



Town of North Topsail Beach
Planning Board Regular Meeting

Thursday, April 10, 2025, at 6:00 PM

Town Hall - 2008 Loggerhead Court, North Topsail Beach, NC 28460

(910) 328-1349 | www.northtopsailbeachnc.gov

Present: Susan Meyer - Chair, Fred Fontana - Vice Chair, Lisa Brown, Teri Ward, Charles "Rusty" Walker - Alternate, Jan Bellamy – Alternate (not voting)

Absent: Keith Wilkerson

I. CALL TO ORDER

Chair Meyer called the meeting to order at 6:00 p.m.

II. ADOPTION OF AGENDA

Ms. Brown made a motion to adopt the agenda. Vice Chair Fontana seconded the motion. The motion passed unanimously, 5-0.

III. APPROVAL OF MARCH 13, 2025, REGULAR MEETING MINUTES

Ms. Ward made a motion to approve the minutes from last meeting. Mr. Walker seconded the motion. The motion passed unanimously, 5-0.

IV. PUBLIC COMMENT

None.

V. NEW BUSINESS

A. Review of OPERATING STANDARDS FOR EXISTING TRAVEL TRAILER PARKS

Planning Director Hill recommended tabling both items A and B to allow for a complete presentation with feedback from the Town Attorneys and the National Flood Insurance Program (NFIP).

B. Proposed Text Amendment UDO Art 7 Non-Conversion Agreement requirement

Ms. Ward made a motion to move the New Business A. Reviewing of Operating Standards for Existing Travel Trailer Parks as well as B. Proposed Text Amendment UDO Article 7 Non-Conversion Agreement requirement as asked by Director Hill. Vice Chair Fontana seconded the motion. The motion passed unanimously, 5-0.

VI. DISCUSSION

A. Community Rating System Annual Review

Planning Director Hill reviewed a handout from the North Carolina Department of Crime Control and Public Safety "Effects of Non-Participation in the National Flood Insurance Program." She explained that the Town does not have to participate in the NFIP, but if it does not, some repercussions are:

- No Fannie Mae or Freddie Mac backed mortgages
- No federal or state funded disaster assistance
- No Federal Flood Insurance Policies
- No Federal grants or loans
- No Federal mortgage insurance

This could occur if the Town did not enforce the Federal Flood Regulations codified in the Code of Federal Register (CFR). The Town participates in NFIP, as well as the Community Rating System (CRS) through the adoption of higher standards. Because of this, property owners are awarded a discount on federal flood insurance policies. Ms. Hill gave the Planning Board a report showing the

CRS Class ratings for the CRS eligible communities in North Carolina, noting that only one other community scored higher than the Town of North Topsail Beach's CRS Class five rating. She explained that because of the Town's flood maps, flood program, and beach renourishment, seventy-five percent of the Town is now within the Coastal AE Zone, and only about twenty-five percent of the structures are located in the VE Zone. It was previously the opposite. The Town of North Topsail Beach had one thousand two hundred one NFIP policies with annual premiums totaling \$648,660 in 2021, with an average premium of \$540. Planning Director Hill recalled when the average premium was substantially higher, as high as eleven thousand dollars. The current flood insurance policy discount saves each property owner an average of one hundred seventy-nine dollars a year, or two hundred fourteen thousand seven hundred two dollars town wide. Chair Meyer offered that only applies to Federal Flood.

Ms. Ward noted that it did not apply to the Cobra Zone (CBRS).

Planning Director Hill confirmed that it does not include private flood insurance policies required within CBRS, and the Town has no control over those policies. She suggested that as an argument for eliminating CBRS. She explained that the Town has been a good steward in adopting higher standards for floodplain management, volunteering to participate in the CRS program, and achieving the second highest ISO score in the State of North Carolina. She believes the Town should be rewarded.

Ms. Hill explained the last CRS audit and review, which began last August, and concluded in April of this year, which included submission of every Elevation Certificate and V-Zone Certificate for the development projects from the last year. Those certificates must be ninety percent correct. Out of fifty documents submitted, only two percent were correct after the first review. Planning Director Hill requested corrections from seven different surveyors. The resubmitted documents achieved one hundred percent accuracy, speaking to the responsiveness and cooperation of the surveyors who corrected their documents.

Planning Director Hill also explained that the Federal Emergency Management Act FEMA) established a national violation tracker and CRS discount exclusions. When a structure is in flood violation, the property owner refuses to come into compliance, and a Notice of Violation is issued, the Planning Director may contact FEMA and revoke the property owner's Federal flood insurance policy.

Vice Chair Fontana asked if the Certificate of Occupancy could be removed.

Planning Director Hill said that it was possible but offered a separate arduous tool of requiring a recorded deed restriction stating that the ground-floor enclosure cannot be converted to habitable space with a development application. That document would be revealed during title searches every time that property was sold. This restriction would require an inspection of those properties by the Planning Director every year. She identified that evidence provided in rental listings which shows conversion violations of habitable space within ground-floor enclosures within North Topsail Beach, it has reached a point that this type of enforcement is required.

Ms. Ward asked if that would be applicable to property within the CBRS zone.

Planning Director Hill confirmed that the same flood regulations for personal safety and property safety must be enforced within the entire special flood hazard area.

Chair Meyer stated that the consequences and incentives differ for properties located in NFIP versus CBRS.

Planning Director Hill suggested that was another argument supporting why Congress should remove CBRS from North Topsail Beach, assisting with enforcement. Ms. Hill explained that the goal and intent to work with the Town Attorneys and Town Manager to make the regulation text stronger and more enforceable, to protect the CRS five rating, and to continue the discounts. There was discussion about penalties and inequalities for properties in violation within both CBRS and NFIP.

Planning Director Hill expressed her gratitude for Town Attorneys' assistance with Town Code revision. She also noted that without enforcement of the regulations, the Town could possibly lose NFIP, which occurred in a Florida county after Hurricane Florence when FEMA discovered they were not enforcing the substantial damage and substantial improvement requirements. If the Town takes Federal FEMA money, the Town must enforce the rules for all properties.

Town Attorney Payson, attending virtually, complemented Planning Director Hill on the presentation.

VII. ADJOURNMENT

Ms. Brown made a motion to adjourn. Vice Chair Fontana seconded the motion. The motion passed unanimously, 5-0.

The Planning Board meeting adjourned at 6:33 p.m.

APPROVED

This 12th day of June, 2025

CERTIFIED

This 12th day of June, 2025

Susan, Meyer, Chair

Kate Winzler, Clerk to the Planning Board