

Introduction to State Setback Policies

October 29, 2008

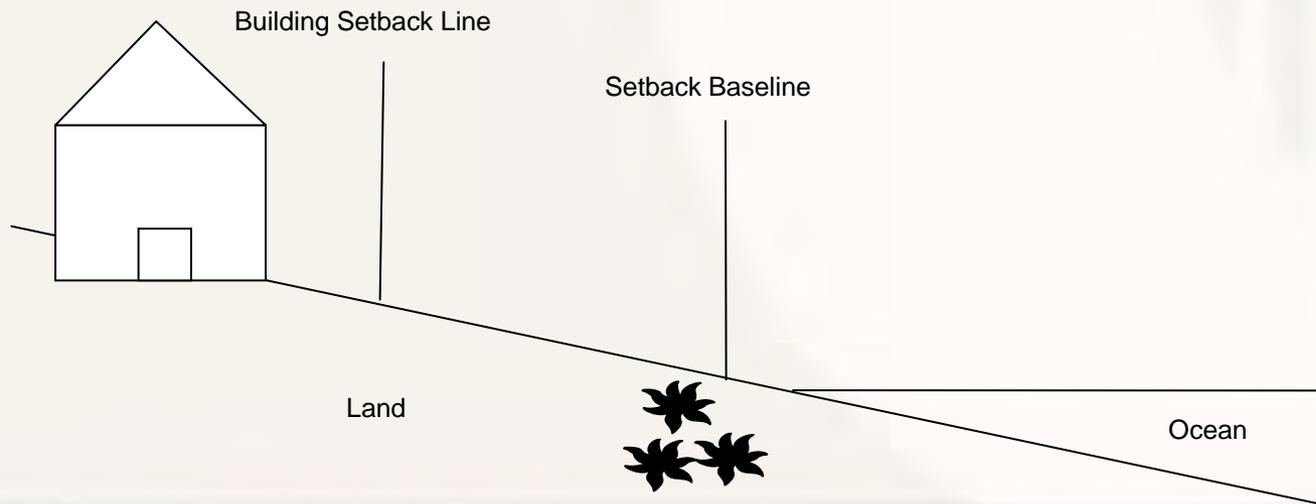


Introduction

- OCRM conducted a state setback analysis several years ago in response to congressional inquiry
- Study is now outdated; OCRM was preparing to update it over the next several months
- Texas requested similar information for state's draft setback regulations and Hurricane Ike response
- Regional setback information updated — **but not verified**
- Taking advantage of regional meeting—preliminary analysis and discussion questions

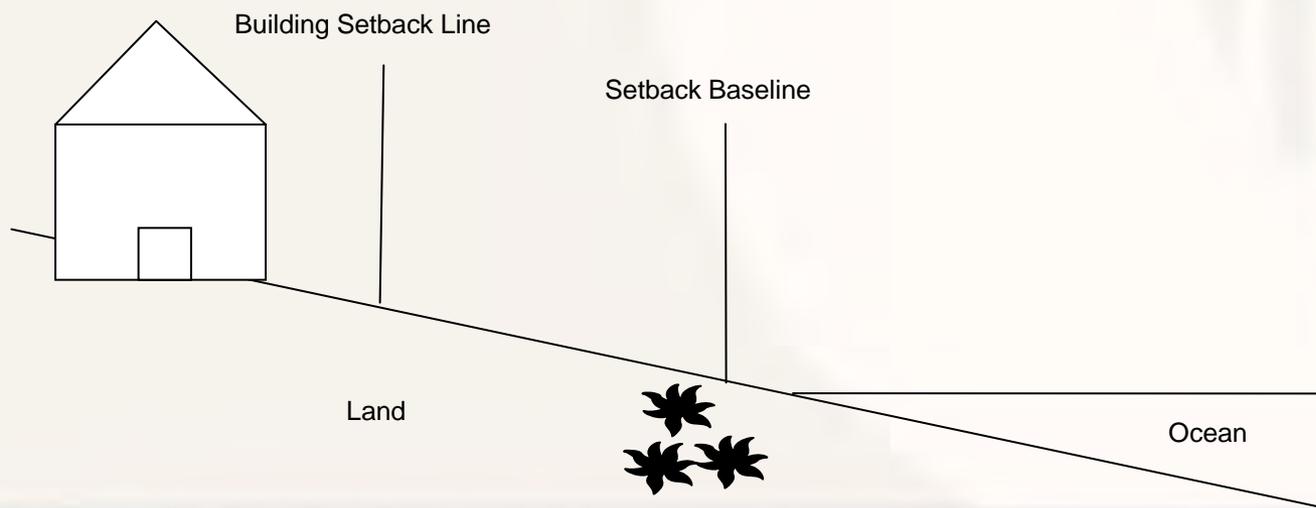
Definitions

- **Setback baseline** serves as the line landward from which the building setback line is measured. May be based on rate of erosion, a physical reference feature such as a vegetation line, or a combination of features.
- **Building setback line** indicates the minimum distance that construction may be allowed landward of the setback baseline. Distance is specified in regulations and may be based on erosion rate or a uniformly applied number.



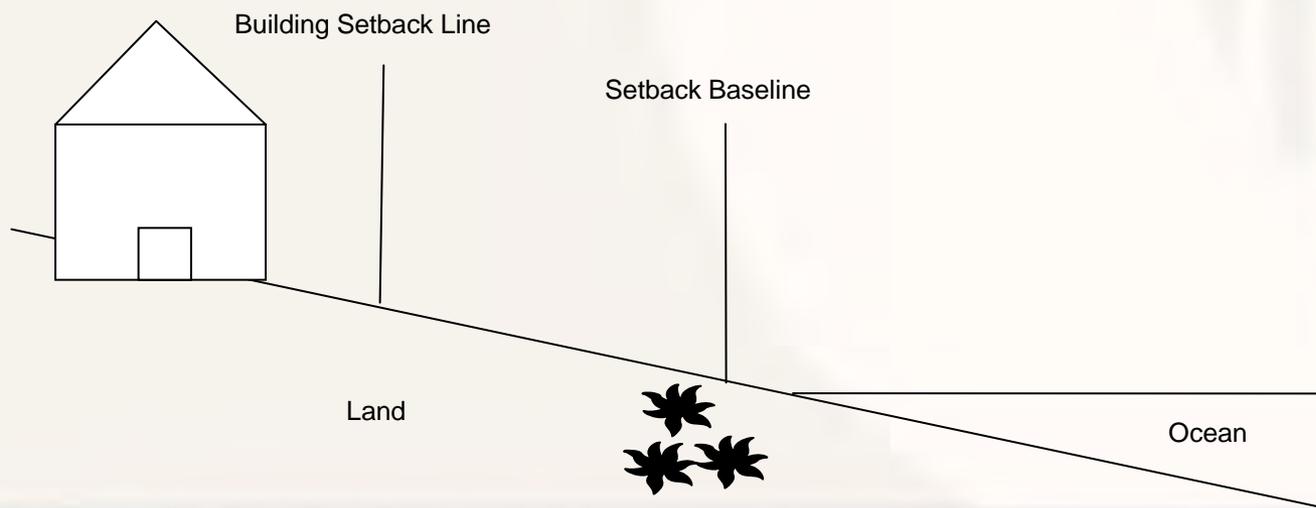
Discussion Questions

- Does your state have policies on repairing and rebuilding damaged structures that are seaward of the building setback line or the setback baseline following a storm? Are they enforced? If so, how?



Discussion Questions

- How does your state balance personal property rights and the public trust when private structures are located on public trust lands (i.e., because of chronic or episodic erosion)?



Discussion Questions

- Under what circumstances might your state move the setback baseline or the building setback line (e.g., in response to a storm or beach nourishment)?

