

MINUTES OF THE DARE COUNTY PLANNING BOARD MEETING

The Dare County Planning Board held their regularly scheduled meeting on Monday, October 13, 2014. This meeting was held in the Dare County Board of Commissioners meeting room located at the Dare County Administrative Building, 954 Marshall C. Collins Drive, Manteo, NC.

CALL TO ORDER 7:00 pm

MEMBERS PRESENT Elmer R. Midgett, Jr., Chairman John Finelli
Dan Oden Beth Midgett
David Overton

MEMBERS ABSENT Richard "Ricky" Scarborough, Jr. Michael Barr

APPROVAL OF MINUTES

There being no corrections or additions to the minutes of the September 8, 2014 meeting of the Dare County Planning Board, David Overton made a motion to approve the minutes as submitted. Beth Midgett seconded this motion.

Vote: Ayes – Unanimous

PUBLIC COMMENT

-None-

OLD BUSINESS

-None-

NEW BUSINESS

-None-

OTHER BUSINESS

Community Rating System (CRS) Activities – Proposed Amendments to Various County Ordinances

Donna Creef told the Planning Board the Community Rating System (CRS) is a voluntary program that is affiliated with the National Flood Insurance Program (NFIP). If we comply with certain requirements and activities in the CRS, property owners receive discounts on their flood insurance policies. The 5% discounts are rated on a scale of 1 to 10 with 1 being the highest (50% discount) and 10 the lowest (no discount). Dare County is currently at grade 8 which provides a 10% discount on the flood insurance policies issued in unincorporated Dare County.

The Federal Emergency Management Agency (FEMA) implemented a new CRS manual and grading scale which will be in effect during Dare County's five-year review in September 2015. The new grading system will change the amount of points that can be earned and applied toward our CRS

rating. According to Mandy Todd, the Insurance Services Office (ISO) representative for our region, the new grading scale could cause Dare County to lose 500 points and drop to a grade 9 unless we implement new activities. We do not want to lose our current standing of grade 8 and would like to see our grade increase to a 7 or perhaps a 6 if we can.

There are some activities that unincorporated Dare County cannot comply with. Much of our land includes Flood Hazard Areas so it is not practical to adopt an ordinance which prohibits building in a flood zone. Some of the activities we believe we can implement involve amendments to the County's ordinances. These requirements are inter-related and most we already have in place. Formally adopting them as ordinances will earn CRS points. If the Board of Commissioners were to adopt the amendments, they will apply only to new development and only after the effective date of the amendment. A recommendation by the Planning Board is required before the Board of Commissioners can take action because the proposed changes affect our Land Use Ordinances.

Attachment A proposes changing Chapter 152, Planning and Development, to add a new section referencing the County's enforcement of the North Carolina State Building Code. Attachment B proposes amendments to Chapter 151, Flood Damage Prevention, to require (1) the submission of an *under-construction* elevation certificate in addition to the finished construction elevation certificate; (2) recordation of non-conversion agreements for enclosures greater than four feet in height and an annual inspection of those enclosures; and (3) recognition of the Flood Hazard Acknowledgement Forms which are currently in use by the planning staff. Attachment C proposes amendments to the Subdivision Ordinance, Zoning Ordinance and Mobile Home Park Ordinance for disclosure of flood hazard and coastal outer barrier resources (CBRA) zones by requiring certificates to be placed on plats and site plans as well as disclosure language being included in any covenants or rental agreements as appropriate.

Chairman Midgett asked about public notification of the proposed changes. Donna Creef said the proposed amendments require a public hearing and, if adopted, would have a future effective date. She doesn't expect much controversy because many surveyors, builders and realtors are already complying with these requirements. Any small increase in cost that occurs up-front will ultimately benefit the property owner over the long term with reduced flood insurance premiums.

John Finelli asked if we could remove the requirement for a finished construction elevation certificate if we add the requirement for an under-construction elevation certificate. Donna Creef said the finished construction elevation certificate is a FEMA requirement. The under-construction elevation certificate is usually provided for development in a flood zone, is a requirement in all of the incorporated towns in Dare County, and adding it to our ordinance will allow us to earn CRS points. Different things are shown on the two certificates and the under-construction certificate demonstrates compliance with the flood elevation requirement for the first floor of living area.

Dan Oden, Chairman Midgett, Beth Midgett and Donna Creef discussed the proposed annual inspection of enclosures. Ms. Creef said adopting this ordinance could potentially earn 90 CRS points. She and her staff believe they can accomplish this. Only new construction that includes an enclosure with a wall over four-feet tall will require the annual inspection. Ms. Creef expects the most difficult aspect to be coordinating access to each property with the owner or property manager.

Beth Midgett made a motion to recommend approval of the proposed ordinance amendments to Chapter 152, Planning and Development; Chapter 151, Flood Damage Prevention; Chapter 153, Subdivision Ordinance; Chapter 155, Zoning Ordinance; and Chapter 157, Mobile Home Park and Travel Trailer Park Ordinance as outlined by staff in Planning Board agenda packet item VII, attachments A, B, and C.

Dan Oden seconded this motion.

Vote: Ayes – Unanimous

This will be presented to the Dare County Board of Commissioners for their consideration.

ADJOURNMENT

There being no further business before the Dare County Planning Board, a motion to adjourn was made by John Finelli and seconded by David Overton.

Vote: Ayes – Unanimous

The meeting adjourned at 7:40 p.m.

Respectfully Submitted,



Sharon L. Flatt

Planning Board Clerk

APPROVED: November 10, 2014



Elmer R. Midgett, Jr.

Chairman, Dare County Planning Board