



## Legislation Text

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**File #:** ID 21-0027, **Version:** 1

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Public Hearing for an Ordinance Text Amendment - Land Development Ordinance Amendment to Sections 30-12-2 (Flood Damage Prevention), 30-4-26 (Permits and Certificates), 30-13-3 (Minimum Building Area), and Article 15 (Definitions) Related to Changes Being Made to the Flood Damage Prevention Regulations

Council Priority: Maintain Infrastructure and Provide Sustainable Growth Opportunities / Promote Public Safety & Reduce Crime

Department: Water Resources  
Council District: All

Public Hearing: Yes  
Advertising Date/By: January 7, 2021 and January 14, 2021/City Clerk

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### **PURPOSE:**

The proposed amendments to the City of Greensboro's Flood Damage Prevention Regulations is an effort to stay current with the latest National Flood Insurance Program's (NFIP) changes and to make our community more resilient against flood hazard damages. The last revision to our Flood Damage Prevention Ordinance was back in 2007. The City Council is required to hold a public hearing on this amendment before considering its approval.

### **BACKGROUND:**

The proposed changes to the City of Greensboro Flood Damage Prevention Ordinance (Section 30-12-2) are mostly minor in nature and based on the NFIP model ordinance.

There are two items that are the most significant changes in the ordinance and that we strongly recommend adopting since it will have a positive impact to our community. The changes will do the following:

- 1) Increase the elevation of the structures in the flood hazard area from one foot to two feet of freeboard; and
- 2) Decrease the threshold of substantial damage and substantial improvement from 50% to 49%.

These proposed changes are being made to increase points towards the Community Rating System (CRS) and will allow the City to become a Class 7 CRS Community. By doing so, people within Greensboro will receive additional discounts on their flood insurance premiums and it will help prevent future flood damage in our community.

### Explanation of Changes

The text amendment will make several changes to the Land Development Ordinance which are outlined as follows:

1. Inserts references to Article 6 Chapter 153A and Article 7, 9, and 11 of Chapter 160D of the North Carolina General Statutes (NCGS) (Section 1);
2. Eliminates references to NCGS Parts 3, 5, and 8 of Article 19 of Chapter 160A, and NCGS Article 8 of 160A (Section 1);
3. Inserts two additional items on the Purposes section of the ordinance (Section 2);
4. Inserts reference to Digital Flood Insurance Rate Maps (Section 3);
5. Inserts time period of 6 months to obtain a Letter of Map Revision (LOMR) after a Conditional Letter of Map Revision (CLOMR) has been approved by FEMA (Section 4);
6. Inserts two new about Specific Standards for Tanks and for Other Development in the Special Flood Hazard Area (Section 9);
7. Changes the freeboard requirement from one foot to two feet on the Areas of Shallow Flooding (Section 11);
8. Changes the freeboard requirement from one foot to two feet for Intermittent and Perennial Streams Without Established Special Flood Hazard Areas (Section 12);
9. Updates the elevation vertical datum references from mean sea level to NAVD 1988 (Sections 13, 17, 18 and 19);
10. Updates references to the FEMA Flood-proofing Certificate from FEMA Form 81-65 to FEMA Form 086-0-34 (Section 13);
11. Updates references to the FEMA Elevation Certificate from FEMA Form 81-31 to the FEMA Form 086-0-33 (Section 15);
12. Changes the minimum elevation from one foot to two feet to which a principal building must tie at or be filled to (Section 16);
13. Deletes the definition of term “Mean Sea Level” (Section 30);
14. Inserts new definitions for the terms: Base Flood, Existing Building, Design Flood, development Activity, Digital Flood Insurance rate Map (DFIRM), Floodplain development Permit, Flood-resistant material, Letter of Map change (LOMC), Map Repository, Existing Structure, Technical Bulletin and Technical Fact Sheet, Temperature Controlled, and Watercourse Alteration (Sections 20, 21, 25, 27, 29, 32, 34 and 35); and
15. Revises the definitions for the terms: Development, Encroachment, Flood Insurance Rate Map (FIRM), Freeboard, Historic Structure, Lowest adjacent grade (LAG), Recreational Vehicle, Regulatory Flood

Protection Elevation, Substantial Damage, Substantial Improvement, and Water Surface Elevation (WSE) (Sections 22, 23, 24, 26, 28, 31, 33 and 36).

**BUDGET IMPACT:**

This item will have no budget impact.

**RECOMMENDATION / ACTION REQUESTED:**

The Zoning Commission recommended these amendments at its November meeting on a vote of 8-0.

Staff recommends that City Council receive citizen comments and consider adoption of the proposed text amendment.