Shape of the Coast 2010

Fifth Annual Program Highlights

- 5 hours of CLE credit
- The changing demographics and land use patterns of coastal North Carolina
- CRC developments and update
- Appearing before CRC and challenging CRC decisions
- Update on significant federal and state coastal cases and legislation
- Legal issues that arise when a coastal development fails

About the program

This year’s program opens with a discussion of the changing demographics and land uses of coastal North Carolina and the planning issues these changes present. The program then continues the tradition of providing an update on the CRC’s activities and decisions over the past year and looking at issues on the CRC’s agenda for the upcoming year. The morning session concludes with a discussion of what you need to know if you are appearing before the CRC or challenging an adverse CRC decision. In the afternoon, the program turns to an examination of the legal issues that arise when a coastal development fails. When this happens the developer, the lender, the existing homeowners, and the homeowners’ associations may confront a myriad of complex legal issues. Finally, during the last year we have seen some significant developments in state and federal case law and legislation that directly impact coastal activities. The final session of the day will discuss these cases and legislation and their relevance to coastal North Carolina.

About The North Carolina Coastal Resources Law, Planning and Policy Center

The North Carolina Coastal Resources Law, Planning and Policy Center is an inter-institutional entity being planned and developed to co-ordinate and apply to state’s pressing coastal and ocean resources and development issues and concerns the legal, planning and policy expertise of various units within the University of North Carolina system. The center will be a research, advisory, educational entity providing research support to state agencies, state advisory groups and panels, local governments, and community organizations in their efforts to address pressing development and resource issues and to promote the sustainable use of coastal lands, waters, and natural resources. The center will also engage in the study of long-term coastal use and development trends and issues and communicate the results of this research through white papers available on its website and through the semi-annual publication of Legal Tides, a newsletter being sent to over 2400 state agency and local government personnel and community organizations. Outreach to coastal professionals, community organizations, and others with an interest in coastal resource issues with also take place through center sponsored conferences and other programs.

About North Carolina Sea Grant

North Carolina Sea Grant began in 1970. Today, this university-based program is part of a network of 30 Sea Grant programs that wrap the shores of the Atlantic, Pacific, Gulf of Mexico and Great Lakes. North Carolina Sea Grant has focused intellectual resources of North Carolina's major universities on coastal economic development, coastal ecosystem health and human resources to address coastal issues. With its emphasis on solid, peer-reviewed scientific research coupled with outreach, Sea Grant has gained a reputation as a reliable source for valid solutions and timely information about our coast. NC Sea Grant provides a holistic approach to a wide range of topics that have direct impacts not only along the North Carolina coast, but also across the state and the country.
Patterns and Impacts of Demographic and Land Use Change in Coastal North Carolina

Thomas Crawford, Department of Geography, East Carolina University
Daniel Marcucci, Planning Program, Department of Geography, East Carolina University

North Carolina's coastal region has experienced substantial change in recent years in terms of in-migration, population growth, and land use change. Patterns of change vary geographically. Arguably at least two different coasts exist, the Outer Banks and the Inner Banks. Additionally, differences exist among selected regions such as booming Greater Wilmington metro area, interior coastal northeastern counties that are beginning to experience exurbanization related to neighboring metro Virginia, and the Albemarle Peninsula for which little growth has occurred. Discussion will highlight regional patterns and differences regarding demographic and land use change along the coast and draw attention to some of the planning issues that the region will encounter in the coming years and decades.

10:00am
Break

10:15-11:15 am
What’s Been Happening Before the CRC: Annual Update
Robert R. Emory, Jr., Chairman, Coastal Resources Commission

This session will be a discussion of the Commission's recent and ongoing work. The presenter will also address coastal resource topics that the Commission is beginning to consider.

11:15 am-12:15 pm
All You Need To Know About Appearing Before the CRC and Challenging CRC Decisions
Panelists: Christine Goebel, North Carolina Attorney General’s Office; Mike Lopazanski, North Carolina Division of Coastal Management, Morehead City office; Robert R. Emory, Jr., Chairman, Coastal Resources Commission

In this session panelist will provide practical advice for attorneys representing clients petitioning the Coastal Resources Commission (CRC) for variances; challenging permit denials or permit issuance to a third party, including standing issues; conducting contested hearings; and appealing adverse CRC decisions.

12:15-1:15 pm
Lunch

1:15-2:15 pm
When Coastal Development Projects Fail: Issues for Property Owners, Property Owners’ Associations, Developers and Regulators
Joseph J. Kalo, Graham Kenan Professor of Law, UNC School of Law

2:15-2:30 pm
Break

2:30-3:30 pm
Significant Federal and State Coastal Case Law, Legislation, and Litigation Update
William A. Raney, Jr., Wessell & Raney, LLP
Todd Roessler, Kilpatrick Stockton LLP