

AN ORDINANCE AMENDING THE FRANKLIN COUNTY UNIFIED DEVELOPMENT ORDINANCE (TEXT) 25-UDO-01: ARTICLE 5 ZONING DISTRICTS AND STANDARDS, ARTICLE 9 NATURAL RESOURCES, AND ARTICLE 10 DEFINITIONS

WHEREAS, the Franklin County Board Of Commissioners has reviewed said petition and favorably recommends amendment per the requirements of the Franklin County Unified Development Ordinance; and,

WHEREAS, a public hearing of the Board Of Commissioners has been scheduled, duly advertised, per the requirements of G. S. 160D, and conducted on July 14, 2025, and,

NOW, THEREFORE, BE IT ORDAINED that the Board Of Commissioners has acted favorably on the petition and provides the following amending ordinance.

SECTION I That the Franklin County Unified Development Ordinance be amended as follows:

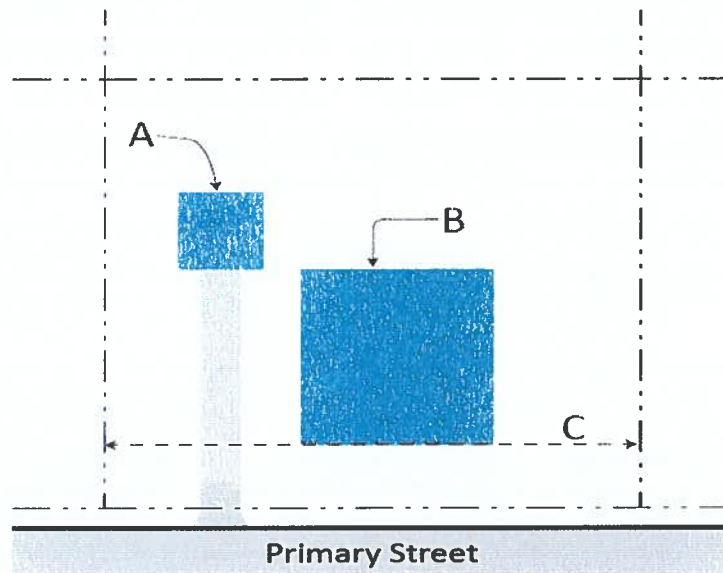
5.3.10. Accessory, Temporary, and Home Occupation Use Group

1. Accessory Structure

- a. No accessory building or structure may be established on a lot prior to the issuance of all requisite permits and approvals for the primary structure or building on the lot.
- b. Accessory structures must adhere to the height regulations found in this Article.
- c. An accessory building sharing one or more common walls with the principal building shall be considered part of the principal building for purposes of this Ordinance and must meet all yard requirements applied to the principal building.
- d. No detached accessory building or use shall be located closer than 5' from the side or rear lot line and any other building or mobile home. Accessory buildings may not encroach within 20' of any street right-of-way.

- e. Accessory buildings shall be considered part of the primary structure or principal building when the distance between buildings includes a roof, breezeway, portico, or similar architectural device. If connected, they must meet setbacks for the primary structure(s).
- f. One accessory building structure may be placed ~~past the~~ in front of ~~side façade~~ of the principal structure provided that the accessory structure does not exceed half of the total square footage of the principal structure, does not exceed the height of the principal structure, and is no closer than the required front setback of the underlying zoning district.
 - A) For properties that are at least five acres in size and zoned AR or R-30, one accessory building structure that exceeds the total square footage of the principal structure may be placed in front of the principal structure provided that the accessory building structure is setback a minimum of 100' from the right-of-way.

Figure 5-4 Accessory Structure



A = Accessory structure

B = Primary structure

C = Front setback line

- g. No accessory structure or building except utility substations shall be erected in any easements.

- h. Class A, B, or C manufactured homes or recreational vehicles may not be used for accessory structures.
- i. No proposed unenclosed canopy may extend within 10' of a lot line, nor within 20' of a right of way line.
- j. Accessory Structures must be placed in the rear yard only on corner lots, and rear and side yard of other lots; however, if the lot is lake front or located adjacent to the golf course, the accessory structure may be placed between the road and the principal structure provided it does not encroach into the required setbacks or any other regulated features.
- k. Dumpsters and/or dumpster enclosures shall be placed in the rear yard only on corner lots, and rear and side yard of other lots.

2. Home Occupations

- a. Home occupations must be clearly incidental and shall be permitted only as accessory uses and are limited to the following:
 - i. Art gallery or the office or studio of a physician, artist, photographer, writer, general or trades contractor;
 - ii. Lawyers, engineers, architects, accountants, bookkeepers, real estate agents, consultants or like professions
 - iii. Teaching or tutoring of no more than two students at one time;
 - A) For properties that are at least five acres in size and zoned AR or R-30, no more than five students at one time shall be permitted onsite.
 - iv. Computer programming
 - v. Workshops not conducted for profit.
 - vi. Customary home occupations such as millinery, dressmaking, laundering, or pressing and tailoring
 - vii. Home crafts, such as weaving, potting and canning
 - viii. Single operator beauty shop or barber shop.
 - ix. Pet grooming services without the boarding of animals or operation of kennels. The outside containment of animals is prohibited.
- b. The home occupations listed above shall be permitted subject to the following limitations:

- i. Outside storage of construction/building materials is prohibited.
- ii. No exterior display of products.
- iii. Repair of engines, vehicles, boats, trailers, motorcycles, and recreational vehicles (RVs) is prohibited.
- iv. No mechanical equipment shall be installed or used except such that is normally used for domestic or professional purposes and which does not cause noises or other interference in radio and television reception.
- v. One accessory building is permitted in connection with the home occupation as long as it does not exceed 1,500 square feet.
 - A) A floor plan and site plan showing the dimensions and location of the accessory building in relation to the primary dwelling and property line must be submitted with the application.
- vi. The home occupation must not exceed 25% of the total square footage of the primary dwelling or 500 square feet.
- vii. Only one employee may be employed by the home occupation who does not reside on the subject property.
- viii. Only a non-lighted flush mounted four-square foot sign shall be permitted.
- ix. Must be conducted without any significant adverse impact on the surrounding neighborhood.
- x. Must not create any objectionable traffic, noise, fumes, odor, dust, or electrical interference.

3. Accessory Dwelling Unit

- a. Residential lots developed with more than 1 dwelling unit shall not be permitted to develop accessory dwellings.
- b. Only 1 accessory dwelling unit shall be permitted per lot.
- c. The accessory dwelling unit shall not be served by a separate driveway from that of the principal dwelling unit.
- d. ~~The accessory dwelling unit shall not exceed 50 percent of the total square footage of the principal dwelling unit.~~
- e. No accessory dwelling unit shall be permitted on a lot with a two-family duplex or multi-family dwelling or family care home.

- f. Must meet all setback requirements for accessory uses, buildings, and structures as outlined in this Article with a 20-foot separation from the principal dwelling.
- g. If the accessory dwelling unit is located on a lot where legal access is provided by means of an access easement there shall be a legally recognized maintenance agreement for said easement.
- h. Certification from the Environmental Health Department is required to assure any septic system can accommodate the accessory dwelling unit, if applicable.
- i. The accessory dwelling unit may be a manufactured home if it meets all the criteria outlined in this section and is permitted by the underlying zoning district.

9.2.5. Provisions for Flood Hazard Reduction

A. General Standards

In all Special Flood Hazard Areas, the following provisions are required:

1. All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure.
2. All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage in accordance with the FEMA Technical Bulletin 2, Flood Damage-Resistant Materials Requirements.
3. All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damages.
4. Electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding. These include but are not limited to, HVAC equipment, water softener units, bath/kitchen fixtures, ductwork, electric/gas meter panels/boxes, utility/cable boxes, appliances (i.e., washers, dryers, refrigerator, etc.), hot water heaters, electric outlets/switches.
 - a. Replacements part of a substantial improvement, electrical, heating, ventilation, plumbing, air conditioning equipment, and other service equipment shall also meet the above provisions.
 - b. Replacements that are for maintenance and not part of a substantial improvement, may be installed at the original location provided the

addition and/or improvements only comply with the standards for new construction consistent with the code and requirements for the original structure.

5. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.
6. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters.
7. On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding.
8. Nothing in this ordinance shall prevent the repair, reconstruction, or replacement of a building or structure existing on the effective date of this ordinance and located totally or partially within the floodway, non-encroachment area, or stream setback, provided there is no additional encroachment below the Regulatory Flood Protection Elevation in the floodway, non-encroachment area, or stream setback, and provided that such repair, reconstruction, or replacement meets all of the other requirements of this ordinance.
9. New solid waste disposal facilities and sites, hazardous waste management facilities, salvage yards, and chemical storage facilities shall not be permitted except by variance as specified in this Article. A structure or tank for chemical or fuel storage incidental to an allowed use or to the operation of a water treatment plant or wastewater treatment facility may be located in a Special Flood Hazard Area only if the structure or tank is either elevated or floodproofed to at least the Regulatory Flood Protection Elevation and certified according to this Article.
10. All subdivision proposals and other development proposals shall be consistent with the need to minimize flood damage.
11. All subdivision proposals and other development proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage.
12. All subdivision proposals and other development proposals shall have adequate drainage provided to reduce exposure to flood hazards. ~~public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage.~~
13. All subdivision proposals and other development proposals shall have received all necessary permits from those governmental agencies for

which approval is required by federal or state law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334.

14. When a structure is partially located in a Special Flood Hazard Area, the entire structure shall meet the requirements for new construction and substantial improvements.
15. When a structure is located in a flood hazard risk zone with multiple base flood elevations, the provisions for the more restrictive flood hazard risk zone and the highest BFE shall apply.
16. Buildings and structures that are located in more than one flood hazard area shall comply with the provisions associated with the most restrictive flood hazard area.

B. Specific Standards

In all Special Flood Hazard Areas where Base Flood Elevation (BFE) data has been provided, as set for in this Article the following provisions are required:

1. Residential Construction

New construction or substantial improvement of any residential structure (including manufactured homes) shall have the reference level, including basement, elevated no lower than the Regulatory Flood Protection Elevation, as defined in 9.3.2.

2. Nonresidential Construction

New construction or substantial improvement of any commercial, industrial, or other non-residential structure shall have the reference level, including basement, elevated no lower than the Regulatory Flood Protection Elevation. Structures located in Zones A,, AE, AH, AO, A99 may be floodproofed to the Regulatory Flood Protection Elevation in lieu of elevation provided that all areas of the structure, together with attendant utility and sanitary facilities, below the required flood protection elevation are watertight with walls substantially impermeable to the passage of water, using structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. For AO Zones, the floodproofing elevation shall be in accordance with this Section. A registered professional engineer or architect shall certify that the standards of this subsection are satisfied. Such certification shall be provided to the official as set forth in this Section.

3. Manufactured Homes

- a. New or replacement manufactured homes shall be elevated so that the reference level of the manufactured home is no lower than the Regulatory Flood Protection Elevation.
 - b. Manufactured homes shall be securely anchored to an adequately anchored foundation to resist flotation, collapse, and lateral movement in accordance with the State of North Carolina Regulations for Manufactured/Mobile Homes, 1995 Edition, and any revision thereto adopted by the Commissioner of Insurance pursuant to G.S. § 143-143.15 or a certified engineered foundation. Additionally, when the elevation would be met by an elevation of the chassis 36" or less above the grade at the site, the chassis shall be supported by reinforced piers or other foundation elements of at least equivalent strength. When the elevation of the chassis is above 36" in height, an engineering certification is required.
 - c. All foundation enclosures or skirting shall be in accordance with this Section.
 - d. An evacuation plan must be developed for evacuation of all residents of all new, substantially improved or substantially damaged manufactured home parks or subdivisions located within flood prone areas. This plan shall be filed with and approved by the Floodplain Administrator and the local Emergency Management coordinator.
4. Elevated Buildings Fully enclosed areas, of new construction and substantially improved structures, which is below the lowest floor:
- a. Shall not be designed to be used for human habitation, but shall only be used for parking of vehicles, building access, or limited storage of maintenance equipment used in connection with the premises. Access to the enclosed area shall be the minimum necessary to allow for parking of vehicles (garage door) or limited storage of maintenance equipment (standard exterior door), or entry to the living area (stairway or elevator). The interior portion of such enclosed area shall not be finished or partitioned into separate rooms, except to enclose storage areas
 - b. Shall be constructed entirely of flood resistant materials at least to the Regulatory Flood Protection Elevation
 - c. Shall include flood openings to automatically equalize hydrostatic flood forces on walls by allowing for the entry and exit of floodwaters. To meet this requirement, the openings must either be certified by a

professional engineer or architect or meet or exceed the following minimum design criteria:

- i. A minimum of 2 flood openings on different sides of each enclosed area subject to flooding
- ii. The total net area of all flood openings must be at least 1 square inch for each square foot of enclosed area subject to flooding
- iii. If a building has more than one enclosed area, each enclosed area must have flood openings to allow floodwaters to automatically enter and exit
- iv. The bottom of all required flood openings shall be no higher than 1' above the higher of the interior or exterior adjacent grade
- v. Flood openings may be equipped with screens, louvers, or other coverings or devices, provided they permit the automatic flow of floodwaters in both directions
- vi. Enclosures made of flexible skirting are not considered enclosures for regulatory purposes, and, therefore, do not require flood openings. Masonry or wood underpinning, regardless of structural status, is considered an enclosure and requires flood openings as outlined above.

5. Additions/Improvements.

- a. Additions and/or improvements to pre-FIRM structures when the addition and/or improvements in combination with any interior modifications to the existing structure are:
 - i. Not a substantial improvement, the addition and/or improvements must be designed to minimize flood damages.
 - ii. A substantial improvement, with modifications/rehabilitations to the existing structure or the common wall is structurally modified more than installing a doorway, both the existing structure and the addition must comply with the standards for new construction.
- b. Additions to pre-FIRM or post-FIRM structures that are a substantial improvement with no modifications/rehabilitations/improvements to the existing structure other than a standard door in the common wall, shall require only the addition to comply with the standards for new construction.

- c. Additions and/or improvements to post-FIRM structures when the addition and/or improvements in combination with any interior modifications to the existing structure are:
 - i. Not a substantial improvement, the addition and/or improvements only must comply with the standards for new construction consistent with the code and requirements for the original structure.
 - ii. A substantial improvement, both the existing structure and the addition and/or improvements must comply with the standards for new construction.
- d. Any combination of repair, reconstruction, rehabilitation, addition or improvement of a building or structure taking place during 1-year period, the cumulative cost of which equals or exceeds 50% of the market value of the structure before the improvement or repair is started must comply with the standards for new construction. For each building or structure, the 1- year period begins on the date of the first improvement or repair of that building or structure subsequent to the effective date of this ordinance. If the structure has sustained substantial damage, any repairs are considered substantial improvement regardless of the actual repair work performed. The requirement does not, however, include either:
 - i. Any project for improvement of a building required to correct existing health, sanitary or safety code violations identified by the building official and that are the minimum necessary to assume safe living conditions.
 - ii. Any alteration of a historic structure provided that the alteration will not preclude the structure's continued designation as a historic structure.

6. Recreational Vehicles

Recreational vehicles shall either:

a. Temporary Placement

- i. Be on site for fewer than 180 consecutive days
- ii. Be fully licensed and ready for highway use. (A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and has no permanently attached additions.)

b. Permanent Placement

Recreational vehicles that do not meet the limitations of Temporary Placement shall meet all the requirements for new construction.

7. Temporary Non-Residential Structures

Prior to the issuance of a floodplain development permit for a temporary structure, the applicant must submit to the Floodplain Administrator a plan for the removal of such structure(s) in the event of a hurricane, flash flood or other type of flood warning notification. The following information shall be submitted in writing to the Floodplain Administrator for review and written approval:

- a. A specified period for which the temporary use will be permitted. Time specified may not exceed 3 months, renewable up to 1) year;
- b. The name, address and phone number of the individual responsible for the removal of the temporary structure;
- c. The time frame prior to the event at which a structure will be removed (i.e., minimum of 72 hours before landfall of a hurricane or immediately upon flood warning notification)
- d. A copy of the contract or other suitable instrument with a trucking company to ensure the availability of removal equipment when needed
- e. Designation, accompanied by documentation, of a location outside the Special Flood Hazard Area to which the temporary structure will be moved.

8. Accessory Structures

When accessory structures (sheds, detached garages, etc.) are to be placed in the Special Flood Hazard Area, the following criteria shall be met:

- a. Accessory structures shall not be used for human habitation (including work, sleeping, living, cooking or restroom areas).
- b. Accessory structures shall not be temperature-controlled.
- c. Accessory structures shall be designed to have low flood damage potential.
- d. Accessory structures shall be constructed and placed on the building site to offer the minimum resistance to the flow of floodwaters.
- e. Accessory structures shall be firmly anchored in accordance with this Section.

- f. All services facilities such as electrical shall be installed in accordance with this Section.
- g. Flood openings to facilitate automatic equalization of hydrostatic flood forces shall be provided below Regulatory Flood Protection Elevation in conformance with the provisions of this Section.

An accessory structure with a footprint less than 150 square feet does not require an elevation or floodproofing certificate. Elevation or floodproofing certifications are required for all other accessory structures in accordance with this Section.

9. Tanks

When gas and liquid storage tanks are to be placed within a Special Flood Hazard Area, the following criteria shall be met:

a. Underground tanks

Underground tanks in flood hazard areas shall be anchored to prevent flotation, collapse or lateral movement resulting from hydrodynamic and hydrostatic loads during conditions of the design flood, including the effects of buoyancy assuming the tank is empty.

b. Above-ground tanks, elevated

Above-ground tanks in flood hazard areas shall be elevated to or above the Regulatory Flood Protection Elevation on a supporting structure that is designed to prevent flotation, collapse or lateral movement during conditions of the design flood. Tank-supporting structures shall meet the foundation requirements of the applicable flood hazard area.

c. Above-ground tanks, not elevated

Above-ground tanks that do not meet the elevation requirements of this Article shall be permitted in flood hazard areas provided the tanks are designed, constructed, installed, and anchored to resist all flood-related and other loads, including the effects of buoyancy, during conditions of the design flood and without release of contents in the floodwaters or infiltration by floodwaters into the tanks. Tanks shall be designed, constructed, installed, and anchored to resist the potential buoyant and other flood forces acting on an empty tank during design flood conditions.

d. Tank inlets and vents

Tank inlets, fill openings, outlets and vents shall be:

- i. At or above the Regulatory Flood Protection Elevation or fitted with covers designed to prevent the inflow of floodwater or outflow of the contents of the tanks during conditions of the design flood.
- ii. Anchored to prevent lateral movement resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy, during conditions of the design flood.

10. Other Development

- a. Fences in regulated floodways and NEAs that have the potential to block the passage of floodwaters, such as stockade fences and wire mesh fences, shall meet the limitations of this Section.
- b. Retaining walls, sidewalks and driveways in regulated floodways and NEAs. Retaining walls and sidewalks and driveways that involve the placement of fill in regulated floodways shall meet the limitations of this Section.
- c. Roads and watercourse crossings in regulated floodways and NEAs. Roads and watercourse crossings, including roads, bridges, culverts, low-water crossings and similar means for vehicles or pedestrians to travel from one side of a watercourse to the other side, that encroach into regulated floodways shall meet the limitations of this Section.
- d. Commercial storage facilities are not considered "limited storage" as noted in this ordinance and shall be protected to the Regulatory Flood Protection Elevation as required for commercial structures.

C. Standards for Floodplains without Established Base Flood Elevations

Within the Special Flood Hazard Areas designated as Approximate Zone A and established in this Section, where no BFE data has been provided by FEMA, the following provisions, in addition these provisions shall apply:

1. No encroachments, including fill, new construction, substantial improvements or new development shall be permitted within a distance of 20 feet each side from top of bank or 5 times the width of the stream, whichever is greater, unless certification with supporting technical data by a registered professional engineer is provided demonstrating that such encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.
2. The BFE used in determining the Regulatory Flood Protection Elevation shall be determined based on the following criteria:
 - a. When BFE data is available from other sources, all new construction and substantial improvements within such areas shall also comply with

all applicable provisions of this ordinance and shall be elevated or floodproofed in accordance with standards in this Section.

- b. When floodway or non-encroachment data is available from a Federal, State, or other source, all new construction and substantial improvements within floodway and non-encroachment areas shall also comply with the requirements of this Section.
- c. All subdivision, manufactured home park and other development proposals shall provide BFE data if development is greater than 5 acres or has more than 50 lots/manufactured home sites. Such BFE data shall be adopted by reference in accordance with this Section and utilized in implementing this ordinance.
- d. When BFE data is not available from a Federal, State, or other source as outlined above, the reference level shall be elevated or floodproofed (nonresidential) to or above the Regulatory Flood Protection Elevation, as defined in this Section.

D. Standards for Riverine Floodplains with Base Flood Elevations but without Established Floodways or Non-Encroachment Areas.

Along rivers and streams where BFE data is provided by FEMA or is available from another source but neither floodway nor non-encroachment areas are identified for a Special Flood Hazard Area on the FIRM or in the FIS report, the following requirements shall apply to all development within such areas:

1. Standards of Article 5, Sections A and B; and
2. Until a regulatory floodway or non-encroachment area is designated, no encroachments, including fill, new construction, substantial improvements, or other development, shall be permitted unless certification, with supporting technical data by a registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point.

E. Floodways and Non-Encroachment Areas

Areas designated as floodways or non-encroachment areas are located within the Special Flood Hazard Area established in this Section. The floodways and non-encroachment areas are extremely hazardous areas due to the velocity of flood waters that have erosion potential and carry debris and potential projectiles. The following provisions shall apply to all development within such areas:

1. No encroachments, including fill, new construction, substantial improvements, and other developments shall be permitted unless:
 - a. It has been demonstrated that the proposed encroachment would not result in any increase in the flood levels during the occurrence of the base flood discharge, based on hydrologic and hydraulic analyses performed in accordance with standard engineering practice and presented to the Floodplain Administrator prior to issuance of floodplain development permit; or
 - b. A Conditional Letter of Map Revision (CLOMR) has been approved by FEMA. A Letter of Map Revision (LOMR) must also be obtained within 6 months of completion of the proposed encroachment.
2. If this Section is satisfied, all development shall comply with all applicable flood hazard reduction provisions of this Ordinance.
3. No manufactured homes shall be permitted, except replacement manufactured homes in an existing manufactured home park or subdivision provided the following provisions are met:
 - a. The anchoring and the elevation standards of this and
 - b. The encroachment standards of this Section.

E. Standards for Areas of Shallow Flooding (A0 Zones)

Located within the Special Flood Hazard Areas established in this Section are areas designated as shallow flooding areas. These areas have special flood hazards associated with base flood depths of one (1) to three (3) feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and indeterminate. All new construction and substantial improvements shall meet the following requirements:

1. The reference level shall be elevated at least as high as the depth number specified on the Flood Insurance Rate Map (FIRM), in feet, plus a freeboard of 4' freeboard, above the highest adjacent grade; or at least 2' above the highest adjacent grade if no depth number is specified.
2. Non-residential structures may, in lieu of elevation, be floodproofed to the same level as required in this Section so that the structure, together with attendant utility and sanitary facilities, below that level shall be watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. Certification is required in accordance with this Section.

3. Adequate drainage paths shall be provided around structures on slopes, to guide floodwaters around and away from proposed structures.

G. Standards for Areas of Shallow Flooding (Zone AH)

1. Located within the Special Flood Hazard Areas established in this Section are areas designated as shallow flooding areas. These areas are subject to inundation by 1% -annual-chance shallow flooding (usually areas of ponding) where average depths are one 1 to 3 feet. Base Flood Elevations are derived from detailed hydraulic analyses are shown in this zone. In addition to this Section, all new construction and substantial improvements shall meet the following requirements:
2. Adequate drainage paths shall be provided around structures on slopes, to guide floodwaters around and away from proposed structures.

9.2.6 Subdivisions, ~~Manufactured Home Parks and Major Developments~~

- ~~A. All subdivision, manufactured home parks and major development proposals located within Special Flood Hazard Areas shall:~~
- ~~B. Be consistent with the need to minimize flood damages have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage~~
- ~~C. have adequate drainage provided to reduce exposure to flood hazards~~
- ~~D. have Base Flood Elevation (BFE) data provided if development is greater than the lesser of 5 acres or 50 lots/manufactured home sites. Such Base Flood Elevation (BFE) data shall be adopted by reference per in this Article and be utilized in implementing this code.~~
- ~~E. Standards for Floodplains without Established Base Flood Elevations~~

~~Within the Special Flood Hazard Areas established in this Section, where no Base Flood Elevation (BFE) data has been provided, the following provisions shall apply:~~

- ~~1. No encroachments, including fill, new construction, substantial improvements or new development shall be permitted within a distance of 25' each side from top of bank or 5 times the width of the stream whichever is greater, unless certification with supporting technical data by a registered professional engineer is provided demonstrating that such encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.~~
- ~~2. If all applicable standards are satisfied and Base Flood Elevation (BFE) data is available from other sources, all new construction and substantial improvements within such areas shall also comply with all applicable~~

~~provisions of this ordinance and shall be elevated or floodproofed in accordance with this Ordinance. When Base Flood Elevation (BFE) data is not available from a Federal, State, or other source, the reference level, including basement, shall be elevated at least 3' above the highest adjacent grade. Standards for Riverine Floodplains with BFE but without Established Floodways or Non-Encroachment Areas~~

- ~~3. Along rivers and streams where Base Flood Elevation (BFE) data is provided by FEMA or is available from another source but neither floodway nor non-encroachment areas are identified for a Special Flood Hazard Area on the FIRM or in the FIS report, the following requirements shall apply to all development within such areas:~~

~~c. Standards of this Section~~

~~d. Until a regulatory floodway or non-encroachment area is designated, no encroachments, including fill, new construction, substantial improvements, or other development, shall be permitted unless certification with supporting technical data by a registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than 1' at any point.~~

9.2.7. 9.2.6. Legal Status Provisions

A. Effect on Rights and Liabilities under the Existing Flood Damage Prevention Ordinance

This ordinance in part comes forward by re-enactment of some of the provisions of the Flood Damage Prevention Ordinance enacted December 15, 2003 as amended, and it is not the intention to repeal but rather to re-enact and continue to enforce without interruption of such existing provisions, so that all rights and liabilities that have accrued thereunder are reserved and may be enforced. The enactment of this ordinance shall not affect any action, suit or proceeding instituted or pending. All provisions of the flood damage prevention ordinance of Franklin County enacted on December 15, 2003, as amended, which are not reenacted herein are repealed.

B. Effect upon Outstanding Building Permits

Nothing herein contained shall require any change in the plans, construction, size or designated use of any development or any part thereof for which a floodplain development permit has been granted by the Floodplain Administrator or his or her authorized agents before the time of passage of this ordinance; provided, however, that when construction is not begun under such outstanding permit within a period of 6 months subsequent to passage of

this ordinance or any revision thereto, construction or use shall be in conformity with the provisions of this ordinance.

C. Severability

If any section, clause, sentence, or phrase of the Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way effect the validity of the remaining portions of this Ordinance.

D. Effective Date

This ordinance shall become effective March 18, 2013.

10.0.3. Definitions

3. Accessory Dwelling Unit

A dwelling that ~~exists on~~ shares the same lot as the principal dwelling ~~and is subordinate in size to the principal dwelling.~~

SECTION II That this ordinance shall become effective upon its adoption.

Adopted this the 14th day of July 2025.


Clerk, Franklin County Board Of
Commissioners


Chairman, Franklin County Board Of
Commissioners

