

1 15A NCAC 07B .0901 is proposed for amendment as noticed in 23:16 NCR 1570-1571 as follows:

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3 **15A NCAC 07B .0901 CAMA LAND USE PLAN AMENDMENTS**

4 (a) Normal Amendment Process:

5 (1) The CAMA Land Use Plan may be amended and only the amended portions submitted for ~~CRC~~
6 CRC certification. If the local government amends half or more of the policies of the CAMA
7 Land Use Plan, a new locally adopted plan shall be submitted to the CRC.

8 (A) Local public hearing and notice requirements shall be in the same manner as provided in
9 15A NCAC 07B .0801(a).

10 (B) Except for Land Use Plans that were certified prior to August 1, 2002, amendments and
11 changes to the Local Land Use Plan shall be consistent with other required elements for
12 the local land use plan per the requirements of Rule .0702 of this Subchapter.

13 (2) The local government proposing an amendment to its CAMA Land Use Plan shall provide to the
14 Executive Secretary of the CRC or her/his designee written notice of the public hearing, a copy of
15 the proposed amendment (including text and maps as applicable), and the reasons for the
16 amendment no less than ~~30~~ five business days prior to publication of the public hearing. ~~hearing~~
17 notice. After the public hearing, the local government shall provide the Executive Secretary or
18 her/his designee with a copy of the locally adopted amendment no earlier than 45 days and no later
19 than 30 days prior to the next CRC meeting for CRC certification. If the local government fails to
20 submit the requested documents as specified above and the resolution provided in Subparagraph
21 (5) of this Paragraph, to the Executive Secretary within the specified timeframe, the local
22 government shall be able to resubmit the documents within the specified timeframe for
23 consideration at the following CRC meeting.

24 (3) For joint plans, originally adopted by each participating jurisdiction, each government shall retain
25 its sole and independent authority to make amendments to the plan as it affects their jurisdiction.

26 (4) CRC review and action on CAMA Land Use Plan amendments shall be in the same manner as
27 provided in 15A NCAC 07B .0802 (b), (c), (d) and (e), except amendments to Land Use Plans
28 which were certified prior to August 1, 2002 are exempt from subsection .0802(c)(3)(D)

29 (5) The local resolution of adoption shall include findings which demonstrate that amendments to
30 policy statements or to the Future Land Use Plan Map (FLUP) have been evaluated for their
31 consistency with other existing policies.

32 (b) Delegation of CRC Certification of Amendments to the Executive Secretary:

33 (1) A local government that desires to have the Executive Secretary instead of the CRC certify a
34 CAMA Land Use Plan amendment shall first meet the requirements in Subparagraphs (a)(1)
35 through ~~(3)~~ (5) of this Rule and the following criteria defined in Parts (b)(1)(A) through (D) of this
36 Rule. The local government may then request the Executive Secretary to certify the amendment.
37 The Executive Secretary shall make a determination that all criteria have been met, and mail

1 notification to the local government and CRC members, no later than two weeks after receipt of
2 the request for certification. The CRC's delegation to the Executive Secretary of the authority to
3 certify proposed amendments is limited to amendments that meet the following criteria:

- 4 (A) Minor changes in policy statements or objectives for the purpose of clarification of intent;
5 or
- 6 (B) Modification of any map that does not impose new land use categories in areas least
7 suitable for development as shown on the Land Suitability Map; or
- 8 (C) New data compilations and associated statistical adjustments that do not suggest policy
9 revisions; or
- 10 (D) More detailed identification of existing land uses or additional maps of existing or natural
11 conditions that do not affect any policies in the CAMA Land Use Plan.

12 (2) If the Executive Secretary certifies the amendment, the amendment shall become final upon
13 certification of the Executive Secretary, and is not subject to further CRC review described in 15A
14 NCAC 07B .0802 (Presentation to CRC for Certification).

15 (3) If the Executive Secretary denies certification of the amendment, the local government shall
16 submit its amendment for review by the CRC in accordance with the regular plan certification
17 process in 15A NCAC 07B .0802 (Presentation to CRC for Certification).

18 (c) Any amendments to the text or maps of the CAMA Land Use Plan shall be incorporated in context in all
19 available copies of the plan and shall be dated to indicate the dates of local adoption and CRC certification. The
20 amended CAMA Land Use Plan shall be maintained as required by G.S. 113A-110(g).

21 (d) Within 90 days after certification of a CAMA Land Use Plan amendment, the local government shall provide
22 one copy of the amendment to each jurisdiction with which it shares a common border, and to the regional planning
23 entity.

24 (e) A local government that receives Sustainable Community funding from the Department pursuant to 15A NCAC
25 07L shall formulate and submit to the CRC for certification a CAMA Land Use Plan Addendum during its first year
26 as a Sustainable Community, and if new planning rules have been adopted by the CRC, shall update the CAMA
27 Land Use Plan within six years of adoption of these new planning rules.

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29 *History Note: Authority G.S. 113A-107(a); 113A-110; 113A-124;*
30 *Eff. August 1, 2002.*
31 *Amended Eff. October 1, 2009; February 1, 2006.*
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