



## CITY OF NORMAN, OK STAFF REPORT

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**MEETING DATE:** December 14, 2021

**REQUESTER:** Todd McLellan, Development Engineer

**PRESENTER:** Shawn O'Leary, Director of Public Works

**TITLE:** CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2122-25 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, FOR THE REVISED FLOODPLAIN ORDINANCE ALLOWING FOR A REDUCTION IN FLOOD INSURANCE PREMIUMS THROUGH AMENDMENT OF SECTION 22:429.1 4 (C) 1 AND 4(C)3

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### **BACKGROUND:**

The City's Floodplain Ordinance which is included in Section 22:429.1 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 thirteen (13) times in 1978, 1981, 1986, 1987, 1989, 1997, 2003, 2004, 2007, 2008, 2012, 2017, and 2020. 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:**

Residents and business owners in Norman are eligible for a reduction in flood insurance premiums because of the city's active participation in FEMA's National Flood Insurance Program (NFIP) Community Rating System (CRS). In addition to lower premiums, the CRS program helps to reduce the threat of injury or death and property damage due to flooding in Norman.

The CRS is a voluntary program for NFIP participating communities. The intended goals of the CRS program are to reduce flood losses, facilitate accurate insurance ratings and promote the awareness of flood insurance. The CRS program rewards communities for implementing activities that protect their residents from flooding. These programs include public outreach, floodplain open space preservation and higher regulatory standards.

Communities are rewarded by having the individual flood insurance policyholder's premiums reduced. Flood insurance premium reductions run in 5 percent increments, from 5 percent to 45 percent. Class ratings range from 10 to 1. The higher the flood protection activity, the lower the Class rating. Norman became a Class 7 community effective October 1, 2021. Norman's flood insurance policyholders who reside in Special Flood Hazard Areas receive a 15 percent

reduction on flood insurance premiums and policyholders located outside Special Flood Hazard Areas enjoy a 10 percent discount. The reduction in flood insurance premiums represents an annual savings in premium costs for Norman policyholders and will take effect at the time a new policy is written or an effective policy is renewed.

The CRS Coordinator's Manual is the guidebook for the CRS program. The Coordinator's Manual spells out the credits and credit criteria for community activities and programs that go above and beyond the minimum requirements for participation in FEMA's National Flood Insurance Program. The Coordinator's Manual explains how the CRS operates, how credits are calculated, and what documentation is required, and also acts as guidance for communities in enhancing their flood loss reduction and resource protection activities. From time to time, the Coordinator's Manual is revised, to respond to improvements in floodplain management and insurance practice, advances in technology, input from communities and other program stakeholders, and other factors. These changes ensure that the CRS continues to encourage, support, and recognize communities for ongoing efforts to minimize flood losses and protect floodplain resources. Revisions normally take place every three years and are issued in the form of a new edition of the Coordinator's Manual. An Addendum to the 2017 CRS Coordinator's Manual was issued by FEMA effective January 1, 2021, that became a part of the 2017 edition of the Coordinator's Manual. With the issuance of this Addendum, FEMA incorporated into the existing CRS guidance some material that officially changes, adds to, or clarifies the CRS program.

Under this new addendum, FEMA now gives CRS credit for floodplain ordinances that add electrical and mechanical equipment servicing new or substantially improved buildings in the floodplain to the freeboard requirement. Freeboard is defined as a factor of safety usually expressed in feet above a flood level for purposes of floodplain management. Freeboard compensates for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed. Norman currently has a 2 foot freeboard requirement for new or substantially improved buildings in the floodplain. In other words, new or substantially improved buildings constructed in the floodplain are currently required to have the lowest floor a minimum of 2 feet above the Base Flood Elevation (BFE). This ordinance revision will now require that electrical and mechanical equipment servicing the building, such as air conditioning units, also be elevated a minimum of 2 feet above the BFE.

By amending Section 429.1(4) of Chapter 22 of the Code to define the freeboard elevation requirements of mechanical and electrical equipment servicing new or substantially improved buildings in the floodplain, FEMA has agreed to modify the City of Norman's CRS class from 7 to 6 which will increase the flood insurance premium discounts of those citizens receiving 15% to 20%. Staff proposes the following schedule for ordinance modification:

<b>Norman Revised Floodplain Ordinance Schedule</b>	
<b>Item</b>	<b>Completion Date</b>
Proposed Ordinance Changes Approved by OWRB	October 19, 2021
Proposed Ordinance Changes to Floodplain Permit Committee	November 15, 2021
Proposed Ordinance Changes to Planning Commission	November 18, 2021
Proposed Ordinance Changes to City Council 1st Reading	December 14, 2021
Proposed Ordinance Changes to City Council 2nd Reading	January 18, 2022
Revised Floodplain Ordinance Becomes Effective	February 18, 2022

The proposed revisions are listed 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-2122-25 which amends Sections 22:429.1 4(c)1 and 4(c)3 of the current ordinance.

Reviewed by: Scott Sturtz, City Engineer  
Shawn O'Leary, Director of Public Works  
Jane Hudson, Director of Planning and Community Development  
Beth Muckala, Assistant City Attorney III  
Darrel Pyle, City Manager