



PAT MCCRORY
Governor

DONALD R. VAN DER VAART
Secretary

CRC-16-38

November 16, 2016

MEMORANDUM

TO: Coastal Resources Commission
FROM: Tancred Miller
SUBJECT: Public Comments & Adoption 15A NCAC 7H .0306 General Use Standards for Ocean Hazard Areas - Grandfathering Provisions

At your February 2016 meeting, amendments to your rules (15A NCAC 07H .0306) were approved for public hearing that would “grandfather” certain oceanfront structures that are currently nonconforming with the oceanfront development setback rules. Under these amendments, the replacement of oceanfront commercial and multi-family residential structures up to 10,000 square feet destroyed or damaged beyond 50 percent of their value would be allowed provide that the structure was constructed prior to August 2009; does not exceed the original footprint or square footage; cannot meet the current oceanfront setback; meets the minimum oceanfront setback of 60 feet; and is rebuilt as far landward on the lot as feasible.

The public comment period for this rule and fiscal analysis ran from August 15 – October 14, 2016. DCM received twenty-seven comments in total, two at the September 14th public hearing, and twenty-five comments via email. Three of the comments (two from the same organization) were in support of the rule change, and twenty-four comments were opposed. All of the comments received are attached.

The rule change is now eligible for adoption by the CRC. As always, the commission is free to propose additional changes to this rule before adoption; however, if additional changes are significant the rule will have to undergo another round of public comment.

If the CRC adopts the rule without further changes, DCM will submit it to the Rules Review Commission for approval, with a potential effective date of February 1, 2017.

Attachment

Public Hearing Comment 9/14/2016

My name is Seth Palmer and I am the Regulatory Affairs Director for NC REALTORS.

On behalf of our more than 37,000 members throughout North Carolina, more than 5,000 of which are in the 20 coastal counties, I thank the Commission and DCM staff for the opportunity to discuss this matter and for today's public hearing.

I rise today to offer NC REALTORS full support for the proposed rules and its included fiscal analysis. We look forward to working with the Commission to see their successful passage.

We have appreciated staff's counsel and openness throughout the development of this proposed language, and know that has certainly improved what you have before you today. We especially would like to thank Tancred Miller for his perseverance throughout this process.

REALTORS are not just representatives of buyers and sellers; we are representatives of the real estate industry and its long term sustainability. In our advocacy efforts we represent not just our members, but also property owners. That is what drew us to this issue.

At its core, this issue relates to ambiguity in the legislature's application of the original grandfathering provisions included in Session Law 2012-202.

While the law sought to ensure that compliant properties could be rebuilt, it inadvertently left out multi family and commercial properties. This rule not only seeks to remedy that oversight, but does so in a way which protects the original legislative intent.

These new properties must still comply with each of the provisions already contained in 07H.0306. Each of these provisions is not only beneficial for the properties, but also for the long term coastal protection measures which have been passed by this Commission in the years following 2009.

When we started in this discussion, we were talking about a group of properties in Carolina Beach which had been deemed as legal non conforming for the purposes of insurance, lending and ultimately future conveyance.

But as the resulting fiscal analysis has found, these properties are just the tip of the iceberg, with similarly non-conforming properties occurring in communities all along our coast. The legal nonconforming status carries with it an unnecessary stigma that has had and will continue to have a negative impact on the economic base of our coastal communities. This rule resolves this issue and provides the needed protection proposed by the original rule.

In addition to my comments presented here today, NC REALTORS and many of our local, coastal associations will submit additional statements of support for our position to be included in the formal record.

Thank you again for your consideration of this important matter for coastal properties.

Public Hearing Comment 9/14/2016

On behalf of the North Carolina Chapter of the Sierra Club and our 65,000 members and supporters, we write to voice our concerns regarding the proposed amendments to 15A NCAC 7H .0306 - Replacement of Commercial and Multi-Family Residential Structures on the Oceanfront. The NC Sierra Club is opposed to the proposed change because of the intersection of coastal development and sea level rise. Allowing more development in Ocean Hazard Areas puts people and property at risk and puts costs onto the public.

The restrictions applying to building in Ocean Hazard Areas were created in order to protect life and property from the powerful sea and storms. As you know, currently single-family and duplex residences greater than 5,000 square feet may already be rebuilt and replaced in these hazardous areas. This rule change would expand that exemption to all oceanfront structures between 5,000 and 10,000 square feet, regardless of use. This would add pressure for more building in hazardous areas that are threatened by sea level rise, erosion and storms.

Such building may impact (for example) shorebird habitats and special nesting areas.

Furthermore, as noted in the fiscal analysis of the proposed rule change, allowing more development in these areas over the long term can result in higher costs for erosion responses such as beach renourishment and inlet stabilization, as well as increased costs for emergency response and coastal property insurance claims.

This proposed rule change is being driven by development interests – but it's up to the Division of Coastal Management to balance those interests against the greater good in terms of public safety and environmental protection. Sea-level rise is a real and serious threat that our state must confront head on.

To quote from the 1974 Coastal Area Management Act which created the CRC: “In recent years the coastal area has been subjected to increasing pressures which are the result of the often-conflicting needs of a society expanding in industrial development, in population, and in the recreational aspirations of its citizens. Unless these pressures are controlled by coordinated management, the very features of the coast which make it economically, esthetically, and ecologically rich will be destroyed.”

On behalf of the NC Sierra Club, we ask the Division to reject the proposal to expand the allowed structures covered by this rule. We urge you to keep in place existing rules and to consider how coastal development should best prepare and adapt to sea-level rise.

Melissa Dickerson
Coastal Coordinator, NC Sierra Club

From: Shane Johnson [mailto:shane@wrar.com]
Sent: Wednesday, September 14, 2016 2:27 PM
To: Davis, Braxton C <Braxton.Davis@NCDENR.Gov>
Cc: Miller, Tancred <tancred.miller@ncdenr.gov>; earuth@palmairrealtync.com; Julie Damron <julie@coastwalkrealestate.com>; Steve Shuttleworth <steveshutt@aol.com>
Subject: Public

Braxton,

Here's the statement for the record for today's public hearing. Thanks again!

Statement for Public Comment Today on the Grandfathering/Legal Non-conforming Issue:

“On behalf of the 2,350 members of the Wilmington Regional Association of Realtors, we support this important rulemaking. We brought the “legal non-conforming” issue to the attention of the CRC in 2014. Since that time, we have worked with other interested parties, and both CRC commissioners and staff, to begin the current rulemaking effort. We believe this new rule strengthens private property rights in balance with the need to protect the coast. Thank you for your patience in working with us throughout this entire process.”

Shane Johnson, COO
Wilmington Regional Association of REALTORS®
1826 Sir Tyler Drive, Suite 100
Wilmington, NC 28405
Direct: 910.762.1695

“Kindness takes the friction out of life!” “Sixpence none the richer.”

From: KnowWho Services [<mailto:noreply@knowwho.services>]
Sent: Tuesday, September 20, 2016 1:30 PM
To: Davis, Braxton C <Braxton.Davis@NCDENR.Gov>
Subject: General Use Standards for Ocean Hazard Areas

Dear Director,

I urge you to reject proposed changes to the grandfathering provisions for general use standards for Ocean Hazard Areas. Increasing the number, type and size of buildings that can be rebuilt in storm-damaged areas is a bad idea, especially given the predicted increase in sea levels forecast by your science panel as well as by state and national experts.

Allowing more and bigger buildings to remain in risky areas close to the ocean will potentially oblige North Carolina taxpayers to foot the bill for erosion control measures, emergency response and higher property insurance rates, especially as rising sea levels contribute to the impact of devastating storms.

I ask the Division to reject the proposed rule change and to incorporate sea level rise planning in any proposed rule changes for coastal North Carolina.

Sincerely,

Allison Wilber
4010 Cherry Avenue
Wilmington, NC 28403
wilberallison@gmail.com
8456670212

Sent: Friday, September 16, 2016 6:25 PM
To: Davis, Braxton C <Braxton.Davis@NCDENR.Gov>
Subject: General Use Standards for Ocean Hazard Areas

Dear Director,

I urge you to reject proposed changes to the grandfathering provisions for general use standards for Ocean Hazard Areas. Increasing the number, type and size of buildings that can be rebuilt in storm-damaged areas is a bad idea, especially given the predicted increase in sea levels forecast by your science panel as well as by state and national experts.

Allowing more and bigger buildings to remain in risky areas close to the ocean will potentially oblige North Carolina taxpayers to foot the bill for erosion control measures, emergency response and higher property insurance rates, especially as rising sea levels contribute to the impact of devastating storms.

I ask the Division to reject the proposed rule change and to incorporate sea level rise planning in any proposed rule changes for coastal North Carolina.

Sincerely,

Margaret Lillard
5800 Oatstone Place
Raleigh, NC 27606
perg@panix.com
9193328979

From: KnowWho Services [<mailto:noreply@knowwho.services>]
Sent: Wednesday, September 21, 2016 6:50 PM
To: Davis, Braxton C <Braxton.Davis@NCDENR.Gov>
Subject: General Use Standards for Ocean Hazard Areas

Dear Director,

I urge you to reject proposed changes to the grandfathering provisions for general use standards for Ocean Hazard Areas. Increasing the number, type and size of buildings that can be rebuilt in storm-damaged areas is a bad idea, especially given the predicted increase in sea levels forecast by your science panel as well as by state and national experts.

Allowing more and bigger buildings to remain in risky areas close to the ocean will potentially oblige North Carolina taxpayers to foot the bill for erosion control measures, emergency response and higher property insurance rates, especially as rising sea levels contribute to the impact of devastating storms.

I ask the Division to reject the proposed rule change and to incorporate sea level rise planning in any proposed rule changes for coastal North Carolina.

Sincerely,

George Spruill
134, Elizabeth Ct
George, NC 27855
gmspruill@yahoo.com
2523983979

From: KnowWho Services [<mailto:noreply@knowwho.services>]
Sent: Wednesday, September 21, 2016 6:54 PM
To: Davis, Braxton C <Braxton.Davis@NCDENR.Gov>
Subject: General Use Standards for Ocean Hazard Areas

Dear Director,

I urge you to reject proposed changes to the grandfathering provisions for general use standards for Ocean Hazard Areas. Increasing the number, type and size of buildings that can be rebuilt in storm-damaged areas is a bad idea, especially given the predicted increase in sea levels forecast by your science panel as well as by state and national experts.

Allowing more and bigger buildings to remain in risky areas close to the ocean will potentially oblige North Carolina taxpayers to foot the bill for erosion control measures, emergency response and higher property insurance rates, especially as rising sea levels contribute to the impact of devastating storms.

I ask the Division to reject the proposed rule change and to incorporate sea level rise planning in any proposed rule changes for coastal North Carolina.

Sincerely,

Jan Clayton-miller
1002 boathouse ct
Raleigh, NC 27615
jclaytonmiller@nc.rr.com
9196328619

From: KnowWho Services [<mailto:noreply@knowwho.services>]
Sent: Wednesday, September 21, 2016 6:54 PM
To: Davis, Braxton C <Braxton.Davis@NCDENR.Gov>
Subject: General Use Standards for Ocean Hazard Areas

Dear Director,

I urge you to reject proposed changes to the grandfathering provisions for general use standards for Ocean Hazard Areas. Increasing the number, type and size of buildings that can be rebuilt in storm-damaged areas is a bad idea, especially given the predicted increase in sea levels forecast by your science panel as well as by state and national experts.

Allowing more and bigger buildings to remain in risky areas close to the ocean will potentially oblige North Carolina taxpayers to foot the bill for erosion control measures, emergency response and higher property insurance rates, especially as rising sea levels contribute to the impact of devastating storms.

I ask the Division to reject the proposed rule change and to incorporate sea level rise planning in any proposed rule changes for coastal North Carolina.

Sincerely,

Herb Lamb
1078 Chandler Cove Road
Marshall, NC 28753
talk2herb@frontier.com
8286562443

From: KnowWho Services [<mailto:noreply@knowwho.services>]
Sent: Wednesday, September 21, 2016 6:58 PM
To: Davis, Braxton C <Braxton.Davis@NCDENR.Gov>
Subject: General Use Standards for Ocean Hazard Areas

Dear Director,

I urge you to reject proposed changes to the grandfathering provisions for general use standards for Ocean Hazard Areas. Increasing the number, type and size of buildings that can be rebuilt in storm-damaged areas is a bad idea, especially given the predicted increase in sea levels forecast by your science panel as well as by state and national experts.

Allowing more and bigger buildings to remain in risky areas close to the ocean will potentially oblige North Carolina taxpayers to foot the bill for erosion control measures, emergency response and higher property insurance rates, especially as rising sea levels contribute to the impact of devastating storms.

I ask the Division to reject the proposed rule change and to incorporate sea level rise planning in any proposed rule changes for coastal North Carolina.

Sincerely,

Janet Smith
1602 Hollybriar Lane
Greenville, NC 27858
go2smithville@gmail.com
2523212982

From: KnowWho Services [<mailto:noreply@knowwho.services>]
Sent: Wednesday, September 21, 2016 6:58 PM
To: Davis, Braxton C <Braxton.Davis@NCDENR.Gov>
Subject: General Use Standards for Ocean Hazard Areas

Dear Director,

I urge you to reject proposed changes to the grandfathering provisions for general use standards for Ocean Hazard Areas. Increasing the number, type and size of buildings that can be rebuilt in storm-damaged areas is a bad idea, especially given the predicted increase in sea levels forecast by your science panel as well as by state and national experts.

Allowing more and bigger buildings to remain in risky areas close to the ocean will potentially oblige North Carolina taxpayers to foot the bill for erosion control measures, emergency response and higher property insurance rates, especially as rising sea levels contribute to the impact of devastating storms.

I ask the Division to reject the proposed rule change and to incorporate sea level rise planning in any proposed rule changes for coastal North Carolina.

Sincerely,

Robert Belknap
900 Hillsborough Street
Raleigh, NC 27603
rebelknap@sms.edu
9194243654

From: KnowWho Services [<mailto:noreply@knowwho.services>]
Sent: Wednesday, September 21, 2016 7:18 PM
To: Davis, Braxton C <Braxton.Davis@NCDENR.Gov>
Subject: General Use Standards for Ocean Hazard Areas

Dear Director,

I urge you to reject proposed changes to the grandfathering provisions for general use standards for Ocean Hazard Areas. Increasing the number, type and size of buildings that can be rebuilt in storm-damaged areas is a bad idea, especially given the predicted increase in sea levels forecast by your science panel as well as by state and national experts.

Allowing more and bigger buildings to remain in risky areas close to the ocean will potentially oblige North Carolina taxpayers to foot the bill for erosion control measures, emergency response and higher property insurance rates, especially as rising sea levels contribute to the impact of devastating storms.

I ask the Division to reject the proposed rule change and to incorporate sea level rise planning in any proposed rule changes for coastal North Carolina.

Sincerely,

Judy Smith
2558 Empie Dr.
Leland, NC 28451
jsnorkel23@gmail.com
9102285056

From: KnowWho Services [<mailto:noreply@knowwho.services>]
Sent: Wednesday, September 21, 2016 7:20 PM
To: Davis, Braxton C <Braxton.Davis@NCDENR.Gov>
Subject: General Use Standards for Ocean Hazard Areas

Dear Director,

I urge you to reject proposed changes to the grandfathering provisions for general use standards for Ocean Hazard Areas. Increasing the number, type and size of buildings that can be rebuilt in storm-damaged areas is a bad idea, especially given the predicted increase in sea levels forecast by your science panel as well as by state and national experts.

Allowing more and bigger buildings to remain in risky areas close to the ocean will potentially oblige North Carolina taxpayers to foot the bill for erosion control measures, emergency response and higher property insurance rates, especially as rising sea levels contribute to the impact of devastating storms.

I ask the Division to reject the proposed rule change and to incorporate sea level rise planning in any proposed rule changes for coastal North Carolina.

Sincerely,

Sharon Godfrey
9524 Deer Spring Ln.
Charlotte, NC 28210
sharongodfrey25@gmail.com
7045417332

From: KnowWho Services [<mailto:noreply@knowwho.services>]
Sent: Wednesday, September 21, 2016 7:23 PM
To: Davis, Braxton C <Braxton.Davis@NCDENR.Gov>
Subject: General Use Standards for Ocean Hazard Areas

Dear Director,

I urge you to reject proposed changes to the grandfathering provisions for general use standards for Ocean Hazard Areas. Increasing the number, type and size of buildings that can be rebuilt in storm-damaged areas is a bad idea, especially given the predicted increase in sea levels forecast by your science panel as well as by state and national experts.

Allowing more and bigger buildings to remain in risky areas close to the ocean will potentially oblige North Carolina taxpayers to foot the bill for erosion control measures, emergency response and higher property insurance rates, especially as rising sea levels contribute to the impact of devastating storms.

I ask the Division to reject the proposed rule change and to incorporate sea level rise planning in any proposed rule changes for coastal North Carolina.

Sincerely,

Mary Rand
1205 Old Coats Rd
Lillington, NC 27546
mbridgers7@gmail.com
9108140710

From: KnowWho Services [<mailto:noreply@knowwho.services>]
Sent: Wednesday, September 21, 2016 8:47 PM
To: Davis, Braxton C <Braxton.Davis@NCDENR.Gov>
Subject: General Use Standards for Ocean Hazard Areas

Dear Director,

I urge you to reject proposed changes to the grandfathering provisions for general use standards for Ocean Hazard Areas. Increasing the number, type and size of buildings that can be rebuilt in storm-damaged areas is a bad idea, especially given the predicted increase in sea levels forecast by your science panel as well as by state and national experts.

Allowing more and bigger buildings to remain in risky areas close to the ocean will potentially oblige North Carolina taxpayers to foot the bill for erosion control measures, emergency response and higher property insurance rates, especially as rising sea levels contribute to the impact of devastating storms.

I ask the Division to reject the proposed rule change and to incorporate sea level rise planning in any proposed rule changes for coastal North Carolina.

Sincerely,

Valerie Nieman
701 Leawood Drive
Greensboro, NC 27410
valnieman@gmail.com
3369083976

From: KnowWho Services [<mailto:noreply@knowwho.services>]
Sent: Wednesday, September 21, 2016 10:21 PM
To: Davis, Braxton C <Braxton.Davis@NCDENR.Gov>
Subject: General Use Standards for Ocean Hazard Areas

Dear Director,

I urge you to reject proposed changes to the grandfathering provisions for general use standards for Ocean Hazard Areas. Increasing the number, type and size of buildings that can be rebuilt in storm-damaged areas is a bad idea, especially given the predicted increase in sea levels forecast by your science panel as well as by state and national experts.

Allowing more and bigger buildings to remain in risky areas close to the ocean will potentially oblige North Carolina taxpayers to foot the bill for erosion control measures, emergency response and higher property insurance rates, especially as rising sea levels contribute to the impact of devastating storms.

I ask the Division to reject the proposed rule change and to incorporate sea level rise planning in any proposed rule changes for coastal North Carolina.

Sincerely,

Simmons Isler
7436 Edenwood Lane
Raleigh, NC 27615
esler@bellsouth.net
9198700890

From: KnowWho Services [<mailto:noreply@knowwho.services>]
Sent: Wednesday, September 21, 2016 11:51 PM
To: Davis, Braxton C <Braxton.Davis@NCDENR.Gov>
Subject: General Use Standards for Ocean Hazard Areas

Dear Director,

I urge you to reject proposed changes to the grandfathering provisions for general use standards for Ocean Hazard Areas. Increasing the number, type and size of buildings that can be rebuilt in storm-damaged areas is a bad idea, especially given the predicted increase in sea levels forecast by your science panel as well as by state and national experts.

Allowing more and bigger buildings to remain in risky areas close to the ocean will potentially oblige North Carolina taxpayers to foot the bill for erosion control measures, emergency response and higher property insurance rates, especially as rising sea levels contribute to the impact of devastating storms.

I ask the Division to reject the proposed rule change and to incorporate sea level rise planning in any proposed rule changes for coastal North Carolina.

Sincerely,

Lynne C.
5012 Lipscomb Dr.
Garner, NC 27529
catslc@aol.com
9195538612

From: KnowWho Services [<mailto:noreply@knowwho.services>]
Sent: Thursday, September 22, 2016 6:45 AM
To: Davis, Braxton C <Braxton.Davis@NCDENR.Gov>
Subject: General Use Standards for Ocean Hazard Areas

Dear Director,

I urge you to reject proposed changes to the grandfathering provisions for general use standards for Ocean Hazard Areas. Increasing the number, type and size of buildings that can be rebuilt in storm-damaged areas is a bad idea, especially given the predicted increase in sea levels forecast by your science panel as well as by state and national experts.

Allowing more and bigger buildings to remain in risky areas close to the ocean will potentially oblige North Carolina taxpayers to foot the bill for erosion control measures, emergency response and higher property insurance rates, especially as rising sea levels contribute to the impact of devastating storms.

I ask the Division to reject the proposed rule change and to incorporate sea level rise planning in any proposed rule changes for coastal North Carolina.

Sincerely,

Prudence Mainor
PO Box 53782
Fayetteville, NC 28305
pmainor@outlook.com
9109732834

From: KnowWho Services [<mailto:noreply@knowwho.services>]
Sent: Thursday, September 22, 2016 9:47 AM
To: Davis, Braxton C <Braxton.Davis@NCDENR.Gov>
Subject: General Use Standards for Ocean Hazard Areas

Dear Director,

I urge you to reject proposed changes to the grandfathering provisions for general use standards for Ocean Hazard Areas. Increasing the number, type and size of buildings that can be rebuilt in storm-damaged areas is a bad idea, especially given the predicted increase in sea levels forecast by your science panel as well as by state and national experts.

Allowing more and bigger buildings to remain in risky areas close to the ocean will potentially oblige North Carolina taxpayers to foot the bill for erosion control measures, emergency response and higher property insurance rates, especially as rising sea levels contribute to the impact of devastating storms.

I ask the Division to reject the proposed rule change and to incorporate sea level rise planning in any proposed rule changes for coastal North Carolina.

Sincerely,

Ken Goldsmith
710 Independence Pl Unit 503
Raleigh, NC 27603
kenconserv@gmail.com
9199779448

From: KnowWho Services [<mailto:noreply@knowwho.services>]
Sent: Thursday, September 22, 2016 10:22 AM
To: Davis, Braxton C <Braxton.Davis@NCDENR.Gov>
Subject: General Use Standards for Ocean Hazard Areas

Dear Director,

I urge you to reject proposed changes to the grandfathering provisions for general use standards for Ocean Hazard Areas. Increasing the number, type and size of buildings that can be rebuilt in storm-damaged areas is a bad idea, especially given the predicted increase in sea levels forecast by your science panel as well as by state and national experts.

Allowing more and bigger buildings to remain in risky areas close to the ocean will potentially oblige North Carolina taxpayers to foot the bill for erosion control measures, emergency response and higher property insurance rates, especially as rising sea levels contribute to the impact of devastating storms.

I ask the Division to reject the proposed rule change and to incorporate sea level rise planning in any proposed rule changes for coastal North Carolina.

Sincerely,

Lawrence Turk, RN
POB 203
Hendersonville, NC 28793
butch@wildrockies.org
5555555555

From: KnowWho Services [<mailto:noreply@knowwho.services>]
Sent: Thursday, September 22, 2016 10:41 AM
To: Davis, Braxton C <Braxton.Davis@NCDENR.Gov>
Subject: General Use Standards for Ocean Hazard Areas

Dear Director,

I urge you to reject proposed changes to the grandfathering provisions for general use standards for Ocean Hazard Areas. Increasing the number, type and size of buildings that can be rebuilt in storm-damaged areas is a bad idea, especially given the predicted increase in sea levels forecast by your science panel as well as by state and national experts.

Allowing more and bigger buildings to remain in risky areas close to the ocean will potentially oblige North Carolina taxpayers to foot the bill for erosion control measures, emergency response and higher property insurance rates, especially as rising sea levels contribute to the impact of devastating storms.

I ask the Division to reject the proposed rule change and to incorporate sea level rise planning in any proposed rule changes for coastal North Carolina.

Sincerely,

Lesley Wischmann
102 Mardella Way
Holly Ridge, NC 28445
lesleywisch@gmail.com
3073998805

From: KnowWho Services [<mailto:noreply@knowwho.services>]
Sent: Thursday, September 22, 2016 2:24 PM
To: Davis, Braxton C <Braxton.Davis@NCDENR.Gov>
Subject: General Use Standards for Ocean Hazard Areas

Dear Director,

I urge you to reject proposed changes to the grandfathering provisions for general use standards for Ocean Hazard Areas. Increasing the number, type and size of buildings that can be rebuilt in storm-damaged areas is a bad idea, especially given the predicted increase in sea levels forecast by your science panel as well as by state and national experts.

Allowing more and bigger buildings to remain in risky areas close to the ocean will potentially oblige North Carolina taxpayers to foot the bill for erosion control measures, emergency response and higher property insurance rates, especially as rising sea levels contribute to the impact of devastating storms.

I ask the Division to reject the proposed rule change and to incorporate sea level rise planning in any proposed rule changes for coastal North Carolina.

Sincerely,

Monica Driscoll
67 Kimzey Circle, #522
Brevard, NC 28712
mdorg@yahoo.com
8289892533

From: KnowWho Services [<mailto:noreply@knowwho.services>]
Sent: Thursday, September 22, 2016 6:18 PM
To: Davis, Braxton C <Braxton.Davis@NCDENR.Gov>
Subject: General Use Standards for Ocean Hazard Areas

Dear Director,

I urge you to reject proposed changes to the grandfathering provisions for general use standards for Ocean Hazard Areas. Increasing the number, type and size of buildings that can be rebuilt in storm-damaged areas is a bad idea, especially given the predicted increase in sea levels forecast by your science panel as well as by state and national experts.

Allowing more and bigger buildings to remain in risky areas close to the ocean will potentially oblige North Carolina taxpayers to foot the bill for erosion control measures, emergency response and higher property insurance rates, especially as rising sea levels contribute to the impact of devastating storms.

I ask the Division to reject the proposed rule change and to incorporate sea level rise planning in any proposed rule changes for coastal North Carolina.

Sincerely,

Sandra McConnell
598 Mapleton Lane
Columbus, NC 28722
rockies4me@gmail.com
8288634943

From: KnowWho Services [<mailto:noreply@knowwho.services>]
Sent: Thursday, September 22, 2016 8:28 PM
To: Davis, Braxton C <Braxton.Davis@NCDENR.Gov>
Subject: General Use Standards for Ocean Hazard Areas

Dear Director,

I urge you to reject proposed changes to the grandfathering provisions for general use standards for Ocean Hazard Areas. Increasing the number, type and size of buildings that can be rebuilt in storm-damaged areas is a bad idea, especially given the predicted increase in sea levels forecast by your science panel as well as by state and national experts.

Allowing more and bigger buildings to remain in risky areas close to the ocean will potentially oblige North Carolina taxpayers to foot the bill for erosion control measures, emergency response and higher property insurance rates, especially as rising sea levels contribute to the impact of devastating storms.

I ask the Division to reject the proposed rule change and to incorporate sea level rise planning in any proposed rule changes for coastal North Carolina.

Sincerely,

Bridget Peed
1501 A Gorman St
Raleigh, NC 27606
bhpeed@ncsu.edu
9199084605

From: KnowWho Services [<mailto:noreply@knowwho.services>]
Sent: Friday, September 23, 2016 10:57 AM
To: Davis, Braxton C <Braxton.Davis@NCDENR.Gov>
Subject: General Use Standards for Ocean Hazard Areas

Dear Director,

I urge you to reject proposed changes to the grandfathering provisions for general use standards for Ocean Hazard Areas. Increasing the number, type and size of buildings that can be rebuilt in storm-damaged areas is a bad idea, especially given the predicted increase in sea levels forecast by your science panel as well as by state and national experts.

Allowing more and bigger buildings to remain in risky areas close to the ocean will potentially oblige North Carolina taxpayers to foot the bill for erosion control measures, emergency response and higher property insurance rates, especially as rising sea levels contribute to the impact of devastating storms.

I ask the Division to reject the proposed rule change and to incorporate sea level rise planning in any proposed rule changes for coastal North Carolina.

Sincerely,

Eleanor Eltoft
1615 Country Ln.
Creedmoor, NC 27522
elandale@gmail.com
9195284444

From: KnowWho Services [<mailto:noreply@knowwho.services>]
Sent: Saturday, September 24, 2016 4:02 PM
To: Davis, Braxton C <Braxton.Davis@NCDENR.Gov>
Subject: General Use Standards for Ocean Hazard Areas

Dear Director,

I urge you to reject proposed changes to the grandfathering provisions for general use standards for Ocean Hazard Areas. Increasing the number, type and size of buildings that can be rebuilt in storm-damaged areas is a bad idea, especially given the predicted increase in sea levels forecast by your science panel as well as by state and national experts.

Allowing more and bigger buildings to remain in risky areas close to the ocean will potentially oblige North Carolina taxpayers to foot the bill for erosion control measures, emergency response and higher property insurance rates, especially as rising sea levels contribute to the impact of devastating storms.

I ask the Division to reject the proposed rule change and to incorporate sea level rise planning in any proposed rule changes for coastal North Carolina.

Sincerely,

Cashin Hunt
2333 Rosewood Ave.
Winston-Salem, NC 27103
cashinhunt@gmail.com
3363548548

From: KnowWho Services [<mailto:noreply@knowwho.services>]
Sent: Monday, September 26, 2016 10:00 AM
To: Davis, Braxton C <Braxton.Davis@NCDENR.Gov>
Subject: General Use Standards for Ocean Hazard Areas

Dear Director,

I urge you to reject proposed changes to the grandfathering provisions for general use standards for Ocean Hazard Areas. Increasing the number, type and size of buildings that can be rebuilt in storm-damaged areas is a bad idea, especially given the predicted increase in sea levels forecast by your science panel as well as by state and national experts.

Allowing more and bigger buildings to remain in risky areas close to the ocean will potentially oblige North Carolina taxpayers to foot the bill for erosion control measures, emergency response and higher property insurance rates, especially as rising sea levels contribute to the impact of devastating storms.

I ask the Division to reject the proposed rule change and to incorporate sea level rise planning in any proposed rule changes for coastal North Carolina.

Sincerely,

Sandy Barnes
4913 luna point
Hickory, NC 28601
barnes.sandra@embarqmail.com
0000000000



The Voice of Real Estate in North Carolina

October 7, 2016

Braxton Davis
Executive Secretary
North Carolina Coastal Resources Commission
400 Commerce Avenue
Morehead City, North Carolina 28557

Dear Chairman Gorham and Members of the North Carolina Coastal Resources Commission:

On behalf of the more than 37,000 North Carolina REALTORS®, thank you for your work to protect our state's coastline and valuable coastal resources. You have certainly made meaningful steps forward in ensuring the long-term protection of coastal properties.

One of these steps has been in the area of protecting properties which are at an extremely high risk of damage during future storms. These properties are homes, vacation rentals, and businesses which are the very foundation of our coastal communities.

With the passage of Session Law 2012-202, the North Carolina General Assembly directed the Commission to begin the rulemaking process for the protection of these properties which are categorized as single family or duplex residential structure, and which met multiple requirements such as having been built after August 2009. NC REALTORS® strongly supported that action as we knew that the protection provided by those rules would be a great step in ensuring that these properties would be able to be rebuilt in the event of damage.

This action, however, did not include protections for multi-family and commercial properties. Since the legislation's passage and the Commission's subsequent rulemaking actions, these properties have fallen into a state of limbo, with many of them being classified as "legal nonconforming" structures by mortgage and insurance companies. This status significantly hinders each of these properties ability to not only receive necessary insurance coverage, but also diminishes their ability for conveyance.

In 2014, the Wilmington Regional Association of REALTORS® made a presentation to the Commission regarding this issue and the impact that it was having on properties in the Carolina Beach area. From their initial comment, and thanks to the great work of Commission staff, in partnership with WRAR and NC REALTORS®, it was found that the issue was much more pervasive and needed greater remedy through rulemaking.

President
Kim Dawson
ABR, CRS, GRI, SRES

President-Elect
Treasure Faircloth
GRI, e-PRO, CRS

Treasurer
Kelly Marks
ABR, CRS, GRI

Immediate Past President
Tony Smith
ABR, ABRM, CRS, GRI

Chief Executive Officer
Andrea Bushnell, Esq.
CIPS, RCE

As you have seen in the staff fiscal analysis, modifying 15A NCAC 07H.0306 to allow for the grandfathering of multifamily and commercial properties less than 10,000 square feet will help to protect roughly 116 properties along the coast, thereby diminishing the stigma which has fallen on them and increasing their opportunities for longevity.

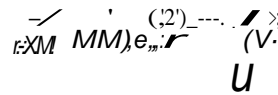
We strongly encourage the Commission to move forward with this valuable rulemaking to ensure that all properties along our coast receive equal protection going forward.

Thank you again for the opportunity to provide comment on this issue and for the strong collaboration throughout this process. If you have any questions or would like additional information, please contact Seth Palmer, NC REALTORS® Regulatory Affairs Director, at (919) 573-0992.

Sincerely,



Kim Dawson
2016 President
NC REALTORS®



Laurie Donofrio
2016 Legislative Chair
NC REALTORS®