



Agenda Abstract

BOARD OF COMMISSIONERS

Meeting Date:	Aug. 26, 2024
Department:	Planning and Economic Development Division
Agenda Section:	Consent
Public hearing:	Yes
Date of public hearing:	Aug. 15, 2024

PRESENTER/INFORMATION CONTACT

Tom King, Senior Planner

ITEM TO BE CONSIDERED

Subject: Flood Damage Prevention Ordinance text amendment (staff initiated): Article 3, Section 3.C
– *Establishment of Floodplain Development Permit*

Attachments:

1. Article 3, Section 3.C with proposed amendments
2. Consistency Statement
3. Ordinance

Summary:

The town's Flood Damage Prevention Ordinance (FDPO) was likely adopted in 1981. Amendments were made in February 2007 to reference new Federal Emergency Management Agency (FEMA) flood maps and incorporate federal model FDPO revisions. Staff suggested amending the ordinance further to prohibit development from Special Flood Hazard Areas excepting certain public uses (e.g., greenways, utilities). This amendment was adopted in June 2007. A 2015 resident-initiated amendment allowed uses to include a certain type of fencing. The ordinance was last amended in 2017 to reference new flood map panels and incorporate federal model FDPO revisions.

Staff believes the current language in subsection 3.C regarding allowed development should be broadened to allow additional uses such as agriculture, horticulture and private utility connections. These uses will be required to obtain floodplain development permits and comply with applicable FDPO requirements.

The proposed amendments comply with NCGS 143-215.54, which states local governments may allow certain uses in flood hazard areas without a permit. A copy of the proposed amendment language was shared with NC Department of Safety, Emergency Management staff, in May 2024. No issues were raised.

The Joint Public Hearing for this item was held on Aug. 15, 2024. No residents signed up to speak on this item, and the boards did not request any revisions. After the public hearing closed, the Planning Board unanimously recommended approval of the amendment (vote 7-0). The minutes from the Aug. 15 hearing/meeting will be available online once the Planning Board approves the minutes at its next meeting.

Comprehensive Sustainability Plan goals:

Town Government & Public Services Goal 2: Adopt local laws, regulations & policies that help to achieve sustainable & equitable outcomes.

Financial impacts:

None

Staff recommendation and comments:

Approve the amendment to the Flood Damage Prevention Ordinance.

Action requested:

Approve the amendment to the Flood Damage Prevention Ordinance.