



REQUEST FOR COUNCIL ACTION
City of Greenville, South Carolina

Agenda Item No.

11c

TO: Honorable Mayor and Members of City Council
FROM: Nancy P. Whitworth, Interim City Manager

Ordinance/First Reading Ordinance/Second & Final Reading Resolution/First & Final Reading Information Only

AGENDA DATE REQUESTED: January 14, 2019

ORDINANCE/RESOLUTION CAPTION:

TO AMEND ARTICLE 19-7, STORMWATER MANAGEMENT, OF THE CODE OF ORDINANCES OF THE CITY OF GREENVILLE TO PROVIDE FOR DETERMINATION AS TO WHETHER PROPOSED BUILDING SITES WILL BE REASONABLY SAFE FROM FLOODING

SUMMARY BACKGROUND:

South Carolina Department of Natural Resources ("SCDNR") and Federal Emergency Management Agency ("FEMA") are mandating that the city of Greenville amend its Stormwater Ordinance to add a requirement that permit applications be reviewed to determine whether proposed building sites will be reasonably safe from flooding. The City was recently informed of this mandate after having been informed previously by letter from FEMA, dated January 30, 2017, that the City's floodplain management program is in compliance for purposes of the National Flood Insurance Program ("NFIP"). SCDNR and FEMA have indicated that the amendment is required in order for the City to continue its participation in the NFIP.

IMPACT IF DENIED:

If denied, the Stormwater Ordinance will not be amended, and according to SCDNR and FEMA, the City will not be permitted to participate in the NFIP.

FINANCIAL IMPACT

Property owners in the City currently receive a 25% percent discount on flood insurance because of the City's participation in the NFIP. This discount will be lost if the City does not amend the Stormwater Ordinance, and thus, is not permitted to participate in the NFIP.

REQUIRED SIGNATURES

Department Director Mike Murphy
DocuSigned by: B8351B3CF7524D2...

OMB Director _____

City Attorney Michael S. Pitts
DocuSigned by: 5E0F2A267E2D413...

City Manager Nancy Whitworth
DocuSigned by: 1DC2D48BBB5D4AB...

A N O R D I N A N C E

TO AMEND ARTICLE 19-7, STORMWATER MANAGEMENT, OF THE CODE OF ORDINANCES OF THE CITY OF GREENVILLE TO PROVIDE FOR DETERMINATION AS TO WHETHER PROPOSED BUILDING SITES WILL BE REASONABLY SAFE FROM FLOODING

WHEREAS, Article 19-7, Stormwater Management, of the Code of Ordinances of the City of Greenville (the “Stormwater Ordinance”) provides for the regulation of development activity in areas located within the regulatory floodplains and floodways in the city of Greenville; and

WHEREAS, the Federal Emergency Management Agency and the South Carolina Department of Natural Resources have mandated that the Stormwater Ordinance be amended to include a requirement that all permit applications be reviewed to determine whether proposed building sites will be reasonably safe from flooding in accordance with 44 C.F.R. § 60.3(a)(3);

NOW, THEREFORE BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF GREENVILLE, SOUTH CAROLINA, Section 19-7.7.1(B), Regulatory floodplains and regulatory floodways, of Article 19-7, Stormwater Management, of the Code of Ordinances of the City of Greenville is amended to include the following subsection (14):

Section 19-7.7.1. Regulatory floodplains and regulatory floodways.

(B) *Performance standards applicable to all regulatory floodplain development.*

(14) All permit applications shall be reviewed to determine whether proposed building sites will be reasonably safe from flooding.

This Ordinance shall become effective upon second and final reading by City Council.

DONE, RATIFIED AND PASSED THIS THE _____ DAY OF _____, 2019.

MAYOR

ATTEST:

DEPUTY CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

REVIEWED:

CITY MANAGER