ZPH2026 – 00002 Flood Ordinance Text Amendment

Presented by

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Planning & Development Department

AGENDA

1. Purpose
2. NFIP Overview
3. Definitions
4. Floodway
5. Impact Analysis
6. Proposed Text Amendment
7. Comprehensive Plan Alignment

PURPOSE



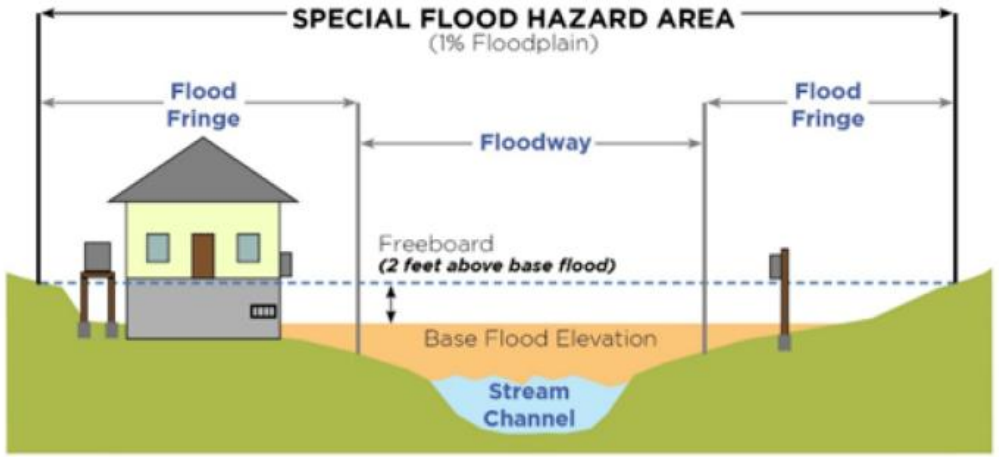
The purpose of the proposed text amendments will be to add clarifying definitions to the Flood Damage Prevention Ordinance and implement higher standards in the floodway.

These standards are intended to:

- **Expand the definitions section**
- **Reduce construction in the floodway**
- **Reduce temporary structures in floodway**

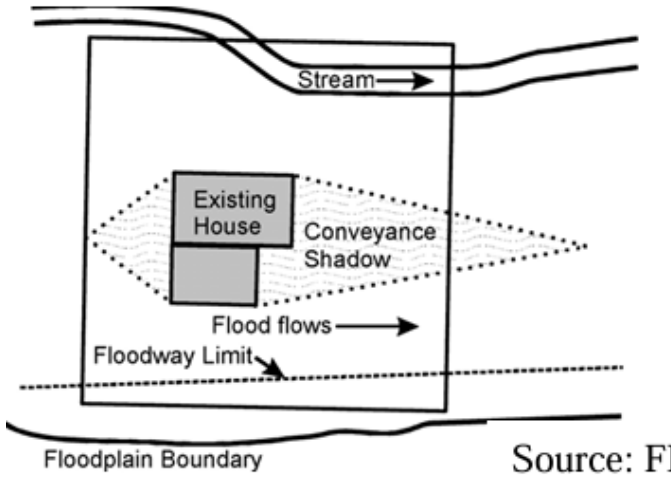
NFIP Program

- Buncombe County joined in 1980
- Flood Damage Prevention Ordinance
- Special Flood Hazard Area





Conveyance Shadow (Definition)



Upstream of the existing obstruction: draw lines at a 1:1 ratio.

Downstream: draw lines at a 4:1 ratio

Source: FEMA 480, Figure 5-6

- Conveyance shadow means an area upstream of or downstream of an existing obstruction to flood flows.

- DIVISION 3. - PROVISIONS FOR FLOOD HAZARD REDUCTION

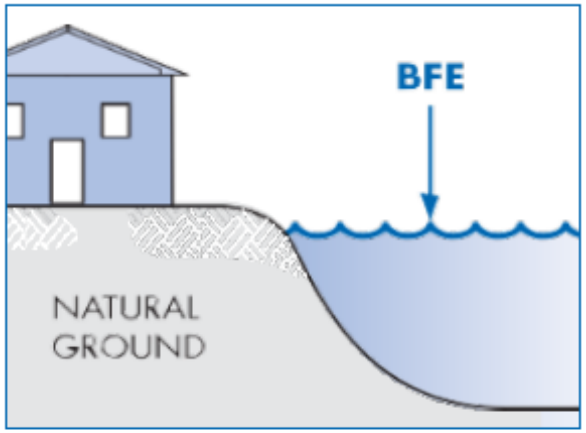
  Sec. 34-66. - General standards.

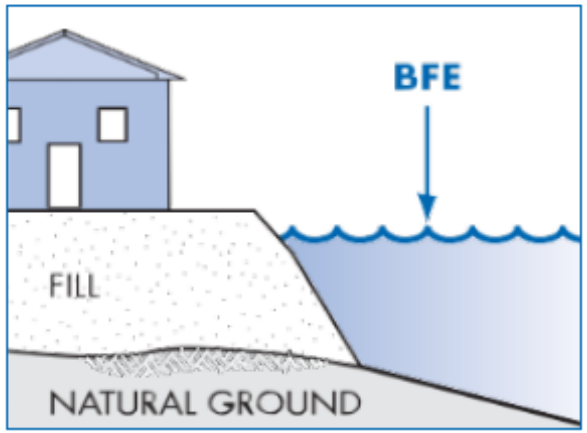
Repetitive Loss (Definition)



- Repetitive Loss means an NFIP – insured structure that has had at least two (2) paid flood losses of more than $1,000 each in any 10-year period since 1978.

Letter of Map Change (Definition)





"Letter of Map Change (LOMC)" means an official determination issued by FEMA that amends or revises an effective Flood Insurance Rate Map or Flood Insurance Study. Letters of Map Change include:

A. Letter of Map Amendment (LOMA): An official amendment, by letter, to an effective National Flood Insurance Program map. A LOMA is based on technical data showing that a property had been inadvertently mapped as being in the floodplain, but is actually on natural high ground above the base flood elevation. A LOMA amends the current effective Flood Insurance Rate Map and establishes that a specific property, portion of a property, or structure is not located in a special flood hazard area.

B. Letter of Map Revision (LOMR): A revision based on technical data that may show changes to flood zones, flood elevations, special flood hazard area boundaries and floodway delineations, and other planimetric features.

C. Letter of Map Revision Based on Fill (LOMR-F): A determination that a structure or parcel of land has been elevated by fill above the BFE and is, therefore, no longer located within the special flood hazard area. In order to qualify for this determination, the fill must have been permitted and placed in accordance with the community's floodplain management regulations.

The elevated fill must meet the highest Regulatory Flood Protection Elevation of the impacted area.

D. Conditional Letter of Map Revision (CLOMR): A formal review and comment as to whether a proposed project complies with the minimum NFIP requirements for such projects with respect to delineation of special flood hazard areas. A CLOMR does not revise the effective Flood Insurance Rate Map or Flood Insurance Study; upon submission and approval of certified as-built documentation, a Letter of Map Revision may be issued by FEMA to revise the effective FIRM.

Substantial Improvement (Definition)

“Substantial Improvement ” means any combination of repairs, reconstruction, rehabilitation, addition, or other improvement of a structure, taking place during any one-year period for which the cost equals or exceeds 50 percent of the market value of the structure before the “start of construction” of the improvement. This term includes structures which have incurred “substantial damage”, regardless of the actual repair work performed. The term does not, however, include either:

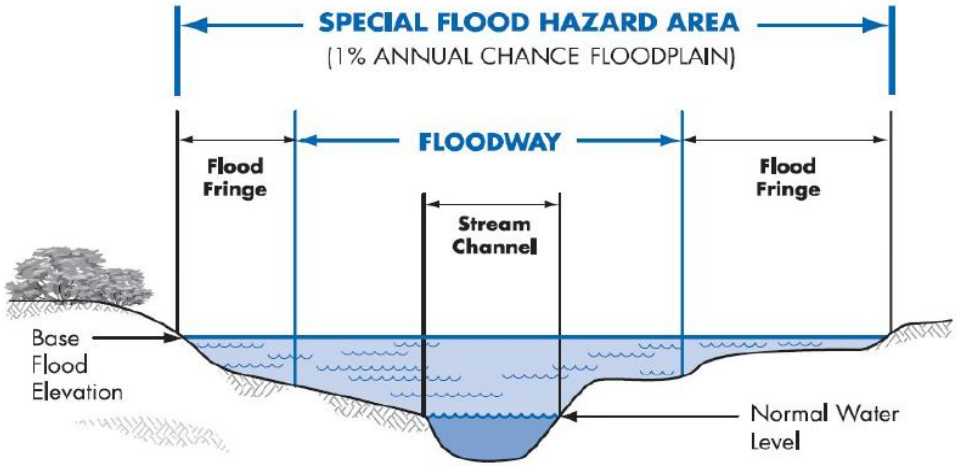
(a) any correction of existing violations of State or community health, sanitary, or safety code specifications which have been identified by the community code enforcement official and which are the minimum necessary to assure safe living conditions; or

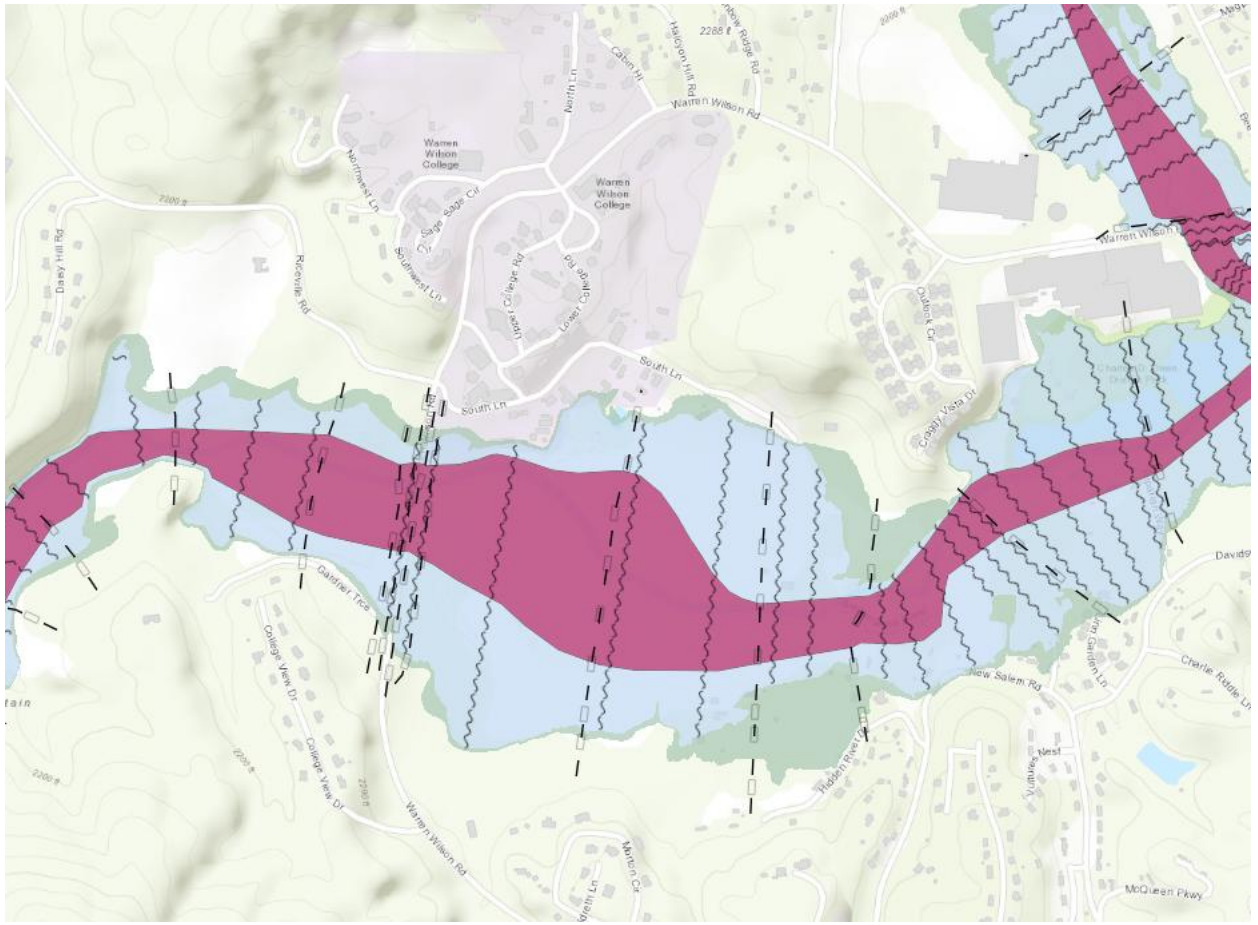
(b) any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure.

Historic structures must adhere to the variance procedure.



Floodway


SPECIAL FLOOD HAZARD AREA
(1% ANNUAL CHANCE FLOODPLAIN)
FLOODWAY
Flood Fringe
Flood Fringe
Stream Channel
Base Flood Elevation
Normal Water Level


Warren Wilson College
Warren Wilson Rd
South Ln
New Salem Rd
McQueen Pkwy

Specific Standards (Clarification)

Temporary non-residential structures and materials

- Require an EAP for all temporary structures and storage in the floodplain



Temporary Storage (Floodway)

Travel Trailers/Travel Trailer Parks



Materials



SUMMARY OF PROPOSED TEXT AMENDMENTS

- Add Conveyance Shadow definition
- Add Repetitive Loss definition
- Add entire LOMC definition
- Expand on LOMR-f definition
- Expand Substantial Improvement definition
- No new development in conveyance shadow
- Clarify Temporary Structures and Materials
- No temporary storage of travel trailers / travel trailer parks in floodway
- No temporary storage of materials
- No temporary storage of junked vehicles

Hearing Notification

- ✓ CASE NUMBER: ZPH2026-00002
- ✓ Notice on BC Website: 4/01/26
- ✓ Notice in Asheville Citizen-Times legal ad: 4/1/26 and 4/08/26

Action by the Planning Board

The Planning Board recommended approval at their 3/16/26 meeting.

Requested Action by the Board of Commissioners

- Hold Public Hearing
- Vote on proposed text amendment with Comprehensive Plan consistency statement (singular vote)

DRAFT BOARD MOTIONS

A. The Board approves the text amendment as it is consistent with the Buncombe County 2043 Comprehensive Plan.

B. The Board denies the text amendment as it is NOT consistent with the Buncombe County 2043 Comprehensive Plan.

Alignment with Adopted Plans

- Community Rating System (CRS) – achieves higher regulatory standards, this text amendment continues to build on this foundational principle.
- The Comprehensive Plan – Hazards & Resilience, Action 2, Employ design standards to increase adaptive capacity and reduce exposure to hazards.
- Both the Strategic Plan and Helene Recovery Plan include goals in support of higher regulatory flood management standards.

RECOVERY & LIFE SAFETY

- Flood Ordinance Revisions (in process)
- E-911 Addressing Ordinance
- Watershed Ordinance
- Stormwater
- Hillside Development Standards/Subdivision Ordinance
- Overlays (steep slope/protected ridge)

QUESTIONS