



**CHATHAM COUNTY  
BOARD OF COMMISSIONERS  
AGENDA ABSTRACT**

**ITEM NUMBER:**  
**MEETING DATE:**  
11-20-06

**PART A**

**Subject:**

A public hearing to receive citizen input on proposed text amendments to the Chatham County Flood Damage Prevention Ordinance to comply with the minimum criteria of the National Flood Insurance Program. The amendments include the incorporation of revised Flood Insurance Rate Maps (FIRMs) for Chatham County that will become effective on February 2, 2007.

**Action Requested:**

Hold a hearing and receive public comments.

**Attachments:**

1. Text of the proposed ordinance on line.

**Submitted By:**

\_\_\_\_\_  
Keith Megginson, Planning Director

\_\_\_\_\_  
Date

**County Manager Review:**

\_\_\_\_\_  
Charlie Horne, County Manager

\_\_\_\_\_  
Date

**This abstract requires review by:**

**County Attorney**

\_\_\_\_\_  
Date Reviewed

**Finance Officer**

\_\_\_\_\_  
Date Reviewed

**Budget Officer**

\_\_\_\_\_  
Date Reviewed

## PART B

### **Introduction & Background:**

The Chatham County Flood Damage Prevention Ordinance was initially adopted on February 17, 1997, which allowed the County to enter into the National Flood Insurance Program (NFIP) and allows property owners the option to purchase flood insurance. Due to changes to federal and state regulations governing minimum requirements to participate in the NFIP and as part of revisions to the Flood Insurance Rate Maps for the County, amendments to the Flood Damage Prevention Ordinance are required and have been incorporated into the attached text.

### **Discussion & Analysis:**

On July 13, 2005 the North Carolina Floodplain Mapping Program (NCFMP) notified the Manager's Office that the Flood Insurance Rate Maps (FIRMs) for Chatham County had been revised through a cooperative effort of the North Carolina Floodplain Mapping Program (NCFMP) and the Federal Emergency Management Agency. This notice initiated a review process that concluded on August 2, 2006 with another notice from the Federal Emergency Management Agency that the appeals period had elapsed and that all appeals from the County had been addressed. The notice also simultaneously initiated a 6 month period to amend the Flood Damage Prevention Ordinance to comply with Section 60.3(d) of the NFIP regulations and the NC Flood Act of 2000. The 6 month compliance period for Chatham County ends on February 2, 2007, at which time the County must have adopted a compliant Flood Damage Prevention Ordinance.

To meet the requirements of the federal and state regulations the NCFMP provides local jurisdictions with a model ordinance that is based on the minimum criteria. This model was used by Planning Department staff to revise the currently adopted Flood Damage Prevention Ordinance. Many of the revisions do not change current practices, but do clarify some definitions and procedures. In addition to required changes, there are also some amendments that were made by staff which include the following:

- 1) Penalties were changed from a flat \$50.00 per violation to a graduated scale of \$50.00 to \$500.00 in compliance with a fee schedule change approved by the Board as part of the 2006-2007 budget.
- 2) The term "structures" was added to the types of prohibited encroachments into the Special Flood Hazard Area. The current language only covers buildings, which could be interpreted to allow other encroachments, such as stormwater control structures. Provisions were made to allow for bridge crossings.
- 3) Provisions were added to allow for the construction of residential dwellings on "non-conforming lots of record". This will allow for the use of lots that were subdivided prior to the adoption of flood regulations that would have no useable area without this provision.
- 4) Fill material would be prohibited from being placed in the Special Flood Hazard Area, except for the remediation of contaminated sites.

**Budgetary Impact: N/A**

**Recommendation:**

