



## CITY OF NORMAN, OK STAFF REPORT

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**MEETING DATE:** 08/23/2022

**REQUESTER:** Jason Murphy, Stormwater Program Manager

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

**TITLE:** CONSIDERATION OF ADOPTION, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2223-1 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 429.1 ("FLOOD HAZARD DISTRICT") OF THE ZONING ORDINANCE, SUB-SECTION 1, TO ADD CITATION TO OKLAHOMA STATUTORY AUTHORITY FOR LOCAL REGULATION; AND PROVIDING FOR THE SEVERABILITY THEREOF.

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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 fourteen (14) times in 1978, 1981, 1986, 1987, 1989, 1997, 2003, 2004, 2007, 2008, 2012, 2017, 2020, and 2021. 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:**

A Community Assistance Visit (CAV) is a major component of the National Flood Insurance Program's (NFIP's) Community Assistance Program (CAP). The CAV is a visit to a community by a FEMA staff member or staff of a State agency on behalf of FEMA that serves the dual purpose of providing technical assistance to the community and assuring that the community is adequately enforcing its floodplain management regulations. Generally, a CAV consists of a tour of the floodplain, an inspection of community permit files, and meetings with local appointed and elected officials. If any administrative problems or potential violations are identified during a CAV, the community will be notified and given the opportunity to correct those administrative procedures and remedy the violations to the maximum extent possible within established deadlines. FEMA or the State will work with the community to help them bring their program into compliance with NFIP requirements.

In April 2022, the City of Norman underwent a CAV. During the review of the City's floodplain ordinance, it was noted that a clear reference outlining the City's statutory authority under State Law to administer the floodplain ordinance was missing. Therefore, the proposed amendment

to the City's floodplain ordinance is to add language clearly referencing the Oklahoma Floodplain Management Act Sections 1601 through 1620.1 of Title 82 of the Oklahoma Statutes wherein the responsibility is delegated to local governmental units to adopt regulations designed to minimize flood losses through regulation of the Flood Hazard District.

The proposed revisions are noted in the attached ordinance.

<b>Norman Revised Floodplain Ordinance Schedule</b>	
<b>Item</b>	<b>Completion Date</b>
Proposed Ordinance Changes Approved by OWRB	June 1, 2022
Proposed Ordinance Changes to Floodplain Permit Committee	June 6, 2022
Proposed Ordinance Changes to Planning Commission	July 14, 2022
Proposed Ordinance Changes to City Council 1st Reading	August 9, 2022
Proposed Ordinance Changes to City Council 2nd Reading	August 23, 2022
Revised Floodplain Ordinance Becomes Effective	September 22, 2022

**RECOMMENDATION:**

Staff recommends that the City Council approve Ordinance O-2223-1, which amends Section 22:429.1(1) of the current ordinance.