Legislation Details (With Text)

File #:	2022-104	**Version:**	1	**Name:**	
Type:	Public Hearing			**Status:**	Passed
File created:	12/10/2021			**In control:**	Board of Commissioners
On agenda:	1/6/2022			**Final action:**	1/20/2022
Title:	PUBLIC HEARING - UDO TEXT AMENDMENT CASE #21-10-GCPL-09184 TO AMEND ARTICLE 9.3 FLOOD DAMAGE PREVENTION TO AMEND THE NO-FILL IN FLOODPLAIN PROVISION TO ALLOW FILL FOR RESTORATION OF NATURAL FLOODPLAIN FUNCTIONS AND RELATED CLARIFICATIONS & FORMATTING REVISIONS				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	1. TA-21-10-GCPL-09184 STAFF REPORT - Floodplain No-fill Provision, 2. TA-21-10-GCPL-09184 BCC LEGAL NOTICE - Floodplain No-fill Provision				

Date	Ver.	Action By	Action	Result

TITLE

PUBLIC HEARING - UDO TEXT AMENDMENT CASE #21-10-GCPL-09184 TO AMEND ARTICLE 9.3 FLOOD DAMAGE PREVENTION TO AMEND THE NO-FILL IN FLOODPLAIN PROVISION TO ALLOW FILL FOR RESTORATION OF NATURAL FLOODPLAIN FUNCTIONS AND RELATED CLARIFICATIONS & FORMATTING REVISIONS

SPONSOR

J. Leslie Bell (Brent Gatlin, Watershed/Stormwater Engineer)

BACKGROUND

The intent of the proposed text amendment is to provide an exclusion to the no-fill provision in Article 9.3 to allow minor filling in the Special Flood Hazard Area (an area which is subject to flood events equal to or surpassing the 1% annual chance flood) where needed to protect or restore natural floodplain functions, such as for part of a stream restoration project.

The amendment language was derived in collaboration with the County's assigned FEMA (Federal Emergency Management Agency) Community Rating System (CRS) Specialist, the CRS technical advisor subcontracted by FEMA, and the NC Department of Public Safety's National Flood Insurance Planner. Clarifications related to the no-fill provision and formatting revisions to ordinance section numbering also are included in the proposed text amendment.

Staff recommends approval. At its December 8, 2021 Regular meeting, the Planning Board

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recommended unanimously (**8-0)** that the text amendment (as presented) be forwarded to the Guilford County Board of Commissioners for a public hearing and approval.[Members Present: Mr. Apple; Mr. Craft; Mr. Stalder; Mr. Donnelly; Mr. Gullick; Mrs. McKinley; Ms. Buchanan; and Chair Frankie Jones. Absent: Dr Gathers].

Consistency with Adopted Plans: The proposed text amendment is consistent with the following goal of the *Guilford County Comprehensive Plan*:

Natural, Historic, and Cultural Resources Element - Goal #1: "To seek a balance between the built environment and the protection and preservation of the County's natural, historic, and cultural resources through prudent management, public education, participation and outreach, appropriate regulations and enforcement, and active partnerships with stakeholders."

Reasonable and in the Public Interest: The recommended action is reasonable and in the public interest given that it will allow for more appropriately designed environmental restoration projects in or near floodplains, such as stream restoration projects, while adding no new restrictions to development in or near floodplains.

BUDGET IMPACT
NO ADDITIONAL COUNTY DOLLARS

REQUESTED ACTION
Hold a public hearing and adopt Unified Development Ordinance (UDO) Text Amendment Case #21-10-GCPL-09184 (as presented/attached herein) that amends Article 9.3 Flood Damage Prevention which changes the no-fill provision to allow fill in the floodplain for restoration of natural floodplain functions and related clarifications and formatting revisions.