

DPO 18 UPDATE: FLOODPLAIN ORDINANCE



College Town. Lake Town. *Your Town.*

Section 18 Floodplain Protection Overlay District
Planning Ordinance - Text Amendments
BOC Public Hearing
August 28, 2018

TEXT AMENDMENTS UPDATE – OVERVIEW

TOPICS COVERED

1. **Purpose & Background**
2. **Public Engagement**
3. **Strategic Plan/Core Value/Comp. Plan Alignment**
4. **Amendments Summary**
5. **Pros & Cons**
6. **Next Steps**



SECTION 18 - TEXT AMENDMENTS

PURPOSE & BACKGROUND

- **Intent:** To promote public health, safety, and general welfare and to minimize public and private losses due to flood conditions in specific areas (18.1.4).
- **Present Day Need:**
 1. New Floodplain Maps become effective November 16, 2018.
 2. Davidson (as well as Charlotte, Cornelius, Huntersville, and Mint Hill) must adopt revised ordinances or risk suspension from NFIP (National Floodplain Insurance Program).
- **Background:**
 1. Process begun in 2010.
 2. Davidson (as well as Charlotte, Cornelius, Huntersville, and Mint Hill) must adopt revised ordinances or risk suspension from NFIP (National Floodplain Insurance Program).
 3. North Carolina revised the “Model Floodplain Ordinance”
 4. County staff, Stakeholder group, County Attorney, SWAC, and NCDPS have all reviewed and endorsed the amendments



SECTION 18 - TEXT AMENDMENTS

PUBLIC ENGAGEMENT

- **Public Meetings:**
 - Stormwater Services Public Meetings (Sept. 2014, Aug.2016)
 - Realtor Expos (March 2016 & 2017)
 - Davidson Open House (Oct. 2016)
 - Board of Commissioners work session (August 2018)
- **Mailings:**
 - Postcards mailed to citizens announcing open houses (Sept. 2016)
 - Individual letters to affected property owners (Aug. 2018)
- **Digital + Print Media:**
 - Floodplain Flash Newsletter (April 2017)
- **Stakeholders Group & Stormwater Advisory Committee:**
 - Reviewed and endorsed proposed changes (June & July 2018)



SECTION 18 - TEXT AMENDMENTS

POLICY ALIGNMENT

- **Core Values:**

- Davidson must be a safe place to live, work, and raise a family, so the town will work in partnership with the community to prevent crime and protect lives, property, and the public realm.
- Citizens must live in a healthy environment, so town government will protect watersheds, trees, air quality, and other elements of the town's ecology.

- **Comprehensive Plan:**

- Maintain quality design and sound planning principles



SECTION 18 - TEXT AMENDMENTS

AMENDMENTS SUMMARY

- **New Map Reference Date**
- **Clarify Definitions and Standards**
- **Application of Preliminary FIRM Map Elevations**
- **Certification Requirements for Structures in Floodway**
- **Provisions for Temporary Encroachments**



SECTION 18 - TEXT AMENDMENTS

PROS & CONS

PROS:

- Ordinance maps and text up-to-date
- Limited number of Davidson homes affected (net 10 reduction)

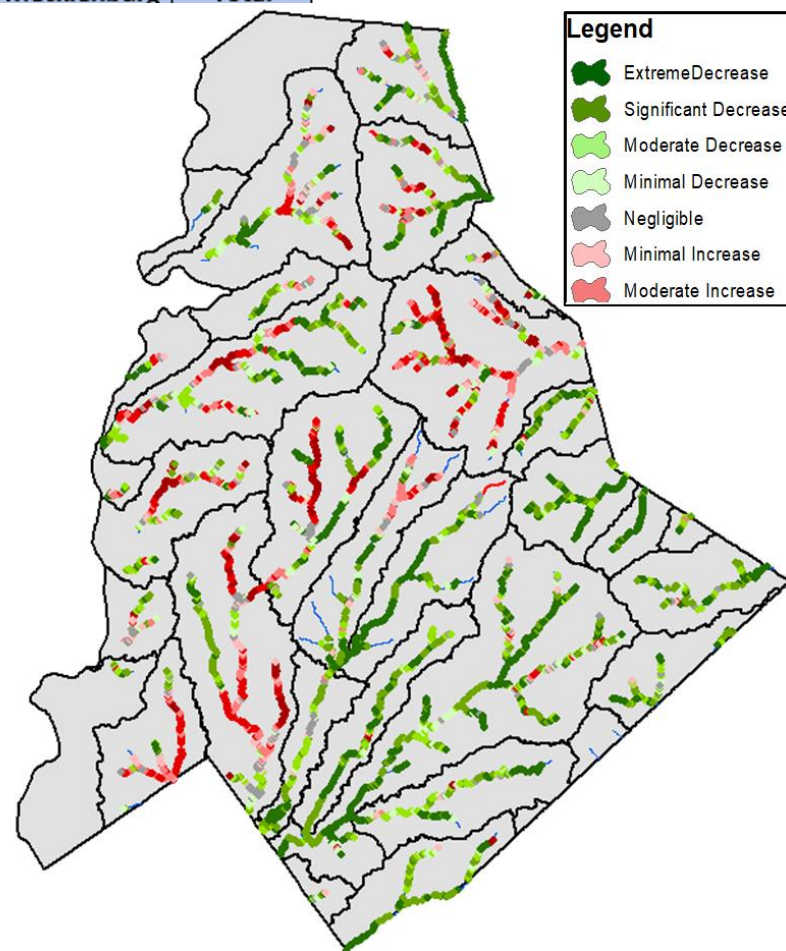
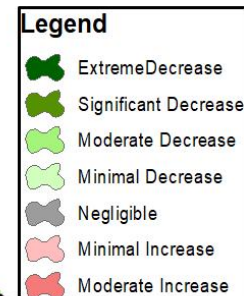
CONS:

- **Inaction:**
 - NFIP suspension from insurance policies or renewals
 - No state or federal disaster aid eligibility
 - No federal mortgage insurance or loan guarantees in floodplain



STATUS OF FLOOD PRONE BUILDINGS (BY COMMUNITY): BEFORE AND AFTER PHASE 3 STUDY

Status	Charlotte	Davidson	Huntersville	Mecklenburg	Total
Total FPB Pre-Phase 3	215	23	37		
Total FPB Post-Phase 3	156	13	2		
Change in Total FPB	-59	-10	-35		
FEMA FPB Pre-Phase 3	137	10	24		
FEMA FPB Post-Phase 3	108	11	1		
Change in FEMA FPB	-29	1	-23		
Community FPB Pre-Phase 3	78	13	13		
Community FPB Post-Phase 3	48	2	1		
Change in Community FPB	-30	-11	-12		
Zone X to FEMA Floodplain	17	1	0		
FEMA Floodplain to Zone X	62	6	22		
Change to FEMA floodplain status	-45	-5	-22		
Community to FEMA	30	6	0		
FEMA to Community	14	0	1		
Change to FEMA floodplain status	16	6	-1		
Zone X to Community	20	0	0		
Community to Zone X	34	5	13		
Change to Community floodplain status	-14	-5	-13		
FPB with EC FFE below FPE	36	0	0		
FPB with No FFE on EC	1	0	0		
FPB with No EC	75	5	2		



Key:

FPB – Flood Prone Buildings (includes accessory buildings)

FEMA – Regulatory flood zone indicating insurance requirement

Community – Future Conditions flood zone indicating local regulatory requirements

Zone X – Areas outside extents of FEMA and Community floodplains

EC – Elevation Certificate, a form that includes surveyed building elevations

FFE – Finished Floor Elevation, a component of the Elevation Certificate that indicates a building's lowest livable floor

FPE – Flood Protection Elevation, a local floodplain development requirement, equal to the Community flood elevation + 1' surcharge



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NEXT STEPS

- **BOC Public Hearing:** 8/28/2018
- **Planning Board Review + Recommendation:** 9/24/2018
- **BOC Action (Potential):** 10/23/2018



QUESTIONS/ PUBLIC HEARING



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