



Agenda Abstract

PLANNING BOARD

Meeting Date:	July 18, 2024
Department:	Planning and Economic Development Division
Agenda Section:	6A
Public hearing:	Yes
Date of public hearing:	August 15, 2024 (tentative)

PRESENTER/INFORMATION CONTACT

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ITEM TO BE CONSIDERED

Subject: Flood Damage Prevention Ordinance (FDPO) text amendment (staff initiated):

- Article 3, *General Provisions*, Section 3.C, *Establishment of Floodplain Development Permit*

Attachments:

1. Article 3, Section 3.C with proposed amendments
2. Article 3, Section 3.C clean version

Summary:

The town's FDPO was likely adopted in 1981. Amendments were made in February 2007 to reference new FEMA (Federal Emergency Management Agency) flood maps & incorporate federal model FDPO revisions. Staff suggested amending the ordinance further to prohibit development from SFHAs (Special Flood Hazard Areas) excepting certain public uses (e.g., greenways, utilities). This amendment was adopted in June 2007. A 2015 citizen-initiated amendment expanded allowed uses to include a certain type of fencing. The ordinance was last amended in 2017 to reference new flood map panels & 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 & private utility connections. These uses will be required to obtain floodplain development permits & 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.

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:

Refer amendment to August 15, 2024, joint public hearing.

Action requested:

Refer amendment to August 15, 2024, joint public hearing.