

Staff Report
Ordinance No. O-1617-34

ITEM: AN ORDINANCE OF THE CITY OF NORMAN, OKLAHOMA AMENDING SECTION 429.1(3) AND CLARIFYING THE PROCESS FOR AMENDMENTS TO DISTRICT BOUNDARIES BASED ON APPROVAL BY FEMA OF LETTERS OF MAP CHANGE INCLUDING LETTERS OF MAP REVISION; SECTION 429.1(4) TO CLARIFY WHEN A FLOODPLAIN PERMIT IS REQUIRED AND WHEN COUNCIL APPROVAL IS REQUIRED; AND REMOVING REDUNDANT LANGUAGE RELATED TO SUBDIVISION STANDARDS, ALL IN CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF.

REQUEST SUMMARY:

This is a request to amend Chapter 22 of the City Code (Zoning Ordinance) to clarify certain provisions of the Flood Hazard Zoning District.

BACKGROUND:

Over the last several years, City Council has discussed a number of changes to Norman's floodplain ordinance stemming from a project in core Norman. The proposal involved razing an existing apartment complex and constructing new student housing facilities ("University House Norman Project"). The existing structures predated the floodplain ordinance and a number of buildings were in the floodplain and floodway. The new project proposed to remove structures from the floodway and floodplain, add 1.3 acre feet of floodplain storage through channel bank excavation and placement, and construct new apartments outside of the floodway and floodplain.

As Council worked through the issues that arose as a result of this redevelopment project, several amendments to the floodplain ordinance were drafted to better define the process for amendments to the Flood Insurance Rate Maps (FIRM) that result from a FEMA driven review process. The amendments to the FIRM as a result of the University House Norman Project were submitted to FEMA first as a Conditional Letter of Map Revision ("CLOMR") and then, once improvements were constructed, as a Letter of Map Revision ("LOMR"). The City's role in approving the LOMR once FEMA has approved it is ministerial.

DISCUSSION:

The amendments in Ordinance No. O-1617-34 more accurately reflect FEMA's approval process for map revisions and the City's role in those revisions. Letters of Map Change reviewed and approved by FEMA change to Flood Insurance Study (FIS) report and/or the National Flood Insurance Program map and are required to be adopted by Council. The City's approval of these types of changes is a formality to allow enforcement by the City of the floodplain ordinance. Additionally, as result of Council's review of the ordinance, amendments to the ordinance are included to clarify when floodplain permit

applications are required to be approved by City Council. Additional amendments are proposed to remove redundant language. Finally, Council discussed at length whether language allowing modification of the floodplain for “individual residential and non-residential structures” should be changed so that large scale redevelopment projects like University House Norman Project would not be allowed to modify the floodplain. Consensus was not reached on that point so no changes are proposed at this time.

STAFF RECOMMENDATION:

Staff recommends adoption of Ordinance No. O-1617-34.