

**MECKLENBURG COUNTY RESOLUTION ADOPTING GUIDELINES  
FOR A VOLUNTARY BUYOUT AND RETROFIT GRANT PROGRAM  
FOR FLOODPLAIN STRUCTURES THAT SUSTAINED FLOOD  
DAMAGE FROM TROPICAL STORM HELENE ON SEPTEMBER 25,  
2024 OR AFTER.**

**WHEREAS**, on December 3, 1997, the Mecklenburg County Board of Commissioners adopted the Mecklenburg County Floodplain Management Guidance Document designed to accomplish two objectives: 1) to prevent or reduce the loss of life, disruption of services and damage caused by floods and 2) to preserve and restore the natural and beneficial functions of the floodplain; and

**WHEREAS**, since adoption of the Floodplain Management Guidance Document, Mecklenburg County Storm Water Services (MCSWS) has removed over 475 buildings from floodplains using a combination of State, Federal and Local funding, and provided over 30 retroFIT grants to homeowners to implement floodproofing projects; and

**WHEREAS**, on September 25, 2024, and following, approximately 170 structures located in the Catawba River floodplain were impacted by flooding that exceeded the Community Floodplain Elevations, some of which were carried away by floodwaters; and

**WHEREAS**, these damaged structures continue to pose a risk of loss of life, disruption of services, and subject to future flood damage; and

**WHEREAS**, State and Federal Hazard Mitigation Grant Program funding for buyouts and raised elevations may become available for some properties as a result of the federally declared disaster, but may take 2-4 years to realize; and

**WHEREAS**, the following ELIGIBILITY CRITERIA, GUIDELINES, and BUYOUT & RETROFIT GRANT PROCESS, which are similar to processes adopted by Mecklenburg Board of County Commissioners after floods in 2003, 2008, 2011, and 2019, are necessary for the VOLUNTARY BUYOUT AND RETROFIT GRANT PROGRAM.

**ELIGIBILITY CRITERIA**

Single-family residential structures in the special flood hazard area that were damaged from flood waters beginning September 25, 2024, and ongoing, will be considered under this PROGRAM if the following criteria are met:

For Voluntary Buyouts:

- The structure is Substantially Damaged (requiring compliance with Floodplain Regulations) as determined by the Floodplain Administrator.

For retroFIT grants to elevate or demolish homes:

- Property is outside the Community Encroachment area or high hazard area determined by MCSWS after the event; and
- Building has not been moved off its foundation and appears structurally sound for elevating; and
- The cost of retroFIT project does not exceed the voluntary buyout offer amount as determined under this PROGRAM.

### **PROGRAM GUIDELINES**

Due to limited Storm Water Funding, the County will use the following guidelines to prioritize voluntary acquisitions and retroFIT grants to owners of properties that were flooded on September 25, 2024 or thereafter. In general, priority will be given to the most damaged structures. MCSWS criteria to be used to guide prioritization and decisions on property specific mitigation may include:

#### **BUYOUTS**

1. Owner interest
2. Percent of damage
3. Difficulty/expense of elevating compared to value/condition of existing structure
4. Location/grouping of land for future maintenance/public benefit
5. Excessive height of finished living space above ground required to achieve compliance with Floodplain Regulations

#### **RETROFIT GRANTS**

1. Owner interest
2. Demolition of substantially damaged homes due to cost effectiveness
3. Ease/expense of elevating home

### **BUYOUT PROCESS**

Mecklenburg County will use the following criteria to determine an amount to offer an eligible homeowner:

- (a) for properties without flood insurance that were carried away by floodwaters or otherwise determined to be destroyed (damages caused by flood greater than 75% of building value) - the total tax value plus 7% (for market appreciation) minus 75% of the building value.
- (b) for properties without flood insurance not carried away by floodwaters or destroyed - the current tax value plus 7% (for market appreciation) or fair market value as of September 24, 2024 (or within the proceeding 6-months) determined by a licensed appraiser (excluding value of any finished living space that is in violation of Floodplain Regulations); minus damages caused by the flood as determined by either; 1) a full repair estimate provided by a licensed contractor hired by the property owner, or 2) the Actual Cash Value Loss (i.e. depreciated damages) as determined by an independent adjuster retained by the County.
- (c) for properties with flood insurance or those that have received federal Individual Assistance payments for structure damages in lieu of flood insurance - the current tax value plus 7% (for market appreciation) or fair market value as of September 24, 2024 (or within the proceeding 6-months) determined by a licensed appraiser

- (excluding value of any finished living space that is in violation of Floodplain Regulations); minus the Actual Cash Value Loss (i.e. depreciated damages) as listed on the Flood Insurance Claim. Offer will not be less than the tax value of the land plus 7%. The property owner must agree to file an Increase Cost of Compliance claim on their Flood Insurance and assign it to Mecklenburg County prior to closing.
- (d) For all properties:
- i) there will be no credit added to the offer amount for any post-flood repairs to the structure. However, all property owners retain the right to remove improvements made to the property after the date of the flood (i.e. HVAC equipment, ductwork, cabinets, flooring, etc.), which will not result in any deduction from the purchase price.
  - ii) owners meeting Housing and Urban Development Low to Moderate Income standards (LMI), are entitled to a “replacement dwelling payment” if they purchase another property outside the floodplain in Mecklenburg County within 6 months of the buyout. Incidental expenses (i.e. closing costs, lender fees, inspections, transfer taxes, etc.), will be reimbursed and must be documented. Legal occupants are entitled to a “moving payment” to cover costs associated with relocating to a new dwelling. Moving expenses will be reimbursed from receipts or based on the fixed moving payment schedule referenced in the Uniform Relocation Act. The total amount of these two payments is not to exceed 3% of the pre-flood value.
  - iii) no offer shall exceed the September 24, 2024 tax value of the property plus 7% or fair market value minus any federal insurance or Individual Assistance payments for structural damage or repairs.

### **RETROFIT GRANT PROCESS**

Mecklenburg County will use the following criteria to determine funding for retroFIT grants to an eligible homeowner:

- RetroFIT grants must be for elevations or house demolition only.
- The structure must be built to an elevation to be determined by MCSWS.
- The maximum grant amount for an elevation project will not exceed 75% of either the building tax value or the building value as of September 24, 2024 (or within the proceeding 6-months) determined by a licensed appraiser using Cost Approach Method (excluding value of any finished living space that is in violation of Floodplain Regulations).

### **NOW THEREFORE, BE IT RESOLVED**

The Mecklenburg Board of County Commissioners hereby adopts the **ELIGIBILITY CRITERIA, PROGRAM GUIDELINES, BUYOUT PROCESSES, AND RETROFIT GRANT PROCESS** to establish guidelines for a Voluntary Buyout And Retrofit Grant Program For Floodplain Structures that sustained flood damage from Tropical Storm Helene on September 25, 2024 or thereafter; and this **BUYOUT PROCESS** will be used to present offers to eligible homeowners, and this **RETROFIT GRANT PROCESS** will be used to present property owners grants to the Storm Water Advisory Committee for approval.

ADOPTED the 6<sup>th</sup> day of November, 2024

Approved as to form:

\_\_\_\_\_  
County Attorney

**CERTIFICATION**

I, Kristine Smith, Clerk of the Board of Commissioners of Mecklenburg County, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a resolution adopted by the Board of Commissioners, in regular session convened on the 6<sup>th</sup> day of November, 2024.

WITNESS my hand and the seal of the County of Mecklenburg, North Carolina, this the \_\_\_\_\_ day of \_\_\_\_\_, 2024

\_\_\_\_\_  
Kristine Smith, Clerk to the Board