



North Carolina Division of Coastal Management

Program Update

November 17, 2008





Proposed Oceanfront Setback Rules (15A NCAC 07H.0306)

- **Proposed setback changes adopted by CRC at September 2008 meeting.**
- **Five additional public hearings were held this summer**

Five Policy Changes

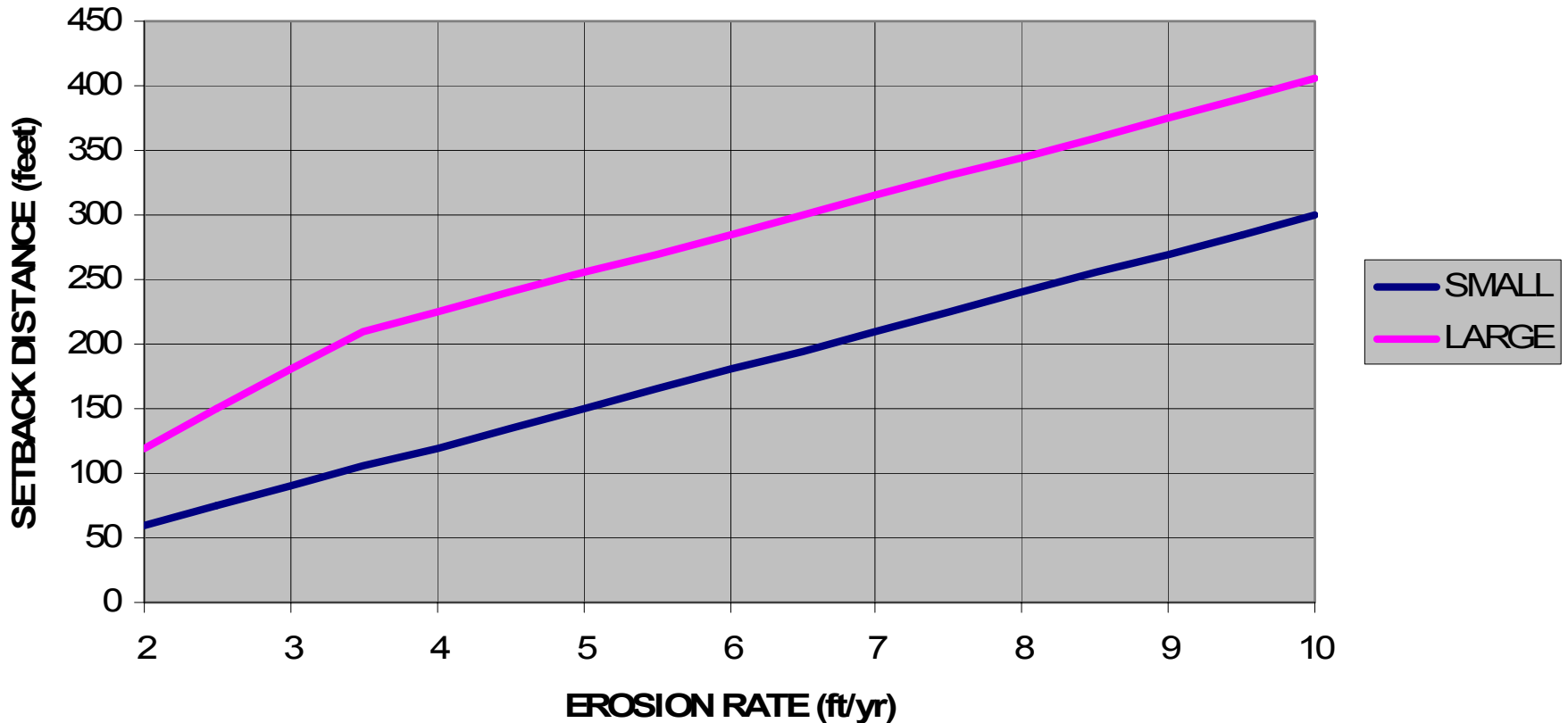
- 1. Setbacks based on size and not use**
- 2. No setback relief given for higher erosion rates**
- 3. Increased setbacks graduated between 60 and 90 for structures between 10,000 and 100,000 sq ft**
- 4. Exception provided for infrastructure**
- 5. No cantilevering into setback**

Large single family structures no longer exempt from higher setbacks



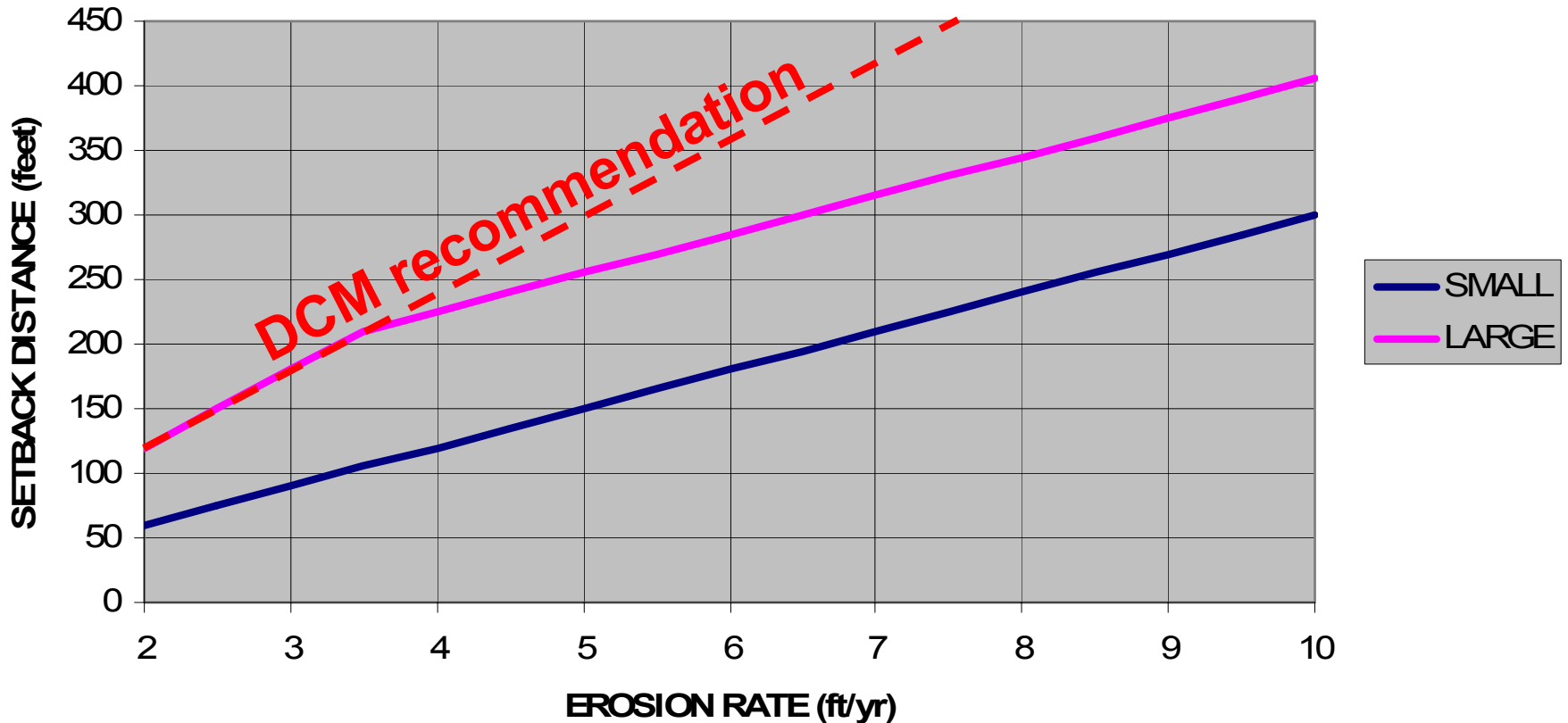
No setback relief for higher erosion rates

EXISTING SETBACK CONCEPT

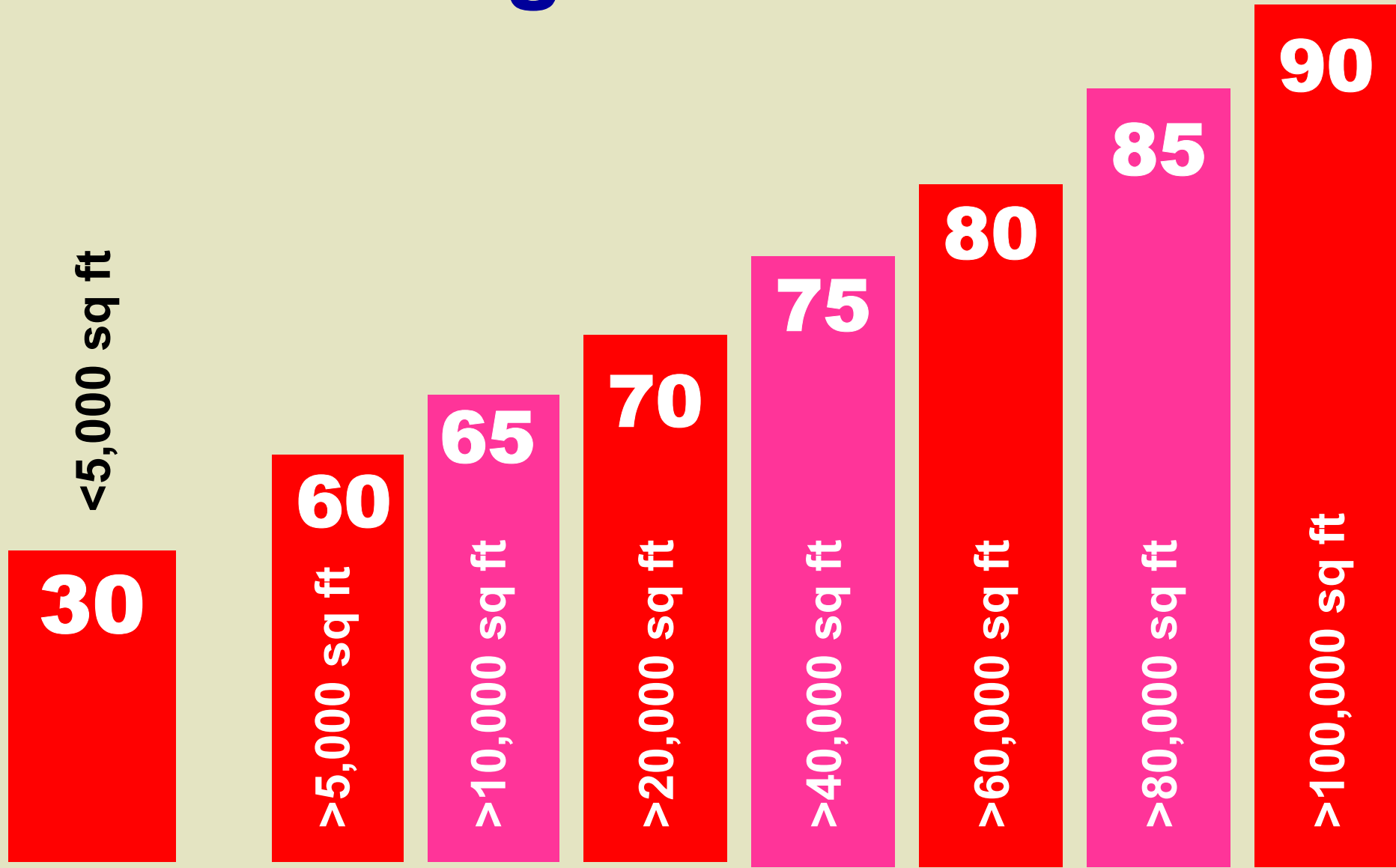


No setback relief for higher erosion rates

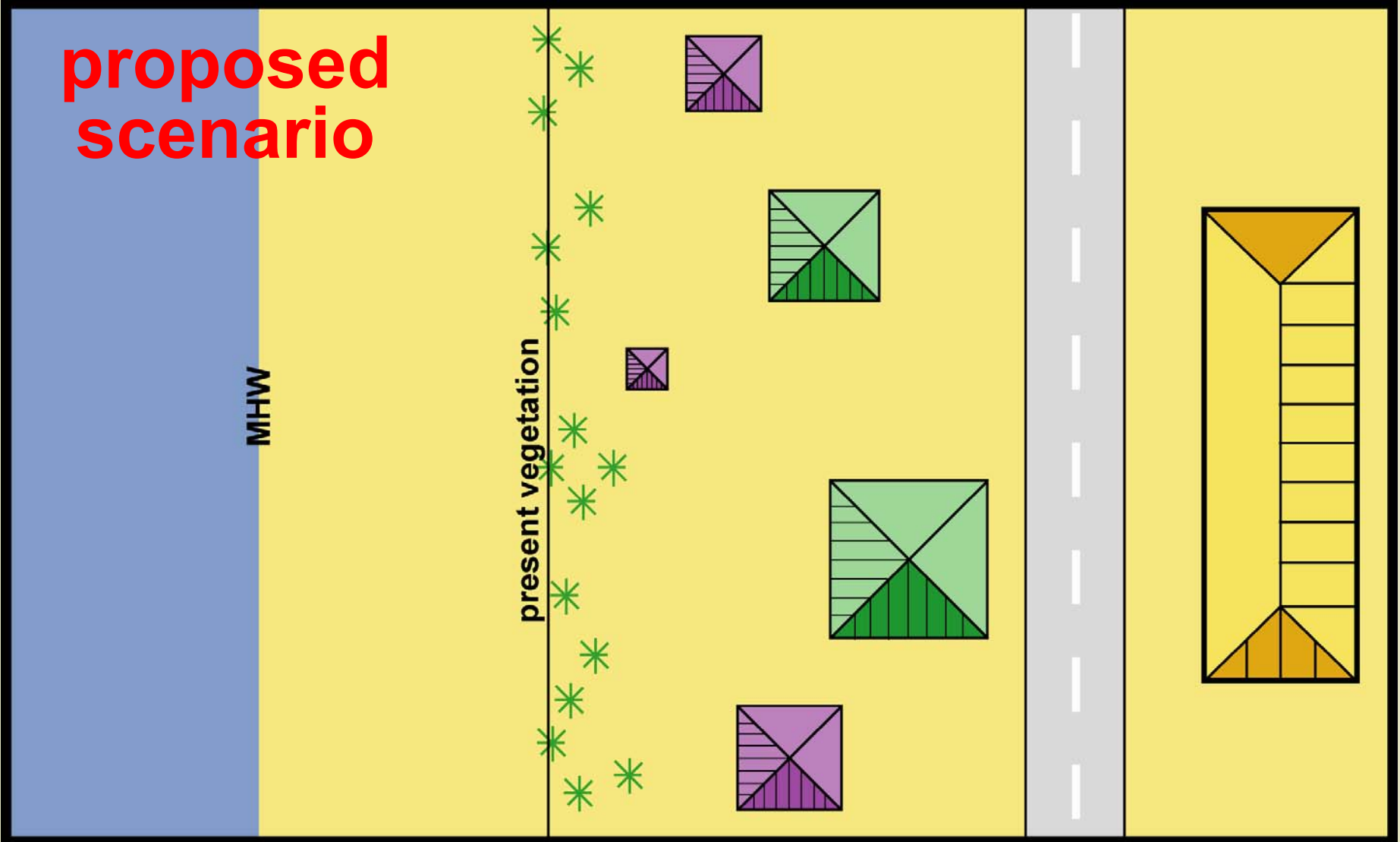
EXISTING SETBACK CONCEPT



Increased, graduated setbacks for larger structures



Increased, graduated setbacks for larger structures



Infrastructure exceptions



No cantilevering into setback



1009 Ft. Fisher Blvd., Kure Beach (photo credit: Spencer Rogers)



Additional Changes After Stakeholder Meetings and Public Hearings

- **Roof-covered porches no longer included in total floor area calculation.**
- **Buildings with a total floor area greater than 5,000 square feet in a community that has a static line exception would have a setback not to exceed 60 times the erosion rate.**



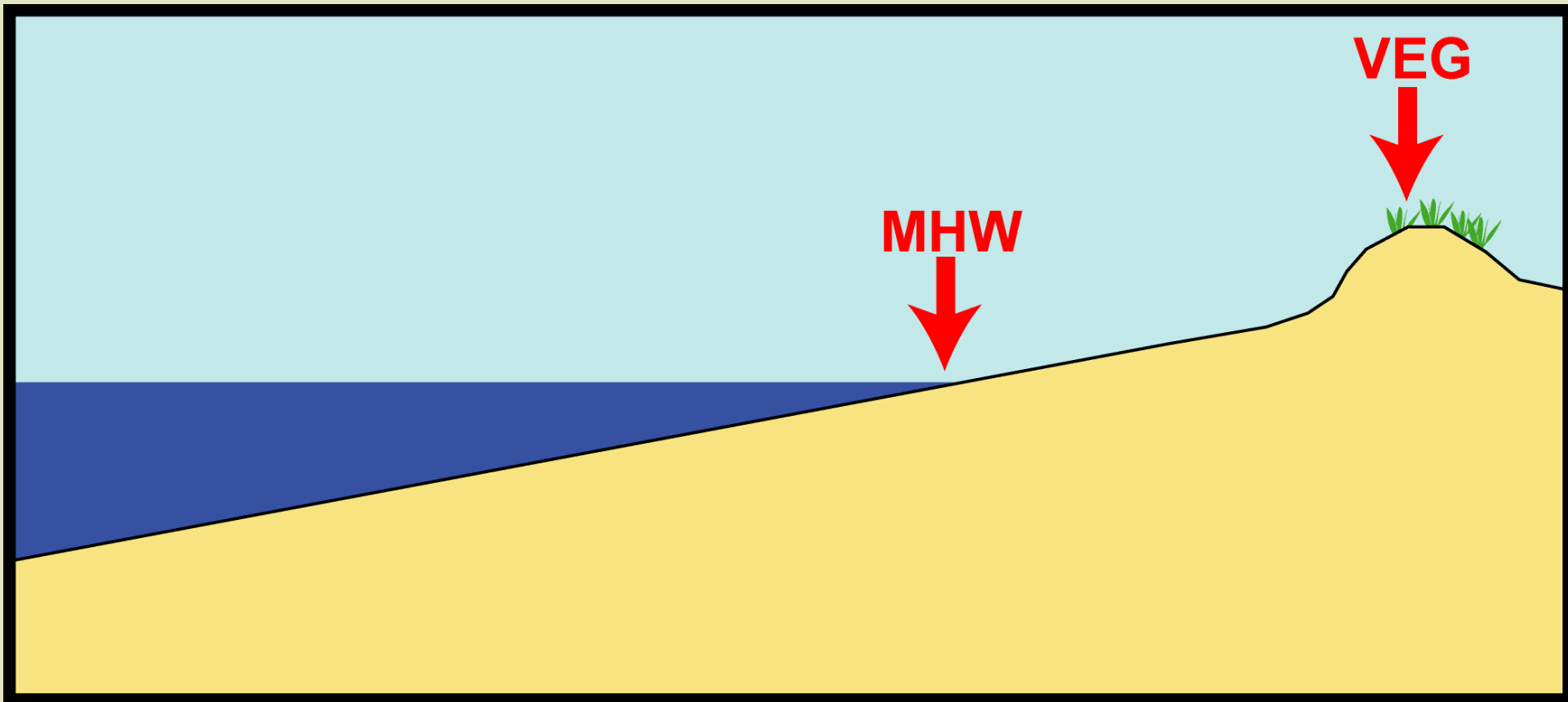
- **Adopted rules will be heard by the Rules Review Commission on November 20th**
- **Could become effective as early as December.**

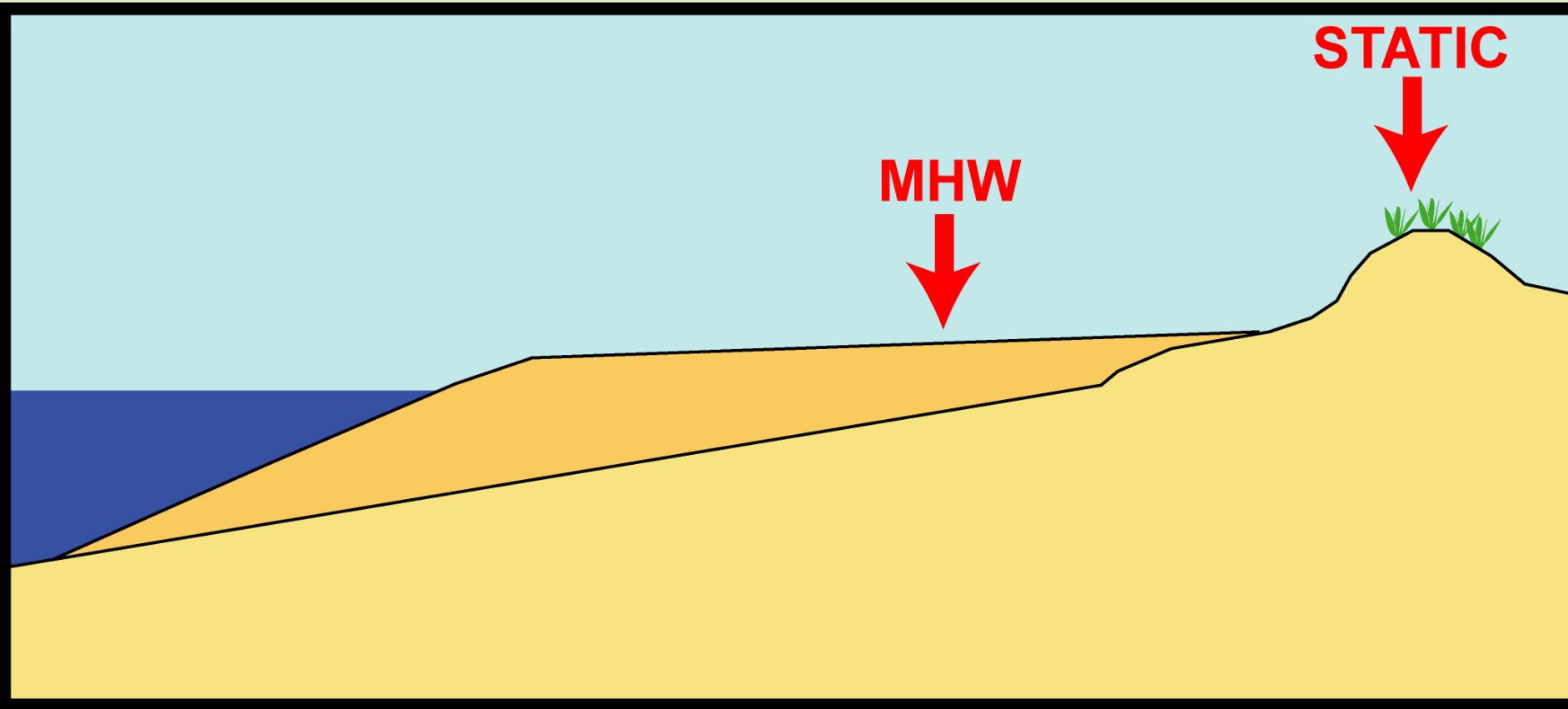


Proposed Static Vegetation Line Exception Rules (15A NCAC 07J.1200)

- **Proposed changes adopted by
CRC at September 2008
meeting.**
- **Five additional public hearings
were held this summer**

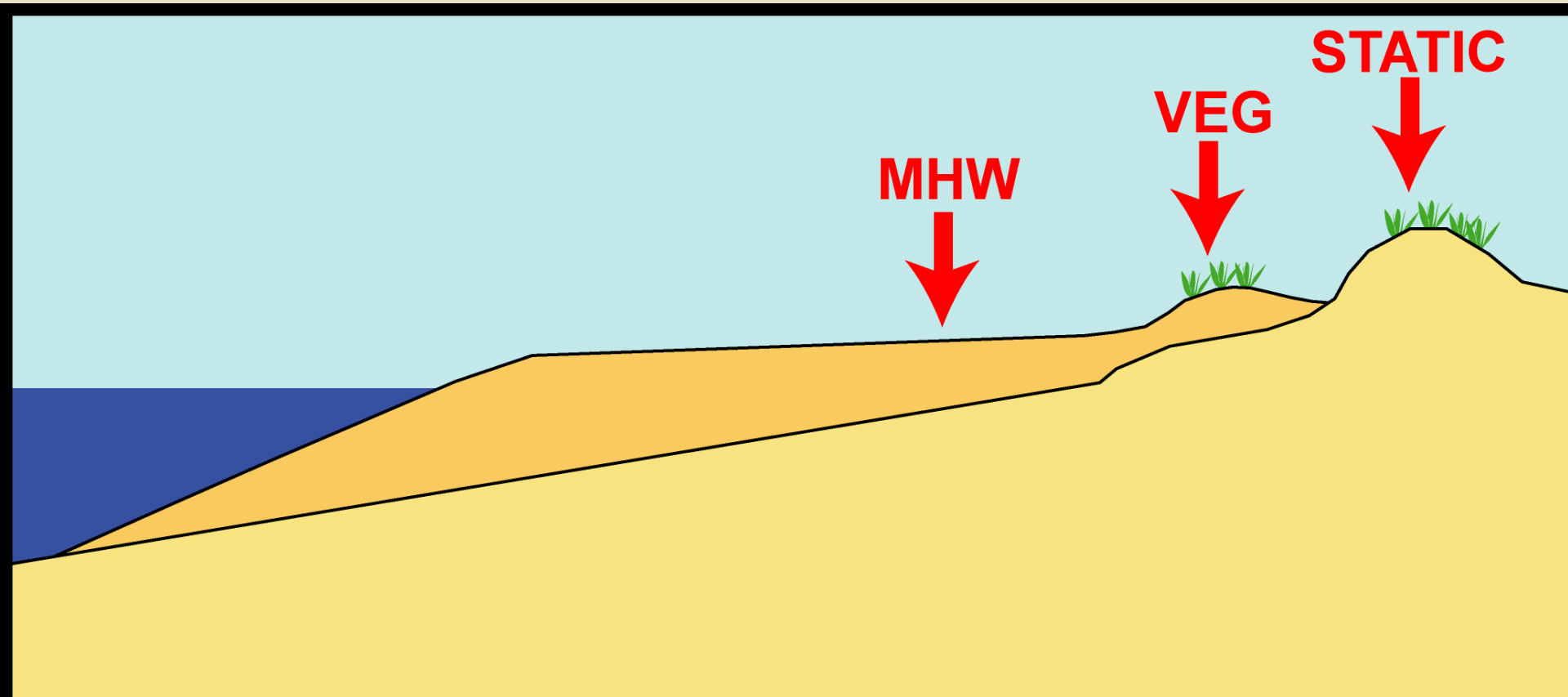
Defining the Static Line





MHW

STATIC



MHW

VEG

STATIC



THREE POLICY CHANGES

- 1. Change in definition of large-scale project to >300,000 cubic yards**
- 2. AVL provision abandoned so Oak Island and Ocean Isle static lines will be changed to 1998 veg line**
- 3. Exception to static line allows limited development under limited conditions landward of large-scale beach fill projects with long-term maintenance**



Beach Fill criteria

- 1. Large scale (USACE or >300,000 cy)**
- 2. Design life of no less than 25 years**
- 3. Proof of compatible sediment for life of project**
- 4. Resources to pay for life of project**
- 5. Town petitions, CRC decides**



Additional development criteria

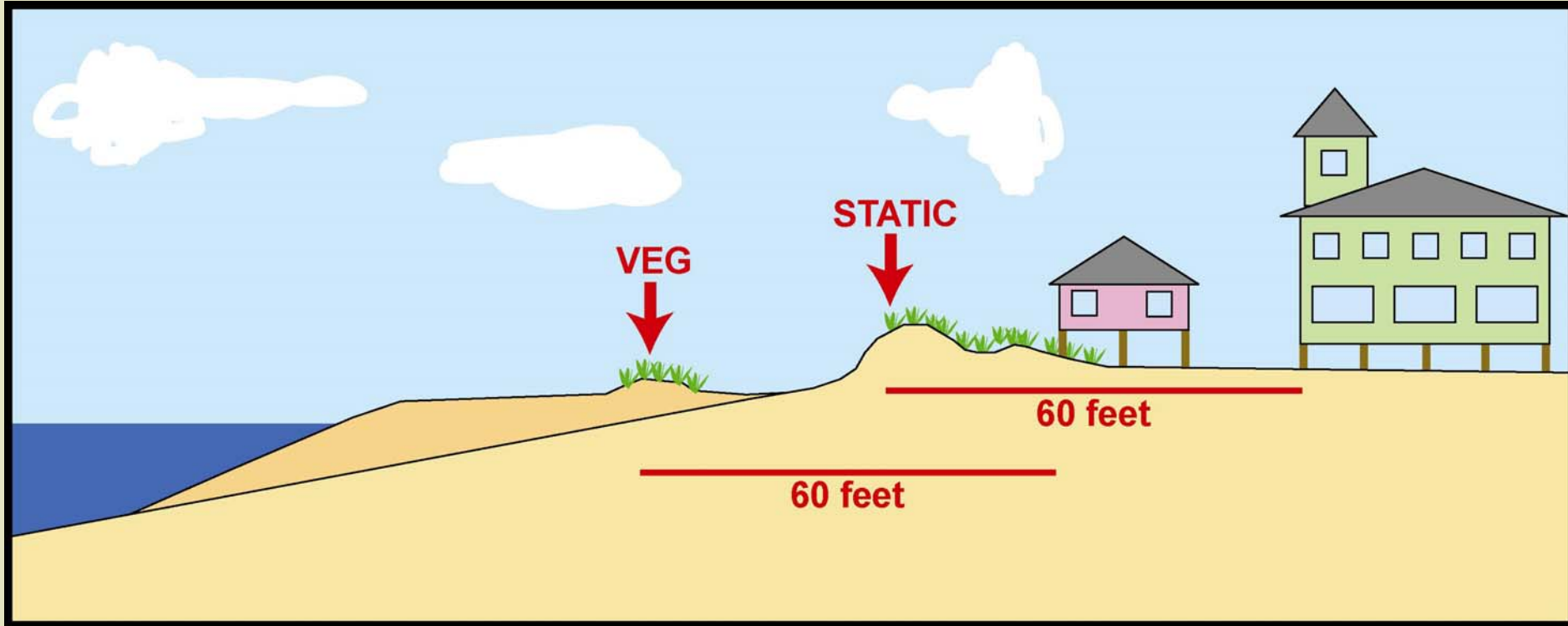
- **>5 yr waiting period**
- **Must meet setback from existing vegetation line**
- **TFA <2500 sq ft**
- **Use current erosion rate**
- **In-line with adjacent structures**
- **No swimming pools oceanward of static line**



Additional development criteria

- **Areas receiving a static line exception will be ineligible for single family exception for high erosion rate areas.**
- **CRC shall review beach fill project and approved static line exception every five years.**

Development scenario





Inlet Hazard Areas

- **Boundaries for NC's 12 developed inlets presented to CRC in September 2007**
- **Update on boundaries and policy recommendations were made at July 2008 CRC meeting in Raleigh.**
- **CRC requested that DCM staff work with the CRC Science Panel on three issues.**



- 1. Revised Inlet Hazard boundary for Bald Head Island**
- 2. The calculation of erosion rates within the Inlet Hazard Boundary**
- 3. The appropriateness of using the vegetation line for measuring oceanfront setbacks with the Inlet Hazard Area**



- **Science Panel has met three times since July.**
- **Dr. Margery Overton and Spencer Rogers will present an overview of these meetings at the November CRC Meeting in Morehead City.**
- **January 14th meeting planned in Raleigh to further discuss inlet related hazards.**



- **DCM will present BHI Inlet Hazard Area boundary options at November CRC meeting.**
- **Inlet related policy recommendations to be presented to CRC in February 2009.**

TEMPORARY EROSION CONTROL STRUCTURES (SANDBAGS)

15A NCAC 07H.1700

15A NCAC 07H.0308(a)(2)





Temporary Erosion Control Structure (Sandbags)

- In 2000 the rules were amended to allow temporary sandbag erosion control structures to remain in place for up to five years or until May 2008, whichever is later, regardless of the size of the structure it is protecting if the community in which it is located is actively pursuing a beach nourishment project as of October 1, 2001. This rule only allows structures conforming to current size limits to be eligible for the time extension.**



- **Approximately 358 sandbag structures in North Carolina**
- **Approximately 150 structures were subject to the May 2008 removal date.**
- **Only 65 sandbag structures were covered and vegetated as of October 2008.**

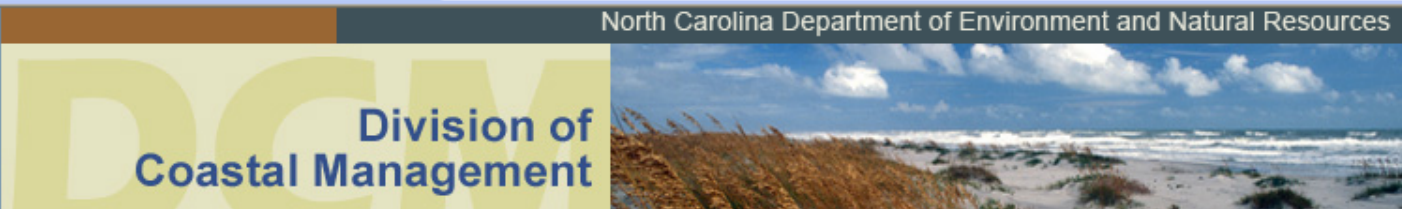


- **Letters were mailed to 23 property owners On September 19, 2008.**
- **The first 23 represent the highest priority for removal.**

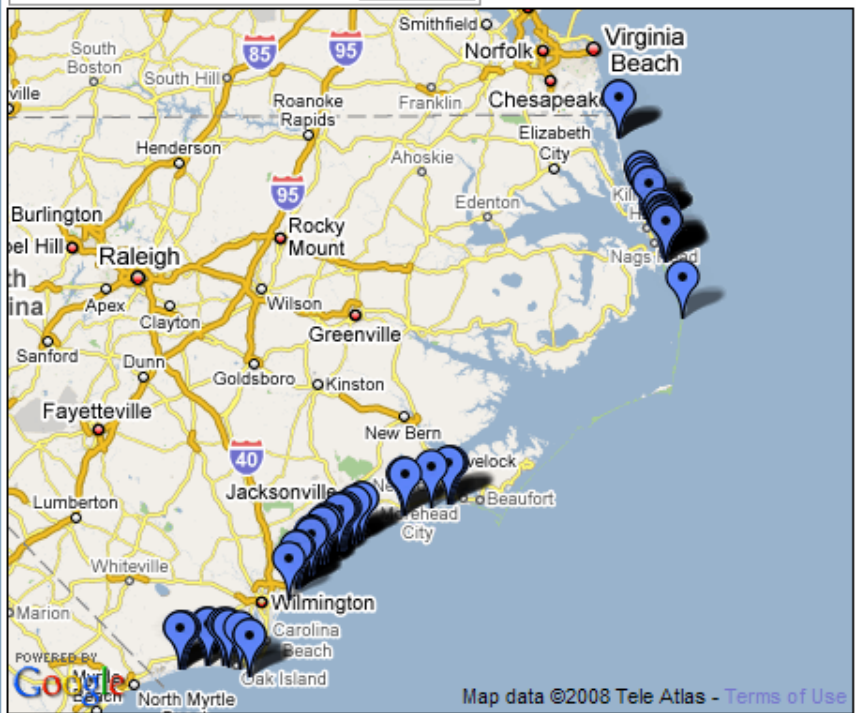


- **North Carolina has recently mapped the location of all oceanfront sandbag structures. This viewer is powered by *Google Maps* with instructions explaining how to view sandbag data in *Google Earth*.**

www.nccoastalmanagement.net/sandbag_locations.htm



Oceanfront Sandbags:



Map Layers	(on/off)
Sandbags:	<input checked="" type="checkbox"/>
Static Vegetation:	<input type="checkbox"/>
Static Setback:	<input type="checkbox"/>
IHA (Current):	<input type="checkbox"/>
IHA (Proposed):	<input type="checkbox"/>

[Legend](#)
[View Sandbags in Google Earth](#)

NOTE: Although the Division's data are considered accurate, this map should be used for informational purposes ONLY and not authoritative in any manner. For site-specific questions contact your nearest DCM office.

Due to differing map projections, certain Google Map layers may NOT align appropriately with DCM's data. Use with caution!

The Proposed Inlet Hazard Area (IHA) shown in this map is in "working-form" and is subject to

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North Carolina Department of Environment and Natural Resources



What's New?

- Nov. CRC meeting materials
- Nov. CRAC meeting materials
- Sandbag locations map
- Coastal and Estuarine Land Conservation Program (CELCP)
- Fact Sheet: May 1, 2008 Deadline for Removal of Certain Sandbag Structures
- NC Beach and Inlet Management Plan
- Estuarine Shoreline Stabilization
- Proposed Inlet Hazard Areas
- Coastal Habitat Protection Plan
- Setbacks
- Fast Facts

Jobs at DCM
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CAMA Permits
 When a Permit Is Needed, Permit Types, Permit Fees, Applications, Consistency, [More...](#)

CAMA Rules & Policies
 Current Rules, Proposed Rules, CAMA, Development Guide, Enforcement, More...

Coastal Resources Commission
 Members, Meetings Schedule, Coastal Resources Advisory Council, More...

CAMA Land-Use Planning
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Coastal Hazards & Storms
 Storm Information, Erosion & Oceanfront Development, Science Panel, More...

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 News Releases, CAMAgram, Public Hearings, Coastal Facts, Fast Facts, More...

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 Find Access Sites, Grants for Local Governments, Clean Marinas, More...

Coastal Reserve Program
 Teachers/Students, Research, Decision Makers, Photo Gallery, More ...

Wetlands
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Maps & Data
 Erosion Rate Maps, Coastal Hazards GIS Data, Cumulative Impacts, [More...](#)