

**TOWN OF HOLDEN BEACH
ORDINANCE 15-01**

**AN ORDINANCE AMENDING THE HOLDEN BEACH CODE OF ORDINANCES, CHAPTER 154:
FLOOD DAMAGE PREVENTION AND CHAPTER 157: ZONING CODE**

BE IT ORDAINED BY the Mayor and Board of Commissioners of the Town of Holden Beach, North Carolina that The Holden Beach Code of Ordinances, Chapter 154: Flood Damage Prevention and Chapter 157: Zoning be amended as follows:

Red is the current version. The Proposed changes are in black.

Chapter 154: Flood Damage Prevention

154.03 Definitions:

Design Flood Elevation (DFE). DFE is the Base Flood Elevation, plus two feet.

REFERENCE LEVEL. The top of the lowest floor for structures within special flood hazard areas designated as Zone AE. The reference level is the bottom of the lowest horizontal structural member of the lowest floor for structures within special flood hazard areas designated as Zone VE.

REFERENCE LEVEL. The reference level is the bottom of the lowest horizontal structural member of the lowest floor for structures within special flood hazard, or coastal high hazard areas designated as Zone AE or VE.

REGULATORY FLOOD PROTECTION ELEVATION. The base flood elevation plus the freeboard. In special flood hazard areas where base flood elevations (BFEs) have been determined, this elevation shall be the BFE plus ____ () feet of freeboard.

REGULATORY FLOOD PROTECTION ELEVATION. The base flood elevation plus the freeboard. In special flood hazard areas where base flood elevations (BFEs) have been determined, this elevation shall be the BFE plus (2) feet of freeboard.

Chapter 157: Zoning Code

Section 157.006 Definitions

BUILDING HEIGHT. The vertical distance measured from ground level to the highest point of the structure.

GROUND LEVEL. A measuring point per the following:

- (1) FEMA flood area "AE": measuring point is minus 10 ft. from the base flood elevation.
- (2) FEMA flood area "VE": measuring point is minus 8 ft. from the base flood elevation.
- (3) FEMA flood area "AE" and "VE": where the minus 10 ft. and minus 8 ft. respectively from the base flood elevation is below undisturbed soil: measuring point is the lowest original soil under the structure after the undisturbed soil has been balanced.
- (4) FEMA flood area "X": measuring point to be the lowest original soil under the structure after the undisturbed soil has been balanced.

BUILDING HEIGHT. The vertical distance measured from Design Flood Elevation (DFE) to the highest point of the structure

Height Measuring Point: (HMP). This is defined as design flood elevation or base flood elevation plus two feet.

(1). Wherever there is less than nine feet between the DFE and finished grade the height measuring point may be moved to a maximum of nine feet above finished grade.

(a). All structures located in any A or V zone must have a minimum of eight feet clearance between the lowest horizontal structural member and finished grade.

(2). FEMA flood area "X" measuring point shall be the lowest original soil under the structure after the undisturbed soil has been balanced.

Section 157.058 – Rural District (R)

(C)(6) Building height. No building shall exceed a maximum height of 35 feet measured from ground level to the highest point of the structure.

(C)(6) Building height. No building shall exceed a maximum height of 31 feet measured from Design Flood Elevation to the highest point of the structure, with the exception that a building in an X Zone when measured from the finished grade should have a maximum height of 35 feet.

Section 157.060 – Residential District (R-1)

(D)(6) Building height. No building shall exceed a maximum height of 35 feet measured from ground level to the highest point of the structure.

(D)(6) Building height. No building shall exceed a maximum height of 31 feet measured from Design Flood Elevation to the highest point of the structure, with the exception that a building in an X Zone when measured from the finished grade should have a maximum height of 35 feet.

Section 157.061 - Residential District (R-2)

(D)(11) *Building height.* No building shall exceed a maximum height of 35 feet measured from ground level to the highest point of the structure.

(D)(11) *Building height.* No building shall exceed a maximum height of 31 feet measured from Design Flood Elevation to the highest point of the structure.

Section 157.062 - Commercial District (C-1)

(C)(6) *Building height.* No building shall exceed a maximum height of 35 feet measured from ground level to the highest point of the structure.

(C)(6) *Building height.* No building shall exceed a maximum height of 31 feet measured from Design Flood Elevation to the highest point of the structure.

Section Two: The Town Clerk is directed to forward this ordinance to American Legal Publishing for inclusion in the next published supplement to the Holden Beach Code of Ordinances.

Section Three: This ordinance shall be effective the 14th day of January, 2015.

Adopted this 13th day of January, 2015.

J. Alan Holden, Mayor

ATTEST:

Heather Finnell, Town Clerk