

Sumter City Council

1st Reading / Public Hearing
August 21, 2018

Planning Commission Staff Report

OA-18-04, Flood Damage Prevention Ordinance (City)

I. THE REQUEST

Applicant: Planning Department Staff

Request: Amend relevant portions of the *City of Sumter Flood Damage Prevention Ordinance* to adopt the Wateree Watershed Maps and Flood Insurance Study (FIS) revisions that become effective September 28, 2018; and, to update the Ordinance to make corrections and clarifications noted in the 2017 South Carolina Department of Natural Resources Community Assistance Visit (CAV) and the Community Rating System (CRS) Cycle Visit.

II. BACKGROUND

The *Flood Damage Prevention Ordinance* (the “Ordinance”) in effect today was adopted May 7, 2013 when the City’s floodplain development regulations were consolidated into a single document in order to streamline the floodplain development regulations. The Ordinance exists outside of the *City of Sumter – Zoning and Development Standards Ordinance* as a stand-alone regulation administered by the Planning Department. Part of administering these regulations includes periodic ordinance updates allowing the community to remain compliant with the National Flood Insurance Program (NFIP) and/or Federal Emergency Management Agency (FEMA) requirements.

This ordinance amendment addresses changes requested as part of the September 20, 2017 CAV visit from the State Coordinator’s Office and adopts the Wateree Watershed map updates and associated Flood Insurance Study. In order to remain in the NFIP, the City has until September 28, 2018 to adopt the Wateree Maps and associated FIS.

Proposed Text Amendment

A clean copy of the proposed ordinance text has been attached to this report. The attached draft ordinance document does not change how floodplain management is performed in the community nor does it make development in the floodplain more restrictive. The amendment does the following:

- 1) Updates Section 130 to include the September 28, 2018 FIS revision date.

- 2) Adds a section to Article IV, 400.1 to state, “*Review all permit applications to determine whether proposed building sites will be reasonably safe from flooding.*”
- 3) Adds Article IV, Section 430 to address, “*Standards for Streams with Established Base Flood Elevations but without Floodways.*” This language is an NFIP minimum requirement and inclusion in the Ordinance is required.
- 4) Adds language in Section 410.2 to clarify that, “*floodproofed buildings must be floodproofed no lower than 2 feet above the level of base flood elevation in lieu of elevation.*” This clarification addresses a comment from the CRS Cycle Visit in July of 2017.
- 5) The sections of the Ordinance have been renumbered to remove erroneous and skipped number sequences and then verified to confirm that all section references are correct based upon the renumbering.

III. STAFF RECOMMENDATION

Staff recommends approval of this request. The proposed revisions have been reviewed by the South Carolina Department of Natural Resources (SCDNR) Flood Mitigation Office State Coordinator for compliance with Federal Emergency Management (FEMA) and National Flood Insurance program (NFIP) requirements. The document has been to be in compliance with all state, federal and NFIP requirements while addressing CAV comments.

IV. DRAFT MOTIONS

Motion #1:

I move that the Sumter City-County Planning Commission recommend approval of OA-18-04, Flood Damage Prevention Ordinance to adopt the Wateree Watershed Maps and Flood Insurance Study (FIS) revisions; and to update the Ordinance to make corrections and clarifications noted in the 2017 SCDNR Community Assistance Visit and the Community Rating System (CRS) Cycle Visit.

Motion #2

I move an alternative motion.

V. PLANNING COMMISSION – JULY 25, 2018

The Sumter City-County Planning Commission at its meeting on Wednesday, July 25, 2018, voted to recommend approval of this request.

VI. CITY COUNCIL – AUGUST 21, 2018 – FIRST READING/PUBLIC HEARING