

Sec. 36-202. - RS-1 single-family residential district.

(6) Maximum allowable lot coverage.

- a. Maximum allowable lot coverage shall be 30 percent, except for town-owned facilities and fire stations;
- b. Maximum allowable lot coverage shall be 85 percent for town-owned facilities and fire stations.
- c. Gravel walkways shall not contribute to lot coverage.
- d. Open-slatted decks that allow water to penetrate through to pervious material, not exceeding a total of 25 percent of the total footprint area of the attached single-family dwelling, shall not contribute to lot coverage.
- e. Those allowances and/or exemptions listed in subsection d. of this paragraph (6) shall be available only to an applicant for a building/zoning permit for a single-family dwelling or attached open-slatted deck over pervious material, upon presentation of a survey with all applicable requirements including plan certification, for a lot disturbance and stormwater management permit as described in subsection 36-171(3) of the Town Code of Ordinances.

In the case of an oceanfront lot, only that area landward of the first line of stable natural vegetation (as defined by CAMA) shall be used for calculating lot coverage.

[West's North Carolina General Statutes Annotated](#)

[Chapter 77. Rivers, Creeks, and Coastal Waters](#)

[Article 3. Lands Adjoining Coastal Waters](#)

N.C.G.S.A. § 77-20

§ 77-20. Seaward boundary of coastal lands

[Currentness](#)

(a) The seaward boundary of all property within the State of North Carolina, not owned by the State, which adjoins the ocean, is the mean high water mark. Provided, that this section shall not apply where title below the mean high water mark is or has been specifically granted by the State.

(b) Notwithstanding any other provision of law, no agency shall issue any rule or regulation which adopts as the seaward boundary of privately owned property any line other than the mean high water mark. The mean high water mark also shall be used as the seaward boundary for determining the area of any property when such determination is necessary to the application of any rule or regulation issued by any agency.

(c) For purposes of this Article, "agency" means any part, branch, division, or instrumentality of the State; any county, municipality, or special district; or any commission, committee, council, or board established by the State, or by any county or municipality.

(d) The public having made frequent, uninterrupted, and unobstructed use of the full width and breadth of the ocean beaches of this State from time immemorial, this section shall not be construed to impair the right of the people to the customary free use and enjoyment of the ocean beaches, which rights remain reserved to the people of this State under the common law and are a part of the common heritage of the State recognized by [Article XIV, Section 5 of the Constitution of North Carolina](#). These public trust rights in the ocean beaches are established in the common law as interpreted and applied by the courts of this State.

(e) As used in this section, "ocean beaches" means the area adjacent to the ocean and ocean inlets that is subject to public trust rights. This area is in constant flux due to the action of wind, waves, tides, and storms and includes the wet sand area of the beach that is subject to regular flooding by tides and the dry sand area of the beach that is subject to occasional flooding by tides, including wind tides other than those resulting from a hurricane or tropical storm. The landward extent of the ocean beaches is established by the common law as interpreted and applied by the courts of this State. Natural indicators of the landward extent of the ocean beaches include, but are not limited to, the first line of stable, natural vegetation; the toe of the frontal dune; and the storm trash line.

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**Credits**

§ 77-20. Seaward boundary of coastal lands, NC ST § 77-20

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Added by Laws 1979, c. 618, § 2. Amended by S.L. 1998-225, § 5.1, eff. Nov. 5, 1998.

Notes of Decisions (10)

N.C.G.S.A. § 77-20, NC ST § 77-20

The statutes and Constitution are current through the end of the 2020 Regular Session of the General Assembly, subject to changes made pursuant to direction of the Revisor of Statutes.

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