

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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HOUSE DRH11167-MH-54 (03/18)

Short Title: CAMA Setback Req'ts./Grandfather Clause.

(Public)

Sponsors: Representative McElraft.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AMEND LAWS RELATING TO OCEAN SETBACKS TO PROTECT THE
PROPERTY RIGHTS OF HOMEOWNERS.

The General Assembly of North Carolina enacts:

SECTION 1. Notwithstanding Article 7 of Chapter 113A of the General Statutes and rules adopted pursuant to that Article, the Department of Environment and Natural Resources shall not deny a development permit for the repair or reconstruction on its original footprint of any residential structures with total floor area greater than 5,000 square feet and constructed prior to August 11, 2009, when the basis for the denial is the setback requirements set forth in 15A NCAC 7H .0306(a).

SECTION 2. Rule-Making Authority. – No later than October 1, 2011, the Coastal Resources Commission shall adopt temporary rules consistent with the provisions of Section 1 of this act. Notwithstanding G.S. 150B-19(4), the rules adopted by the Commission pursuant to this section shall be substantively identical to the provisions of Section 1 of this act. The temporary rule shall remain in effect until a permanent rule that replaces the temporary rule becomes effective.

SECTION 3. This act is effective when it becomes law.



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