RESOLUTION OF INTENT TO AMEND ZONING ORDINANCE TO PERMIT TEMPORARY HOUSING UNITS AS ACCESSORY STRUCURES FOR TEMPORARY USE BY RESIDENTS DISPLACED BY HURRICANE HELENE

WHEREAS, Hurricane Helene made landfall on September 26, 2024 as an extremely strong Category 4 hurricane bringing with it with maximum sustained winds of 140 miles per hour and record-breaking rainfall wreaking havoc across Polk County with major floods, landslides and severe wind damage leaving many Polk County citizens displaced without adequate shelter; and

WHEREAS, on September 28, 2024, Polk County was declared a major disaster by the President of the United States under the Stafford Act (P.L. 93-288) on; and

WHEREAS, pursuant to the authority granted to it by the General Assembly in S.L. 2024-57, the Office of the State Fire Marshall issued guidance regarding alternative methods for safely and efficiently installing temporary housing units to shelter North Carolinians displaced by Hurricane Helene; and

WHEREAS, the Polk County Zoning Ordinance does not currently permit the installation and occupancy of a detached accessory building for use as a temporary housing unit during recovery from a declared disaster; and

WHEREAS, The Planning Board, with support from staff and the county attorney, propose a text amendment to the Polk County Zoning Ordinance which would allow temporary housing buildings constructed and installed per the requirements of North Carolina Administrative Code to be provided to and occupied by those in need for use as a temporary shelter during recovery from the damage caused by Hurricane Helene in Polk County; and

NOW THEREFORE, the Polk Board of Commissioners hereby:

1. Declares its intent to amend the Polk County Zoning Ordinance to permit within all zoning districts temporary housing buildings constructed and installed per the requirements of North Carolina Administrative Code for use as a temporary shelter during recovery from the State of Emergency for a period of 180 days from the first date of occupancy; and
2. To provisionally permit such structures until such time as the Polk County Zoning Ordinance can be amended to ratify any provisionally issued permits; and
3. In the event the State of Emergency and the rule remain in effect at the expiration of 180 days, for the occupancy and use of the structure to continue upon good cause shown to a committee consisting of the Chief Building Inspector and two other county officials and the receipt of required documentation.

Adopted this the 13th day of January, 2025.

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Myron Yoder, Chair

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Ange High, Acting Clerk to the Board