



# Chatham County, NC

## Legislation Text

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**File #:** 17-2293, **Version:** 2

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Vote on a request to adopt revisions to the Chatham County Flood Damage Prevention Ordinance.

### **Action Requested:**

A request to adopt revisions to the Chatham County Flood Damage Prevention Ordinance.

### **Introduction & Background:**

On May 17<sup>th</sup>, 2017, the Federal Emergency Management Agency (FEMA) sent the County Manager a notice that final flood hazard determinations had been made by the agency. FEMA received no requests for changes in the flood hazard determinations made in the preliminary Flood Insurance Study (FIS) and proposed Flood Insurance Rate Maps (FIRM), which were published on August 30<sup>th</sup>, 2013. The effective date for the modified flood hazard information and revised FIRM panels is November 17<sup>th</sup>, 2017. As a condition of continued eligibility in the National Flood Insurance Program (NFIP), Chatham County is required to adopt floodplain management regulations that meet the standards of Section 60.3(d) of the NFIP regulations by November 17<sup>th</sup>, 2017. The North Carolina Division of Emergency Management (NCDEM) has revised their Flood Damage Prevention Model Ordinance to reflect the floodplain management regulations that meet the standards of Section 60.3 (d) of the NFIP regulations. The current Chatham County Flood Damage Prevention Ordinance is modeled after an earlier version of the NCDEM model ordinance, and therefore, must be revised to reflect the changes to the NCDEM model ordinance, in order to allow Chatham County to remain eligible in the NFIP.

On August 21<sup>st</sup>, 2017, the Board of Commissioners held a Public Hearing to consider revisions to the Chatham County Flood Damage Prevention Ordinance. No one from the public spoke on the matter. The Board of Commissioners forwarded the item to the Planning Board for a review and recommendation. On September 5<sup>th</sup>, the Planning Board held a Public Hearing. No one from the public spoke. The Planning Board recommended adoption of the revisions to the Flood Damage Prevention Ordinance, with three minor changes: The first was to define the acronym "NAVD 1988", which stands for the North American Vertical Datum of 1988. The second was to change the phrase "Article 54" on Article 4, Section B, Paragraph 1, Subsection 5, to "Article 5". The third was to add the following language to Section B, Subsection 2: "New non-residential construction shall be located outside of the SFHA." This language is in the current ordinance, and was inadvertently removed from the previous redlined ordinance.

### **Discussion & Analysis:**

None of the changes to the NCDEM model ordinance will significantly impact how Chatham County currently regulates flood hazard areas. The day-to-day floodplain administration of Chatham County should remain the same, with one possible exception: Article 5, Section A under "General Standards", #s 5-7 (Page 18). These general standards concern the placement of water supply systems, sanitary sewage systems, and on-site waste disposal systems on a parcel of land. A change was made to

these standards to accommodate the rare situation when one of these systems must be located inside the SFHA (i.e. if the entire parcel is within the SFHA). Should this situation occur, any new system that must be located in the floodplain must also be reviewed and approved by the Floodplain Administrator.

On October 6, 2017 the county was contacted by North Carolina Department of Public Safety staff that the following three technical revisions also needed to be incorporated into the amended ordinance:

#1 The definition of Lowest Adjacent Grade should include the word “lowest”

“Lowest Adjacent Grade (LAG)” means the lowest elevation of the ground, sidewalk or patio slab immediately next to the building, or deck support, after completion of the building.

#2 Article 5, Section B(2), we gave you a Cross Reference that does not exist

Article 5, Section I (2) should be Article 5, Section G(2) (the Zone AO Section)

#3 Article 5, Section G(2)

The Cross Reference of Article 5, Section H(1) should be **Article 5, Section G(1)**

Those changes have been incorporated into the final draft of the Flood Damage Prevention Ordinance for adoption.

**Recommendation:**

The Planning Board by unanimous vote recommends adoption of an ordinance amending the Flood Damage Prevention Ordinance with three changes as noted in the Discussion & Analysis with an effective date of November 17, 2017. This includes additional technical revisions reported to the county by the North Carolina Department of Public Safety on October 6.