

## Proposed Unified Development Ordinance Amendment OA-02-19

**To:** Wake County Board of Commissioners

**Project Name:** Unified Development Ordinance Text Amendment – Article 14, Flood Hazard Areas

**Case Number:** OA-02-19

**Date:** November 4, 2019

**Staff:** Betsy Pearce, CFM, Environmental Consultant, Watershed Management, Environmental Service Department

**Purpose:** To amend the Wake County Unified Development Ordinance, Article 14 Flood Hazard Areas, Section 14-12 Definitions – “Area of Special Flood Hazard” to change the effective adoption date of revised Flood Insurance Rate Map (FIRM) panels as detailed in the Federal Emergency Management Agency (FEMA) Final Summary of Map Actions dated June 6, 2019.

**Background:** The six map panels associated with this amendment are part of the map maintenance program for Granville County, and include map panels along the boundary of Wake and Granville County. These panels shall be effective December 6, 2019 upon community adoption. This adoption is required to meet the standards of Section 60.3(d) of the NFIP regulations.

Each time the Federal Emergency Management Agency (FEMA) provides a community with new or revised flood hazard data, the community must either adopt new floodplain regulations or amend its existing regulations to reference the new Flood Insurance Rate Map (FIRM) and Flood Insurance Study (FIS) report.

Wake County received notice from FEMA on June 6, 2019 requiring adoption of six map panels to remain compliant with the National Floodplain Insurance Program (NFIP). Adoption of these maps by December 6, 2019 will ensure Wake County remain compliant with the NFIP.

### Article 14 Flood Hazard Areas Amendment Summary

Text deletion shown as ~~struck through~~ and addition shown as **Bold**.

#### 14-12 Definitions

Unless specifically defined below, words or phrases used in this section must be interpreted in accordance with Article 21 or, if not defined therein, to give them their most common dictionary meaning, and to give this ordinance its most reasonable application.

#### Area of Special Flood Hazard

The land in a floodplain subject to a one percent or greater chance of flooding in any given year.

Such areas, which are also referred to as “special flood hazard areas”, are:

- (A) Those areas identified under the Cooperating Technical State (CTS) agreement between the State of North Carolina and FEMA in its Flood Insurance Study (FIS) and its accompanying Flood Insurance Rate Map (FIRM), for Wake County dated ~~April 16, 2013~~ **December 6, 2019**, which are adopted by reference and declared to be a part of this ordinance;

**Analysis:**

Adoption of the current FEMA issued Flood Insurance Rate Map (FIRM) panels are required to maintain Wake County’s participation in the National Floodplain Insurance Program (NFIP). Participation in the NFIP benefits County residents by:

- 1) Providing guidance to developers and builders in locating homes out of floodplain areas
- 2) Allowing for the purchase of Federally backed flood insurance
- 3) Allowing residents to obtain Federally backed loans post-flood

**Staff Findings:**

The proposed amendment:

- 1) Supports the Board of Commissioners’ goal to promote public health and safety efforts throughout the County.

**MOTION FOR CONSISTENCY (1<sup>ST</sup> MOTION)**

**MOTION IF TEXT AMENDMENT IS CONSISTENT WITH THE LAND USE PLAN AND**  
**UDO**

In the matter of OA-02-19, I move that the Board of Commissioners adopts the following recommended statement finding that these proposed text amendments are consistent with the Wake County Lake Use Plan and Wake County Unified Development Ordinance because:

- 1) The purpose of the Wake County Land Use Plan, and of the Unified Development Ordinance as seen in Article 1-11, is to provide a guide for the physical development of the County, preserve and enhance the overall quality of life of residents, and establish clear and efficient development review procedures. These purposes are advanced by the text amendment to Article 14 Flood Hazard Areas, which adopt the Federal Emergency Management Agency (FEMA) most recent Flood Insurance Rate Maps (FIRM) providing an updated delineation of flood hazard areas

- 2) This Board finds and determines that it is reasonable and in the public interest to adopt the proposed text amendment in OA-02-19 because the amendment to Article 14 Flood Hazard Areas provides the regulatory framework for development review and permitting in Wake County for floodplain management and ensures the County's use of updated Flood Insurance Rate Maps (FIRM) in compliance with the national Flood Insurance Program.

### **MOTION FOR APPROVAL (2<sup>nd</sup> MOTION)**

In the matter of OA-02-19, I move that the Board of Commissioners adopts the proposed text amendment as presented.