RESOLUTION NO. _____

RESOLUTION DENYING A REQUEST TO AMEND
THE OFFICIAL FLOOD DAMAGE PREVENTION ORDINANCE OF BUNCOMBE COUNTY,
CHAPTER 34, ARTICLE II OF THE BUNCOMBE COUNTY CODE OF ORDINANCES
ZPH2026-00002

WHEREAS, pursuant to N.C. Gen. Stat. §143-215, the County may adopt a flood ordinance to regulate development within its territorial jurisdiction;

WHEREAS, Buncombe County has been a member of the National Flood Insurance Program (NFIP) since August 1, 1980;

WHEREAS, pursuant to N.C. Gen. Stat. §143-215.51 and subject to N.C. Gen. Stat. §160D-108, a local government may adopt ordinances to regulated uses in the Special Flood Hazard Area (SFHA) and grant permits for the use of flood hazard areas that are consistent with the requirements of this Part;

WHEREAS, the Planning Board for Buncombe County has reviewed and discussed a proposed text amendment (ZPH2026-00002) and held a public hearing for an amendment to The Buncombe County Flood Damage Prevention Ordinance. The Board considered amendments to Chapter 34, Article II (The Buncombe County Flood Damage Prevention Ordinance) of the Buncombe County Code of Ordinances. Buncombe County is proposing to clarify uses allowed within the Special Flood Hazard Area (SFHA), specifically the floodway and non-encroachment area, add clarification definitions, as well as changes to the following sections of the ordinance: Article 2, Definitions, Article 5, Section B. Specific Standards; and Section F. Floodways and Non-Encroachment Areas. The ordinance text is attached as Exhibit A.

WHEREAS, in accordance with the procedures set forth in the Buncombe County Flood Damage Prevention Ordinance, the Planning Board met to consider the proposed amendment on March 16, 2026, at which meeting a motion to **approve** the proposed text amendment passed by a vote of **5 to 0**; and,

WHEREAS, this Board has reviewed these written recommendations of the Buncombe County Planning Board; and

WHEREAS, in accordance with North Carolina General Statutes and with the provisions set forth in Division 8 of Chapter 78, Article VI of the Buncombe County Code of Ordinances, the Board of Commissioners duly advertised and held a public hearing to consider the proposed amendment.

NOW, THEREFORE, BE IT RESOLVED BY THE BUNCOMBE COUNTY BOARD OF COMMISSIONERS THAT:

Section 1. This Board has considered whether this proposed amendment is consistent with the Buncombe County 2043 Comprehensive Plan, and hereby finds the following:

1.1. Said text amendments are **inconsistent** with the Buncombe 2043 Comprehensive Plan because the proposed text amendment(s) are:

Board-Insert Finding

_____

_____

1.2. Said text amendment(s) **would be detrimental** to the community as it **does not** meet a number of goals as identified in the Buncombe 2043 Comprehensive Plan.

1.3. Therefore, the requested text amendment(s) would be **unreasonable** and **not in the public interest**.

Section 2. This Board does hereby **deny** the request for an amendment to The Buncombe County Flood Damage Prevention Ordinance. The Board considered amendments to Chapter 34, Article II (The Buncombe County Flood Damage Prevention Ordinance) of the Buncombe County Code of Ordinances. Buncombe County is proposing to clarify uses allowed within the Special Flood Hazard Area (SFHA), specifically the floodway and non-encroachment area, add clarification definitions, as well as changes to the following sections of the ordinance: Article 2, Definitions, Article 5, Section B. Specific Standards; and Section F. Floodways and Non-Encroachment Areas.

Section 3. This resolution is effective upon adoption.

Read, approved and adopted this the 21st day of April, 2026.

ATTEST

_____
Sarah Gross, Clerk

BOARD OF COMMISSIONERS FOR THE COUNTY OF BUNCOMBE

BY_____
Amanda Edwards, Chair

APPROVED AS TO FORM

_____
County Attorney