

1 15A NCAC 07H .0310 is proposed for amendment as follows:

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3 **15A NCAC 07H .0310 USE STANDARDS FOR INLET HAZARD AREAS**

4 (a) ~~Inlet areas~~ Inlet Hazard Areas as defined by ~~Rule .0304 of this Section in 15A NCAC 07H .0304~~ are subject to
5 inlet migration, rapid and severe changes in watercourses, flooding and strong tides. Due to this extremely hazardous
6 nature of the Inlet Hazard Areas, all development within these areas shall be permitted in accordance with the
7 following standards:

8 (1) ~~All development in the inlet hazard area shall be set back from the first line of stable natural~~
9 ~~vegetation a distance equal to the setback required in the adjacent ocean hazard area; The Inlet~~
10 Hazard Area setback for development shall be measured in a landward direction from the first line
11 of stable and natural vegetation, the static vegetation line, or the measurement line, whichever is
12 applicable;

13 (2) ~~In order to protect life and property, all development not otherwise specifically exempted or allowed~~
14 ~~by law or elsewhere in the Coastal Resources Commission's rules shall be located in accordance~~
15 with 15A NCAC 07H .0306(5);

16 (2)(3) ~~Permanent structures shall be permitted at a density of no more than one commercial or residential~~
17 ~~unit per 15,000 square feet of land area on lots subdivided or created after July 23, 1981;~~

18 (3)(4) ~~Only residential structures of four units or less or non-residential structures of less than 5,000 square~~
19 ~~feet total floor area shall be allowed within the inlet hazard area, Inlet Hazard Area, except that~~
20 ~~access roads to those areas and maintenance and replacement of existing bridges shall be allowed;~~

21 (4)(5) ~~Established common-law and statutory public rights of access to the public trust lands and waters~~
22 ~~in Inlet Hazard Areas shall not be eliminated or restricted. Development shall not encroach upon~~
23 ~~public accessways nor shall it limit the intended use of the accessways;~~

24 (5)(6) ~~All other rules in this Subchapter pertaining to development in the ocean hazard areas~~ Ocean Hazard
25 Areas shall be applied to development within the Inlet Hazard Areas.

26 (b) ~~The inlet hazard area~~ Inlet Hazard Area setback requirements shall not apply to the types of development exempted
27 from the ocean setback rules in 15A NCAC 7H .0309(a), nor, to the types of development listed in 15A NCAC 7H
28 .0309(c).

29 (c) In addition to the types of development excepted under Rule .0309 of this Section, small scale, non-essential
30 development that does not induce further growth in the Inlet Hazard Area, such as the construction of single-family
31 piers and ~~small-scale~~ small-scale erosion control measures that do not interfere with natural inlet movement, may be
32 permitted on those portions of shoreline within a designated Inlet Hazard Area that exhibit features characteristic of
33 Estuarine Shoreline. Such features include the presence of wetland vegetation, lower wave energy, and lower erosion
34 rates than in the adjoining Ocean Erodible Area. Such development shall be permitted under the standards set out in
35 Rule .0208 of this Subchapter. For the purpose of this Rule, small scale is defined as those projects which are eligible
36 for authorization under 15A NCAC 7H .1100, .1200 and 7K .0203.

37 *History Note: Filed as a Temporary Amendment Eff. October 30, 1981, for a period of 70 days to expire on*
38

1 *January 8, 1982;*
2 *Filed as an Emergency Rule Eff. September 11, 1981, for a period of 120 days to expire on*
3 *January 8, 1982;*
4 *Authority G.S. 113A-107; 113A-113(b); 113A-124;*
5 *Eff. December 1, 1981;*
6 *Amended Eff. April 1, 2020; April 1, 1999; April 1, 1996; December 1, 1992; December 1, 1991;*
7 *March 1, 1988.*