

1 15A NCAC 07K .0208 IS AMENDED **WITH CHANGES** AS PUBLISHED IN 29:11 NCR 1306-1307 AS  
2 FOLLOWS:

3  
4 **15A NCAC 07K .0208 SINGLE FAMILY RESIDENCES EXEMPTED**

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

10 (b) This exemption ~~does allow~~ **allows** for the construction of ~~an~~ a generally shore perpendicular access to the ~~water~~  
11 ~~in accordance with Rule 07H .0209(d)(10):~~ water, ~~[providing]~~ **provided** that the access shall be no wider than six  
12 ~~[feet and]~~ feet. The access may be constructed out of materials such as wood, composite material, gravel, paver  
13 stones, concrete, brick, or similar materials. Any access constructed over wetlands shall be elevated at least three  
14 feet above any wetland substrate as measured from the bottom of the decking.

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

- 18 (1) has no stormwater collection system; and  
19 (2) is at least 40 feet from waters classified as ORW.

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

- 24 (1) the name, address, and telephone number of the landowner and the location of the work, including  
25 the county, nearest ~~community~~ **community**, and water body; ~~and~~  
26 (2) the dimensions of the proposed project, including proposed landscaping and the location of normal  
27 high water or normal water ~~level;~~ **level.**  
28 (3) ~~confirmation that a written statement has been obtained, signed by the adjacent riparian property~~  
29 ~~owners indicating that they have no objections to the proposed work.~~

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

32 (e)(f) Construction of the structure authorized by this exemption shall be completed ~~within one year by December~~  
33 31 of the third year of the issuance date of this permit ~~[exemption] or the general authorization expires.~~ **exemption.**

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

36 Eff. November 1, 1984;

37 Amended Eff. May 1, 2015; December 1, 2006; December 1, 1991; May 1, 1990; October 1, 1989.