

Sumter City-County Planning Commission

March 27, 2013

OA-12-15 /OA-12-16, Sumter Flood Damage Prevention Ordinance Update (City/County)

I. THE REQUEST

Applicant: Sumter City-County Planning Commission

Request: To update the Sumter City & County Flood Damage Prevention Ordinance by adding elements required by FEMA and deleting **Article 5, Section 5.b.7 Flood Hazard Areas** of the Sumter City and County Zoning Ordinance and incorporate into the Sumter Flood Damage Prevention Ordinance

II. BACKGROUND

The flood hazard areas of the City of Sumter are subject to periodic inundation which results in loss of life, property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures of flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.

It is the purpose of the Sumter City and County Flood Damage Prevention Ordinance to protect human life and health, minimize property damage, and encourage appropriate construction practices to minimize public and private losses due to flood conditions by requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction.

As part of FEMA's mission to improve our capability to prepare for, protect against, respond to, recover from, and mitigate all hazards, The Code of Federal Regulation – Title 44: Emergency Management and Assistance is continually updated to reflect best practices and clarify ambiguous language.

In order to remain eligible for participation in the National Flood Insurance Program, we are required to update the City and County's Flood Damage Prevention Ordinance to reflect FEMA's most recent regulations.

The following changes (see attachment) to the Flood Damage Prevention Ordinance do not significantly change the way the ordinance is administered or unfairly increase the burden of compliance. Many sections have been clarified, or added language that was either implied or handled outside of the ordinance, such as FEMA's ability to deny Flood Insurance to non-complaint properties or the way in which substantial improvements are calculated, which are now explicitly stated as part of the ordinance. The zoning ordinance portion has been added to

simplify the process and organize flood damage prevention requirements into one comprehensive document.

Proposed Zoning Ordinance Amendment:

To delete the following section of the City and County Zoning Ordinances and incorporate these requirements into the Sumter Flood Damage Prevention Ordinance

~~**5.b.7. Flood Hazard Areas:** These regulations apply to all Special Flood Hazard Areas, as determined and delineated in The Federal Emergency Management Agency Flood Insurance Rate Maps for the City of Sumter and the unincorporated areas of Sumter County dated February 16, 2007. Future Revisions become effective on map date or as soon as received, whichever is later.~~

- ~~a. **Development Standards for New Construction, Manufactured Homes, and Substantial Improvements:**~~
 - ~~1. Structures shall be anchored to prevent flotation, collapse or lateral movement;~~
 - ~~2. Structures shall be constructed with materials and utility equipment resistant to flood damage;~~
 - ~~3. Shall be constructed by methods and practices that minimize flood damage;~~
 - ~~4. Structures shall have all electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;~~
 - ~~5. Whenever any portion of the flood plain is used, the volume of space occupied by the authorized fill or structure below the base flood elevation shall be compensated for and balanced by a hydraulically equivalent volume of excavation taken from below the base flood elevation. All such excavations shall be constructed to drain freely to the watercourse;~~
 - ~~6. New buildings must be constructed on properly designed and compacted fill that extends beyond the building walls before dropping below the base flood elevation (BFE), and has appropriate protection from erosion and scour. The design of the fill must be approved and certified in writing by a South Carolina Registered Civil Engineer;~~
- ~~b. **New and Replacement Water Supply Systems:** Such systems shall be designed to minimize or eliminate infiltration of flood waters into the system;~~
- ~~c. **New and Replacement Sanitary Sewerage Systems:** Such uses shall be designed to minimize or eliminate infiltration of flood waters into systems and discharges from the systems into the flood waters;~~

~~d. On-site Waste Disposal Systems: Such uses shall be located and constructed to avoid impairment to them on contamination from them during flooding;~~

~~e. Residential Uses:~~

~~1. All new construction or substantial improvements of any residential structure with base flood elevation shall have the lowest floor, including basement, no lower than two feet above the base flood elevation, should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate the unimpeded movement of flood water shall be provided in accordance with 5.b.7.d.~~

~~2. All new construction or substantial improvements of any residential structure without base flood elevation shall have the lowest floor, including basement, no lower than three (3) feet above the highest adjacent grade, should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate the unimpeded movement of flood water shall be provided in accordance with 5.b.7.d.~~

~~f. Non residential Uses: New construction or substantial improvement of any non-residential structures:~~

~~1. With base flood elevation, shall have the lowest floor, including the basement no lower than two (2) feet above the base flood elevation; or,~~

~~2. Without base flood elevation, shall have the lowest floor, including the basement no lower than three (3) feet above the highest adjacent grade; or,~~

~~3. May be flood proofed in lieu of being elevated provided that all areas of the structure below the required elevation are water tight with walls substantially impermeable to the passage of water, and use structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. A South Carolina Registered Architect or Civil Engineer shall certify that the standards of 5.b.7.e.2. are met.~~

~~g. Elevated Buildings: New construction or substantial improvements of elevated buildings that include fully enclosed areas formed by the foundation and other exterior walls below the base flood elevation shall be designed to allow the entry and exit of floodwaters to automatically equalize hydrostatic flood forces on exterior walls. A South Carolina Registered Architect or Civil Engineer shall certify that 5.b.7.f. is met. Also,~~

~~1. That a minimum of two openings have a net area of not less than one square inch for every square foot of enclosed area subject to flooding;~~

~~2. The bottom of all openings shall be no higher than one foot above grade;~~

- ~~3. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided they permit the automatic flow of floodwaters in both directions;~~
- ~~h. Swimming Pools: All pools, both above and below ground, located within the flood fringe of the SFHA must be designed and constructed to prevent floatation, collapse and lateral movement under flood conditions. Pools are not allowed in a mapped regulatory floodway or in any other floodway as established by Ordinance. And in no case shall pools be allowed within twenty five feet of the top of bank of a stream.~~
- ~~i. Utility Connections: Electrical, plumbing, and other utility connections are prohibited below the base flood elevation;~~
- ~~j. Parking and Storage: The utilization of enclosed areas shall be the minimum necessary to allow for vehicle parking or limited storage of maintenance equipment used in the connection with the use of the premises;~~
- ~~k. Finished Construction: The interior portion of enclosed areas below the first floor elevation shall not be partitioned or finished into separate rooms.~~
- ~~l. Guidelines for Streams without Established Base Flood Elevations: Where no base flood elevation data have been provided, the following shall apply;~~
- ~~1. No encroachments, including fill material or structures shall be located within a distance of the stream bank equal to two (2) times the width of the stream at the top of the bank or twenty feet of each side, whichever is greater;~~
 - ~~2. New construction or substantial improvements of structures shall be elevated or flood proofed in accordance 5.b.7.e. and f. 1. & 2.~~

III. ORDINANCE COMMITTEE MEETING –MARCH 20, 2013

The Sumter City-County Planning Commission's Ordinance Committee recommended approval of this request.

IV. STAFF RECOMMENDATION

Staff recommends approval of the revised Flood Damage Prevention Ordinance, dated February 2013.

V. PLANNING COMMISSION – MARCH 27, 2013

The Sumter City-County Planning Commission at its meeting on Wednesday, March 27, 2013, voted to recommend approval for this request.

VI. COUNTY COUNCIL – APRIL 9, 2013 – FIRST READING

VII. CITY COUNCIL – APRIL 16, 2013 – FIRST READING /PUBLIC HEARING