

1 **15A NCAC 07K .0208 IS PROPOSED FOR AMENDMENT AS FOLLOWS:**

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3 **15A NCAC 07K .0208 SINGLE FAMILY RESIDENCES EXEMPTED**

4 (a) All single family residences constructed within the Coastal ~~Shoreline~~ Shorelines Area of Environmental Concern
5 that are more than 40 feet landward of normal high water or normal water level, and involve no land disturbing activity
6 within the 40 feet buffer area are exempted from the CAMA permit requirement as long as this exemption is consistent
7 with all other applicable CAMA permit standards and local land use plans and rules in effect at the time the exemption
8 is granted.

9 (b) This exemption allows for the construction of a generally shore perpendicular access to the water, provided that
10 the access shall be no wider than six feet. The access may be constructed out of materials such as wood, composite
11 material, gravel, paver stones, concrete, brick, or similar materials. Any access constructed over wetlands shall be
12 elevated at least three feet above any wetland substrate as measured from the bottom of the decking.

13 (c) Within the AEC for estuarine shorelines contiguous to waters classified as Outstanding Resource Waters (ORW),
14 no CAMA permit shall be required if the proposed development is a single-family residence that has a built upon area
15 of 25 percent or less ~~and:~~ and is at least 40 feet from waters classified as ORW.

16 (1) ~~has no stormwater collection system; and~~

17 (2) ~~is at least 40 feet from waters classified as ORW.~~

18 (d) Before beginning any work under this exemption, ~~the CAMA local permit officer or~~ the Department of
19 ~~Environment and Natural Resources~~ Environmental Quality representative shall be notified of the proposed activity
20 to allow on-site review. Notification may be by telephone at (252) 808-2808, in person, or in writing to the North
21 Carolina Division of Coastal Management, 400 Commerce Ave., Morehead City, NC 28557. Notification shall
22 include:

23 (1) the name, address, and telephone number of the landowner and the location of the work, including
24 the county, nearest community, and water body; and

25 (2) the dimensions of the proposed project, including proposed landscaping and the location of normal
26 high water or normal water level.

27 (e) In eroding areas, this exemption shall apply only when the local permit officer has determined that the house has
28 been located the maximum feasible distance back on the lot but not less than forty feet.

29 (f) Construction of the structure authorized by this exemption shall be completed by December 31 of the third year
30 of the issuance date of this exemption.

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32 *History Note: Authority G.S. 113A-103(5)c;*

33 *Eff. November 1, 1984;*

34 *Amended Eff. September 1, 2018; May 1, 2015; December 1, 2006; December 1, 1991; May 1,*
35 *1990; October 1, 1989.*