



North Carolina Department of Environment and Natural Resources
Division of Coastal Management

Michael F. Easley, Governor

Charles S. Jones, Director

William G. Ross Jr., Secretary

October 31, 2006

MEMORANDUM

I&S 06-28

TO: CRC Implementation and Standards Committee
FROM: Jeffrey Warren, PhD
Coastal Hazards Specialist
SUBJECT: Static Vegetation Line and Oceanfront Setbacks

During a presentation that addressed development issues along beaches that have received beach fill as well as oceanfront setbacks in general, I referenced a set of short-term recommendations provided to the CRC by their Science Panel on Coastal Hazards in May 1999 (memorandum CRC 838). The specific recommendation stated: "*The CRC should revise setback requirements for larger structures that are not readily movable. Revisions should consider additional limits on the sizes of buildings on the highest risk lots and encourage those desiring larger structures to use lower risk sites.*" Commissioner Joan Weld requested that the full set of the original recommendations be distributed to the Committee and that the Science Panel revisit these recommendations by starting with the one specific to large-structure setbacks.

The Science Panel met on Monday, October 30 at NC State University to discuss the setback and static vegetation line issues. There was general support for using the pre-storm vegetation lines from the June 1998 orthophotos (at least in the case of Oak Island and Ocean Isle Beach) to establish an AVL, although additional data were requested from DCM staff before a final recommendation would be made (likely in December 2006). Members of the Panel expressed concern that a historical beach width template does not appear to be an effective method for determining the alternative vegetation line (AVL) defined in 15A NCAC 7H.0305. Due to the complexity of the setback and static vegetation line issues, the full agenda was not addressed and follow-up meetings are scheduled for Monday, December 11, 2006 (UNCW Center for Marine Science) and some time during the week of January 8, 2007 (time and location TBD).

Consequently, in email discussions following the October 30th meeting, the Science Panel responded to Commissioner Weld's request, confirming their continued support of the initial 1999 recommendation for increased oceanfront setbacks. The I&S Committee can therefore use the Science Panel oceanfront setback recommendation as a starting point to consider multiple policy initiatives, including:

- Apply setbacks consistently to all structures based on size and not on use;
- Set back extremely large structures (e.g., 12-story condo towers) even farther from the oceanfront;
- Continue to base setbacks on the existing incremental setback system (multiples of 30);
- Change setbacks to a gradual scale (i.e., the larger the structure, the larger the setback).

Staff looks forward to an in-depth discussion during the I&S Committee meeting in November.

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