



# Chatham County, NC

## Legislation Details (With Text)

**File #:** 22-4277      **Version:** 2

**Type:** Ordinance      **Status:** Passed

**File created:** 4/26/2022      **In control:** Planning

**On agenda:** 6/21/2022      **Final action:** 6/21/2022

**Title:** Vote on a legislative request to approve by the Chatham County Planning Department to consider amendments to the Chatham County Flood Damage Prevention Ordinance; specifically, Article 1 Section A Statutory Authorization, and Article 3 Section B Basis for Establishing the Areas of Special Flood Hazard.

**Sponsors:**

**Indexes:** Comp Plan Goal 8: Become more resilient by mitigating, responding and adapting to emerging threats.

**Code sections:**

**Attachments:** 1. More information from the Planning department website

Date	Ver.	Action By	Action	Result
6/21/2022	2	Board of Commissioners	adopted	Pass
5/16/2022	1	Board of Commissioners	referred	

Vote on a legislative request to approve by the Chatham County Planning Department to consider amendments to the Chatham County Flood Damage Prevention Ordinance; specifically, Article 1 Section A Statutory Authorization, and Article 3 Section B Basis for Establishing the Areas of Special Flood Hazard.

**Action Requested:**

Vote on a legislative request to approve by the Chatham County Planning Department to consider amendments to the Chatham County Flood Damage Prevention Ordinance; specifically, Article 1 Section A Statutory Authorization, and Article 3 Section B Basis for Establishing the Areas of Special Flood Hazard.

**Introduction & Background:**

The Chatham County Flood Damage Prevention Ordinance was updated in February of 2021 to conform with the statutory updates related to 160D.

The Special Flood Hazard Areas are those identified under the Cooperating Technical State (CTS) agreement between the State of North Carolina and FEMA in its FIS, or Flood Insurance Study for Chatham County. In 2017 the BOC adopted the FIS and DFIRM panels dated October 19<sup>th</sup>, 2018. FEMA has completed another FIS and the date associated with the most recent FIS and DFIRM panels is July 19<sup>th</sup> 2022.

**Discussion & Analysis:**

The ordinance needs to be updated to reflect the most recent changes to the FIS and DFIRM panels. The date will be changing from October 19<sup>th</sup>, 2018, to July 19<sup>th</sup> 2022. There is also some additional

language added to allow for the maps to update automatically. The state model ordinance was changed with the 160D updates to allow for the automatic approval of new panels.

The Board of Commissioners held the public hearing at the May 16<sup>th</sup> meeting. There were no comments from the public. Commissioner Hales had one question related to the language being deleted. Planning staff explained that the ordinance language content was the same, but the wording was being updated at the recommendation of the state.

The Planning Board reviewed the request during their regular meeting on June 7, 2022. There were no questions from the board and they voted unanimously to recommend approval.

**How does this relate to the Comprehensive Plan:**

Become more resilient by mitigating, responding and adapting to emerging threats.

**Recommendation:**

The Planning Board, by unanimous vote, and Planning staff recommend granting approval of the following amendments and adoption of an Ordinance Amending the Flood Damage Prevention Ordinance.

**ARTICLE 1. STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE AND OBJECTIVES**

**SECTION A. STATUTORY AUTHORIZATION**

The Legislature of the State of North Carolina has in Part 6, Article 21 of Chapter 143; **Article 6 of Chapter 153A; Article 8 of Chapter 160A; and Article 7, 9, and 11 of Chapter 160D of the North Carolina General Statutes, delegated to local governmental units the authority to adopt regulations designed to promote the public health, safety, and general welfare.** ~~and Article 7, 9, and 11 of Chapter 160D of the North Carolina General Statutes delegated to local governmental units the responsibility to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry.~~

**ARTICLE 3. GENERAL PROVISIONS.**

**SECTION B. BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD.**

The Special Flood Hazard Areas are those identified under the Cooperating Technical State (CTS) agreement between the State of North Carolina and FEMA in its FIS dated **July 19<sup>th</sup>, 2022**, for Chatham County and associated DFIRM panels, including any digital data developed as part of the FIS, **and any revision thereto**, which are adopted by reference and declared a part of this ordinance. ~~Future revisions to the FIS and DFIRM panels that do not change flood hazard data within the~~

~~jurisdictional authority of Chatham County are also adopted by reference and declared a part of this ordinance. Subsequent Letter of Map Revisions (LOMRs) and/or Physical Map Revisions (PMRs) shall be adopted within 3 months.~~