



Town of Ocean Isle Beach

**Resolution No. 2019 – 10
Date Adopted: March 12, 2019**

**ORDINANCE APPROVING TEXT AMENDMENT FOR
SECTION 66-281(D) - RESIDENTIAL CONSTRUCTION HEIGHT
(NON-FLOOD ZONES)**

WHEREAS, the Town has enacted zoning regulations that regulate land use within both the Town's incorporated areas and within its extraterritorial area; and

WHEREAS, there is an intent to serve the general needs of the community by making appropriate revisions and/or additions to the Town's zoning regulations; and

WHEREAS, Town staff, after careful consideration, has prepared the following amendment to Section 66-281 – Supplementary Regulations of the Code of Ordinances for consideration by the Planning Board and Board of Commissioners; and

WHEREAS, the Planning Board, after due consideration, has found the proposed amendment to be consistent with the Town of Ocean Isle Beach 2017 Land Use Plan and has recommended approval of the proposed amendment by the Board of Commissioners; and

WHEREAS, in compliance with statutory authority, a public hearing, properly noticed, was held on March 12th, 2019, where public comment was invited and heard regarding the issue; and

WHEREAS, the Board of Commissioners, after considering the public hearing response and the recommendations of the Planning Board and Town Staff, hereby finds that the amendment proposed by staff is consistent with the Town of Ocean Isle Beach 2017 Land Use Plan's Policy 3.2.A.1 of discouraging hazardous development; and

WHEREAS, the Board of Commissioners further finds that the amendment is reasonable and in the public interest because it will promote public health, safety and general welfare of the community by protecting property owners from future flood map changes that could place their property in a higher flood zone;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF OCEAN ISLE BEACH that the following amendment to the Town zoning regulations is hereby adopted:

Town of Ocean Isle Beach

Resolution No. 2019 – 10
Date Adopted: March 12, 2019

1. That section 66-281 (d) be amended to read as follows:

Deletions are strikethroughs, Additions are double-underlined

Sec. 66-281(d). - Supplementary regulations in all districts – Residential Construction.

(d) Structures and buildings for which a permit is issued after the effective date of the ordinance from which this chapter derives, shall be required to have as their foundation structural support piling, to be of treated wood, structural steel or concrete. This foundation piling shall be not less than eight inches square and placed in the ground not less than six feet. Pilings are to be placed no more than eight feet apart for bearing wall support unless accompanied by an engineer's certification. The bottom of the lowest horizontal structural member in VE zones and the top of the first finished floor in AE zones shall be placed no higher than six inches above the regulatory flood protection elevation. ~~However, at no time shall the bottom of the lowest horizontal structural member be less than nine feet from the finished slab.~~ **However, the bottom of the lowest horizontal structural member of all residential structures located on the island (regardless of flood zone) shall not be less than nine feet from the finished slab.** All structures shall comply with the town flood prevention damage ordinance (chapter 30, Ocean Isle Beach Code of Ordinances).

- 2. That except as may be modified herein, all other terms and conditions in said ordinance shall remain in full force and effect. That this modification shall take place immediately.
- 3. That the clerk shall place a copy of this ordinance in the Town’s ordinance book and shall provide a copy to the codification company when modifications are made in the future.

This Ordinance adopted this the 12th day of March, 2019.


Debbie S. Smith, Mayor

ATTEST:


Town Clerk

