



Date: October 8th, 2020

To: Chairman and Members
Norman Planning Commission

From: Shawn O'Leary, Director of Public Works
Carrie Evenson, Stormwater Program Manager
Todd McLellan, Development Engineer

Subject: Approval of Ordinance No. O-2021-10
Revised Floodplain Ordinance

BACKGROUND:

The City's Floodplain Ordinance, which is included in Sections 22-429.1 3(a) and 4(h) 1 of the City of Norman Code of Ordinances, was first adopted by the City of Norman on July 8, 1975. The ordinance has been revised twelve (12) times in 1978, 1981, 1986, 1987, 1989, 1997, 2003, 2004, 2007, 2008, 2012, and 2017. The floodplain ordinance was originally adopted as a requirement of the City of Norman's participation in the National Flood Insurance Program (NFIP), which was established by the U.S. Congress in 1968 and is administered by the Department of Homeland Security's Federal Emergency Management Agency (FEMA).

DISCUSSION:

There are three (3) ways that flood hazard maps can be updated:

1. FEMA-initiated study or restudy
2. Community-initiated revisions under Part 65 of NFIP regulations
3. Cooperative Technical Partners (CTP) initiative
 - a. This is a program created to foster partnerships between FEMA and participating NFIP communities such as Norman, as well as regional and State agencies, such as OWRB, that have the capability to become more active participants in the FEMA Flood Hazard Mapping Program.

Method 3 was used to update the flood hazard maps for 10 Mile Flat Creek and Brookhaven Creek. The process of updating the floodplain maps for Brookhaven Creek and Ten Mile Flat Creek watersheds began in 2014 with public meetings involving community officials from Norman and surrounding areas. The City of Norman identified at that time its needs and priorities in floodplain management which included updated floodplain maps in this area. This floodplain mapping update in Wards 3 and 8 was funded by FEMA and OWRB at a cost of \$500,000. The Norman City Council approved an agreement with OWRB for this program on September 22, 2015. The cost to the City of Norman was \$100,000, which was paid to OWRB in September 2015. Councilmembers have been kept up-to-date throughout all stages of this process up to this point. Multiple public meetings have also been conducted over the past several years on this issue. Accurate, up-to-date floodplain maps are critical tools in the City of Norman's ability to manage floodplains, save lives, and reduce flood damage to public and personal property.

The preliminary Flood Insurance Rate Map (FIRM) and Flood Insurance Study (FIS) report

office memorandum

were made available to the public for comments and appeals. The City of Norman was notified of this via a letter dated June 25, 2019, and addressed to Mayor Lynne Miller.

FEMA conducted a 90-day comment period regarding the proposed revisions to the maps. The 90-day period began on July 10, 2019 and ended on October 7, 2019. Multiple private properties will be impacted. Some will be removed from the floodplain. Some will be added to the floodplain. These private property owners were identified on a preliminary FIRM and through our GIS database.

In the 10 Mile Flat Creek watershed:

- 28 properties will be added to the floodplain
- 18 properties will be removed from the floodplain

In the Brookhaven Creek watershed:

- 39 properties will be added to the floodplain
- 42 properties will be removed from the floodplain

To assist our local citizens, staff arranged two public meetings, held on August 22nd and September 4th, 2019, to discuss the map changes. Representatives from FEMA, OWRB, and Meshek & Associates (the consultant that conducted the modeling) attended both meetings. Affected property owners were invited to attend by letter.

Once the comment period closed, FEMA addressed all comments and appeals and made all necessary revisions to the FIRM or FIS. On July 15, 2020, the City of Norman received a Letter of Final Determination from FEMA requesting that the revised maps be adopted within 6 months in order to remain in compliance with the NFIP.

The benefits of the new FIRMs include:

- More detailed and accurate maps with BFE data
- Mapping and BFE data integrated with the City’s Geographical Information System (GIS)
- More accurate data available to developers, engineers, surveyors, and citizens for Letters of Map Revision (LOMR) and Letters of Map Amendment (LOMA)

As part of the FIS process, the City’s floodplain ordinance must be revised to reference the new FIS and be in effect by January 15, 2021. Failure to have the revised ordinance in effect by January 15, 2021, will result in the City being suspended by FEMA from the NFIP. In order to meet the FEMA deadline, staff proposes the following schedule:

Norman Revised Ordinance Schedule	
Item	Completion Date
Proposed Ordinance Changes Approved by Floodplain Permit Committee	September 8, 2020
Proposed Ordinance Changes to OWRB	September 9, 2020
Proposed Ordinance to Planning Commission	October 8, 2020
Proposed Ordinance to City Council 1st Reading	November 24, 2020
Proposed Ordinance to City Council 2nd Reading	December 8, 2020
New Flood Insurance Study Becomes Effective	January 15, 2021

The following proposed revisions are listed in the attached ordinance.

RECOMMENDATION: Staff recommends that the Planning Commission approve Ordinance No. O-2021-10 and replace Sections 22-429.1 2(o), 3(a), 4(h) (1), 5 and 5(i) of the current ordinance.

Reviewed by: Scott Sturtz, City Engineer
Jane Hudson, Director of Planning and Community Development
Kathryn Walker, City Attorney
Darrel Pyle, City Manager