



Planning, Development & Inspections

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A Division of Community Services
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MINUTES OF REGULAR MEETING

Wake County Planning Board

Wednesday October 2, 2019 (1:30 p.m.)
Wake County Justice Center
300 S. Salisbury St., Room 2700
Raleigh, North Carolina

Members Present: (6) Mr. Jason Barron (Chair), Mr. Thomas Wells (Vice-Chair), Mr. Amos Clark, Ms. Brenna Booker-Rouse, Mr. Bill Jenkins, Mr. Asa Fleming

Members Absent: (4) Mr. Ted Van Dyk, Ms. Susan Sanford, Ms. Meredith Crawford, Mr. Daniel Kadis

County Staff: (9) Ms. Melinda Clark, Ms. Betsy Pearce, Mr. Tim Maloney, Ms. Sharon Peterson, Mr. Steven Finn, Ms. Beth Simmons, Mrs. Loretta Alston, Ms. Jenny Coats, Mr. Frank Cope

County Attorney Present: (1) Mr. Kenneth Murphy (Senior Assistant County Attorney)

Guests: (0)

- 1. Meeting Called to Order** – Mr. Jason Barron called the meeting to order at 1:31 p.m.
- 2. Petitions and Amendments:** Motion to adopt the agenda as written was made by Mr. Wells and seconded by Mr. Fleming. The agenda was unanimously approved as presented
- 3. Approval of Minutes from September 4, 2019:** Motion to approve the minutes from September 4, 2019 was made by Mr. Clark and seconded by Mr. Wells. The minutes were unanimously approved as presented.
- 4. OA-02-19 – Text Amendment for Flood Insurance Rate Maps** – Ms. Betsy Pearce, Flood Plan Administrator with Wake County Environmental Services Department, presented the proposed text amendments as a request to amend Article 14 Flood Hazard Areas, Section 14-12 Definitions – “Area of Special Flood Hazard” to include the effective adoption date of revised Flood Insurance Rate Map (FIRM) panels as detailed in the Federal Emergency Management Agency (FEMA) Final Summary of Map Actions dated June 6, 2019. The panels shall be effective December 6, 2019 upon community adoption and is required to meet the standards of Section 60.3(d) of the NFIP regulations.

Background and Analysis

Ms. Pearce stated that each time the Federal Emergency Management Agency (FEMA) provides a community with new or revised flood hazard data, the community must either adopt new floodplain regulations or amend its existing regulations to reference the new Flood Insurance Rate Map (FIRM) and Flood Insurance Study (FIS) report.

Wake County received notice from FEMA on June 6, 2019 requiring adoption of six map panels by December 6, 2019 to remain compliant with the National Floodplain Insurance Program (NFIP). The maps associated with this amendment are part of the map maintenance program for Granville County, and include map panels along the boundary of Wake and Granville County. Adoption of these maps by December 6, 2019 will ensure Wake County remain compliant with the NFIP.

Ms. Pearce stated that within the next year, the Board will be tasked to adopt the complete set of new maps for Wake County.

Proposed Ordinance Text

*Amend Article 14. Flood Hazard Areas by deleting the existing text shown as ~~struck-through~~ below and adding the text shown in **RED**:*

14-12 Definitions

Unless specifically defined below, words or phrases used in this section must be interpreted in accordance with Article 21 or, if not defined therein, to give them their most common dictionary meaning, and to give this ordinance its most reasonable application.

Area of Special Flood Hazard

The land in a floodplain subject to a one percent or greater chance of flooding in any given year. Such areas, which are also referred to as “special flood hazard areas”, are:

- (A) Those areas identified under the Cooperating Technical State (CTS) agreement between the State of North Carolina and FEMA in its Flood Insurance Study (FIS) and its accompanying Flood Insurance Rate Map (FIRM), for Wake County dated ~~April 16, 2013~~ **December 6, 2019**, which are adopted by reference and declared to be a part of this ordinance;

Board Discussion

Mr. Wells inquired about the maps that Ms. Pearce presented and asked for clarification on which, if any, parcels have structures. Ms. Pearce stated that some of the parcels have no structures and none of the parcels have structures that are within the map change areas.

There being no further discussion, Mr. Barron entertained a motion from the Board.

Motion to Adopt Written Recommendation to The Board of Commissioners Addressing Plan Consistency (1st Motion)

In the matter of OA-02-19, Mr. Clark moved that the Planning Board adopt and offer to the Board of Commissioners the following recommended statement finding that the proposed text amendment is consistent with the Wake County Land Use Plan and Wake County Unified Development Ordinance:

1. The Planning Board finds that the proposed text amendment is consistent with the Wake County Land Use Plan and the Wake County Unified Development Ordinance because the purpose of the Wake County Land Use Plan, and of the Unified Development Ordinance as seen in Article 1-11, is to promote a guide for the physical development of the County, and preserve and enhance the overall quality of life of residents. These purposes are advanced by the text amendment to Article 14 Flood Hazard Areas to adopt the most recent Flood Insurance Rate Maps;
2. The Planning Board finds that the proposed text amendment is reasonable and in the public interest because it provides the regulatory framework for development review and permitting in Wake County for floodplain management and ensures the County ‘s use of updated Flood Insurance Rate Maps (FIRM) is in compliance with the National Flood Insurance Program.

Motion was seconded by Mr. Jenkins and passed unanimously.

Motion for Approval (2nd Motion)

In the matter of OA-02-19, Mr. Wells moved that the Board finds that the adoption of the text amendment is consistent with the Wake County Land Use Plan and Wake County Unified Development Ordinance and is reasonable and in the public interest and here by make a motion to recommend approval of these proposed text amendments to the Wake County Board of Commissioners.

Motion was seconded by Mr. Fleming and passed unanimously.

5. Comprehensive Plan Update

Mr. Maloney stated that he had no other updates about the Comprehensive Plan in addition to those he presented in the committee meeting prior to the meeting of the full board.

6. Reports

Committee Reports:

Mr. Clark reported that the Land Use Committee met prior to the meeting of the full board. He reported that they had a great discussion on the NC540 Corridor, and he looks forward to many more in the future.

Staff Reports:

Mr. Steven Finn reported that development remains consistent.

Analysis and upgrades of LDS (Land Development Software) was completed. Phase 2 and additional upgrades, as well as internal staff testing, will be done in December. Feedback from customers and internal users have been taken to a committee process, for future improvements.

Mr. Maloney made the following announcements:

- The Board of Commissioners (BOC) adopted two land use planning amendments:
 - **Land Use Plan Amendment #01-19** Swift Creek Land Management Plan
 - **Land Use Plan Amendment #02-19** Benson Rd/Garner Activity Center
- Fuquay-Varina ETJ consideration of approval or not approval at the BOC September 16.

The BOC tabled the item at the September 16th meeting for further discussion and will take the case to the work session meeting on October 14th. The public hearing is closed and after brief discussion will be making a final decision on October 21st. Mr. Barron inquired if the Board may expect to see the case resurface to the Planning Board, and Mr. Maloney stated that he did not anticipate that. Mr. Maloney stated that the BOC had the information needed and after the public hearing on September 3, they wanted to take a closer look. Mr. Wells asked Mr. Maloney if the BOC was likely to approve the recommendations the Board presented or if they may modify. Mr. Maloney stated that the BOC would likely consider the Board's recommendation and contemplate some changes.
- The Board of Commissioners will meet on October 21, at 2:00pm.

The Text Amendment's on the Stormwater and erosion control changes will be heard at this meeting. Mr. Maloney recommended that either Mr. Barron or Mr. Clark be at the meeting, along with staff members from Environmental Services, to field questions.
- The Board of Commissioners will meet in November.

The Text Amendment heard today (Flood Insurance Rate Maps) will be presented for public hearing and action at a November BOC meeting. Representation from the Planning Board will not need to be at this meeting.

7. Chairman's Report

Mr. Barron reported that he has made committee assignments for new members and made a friendly amendment to the roster he initially presented, by adding Ms. Booker-Rouse to both the Land Use and Code and Operations and removed her from the Transportation committee. The committee assignments are as follows:

Code and Operations

- Tom Wells – Chair
- Jason Barron
- Amos Clark
- Ted Van Dyk
- Susan Sanford
- Meredith Crawford
- Brenna Booker-Rouse

Land Use and Subdivision

- Amos Clark – Chair
- Jason Barron
- Asa Fleming
- Bill Jenkins
- Daniel Kadis
- Susan Sanford
- Meredith Crawford
- Brenna Booker-Rouse

Transportation

- Ted Van Dyk - Chair
- Asa Fleming
- Daniel Kadis
- Bill Jenkins

Mr. Barron recommended when Comprehensive Plan updates are presented, rather than have only the Land Use Committee members discuss, instead have full board work sessions since no action will be taken. Mr. Barron would like to create the expectation that all board members should attend. Mr. Maloney agreed that when those updates are the only item on the agenda, he will schedule a work session at the regular meeting.

Mr. Barron inquired about a process for establishing a liaison between the Board of Commissioners and the Planning Board. Mr. Barron feels it would provide a direct bridge between the two bodies that are reviewing decisions related to land use in Wake County. Mr. Maloney said there is currently a dormant process and the primary Commissioner is Sig Hutchinson and the alternate is Matt Calabria. He recommended that Mr. Barron reach out to the liaison's and encourage them to participate as needed, when needed, and to communicate with you on how they expect you to communicate with them on certain issues/occasions.

Mr. Frank Cope, Community Services Director, added that most of the Wake County Commissioners have full-time jobs and they spend a great amount of time at required meetings, that they may find it difficult to attend the various appointed board meetings. He agreed with Mr. Maloney that notifying the liaison's what is being discussed and that they are invited to attend would be a great idea. He added that commissioners tend to show up at committees that they feel are struggling or that they feel are not providing recommendations with which they are comfortable. He feels that the liaison's have a high degree of confidence in allowing this committee to function without much guidance.

8. Adjournment

Having no further announcements, the meeting was adjourned at 1:53 p.m.

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REGULAR MEETING
WAKE COUNTY PLANNING BOARD
October 2, 2019

Jason Barron declared the regular meeting
of the Wake County Planning Board for
Wednesday, October 2, 2019 adjourned at 1:53 p.m.

Respectfully Submitted:



Jason Barron
Wake County Planning Board

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