At the end of the 12-month grant period, The Division of Coastal Management expects the workgroup to have developed a preliminary draft of the plan. **The draft is forwarded to the Division of Coastal Management district office for review and comment** prior to final local adoption or certification. In accordance with N.C.A.C. 07B.0216, plans are reviewed for:

- *technical accuracy*
- *internal consistency*
- *consistency with other plans*

State and federal agencies are notified when a draft is open to review. The Division of Coastal Management District Planner incorporates any comments received from those sources into a compiled listing which is returned to the local government. Local governments must support any statements or data in the plan.

• Final Adoption and State Certification

Once the draft plan has been reviewed and comments have been answered, the local government schedules a **public hearing** prior to final adoption. The hearing must be advertised in a non-legal ad at least 30 days prior to the hearing date, and a copy of the final plan being recommended for adoption must be on hand for public review during the 30 day period.

After the public hearing, the local government formally adopts the plan (provided no major modifications are made which were not part of the originally reviewed draft). If major modifications are made as a result of the public hearing, a new draft should be submitted for review and comment.

After local adoption, **the plan is submitted to the Coastal Resources Commission for final state certification**. The DCM District Planner prepares a synopsis of the plan and presents it to the Planning and Special Issues Committee of the CRC. The committee then decides whether to send forward a recommendation to the full commission for certification of the plan.

The certification procedure makes the plan the official policy guidance document for all decisions regarding that particular jurisdiction. Fifty copies of the plan are provided to the Division of Coastal Management for distribution to an array of government agencies.

• Keeping the Plan Current - Amendments

The local government is required to keep its plan current. If local conditions, capabilities, or issues change in such a way that an adopted policy cannot or will not properly address local needs, the local government is required to amend the plan to reflect those changes. This process is preferable to random acts of local policy deviation, because it notifies all

permitting or funding agencies of an official change in local direction so that all can respond consistently.

The intent of the amendment process is to allow for flexibility in dealing with unforeseen emerging issues. It is not intended as a mechanism to fluctuate local policy on a project-by-project basis. The requirements for plan amendment are outlined in NCAC T15A:07B.0400.

Areas of Environmental Concern

The Coastal Resources Commission has designated four categories of Areas of Environmental Concern (AECs):

• Estuarine System

This is the coast's broad network of brackish sounds, marshes, and the shorelines surrounding them. The close interdependency of land and water in this area calls for coordinated management to ensure that human activities do not damage other parts of the system.

Goals:

- *Maintain water quality for fishing, recreation and shellfish habitat*
- *Continued free public use of navigable waters*
- *Maintain undisturbed nursery beds for spawning fish, shellfish and other important habitats*

All shorelands within 75 feet landward of the mean high water level, or normal water level of estuarine waters have been designated by the Coastal Resources Commission as an AEC. Special standards for docks and structures, bulkheads, marinas, dredging, impervious surface ratios and channellization are all part of the management plan for these AEC's.

• Ocean Hazard Areas

These are the lands along the oceanfront and inlets that are vulnerable to storms, flooding and erosion. They are especially sensitive to changes due to the forces of nature, and the physical form of these places can be dramatically altered by a severe storm.

Goals:

- *Minimize loss of life and property due to storms and erosion*
- *Prevent encroachment of permanent structures on public beaches*
- *Reduce costs that improperly designed development imposes on the public, such as for beach nourishment programs, erosion control structures, disaster relief, etc.*

Ocean erodable areas (60 times the long-term average annual rate of erosion for a particular stretch of shoreline), High-hazard flood areas ("V zones" on Federal Emergency Management Agency flood insurance rate maps), and Inlet hazard areas (delineated on Division of Coastal Management maps for each inlet) have all been designated by the Coastal Resources Commission as AECs.

• Public Water Supply

These represent drainage basins in the coastal area which contain a water body used as a public water supply.

Goals:

- *Protect against the pollution of public water supply watersheds*
- *Prevent a reduction in water quality, which would result in higher costs to provide for a public water supply.*

Small surface water supply watersheds are drainage basins containing a water body classified A-II by the Environmental Management Commission. Public water supply well fields are areas with rapidly-draining sands extending from the surface into a shallow groundwater table that supplies a public water system. Both are designated as AECs.

• Natural and Cultural Resources

These areas are important state-wide because of their role in maintaining the coastal ecosystem, providing valuable scientific knowledge, historical or archaeological significance, or aesthetic value.

Goals:

- *Ensure that long-term historical and cultural uniqueness of the coastal area is preserved.*
- *Protect areas of unusual ecological value because of unique species of plants and animals, unique geological formations or complex ecosystems in their native form.*

CAMA regulations provide for a detailed nomination procedure under which potential sites are brought before the Coastal Resources Commission for consideration as AEC's.

PLEASE NOTE: THE DIVISION OF COASTAL MANAGEMENT IS PREPARING A COMPREHENSIVE GUIDEBOOK FOR PLANNING IN COASTAL COUNTIES. PLEASE CONTACT YOUR CAMA DISTRICT PLANNER FOR MORE INFORMATION ABOUT THIS RESOURCE.

-
- **Summary of this module...**

FOUR THINGS TO REMEMBER ABOUT CAMA LAND USE PLANS:

- (1) **Each coastal county must update a plan every five (5) years.** Municipalities may elect to have a separate plan.
- (2) **There must be a formal Citizen Participation Plan adopted to solicit public input on policy issues.**
- (3) **The plan contains statements of local policy which form the basis for issuance or denial of state, federal, and local permits, but the plan itself is NOT a regulatory document.**
- (4) **The plan should be amended throughout the planning period** to reflect emerging issues of local importance or significant changes in local policy direction.

FOUR THINGS TO REMEMBER ABOUT THE CAMA PLANNING PROCESS:

- (1) **Grants are available to help fund land use plans and other planning related projects.**
- (2) **Consultants for CAMA projects must be approved by the state.**
- (3) **The format of policy statements in CAMA Land Use Plans is dictated by NCAC T15A:07B rules.**
- (4) **The plan is reviewed by the state before local adoption** and is certified by the Coastal Resources Commission upon a finding that it meets all the required planning criteria.

Some Exercises:

Situation 1.

John Calabash, a fisherman on the coast, is talking with Marvin Jones, a county commissioner, about the county's land use plan, which is restricting his ability to build a new dock and fish-unloading operation on an estuary off Pamlico Sound. He is complaining that the only reason the land use plan is there is to protect the interests of summertime tourists who don't want to see his commercial operation lining the shore. How should Jones address his concerns? What stake does Calabash have in the success of the plan, despite its immediate affect on his business decision?

Situation 2.

Will Litigate, a Raleigh attorney, has purchased a house on the Outer Banks, near an inlet. Over the last few years the inlet has migrated toward his house, and now threatens to undermine the structure and bring the house down. He has requested a permit to construct a seawall to prevent the inlet moving further toward his house, but has been denied such a permit by the Division of Coastal Management, because it is not in keeping with the land use plan of the town, and violates the best management practices in a critical Area of Environmental Concern. What must he do next? To whom does he bring his request now? What role does the Planning Board have in his dilemma?

Other related subjects:

Ask your professional staff to provide you with more training on these issues:

- **Planning for Tourism**
- **NC and US Legal Cases Regarding "Takings"**
- **Federal Wetlands Regulations**
- **Statewide River Basin Planning and Management**
- **Capital Improvement Programming**

Resources

Division of Coastal Management, North Carolina Department of Environment, Health and Natural Resources (DEHNR) **A Guide to Protecting Coastal Resources Through the CAMA Permit Program**. Available from DCM. This is a detailed, but easy-to-understand description of the entire CAMA process.