

**AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE
REGARDING FLOOD INSURANCE RATE MAP (FIRM) UPDATES (TC1800003)**

WHEREAS, the Durham County Board of Commissioners wishes to amend certain provisions in the Unified Development Ordinance in order to adopt and update effective Flood Rate Insurance Map (FIRM) panels; and

WHEREAS, the City and County of Durham are required to update applicable ordinances to reflect newly revised maps in order to maintain eligibility in the National Flood Insurance Program (NFIP); and

WHEREAS, it is the objective of the Durham County Board of Commissioners to have the UDO promote regulatory efficiency and consistency and the health, safety, and general welfare of the community;

NOW, THEREFORE, be it ordained that Article 8, Environmental Protection, of the *Unified Development Ordinance* is amended to make the following changes set forth in the deletions (strikethroughs) and additions (underlining) below:

PART 1

Sec. 8.4 Floodplain and Flood Damage Protection Standards

[Paragraphs not listed remain unchanged]

8.4.2 Applicability

This section shall apply to all Special Flood Hazard Areas and Future Conditions Flood Hazard Areas within the City and County of Durham as identified by the Federal Emergency Management Agency (FEMA) or produced under the Cooperating Technical State (CTS) agreement between the State of North Carolina and FEMA in its Flood Insurance Study (FIS) dated October 19, 2018 and its accompanying flood maps, such as the Flood Insurance Rate Map(s) (FIRM) for the City of Durham and Durham County dated May 2, 2006; February 2, 2007; April 16, 2007; June 4, 2007; August 2, 2007; ~~or~~ May 16, 2008; or October 19, 2018 as applicable. These maps are adopted by reference and declared to be a part of this ordinance. Also adopted by reference and declared to be a part of this ordinance are associated Physical Map Revisions and Letters of Map Change issued by FEMA as of ~~[date on which ordinance has been adopted by both governing bodies]~~ October 19, 2018. The Special Flood Hazard Areas and Future Conditions Flood Hazard Areas also include those defined through standard engineering analysis for private developments or by governmental agencies, but which have not yet been incorporated in the FIRM. This includes, but is not limited to, detailed flood data:

- A. ~~generated~~ Generated as a requirement of paragraph 3.21.2B (11 and 12), Duties and Responsibilities;
- B. ~~preliminary~~ Preliminary FIRMs where more stringent than the effective FIRM; or
- C. ~~post~~ Post-disaster Flood Recovery Maps.

PART 2

That the Unified Development Ordinance shall be renumbered, including references, as necessary to accommodate these changes.

PART 3

That this amendment of the Unified Development Ordinance shall become effective upon adoption.