CITY OF FOLLY BEACH

1st Reading: January 8th, 2019
2nd Reading:

Introduced by: Mayor Goodwin
Date: January 8th, 2019

ORDINANCE 08-19

AN ORDINANCE AMENDING CHAPTER 152 (FLOOD DAMAGE PREVENTION) OF THE FOLLY BEACH CODE OF ORDINANCES, SECTIONS 152.05 (DEFINITIONS), 152.25 (GENERAL STANDARDS), AND 152.26 (SPECIFIC STANDARDS) BY INCREASING THE REQUIRED FREEBOARD ELEVATION FROM ONE TO TWO FEET.

The City Council of Folly Beach, South Carolina, duly assembled, hereby ordains that the Folly Beach Code of Ordinance be amended as follows:

NOTE: ~~Deleted material stuck through~~, new material in red:

SECTION 152.05 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

FREEBOARD. A factor of safety usually expressed in feet above a flood level for purposes of flood plain management intended to compensate 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. The freeboard requirement also applies to utilities. The freeboard requirement for the City of Folly Beach is ~~one foot~~ two feet above BFE.

SECTION 152.25 GENERAL STANDARDS.

In all areas of special flood hazard, all permits for new construction and substantial improvement must be reviewed to determine whether proposed structures will be reasonably safe from flooding. Additionally, the following provisions are required:

(A) New construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure.

(B) (1) Manufactured homes shall be anchored to prevent flotation, collapse or lateral movement.

(2) Methods of anchoring may include, but are not limited to use of over-the-top or frame ties to ground anchors.

(3) This standard shall be in addition to and consistent with applicable state requirements for resisting wind forces.

(C) New construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.

(D) New construction or substantial improvements shall be constructed by methods and practices that minimize flood damage.

(E) Electrical, heating, ventilation, plumbing, air conditioning equipment and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding to the base level plus ~~one foot~~ two feet.

(F) New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.

(G) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters.

(H) On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding.

(I) Any alteration, repair, reconstruction or improvements to a structure which is in compliance with the provisions of this chapter, shall meet the requirements of "new construction," as contained in this chapter.

(J) Noncompliant buildings or uses may not be enlarged, replaced, or rebuilt unless such enlargement or reconstruction is accomplished in conformance with the provisions of this chapter. Provided, however, nothing in this chapter shall prevent the repair, of an existing building or structure located totally or partially within the floodway, provided that the bulk of the building or structure below base flood elevation in the floodway is not increased and provided that such repair meets all of the other requirements of this chapter.

(K) All new and substantially improved critical development shall be elevated to the 500-year flood elevation or be elevated to the highest known historical flood elevation (where records are available), whichever is greater. If no data exists establishing the 500-year flood elevation or the highest known historical flood elevation, the applicant shall provide a hydrologic and hydraulic engineering analysis that generates 500-year flood elevation data.

(L) All gas or liquid storage tanks, either located above ground or buried, shall be anchored to prevent floatation and lateral movement resulting from hydrodynamic and hydrostatic loads.

(M) All new construction and substantial improvements must meet the Americans with Disabilities Act (ADA) requirements including specific ADA requirements for construction in the floodplain. The ADA shall not be used as justification for the issuance of a variance or otherwise waiving floodplain construction requirements. The cost of applicable ADA improvements shall be included in calculating the threshold of substantial improvement. (`95 Code, § 5-4-18) (Am. Ord. 05-97, passed 4-1-97; Am. Ord. 24-99, passed 9-14-99; Am. Ord. 01-00, passed 2-22-00; Am. Ord. 22-16, passed 9-13-16; Am. Ord. 21-17, passed 7-11-17)

SECTION 152.26 SPECIFIC STANDARDS.

In all areas of special flood hazard where base flood elevation data has been provided, as set forth in 152.07 or 150.20, the following provisions are required:

(A) *Residential construction*.

(1) New construction and substantial improvement of any residential building (or manufactured home) shall have the lowest floor, including basement, elevated no lower than ~~one foot~~ two feet above the base flood elevation.

(2) Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate the unimpeded movements of flood water shall be provided in accordance with standards of 152.41.

(B) *Nonresidential construction*.

(1) New construction and substantial improvement of any commercial, industrial or non-residential building (or manufactured home) shall have the lowest floor, including basement, elevated no lower than ~~one foot~~ two feet above the base flood elevation. Commercial buildings located in all A-zones may be floodproofed in lieu of being elevated provided that all areas of the building below the required elevation are water tight with walls substantially impermeable to the passage of water and use structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A flood proofing certificate must be submitted to the Building Official certified by a licensed South Carolina architect or engineer prior to occupation of the structure.

(2) A registered professional engineer or architect shall certify that the standards of this subsection are satisfied. The certification shall be provided to the official as set forth in 152.41.

(3) This section does not raise the height restriction.

(4) Structures that are floodproofed are required to have an approved maintenance plan with an annual review. The local floodplain administrator must approve the maintenance plan and be provided with a notification of the annual review.

ADOPTED this ___ day of _____, 2019, at Folly Beach, South Carolina.

Ayes: _____ **Nays:** _____ **Abstains:** _____

_____ _____

Municipal Clerk **Tim Goodwin, Mayor**