

ORDINANCE NO. O2023-06.A

AN ORDINANCE TO AMEND THE CITY OF POOLER CODE OF ORDINANCES CHAPTER 50 – FLOODS, ARTICLE II – FLOOD DAMAGE PREVENTION TO ENSURE COMPLIANCE WITH THE STATE MODEL FLOOD ORDINANCE AND MINIMUM NATIONAL FLOOD INSURANCE PROGRAM STANDARDS; TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH; TO PROVIDE FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES

NOW THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Pooler that the Code of Ordinances of the City of Pooler, Georgia are hereby amended as follows:

I

That CHAPTER 50 – FLOODS, ARTICLE II. FLOOD DAMAGE PREVENTION, Section 50-34 - Definitions be amended by adding definitions, deleting the strikethrough language and adding the underlined text as follows:

Section 50-34. Definitions.

~~Building means any structure built for support, shelter, or enclosure for any occupancy or storage – see~~
“Structure”

~~Elevated building means a non-basement building built to have the lowest floor of the lowest enclosed area elevated above the ground level by means of fill, solid foundation perimeter walls, pilings, columns, piers, or shear walls adequately anchored so as not to impair the structural integrity of the building during a base flood event.~~

~~Manufactured Home Park or Subdivision means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.~~

~~Substantially improved existing manufactured home parks or subdivisions is where the repair, reconstruction, rehabilitation or improvement of the streets, utilities and pads equals or exceeds 50 percent of the value of the streets, utilities and pads before the repair, reconstruction or improvement commenced. “Variance” is a grant of relief from the requirements of this article, which permits construction in a manner otherwise prohibited by this article.~~

~~Variance is a grant of relief from the requirements of this article, which permits construction in a manner otherwise prohibited by this article.~~

II

That CHAPTER 50 – FLOODS, ARTICLE II. FLOOD DAMAGE PREVENTION, Section 50-92 – Specific Standards be amended by deleting the strikethrough language and adding the underlined text as follows:

Section 50-92. Specific Standards.

In all areas of special flood hazard the following provisions are required:

- (1) *New construction and/or substantial improvements.* Where base flood elevation data are available, new construction and/or substantial improvement of any structure or manufactured home shall have the lowest floor, including basement, elevated no lower than one foot above the base flood elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls shall be provided in accordance with standards of section 50-92(3)(a), (c) "elevated buildings".
- a. All heating and air conditioning equipment and components (including ductwork), all electrical, ventilation, plumbing, and other service facilities shall be elevated at or above one foot above the base flood elevation.
- (2) *Nonresidential construction.* New construction and/or the substantial improvement of any structure located in A1-30, AE, or AH zones, may be floodproofed in lieu of elevation. The structure, together with attendant utility and sanitary facilities, must be designed to be water tight to one foot above the base flood elevation, with walls substantially impermeable to the passage of water, and structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions above, and shall provide such certification to the official as set forth above and in subsection 50-67(6).
- (3) *Standards for manufactured homes and recreational vehicles.* Where base flood elevation data are available:
- a. All manufactured homes placed and/or substantially improved on:
1. Individual lots or parcels,
 2. In new and/or substantially improved manufactured home parks or subdivisions,
 3. In expansions to existing manufactured home parks or subdivisions, or
 4. On a site in an existing manufactured home park or subdivision where a manufactured home has incurred "substantial damage" as the result of a flood, must have the lowest floor including basement, elevated no lower than one foot above the base flood elevation.
- b. Manufactured homes placed and/or substantially improved in an existing manufactured home park or subdivision may be elevated so that ~~either~~ both:
1. The lowest floor of the manufactured home is elevated no lower than one foot above the level of the base flood elevation; ~~or~~ and
 2. The manufactured home chassis is elevated and supported by reinforced piers (or other foundation elements of at least an equivalent strength) of no less than 36 inches in height above grade.
- c. All manufactured homes must be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement. (Ref. section 50-91(6)),

d. All recreational vehicles placed on sites must either:

1. Be on the site for fewer than 180 consecutive days;
2. Be fully licensed and ready for highway use (a recreational vehicle is ready for highway use if it is licensed, on its wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached structures or additions); or
3. The recreational vehicle must meet all the requirements for "new construction", including the anchoring and elevation requirements of section 50-92(3)(a), (c) above.

(4) *Floodway*. Located within areas of special flood hazard established in section 50-36, are areas designated as floodway. A floodway may be an extremely hazardous area due to velocity floodwaters, debris or erosion potential. In addition, the area must remain free of encroachment in order to allow for the discharge of the base flood without increased flood heights. Therefore, the following provisions shall apply:

a. ~~All~~ Encroachments are prohibited, including earthen fill, new construction, substantial improvements or other development within the regulatory floodway, except for bridges, culverts, roadways and utilities and any uses related to open space or recreation, including parks or outdoor recreational activities, wetlands management, nature reserves, cultivation, or grazing. Any structure or improvement functionally related to a designated open space or recreational use may be allowable.

~~The above~~ development may only be permitted ~~however, provided when~~ it is demonstrated through a floodway no-rise analysis hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the encroachment shall will not result in any increase in flood levels or floodway widths during a base flood discharge. ~~A registered professional engineer must provide supporting technical data and certification thereof.~~

A no-rise analysis shall be performed by a licensed engineer registered in the state of Georgia. The analysis shall be supported by technical data and be based on the hydraulic analyses utilized in the models for the effective Flood Insurance Study (FIS) and Flood Insurance Rate Map (FIRM). The hydraulic analysis must also follow the applicable FEMA's Guidance for Flood Risk Analysis and Mapping documents.

A no-rise analysis must show no impact on the 100-year flood elevations at all existing cross-sections and added cross-sections, resulting from the proposed development in the floodway.

To support a no-rise certification for proposed developments encroaching into an established floodway, a complete submittal package shall be submitted to the City of Pooler, which shall include, but not be limited to, the following:

1. Copy of Duplicate Effective Model:

Upon receipt of the effective computer model, the engineer should run the original model to duplicate the output in the effective (FIS). If the effective hydraulic model is

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unavailable, an alternative hydraulic model must be calibrated to reproduce the FIS profiles within 0.5 feet. Hydraulic models used in the analysis must be on FEMA's accepted models list.

2. Corrective Effective Model:

This model shall serve to correct any errors identified in Duplicate Effective Model. Errors to be corrected may include (supporting documentation is required): inappropriate expansion and contraction coefficients, datum adjustments, bridge modeling errors, culvert modeling errors, incorrect ineffective flow locations and elevations, incorrect or unreasonable Manning's roughness coefficients, gross errors in topography at existing sections, negative surcharges and surcharges over 1.00', or man-made changes prior to the Effective Model that are not captured in the model.

3. Existing Conditions Model:

This model shall reflect any modifications that have occurred within the floodplain since the date of the effective model, but prior to the construction of the proposed project. If no modifications have occurred since the date of the effective model, then the model would be identical to the Duplicate Effective or Corrective Effective Model. The results of this Existing Conditions analysis will indicate the 100-yr elevations at the project site.

4. Proposed Conditions Model:

Modify the Existing Condition Model to reflect proposed project conditions. The overbank roughness coefficients should remain the same unless a reasonable explanation of how the proposed development will impact Manning's "n" values is included with the supporting data. The results of this analysis will indicate the 100-year elevation for proposed conditions at the project site. The results must indicate no impact on the 100-year flood elevation when compared to the Existing Conditions Model.

5. Report:

The report shall clearly describe the analysis methodology and outline the procedures utilized for each step of the analysis. All modifications made to the Duplicate Effective Model to develop the subsequent models (Corrected Effective Model, Existing Conditions Model, and Proposed Conditions Model) shall be well documented in this report and submitted with all supporting data needed to justify the modifications. The report shall also detail the results of the analysis, clearly showing how the floodway's conditions remain or change in each of the models. Exhibits shall also be included in the report, including, but not limited to, the effective FIRM, site location, proposed site grading plans superimposed onto maps, the location of existing cross-sections and added cross-sections.

6. Cross Section Plots (for added cross-sections):

Cross-section plots, of the added cross-sections needed for analysis, shall be provided for the existing and proposed conditions. There shall also be a statement identifying the source of the topographic data and information used to develop the added cross section.

7. Copy of Effective Floodway Data Table from the FIS Report

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8. Digital Copy of All Input and Output Files for Models;

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9. Printed Copy of the Output Files for Corrected Effective Model, Existing Conditions Model, and Proposed Conditions Model;

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b. Only if subsection (4)(a) above is satisfied, then any new construction or substantial improvement shall comply with all other applicable flood hazard reduction provisions of division 3.

III

That CHAPTER 50 – FLOODS, ARTICLE II. FLOOD DAMAGE PREVENTION, Section 50-95 – Standards for Subdivisions be amended by deleting the strikethrough language and adding the underlined text as follows:

Section 50-95. Standards for subdivisions or development proposals.

- (1) All subdivision and/or development proposals shall be consistent with the need to minimize flood damage and shall be reasonably safe from flooding;
- (2) All subdivision and/or development proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage;
- (3) All subdivision and/or development proposals shall have adequate drainage provided to reduce exposure to flood hazards; ~~and;~~
- (4) For subdivisions and/or developments ~~greater than 50 lots or five acres, whichever is less,~~ base flood elevation data shall be provided for subdivision and all other proposed development, including manufactured home parks and subdivisions; and
- (4)(5) Any changes or revisions to the flood data adopted herein and shown on the FIRM shall be submitted to FEMA for review as a conditional letter of map revision (CLOMR) or conditional letter of map amendment (CLOMA), whichever is applicable. Upon completion of the project, the developer is responsible for submitting the "as-built" data to FEMA in order to obtain the final LOMR. The developer's engineer shall additionally provide the City of Pooler with all digital data needed to update local versions of the DFIRM.

IV

All ordinances or parts of ordinances in conflict with the ordinance are hereby repealed.

V

If any section, clause, or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, the said holding shall in no way affect the validity of the remaining portions of this ordinance.

VI

This ordinance shall be effective immediately upon its adoption by the Mayor and City Council of Pooler, Georgia.

1st Reading:

7/17/23

2nd Reading: 8/7/23

This 11 day of August, 2023.

CITY OF POOLER, GEORGIA

Rebecca C Benton

Rebecca C. Benton, Mayor

Attest:

Kiley Fusco

Kiley Fusco, City Clerk

Date: 8/11/23

