



City of Norman, OK

Municipal Building
Council Chambers
201 West Gray
Norman, OK 73069

Master

File Number: O-2021-10

File ID: O-2021-10

Type: Zoning Ordinance

Status: Non-Consent Items

Version: 1

Reference: Item 35

In Control: City Council

Department: Public Works
Department

Cost:

File Created: 09/11/2020

File Name: Floodplain Ordinance Amendments

Final Action:

Title: CONSIDERATION OF ORDINANCE O-2021-10 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE CITY OF NORMAN, OKLAHOMA AMENDING SECTION 429.1, SECTIONS 2, 3, 4, AND 5 OF THE ZONING ORDINANCE TITLED FLOOD HAZARD DISTRICT TO ADD A DEFINITION FOR BASE LEVEL ENGINEERING; INCORPORATE AND ADOPT THE NEW FEDERAL EMERGENCY MANAGEMENT AGENCY REPORT DATED JANUARY 15, 2021, ELIMINATE REFERENCES TO THE CONDITIONAL LETTER OF MAP REVISION; ALLOWING FOR ADDITIONAL INFORMATION TO BE CONSIDERED IN CERTAIN ZONES IN THE ABSENCE OF BASE FLOOD ELEVATION DATA AND FLOODWAY DATA; CORRECT SPELLING AND GRAMMATICAL ERRORS THROUGHOUT; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Notes: ACTION NEEDED: Motion to adopt or reject Ordinance O-2021-10 upon Second Reading section by section.

ACTION TAKEN: _____

ACTION NEEDED: Motion to adopt or reject Ordinance O-2021-10 upon Final Reading.

ACTION TAKEN: _____

Agenda Date: 12/08/2020

Agenda Number: 35

Attachments: O-2021-10, O-2021-10 Annotated, Ten Mile Flat Creek Floodplain Map 11032020, Brookhaven Creek Floodplain Map 11032020, Staff Report Flood Plain Amendment, 10-8-20 PC Minutes - O-2021-10 Floodplain

Project Manager: Carrie Evenson, Stormwater

Entered by: amy.shepard@normanok.gov

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning Commission	10/08/2020					
1	City Council	11/10/2020	Introduced and adopted on First Reading by title only				
	Action Text:		Introduced and adopted on First Reading by title only				
1	City Council	11/24/2020	Postponed		12/08/2020		Pass
	Action Text:		Postponed				
1	City Council	11/24/2020	Postponed		12/08/2020		Pass
	Action Text:		That this Zoning Ordinance be Postponed. by consent roll call				
1	City Council	12/08/2020					

Text of Legislative File O-2021-10

Body

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 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

Proposed Ordinance Changes Approved by Floodplain Permit Committee on September 8, 2020

Proposed Ordinance Changes to OWRB on September 9, 2020

Proposed Ordinance to Planning Commission on October 8, 2020

Proposed Ordinance to City Council 1st Reading on November 10, 2020

Proposed Ordinance to City Council 2nd Reading on November 24, 2020

New Flood Insurance Study Becomes Effective January 15, 2021

The proposed revisions are annotated in the attached ordinance.

Both the Floodplain Permit Committee and Planning Commission voted unanimously to approve the proposed revisions.

RECOMMENDATION: Staff recommends that the City Council approve Ordinance O-2021-10 and replace Sections 22-429.1 2(oo), 3(a), 4(h) (1), 5 and 5(i) of the current ordinance.