



REGULAR AGENDA

OF

AUGUST 6, 2018



CITY OF NORTH AUGUSTA

AGENDA: REGULAR CITY COUNCIL MEETING

August 6, 2018 – Municipal Center – 100 Georgia Avenue, 3rd Floor – 7:00 P.M.

CITIZEN COMMENTS: Citizens may speak to Mayor and City Council on each item listed on this agenda. Mayor Pettit will call for your comments prior to City Council discussing the matter. Citizens wishing to address Mayor and City Council are required to submit a Speaker Form to the City Clerk before addressing Mayor and City Council. Forms are provided on the credenza at the entrance to the Council Chambers. Citizen comments are limited to five minutes.

CITIZEN ASSISTANCE: Individuals needing special assistance or sign interpreter to participate in the meeting, please notify the Administration Department 48 hours prior to the meeting.

1. **CALL TO ORDER:**
2. **INVOCATION AND PLEDGE OF ALLEGIANCE:**
3. **ROLL CALL:**
4. **APPROVAL OF MINUTES:** Regular and study session meeting minutes of July 16, 2018
5. **PERSONNEL:** Diana H. Miller, Retirement – Recognition of Service to the City of North Augusta
6. **PERSONNEL:** Employee of the Quarter, April, May, and June, 2018 – Jonah Baynham, Maintenance Worker II with the Department of Parks, Recreation, and Tourism

UNFINISHED BUSINESS

7. **ZONING:** Ordinance No. 2018-05 – An Ordinance Amending Article 3, Zoning Districts, Related to the Boundaries of the Neighborhood Preservation Overlay District, of the North Augusta Development Code, Chapter 18 of the City of North Augusta, South Carolina Code of Ordinances
 - A. Ordinance 2018-05, Second Reading

NEW BUSINESS

8. **FINANCE:** Resolution No. 2018-16 - A Resolution Authorizing the Execution of a Contract with First Tryon Securities for Advisory Services for Capital Planning
9. **STREETS AND DRAINS:** Resolution No. 2018-17 - A Resolution Authorizing a Request to the South Carolina Department of Transportation for Removal of a Portion of Bunting Drive (S-309) from the State Highway System and the Acceptance of Ownership and Maintenance Responsibility of Said Road by The City of North Augusta, South Carolina; And, Authorizing the Execution and Recordation of Certain Documents in Connection Therewith
10. **ZONING:** Ordinance No. 2018-08 –An Ordinance Amending the North Augusta Development Code in Order to Comply with Requirements of the Federal Emergency Management Agency (FEMA) to Allow Property within the City to Remain Eligible for Federal Emergency Flood Insurance. Such Amendments Relate to Portions of Article Three, Article Nine, and Appendix A.
 - A. Receipt of Planning Commission Recommendation
 - B. Ordinance 2018-08, First Reading
 - C. Ordinance 2018-08, Second Reading
11. **PRESENTATIONS/COMMUNICATIONS/RECOGNITION OF VISITORS:**
 - A. Citizen Comments: At this time, citizens may speak to Mayor and City Council regarding matters not listed on the agenda. Citizens wishing to address Mayor and City Council are required to submit a Speaker Form to the City Clerk before addressing Mayor and City Council. Forms are provided on the credenza at the entrance to the Council Chambers. Citizen comments are limited to five minutes.
 - B. Council Comments
12. **ADJOURNMENT:**



TO: Mayor and City Council

FROM: B. Todd Glover, City Administrator

DATE: August 3, 2018

SUBJECT: Regular City Council Meeting of August 6, 2018

REGULAR COUNCIL MEETING

ITEM 5. PERSONNEL: Diana H. Miller – Recognition of Service to the City of North Augusta

On July 31, 2018, Diana H. Miller, Manager of Human Resources, retired with the City of North Augusta. Diana began her employment with the City of North Augusta in February of 1995 as the City Council Secretary. Her position changed to Human Resources Specialist and in 2000 she became the Manager of Human Resources. Mayor Pettit wishes to recognize and honor Diana for her years of service to the City of North Augusta.

ITEM 6. PERSONNEL: Employee of the Quarter, April, May, and June, 2018 – Jonah Baynham, Maintenance Worker II with the Department of Parks, Recreation, and Tourism

The City of North Augusta Employee Recognition Committee would like to recognize the employee of the quarter for April, May, and June, 2018, Jonah Baynham, Maintenance Worker II for the Department of Parks, Recreation, and Tourism.

Jonah started his employment with the City of North Augusta on December 11, 2006. He and his wife, have 2 children, Audrey and Weston.

Jonah started out as a Grounds Worker I with the Riverview Park maintenance crew; was promoted to Grounds Worker II on July 8, 2009; and through his hard work and can do attitude was promoted to Grounds Worker III on July 6, 2011. In April of this year both Maintenance worker II positions at the Municipal building opened up, and Jonah made the decision to transfer inside in spite of knowing that he would have to take a

August 6, 2018

pay cut to do so. The opportunity to move inside and learn something new appealed to Jonah. Jonah has already started the process of working his way toward advancement with his positive attitude and soaking up all he can learn.

Jonah Baynham is a good natured, conscientious, happy energetic person who spreads good will among all. He easily accepts instruction and executes his job to the best of his ability. He is very observant, eager and willing to learn and process information. He is extremely helpful and more than willing to provide assistance whatever and whenever needed.

During the Nike Peach Jam Basketball tournament, Jonah is assigned to work as the gatekeeper to the VIP and volunteer parking area. Jonah's personality and ability to stand firm when needed, but get his message across in a professional manner, makes him the perfect man for this spot.

In his spare time, Jonah serves as a lieutenant and chaplain for the Beech Island Fire Department and part-time worship leader at Matlock Baptist Church.

Jonah Baynham is a tremendous asset to the Department of Parks, Recreation, & Tourism and the City of North Augusta workforce.

Congratulations to Jonah Baynham, our employee of the second quarter of 2018. Mayor Pettit will present him with a plaque, a \$25 gift certificate to Your Pie, and a \$25 gift card to Wal-Mart.

ITEM 7. ZONING: **Ordinance No. 2018-05 – An Ordinance Amending Article 3, Zoning Districts, Related to the Boundaries of the Neighborhood Preservation Overlay District, of the North Augusta Development Code, Chapter 18 of the City of North Augusta, South Carolina Code of Ordinances**

A. **Ordinance 2018-05, Second Reading**

An ordinance has been prepared for Council's consideration on second reading amending Article 3, Zoning Districts, related to the boundaries of the Neighborhood Preservation Overlay District of the North Augusta Development Code, Chapter 18 of the City of North Augusta, South Carolina Code of Ordinances.

Please see the minutes of July 2, 2018 for the ordinance text.

ITEM 8. FINANCE: **Resolution No. 2018-16 - A Resolution Authorizing the Execution of a Contract with First Tryon Securities for Advisory Services for Capital Planning**

A resolution has been prepared for Council's consideration authorizing the execution of a contract with First Tryon Securities for advisory services for capital planning.

Please see **ATTACHMENT NO. 8** for a copy of the proposed resolution.

ITEM 9. STREETS AND DRAINS: **Resolution No. 2018-17 - A Resolution Authorizing a Request to the South Carolina Department of Transportation for Removal of a Portion of Bunting Drive (S-309) from the State Highway System and the Acceptance of Ownership and Maintenance Responsibility of Said Road by The City of North Augusta, South Carolina; And, Authorizing the Execution and Recordation of Certain Documents in Connection Therewith**

A resolution has been prepared for Council's consideration authorizing a request to the South Carolina Department of Transportation for removal of a portion of Bunting Drive (S-309) from the State Highway System and the acceptance of ownership and maintenance responsibility of said road by the City of North Augusta, South Carolina; and, authorizing the execution and recordation of certain documents in connection therewith.

Please see **ATTACHMENT NO. 9** for a copy of the proposed resolution and associated documents.

ITEM 10. ZONING: **Ordinance No. 2018-08 –An Ordinance Amending the North Augusta Development Code in Order to Comply with Requirements of the Federal Emergency Management Agency (FEMA) to Allow Property within the City to Remain Eligible for Federal Emergency Flood Insurance. Such Amendments Relate to Portions of Article Three, Article Nine, and Appendix A.**

A. **Receipt of Planning Commission Recommendation**

On August 2, 2018, after a duly advertised and convened public hearing, the Planning Commission considered a request by the City of North Augusta to amend the text of portions of the North Augusta Development Code. **The Planning Commission, on a**

August 6, 2018

vote of 6-0, voted to recommend approval of the recommended text as amended.

Please see **ATTACHMENT NO. 10-A** for a copy of Memo #18-019 from the Planning Department.

B. Ordinance 2018-08, First Reading

An ordinance has been prepared for Council's consideration on first reading amending the North Augusta Development Code in order to comply with requirements of the Federal Emergency Management Agency (FEMA) to allow property within the City to remain eligible for Federal Emergency Flood Insurance. Such amendments relate to portions of Article Three, Article Nine, and Appendix A.

Please see **ATTACHMENT NO. 10-B** for a copy of the proposed ordinance.

C. Ordinance 2018-08, Second Reading

Pending Council's passage of the ordinance on first reading, it is submitted for Council's consideration on second reading.

ATTACHMENT 8

RESOLUTION NO. 2018-16
AUTHORIZING THE EXECUTION OF A CONTRACT WITH FIRST TRYON
SECURITIES FOR ADVISORY SERVICES FOR CAPITAL PLANNING

WHEREAS, the City discussed capital needs at its most recent Envision session and desires the services of a financial advisor to assist in establishing a capital improvement program for the City; and

WHEREAS, the City previously selected First Tryon as its financial advisor;
and

WHEREAS, the City requested a proposal from First Tryon for these services; and,

WHEREAS, the fee for capital planning advisory services is estimated between \$40,000-\$60,000 depending on the extent of services requested by the City; and,

WHEREAS, it is in the best interest of the City to establish a capital improvement program to manage capital needs amongst all departments.

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of North Augusta, South Carolina, in meeting duly assembled and by the authority thereof, that First Tryon be authorized to provide capital planning advisory services to the City in an amount not to exceed \$60,000 and that the City Administrator be authorized to sign all documents relating thereto.

BE IT FURTHER RESOLVED that the funding for the capital planning advisory services shall come from the Capital Projects Fund.

DONE, RATIFIED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, ON THIS _____ DAY OF AUGUST 2018.

Robert A. Pettit, Mayor

ATTEST:

Donna B. Young, City Clerk

ATTACHMENT 9

RESOLUTION NO. 2018-17

A RESOLUTION AUTHORIZING A REQUEST TO THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION FOR REMOVAL OF A PORTION OF BUNTING DRIVE (S-309) FROM THE STATE HIGHWAY SYSTEM AND THE ACCEPTANCE OF OWNERSHIP AND MAINTENANCE RESPONSIBIITY OF SAID ROAD BY THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA; AND, AUTHORIZING THE EXECUTION AND RECORDATION OF CERTAIN DOCUMENTS IN CONNECTION THEREWITH

WHEREAS, South Carolina Department of Transportation, (the “*SCDOT*”) is the owner of Bunting Drive (S-309) located within the Lynnhurst Subdivision in the City of North Augusta, South Carolina, as more particularly described on Exhibit “A” attached hereto and fully incorporated herein (the “*Road*”); and,

WHEREAS, the Road is part of the state highway secondary system; and,

WHEREAS, Section 57-5-80 of the South Carolina Code of Laws, 1976, as amended, permits SCDOT to transfer ownership of any road in the state highway secondary system determined to be of low traffic importance to a municipality if mutual consent is reached between SCDOT and the municipality; and,

WHEREAS, the City of North Augusta (the “*City*”) is a South Carolina municipal corporation vested with the power to acquire public roads in accordance with South Carolina law; and,

WHEREAS, the City, in accordance with its Stormwater Management Capital Improvement Plan, has engaged a professional engineering firm to study, recommend, and design drainage improvements within the Lynnhurst Subdivision to reduce roadway and private property flooding; and,

WHEREAS, the final design includes the installation of underground storm drainage piping within the travel lanes of a portion of Bunting Drive, generally between Towhee Avenue (S-315) and Robin Road (S-311); and,

WHEREAS, the City has made application to the SCDOT for an Encroachment Permit for the construction of the storm drainage piping and related appurtenances within the right-of-way; and,

WHEREAS, the SCDOT has denied the permit application, citing its objection to the pipeline being installed within the travel lanes; and,

WHEREAS, the SCDOT has further suggested that if the City cannot re-design the project to remove the pipeline from the travel lanes, then it should pursue this action to allow the project to proceed as designed; and,

WHEREAS, the City's Engineering Department has reviewed the plans and believes that the current design best meets the hydrologic design parameters, and minimizes construction impacts upon existing City-owned and private utilities, as well as private property, and recommends that the City pursue this action; and,

WHEREAS, City Council has determined that it is in the public interest for the City to request that SCDOT remove a portion of Bunting Drive from the state secondary highway system and for the City to acquire the Road and the continuing maintenance obligations from SCDOT; and,

WHEREAS, City Council desires to authorize the City Administrator to execute such documents as necessary to complete the conveyance of the Roads to the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, AS FOLLOWS:

1. The City Council hereby authorizes the acquisition and the transfer of the Road from SCDOT to the City, including the continuing maintenance obligations for the Road, and hereby confirms that the acquisition of the Road by the City is in the public interest.

2. The Mayor, City Administrator, and City Clerk are each hereby authorized to execute any and all documents necessary to consummate the acquisition and the conveyance of the Road to the City, including, without limitation, the acceptance and recordation of the above-referenced application with SCDOT. The City Administrator is hereby authorized to pay such reasonable costs of the transaction as may be necessary.

3. Should any part or portion of this Resolution be deemed unconstitutional or otherwise unenforceable by any court of competent jurisdiction, such finding shall not affect the remainder hereof, all of which is hereby deemed separable.

DONE, RATIFIED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, ON THIS 6TH DAY OF AUGUST, 2018.

Robert A. Pettit, Mayor

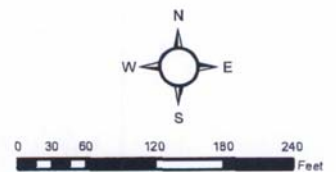
ATTEST:

Donna B. Young, City Clerk

EXHIBIT A



**Request to Transfer
Bunting Dr (S-309)
from State Road System to
The City of North Augusta**



**REQUEST FOR TRANSFER OF ROAD FROM STATE SECONDARY
SYSTEM TO ANOTHER GOVERNMENTAL AGENCY**

(REVISED 05/01/2018)

DESCRIPTION OF SECTION OF ROAD TO BE TRANSFERRED

COUNTY: _____ ROAD NUMBER: _____ ROAD NAME: _____

LENGTH TO BE TRANSFERRED: _____ MILES

BEGINNING POINT: _____ ENDING POINT: _____

DESCRIPTION: (PLEASE ATTACH LOCATION MAP)

ACCEPTANCE OF MAINTENANCE RESPONSIBILITY

IT IS REQUESTED THAT THE ABOVE DESCRIBED ROAD BE REMOVED FROM THE STATE HIGHWAY SYSTEM. OWNERSHIP AND MAINTENANCE OF THIS ROAD WILL BECOME THE RESPONSIBILITY OF THE ENTITY LISTED BELOW. BY SIGNING BELOW, THE ENTITY ACKNOWLEDGES THAT THE ROAD MUST REMAIN OPEN TO THE PUBLIC UNLESS CLOSED PURSUANT TO APPROPRIATE LOCAL ROAD CLOSING PROCEDURES OR THE STATUTORY ROAD CLOSING PROCESS FOUND IN S. C. CODE SECTION 57-9-10, et seq.

GOVERNMENTAL AGENCY: _____
PLEASE TYPE OR PRINT

NAME: _____
PLEASE TYPE OR PRINT

TITLE: _____
PLEASE TYPE OR PRINT

SIGNED: _____ DATE: _____

NOTE TO DISTRICT ENGINEERING ADMINISTRATOR:

THIS COMPLETED FORM AND MAP SHOULD BE FORWARDED TO:

SCDOT DIRECTOR OF ROAD DATA SERVICES
955 PARK STREET - ROOM 515, P.O. BOX 191
COLUMBIA, S.C. 29202

**BASIS FOR TRANSFER
(TO BE COMPLETED BY SCDOT)**

CHECK ONE OF THE (2) TWO OPTIONS BELOW AND COMPLETE:

1. TRANSFER OF ROADS FROM THE SECONDARY SYSTEM (SWAP MILES ONLY)

ROADS TO BE ADDED IN SWAP OF MILES:

<u>ROADS NUMBER</u>	<u>ROAD MILEAGE</u>	<u>AVERAGE DAILY TRAFFIC (ADT)</u>	<u>NUMBER OF LANES</u>	<u>TRAFFIC IMPORTANCE</u>
_____	(_____ X _____	/ _____)	= _____	
_____	(_____ X _____	/ _____)	= _____	

ROADS TO BE TRANSFERRED IN SWAP OF MILES:

<u>ROADS NUMBER</u>	<u>ROAD MILEAGE</u>	<u>AVERAGE DAILY TRAFFIC (ADT)</u>	<u>NUMBER OF LANES</u>	<u>TRAFFIC IMPORTANCE</u>
_____	(_____ X _____	/ _____)	= _____	
_____	(_____ X _____	/ _____)	= _____	

NOTE: ROADS TO BE ADDED MUST BE OF HIGHER TRAFFIC IMPORTANCE THAN ROADS TO BE TRANSFERRED AS DETERMINED BY THE CALCULATIONS ABOVE.

2. TRANSFER OF ROADS FROM THE SECONDARY SYSTEM (NO SWAP MILES)

TRANSFER CHECKLIST (CHECK APPROPRIATE BOXES BELOW)

YES NO

ROAD IS REQUIRED FOR DEPARTMENT PURPOSES ¹

ROAD IS OF LOW TRAFFIC IMPORTANCE. LIST FUNCTIONAL CLASSIFICATION: _____

THE RIGHT OF WAY LIMITS RETAINED AT THE INTERSECTING ROADS WILL BE ESTABLISHED AS FOLLOWS:

ADDITIONAL COMMENTS: _____

¹ A COPY OF THE PLAN SHEET WITH THE NEW RIGHT OF WAY LIMITS MUST BE INCLUDED.

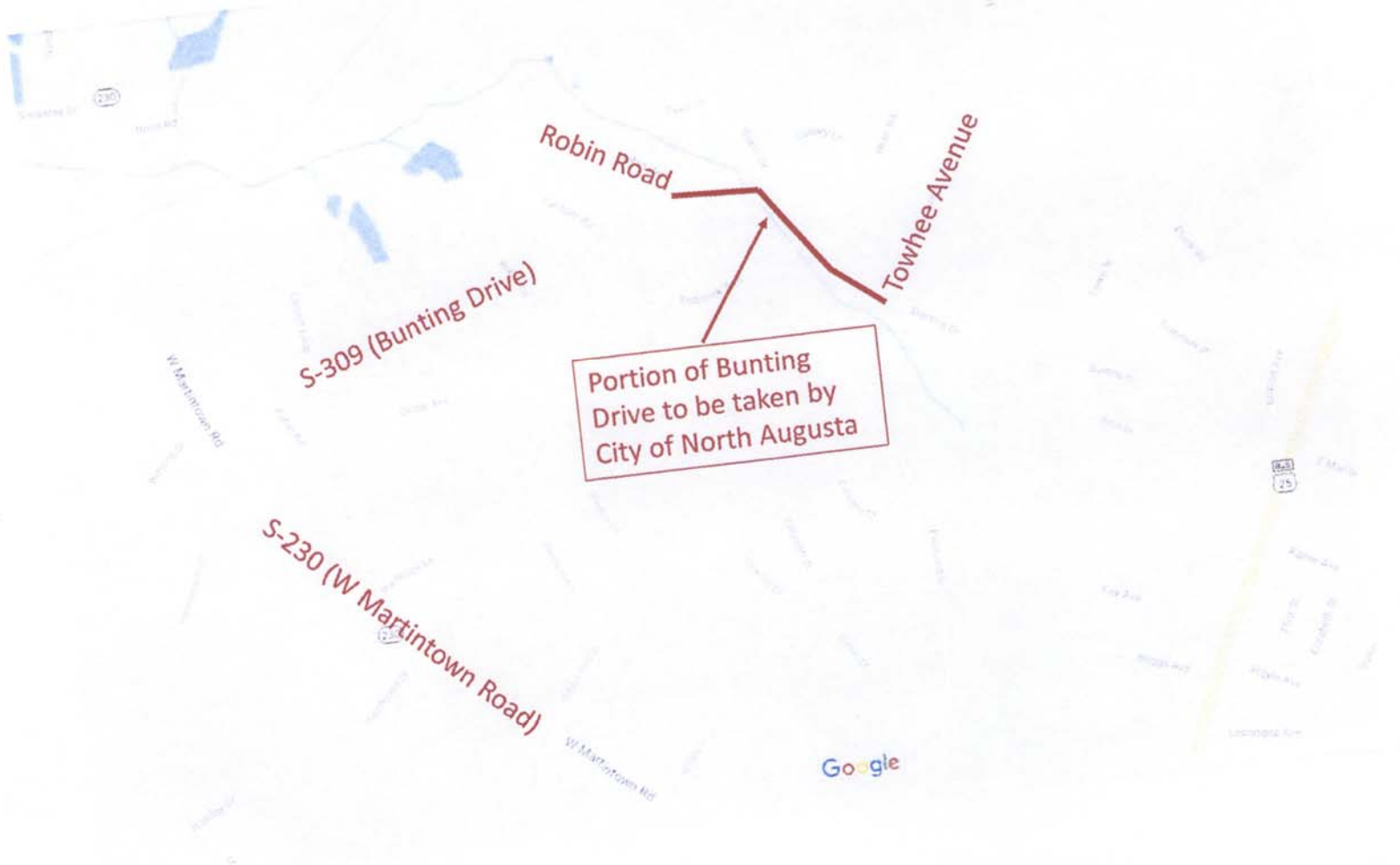
REQUEST SUBMITTED BY: _____ DATE: _____

CONCURRENCE BY: _____ DATE: _____

FOR ROUTES ABOVE MAJOR COLLECTOR ONLY:

APPROVED: _____ DATE: _____

DIRECTOR OF ROAD DATA SERVICES OR DESIGNEE



Robin Road

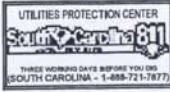
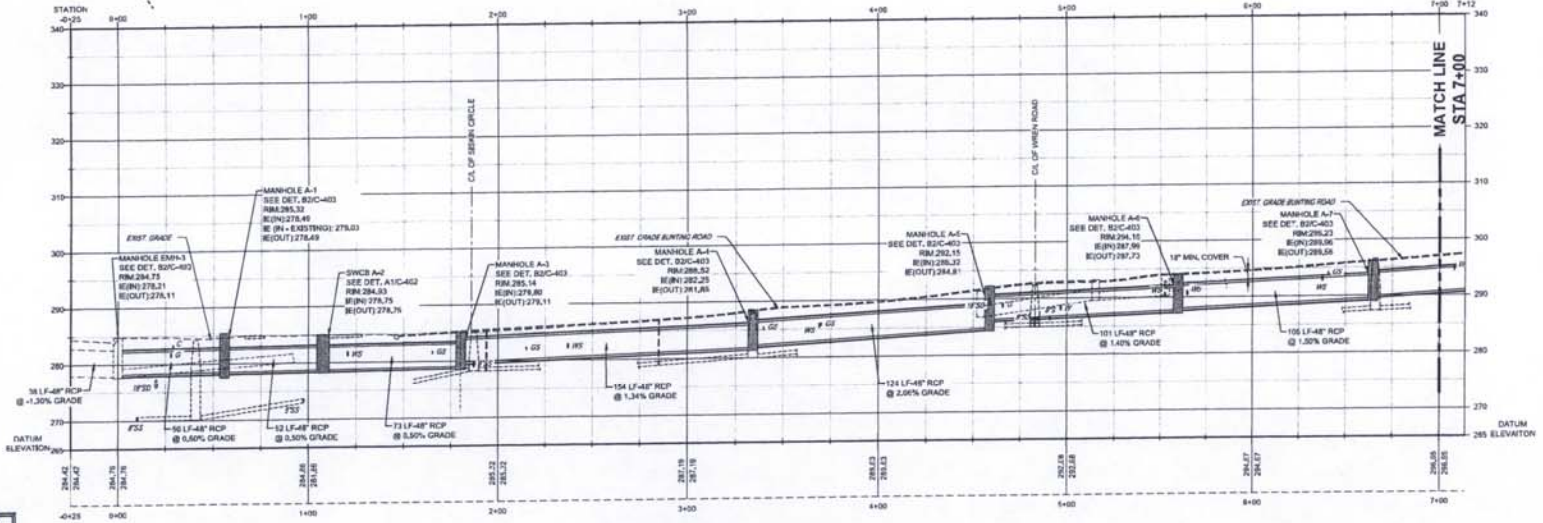
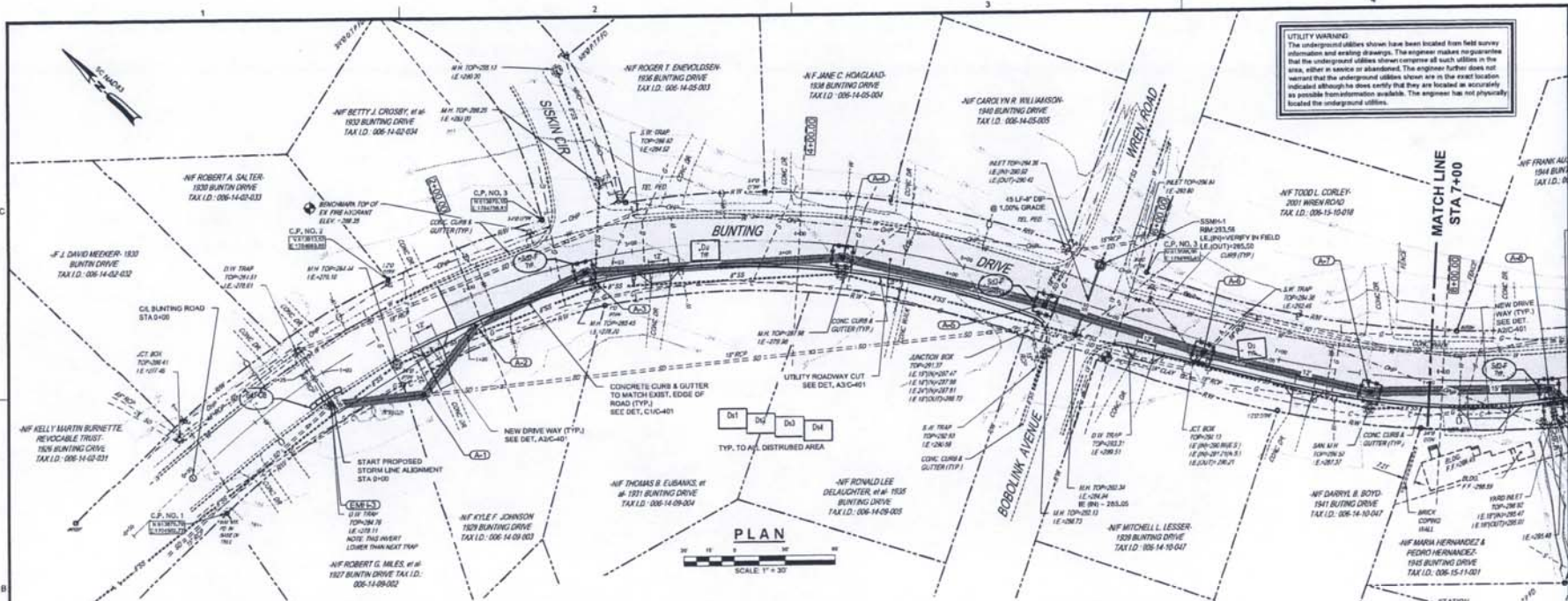
Towhee Avenue

S-309 (Bunting Drive)

S-230 (W Martintown Road)

Portion of Bunting Drive to be taken by City of North Augusta

Google



PROJECT NO. 3057.1702
 DRAWN BY C.R.E.
 CHECKED BY R.J.L.
 DATE 7/7/2017
 SHEET TITLE PLAN & PROFILE STA 0+00 TO 7+00

CITY OF NORTH AUGUSTA
 100 GEORGIA AVENUE, NORTH AUGUSTA, SC 29841
 PROJECT NAME
**LYNNHURST SUBDIVISION
 DRAINAGE IMPROVEMENTS**
 PROJECT LOCATION
 LYNNHURST SUBDIVISION (BUNTING DRIVE & BOBOLINK AVENUE)



NO.	DATE	BY	DESCRIPTION
1	7/7/2017	C.R.E.	ISSUED FOR BID
2			
3			
4			
5			
6			
7			
8			
9			
10			

SCALE: AS NOTED
 DRAWING NO. **C-101**
 REV. 0


Department of Planning and Development



Memorandum # 18-019

City of North Augusta

To: B. Todd Glover, City Administrator

From: Libby Hodges, Director of Planning & Development 

Subject: **Application number RZT18-002 – Text Change:** The application would amend portions of Article 3, Article 9 and Appendix A as required by the Federal Emergency Management Agency.

Date: August 3, 2018

Planning Commission Recommendation

On August 2, 2018, after a duly advertised and convened public hearing, the Planning Commission considered a request by the City of North Augusta to amend the text of portions of the North Augusta Development Code. **The Planning Commission, on a vote of 6-0, voted to recommend approval of the recommended text as amended.**

Section 1 – Summary	
Project Name	FEMA/FIS Map Revisions, 2018
Applicant	City of North Augusta
Proposed Text Amendment	The application would amend portions of Article 3, Article 9 and Appendix A as required by the Federal Emergency Management Agency.

Section 2 – General Description

Recently, the Federal Emergency Management Agency (FEMA) completed a re-evaluation of flood hazards in North Augusta and prepared an updated Flood Insurance Study (FIS) and associated Flood Insurance Rate Map (FIRM), including Base Flood Elevations (BFEs) for Aiken County and Edgefield County. The maps developed for Aiken County will become effective on August 16, 2018. The maps developed for Edgefield County will become effective September 14, 2018.

Due to the revision and modification of these studies and maps, the City of North Augusta is required to adopt new map dates by reference in the North Augusta Development Code (NADC). The South Carolina Department of Natural Resources has reviewed these changes and provided feedback for additional minor revisions based on the most recent South Carolina Model Flood Damage Prevention Ordinance.



Adoption of these dates and text changes are required to remain compliant with the Federal Flood Insurance Program. Revisions are proposed for portions of Article 3, Article 9 and Appendix A. Those changes are outlined in more detail below.

It should be noted that these changes serve to revise the adoption dates of the associated FEMA maps for our city and to incorporate changes required by the South Carolina Department of Natural Resources. These revisions do not repeal or replace the existing floodplain development regulations except as noted.

Maps outlining the changes proposed by FEMA and searchable by address are available via an online mapping system provided by FEMA: <https://www.fema.gov/view-your-communitys-preliminary-flood-hazard-data>

Section 3 – Planning Commission Consideration

The Planning Commission was asked to review the changes proposed and provide a recommendation of approval, approval with conditions, or denial to the City Council.

Section 4 – Public Notice and Hearings

A public notice of the text amendment request and scheduled date of the Planning Commission public hearing was published in *The North Augusta Star* on July 17, 2018. The public hearing notice was published on the City's website www.northaugusta.net on July 17, 2018.

The Department of Homeland Security Federal Emergency Management Agency (FEMA) advertised a 90-day appeal period of these map changes through a public notice in the *Aiken Standard* on July 5, 2017. They have determined that there were no valid requests for changes and the flood hazard information is considered finalized.

The agenda for the August 2, 2018, Planning Commission meeting includes a public hearing followed by review and consideration of the proposed amendments to the NADC. After the Planning Commission completes its review and makes a recommendation to the City Council, the proposed amendments will be converted to an ordinance form and scheduled for City Council consideration. Following City Council approval of the proposed amendments, NADC Articles affected by the amendments will be revised and updated pages will be produced and distributed.



Section 5 – History

The original Floodplain Management Ordinance was adopted on January 6, 1981, by the City of North Augusta (Ordinance 81-01). This ordinance was passed in order to implement the National Flood Insurance Program (NFIP) to regulate floodplain management measures in the City. The ordinance has been amended several times (1987, 2007) to reflect changes in to the federal program, map revisions, and the South Carolina Model Flood Damage Prevention Ordinance as developed by the Department of Natural Resources. The City's existing floodplain management regulations were rewritten and adopted as Article 9 of the North Augusta Development Code (NADC) in 2007, and amended again in 2011 according to the model ordinances and federal maps in force at that time.

Section 6 - Summary of Changes and Proposed Amendments

1. Summary of Changes
2. Public Hearing Notice
3. Ordinance as Amended



Summary of Changes

The pages of the Development Code have been modified to show changes in the following ways:

Underlined Text: text that has been modified or added to the Code.

~~Strike Through Text~~: text that will be removed.

Please note: Any issues with formatting and numbering will be corrected at publication. This was not included in this packet for brevity. This will not affect the actual text adopted, but may affect numbering.

Following is a summary of changes. The edited text is provided after the summary. Some pages may not show any edited text, but have been included for clarity and context.

Summary of Changes by Article and Section:

Article 3: Zoning Districts,

Section 3.2: Zoning District Boundaries and the Official Map(s)

Section 3.2.2 Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM) North Augusta, South Carolina

Item 3.2.2.1 Adoption of Flood Insurance Rate Maps (FIRM)

- General text changes to clarify adopted maps and add map effective dates. Aiken County and Edgefield County dates shown. Individual listings of FEMA Panels were removed to avoid scrivener's errors and avoid redundancy, as the FEMA maps are adopted in this section including any future annexed areas.
- Added a revision date to match these revisions and ordinance number.

Article 9: Floodplain Management

Item 9.2.3 (General Provisions) Applicability

- General text changes to clarify reference to adopted maps as outlined in Section 3.2.2.; removed redundancy in map references and annexations statements to avoid conflict.



Item 9.3.3.6 (Duties and Responsibilities of the Local Floodplain Administrator)

- Item 9.3.3.6: item removed per recommendation of SC DENR, as it is no longer in the model ordinance.
- Item 9.3.3.20: Department name updated.

Item 9.4.1.1. (General Standards)

- Item 9.4.1.1 added per SC DENR to clarify that plans are reviewed to be “reasonably safe from flooding.” Renumbering will be completed after adoption.

Item 9.5.2 (Map Maintenance Activities) Requirement to Submit New Technical Data

- Item 9.5.2.4 – item removed per recommendation of SC DENR, as it is no longer in the model ordinance. These items are adopted by reference in Section 3.2.2.

Appendix A: Definitions

“Development” – clarified development for Article 9 (Floodplain) only.

Exhibit A

Ordinance 2018 -

3.2.2.1 Adoption of Flood Insurance Rate Maps –

This Article shall apply to all areas of special flood hazard within the City of North Augusta or later annexed into the city limits as identified by the Federal Emergency Management Agency in its Flood Insurance Study, for Aiken County dated August 16, 2018 and for Edgefield County dated September 14, 2018, including accompanying maps, approved Floodway Data Tables and their depictions of the Savannah River Floodway on approved Letters of Map Revisions (LOMRs), other supporting data and any revisions thereto, are hereby adopted by reference and declared to be a part of the Official Zoning Map. The adoption of the Flood Insurance Study (FIS), dated August 16, 2018 and September 14, 2018, is in accordance with Section 60.3(d), Title 44 of the Code of Federal Regulations.

(Rev. 2-1-10; Ord. 2010-01) (Rev. 6-4-12; Ord. 2012-07)
(Rev. 8-13-18, Ord. 2018-)

Article 9. 9.2.3 Applicability

This Article shall apply to all areas of special flood hazard within the jurisdiction of North Augusta, South Carolina as identified by the Federal Emergency Management Agency (FEMA) declared to be a part of this Chapter and adopted in §3.2.2.

Article 9.3.3.6 Deleted in its entirety.

Article 9.3.3.20 Notify the South Carolina Department of Natural Resources Land, Water and Conservation Division, State Coordinator for the National Flood Insurance Program within six (6) months of any annexations or detachments that include special flood hazard areas. The Local Floodplain Administrator, in conjunction with the Department of Planning and Development, shall process the necessary amendments to this Article to incorporate applicable maps from surrounding jurisdictions within ninety (90) days of annexation.

Article 9.4.1.1. Review all permit applications to determine whether proposed building sites will be reasonably safe from flooding;

Article 9.5.2.4 Deleted in its entirety.

Appendix A - Definitions

Development

Any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials. The carrying out of any building activity, the making of any material change in the use or appearance of any structure or land, or the subdivision of land.

The following activities or uses shall be considered "development," as defined herein:

- a. A reconstruction, alteration of the size, or material change in the external appearance of a structure on land.
- b. A change in the intensity of use of land, such as an increase in the number of dwelling units in a structure or on land or a material increase in the number of businesses, manufacturing establishments, offices, or dwelling units in a structure or on land.
- c. Alteration of a shore or bank of a river, stream, lake or pond.
- d. Commencement of grading, drilling, or excavation on a parcel of land, except to obtain soil samples.
- e. Demolition of a structure.
- f. Clearing of land as an adjunct of construction.
- g. Deposit of refuse, solid or liquid waste, or fill on a parcel of land.
- h. The subdivision of land.

The following operations or uses shall not be considered "development" as defined herein:

- a. Work by a road agency or transit agency for the maintenance or improvement of a road or transit track, if the work is carried out on land within the boundaries of the right of way.
- b. Work by any utility and other persons engaged in the distribution or transmission of gas or water, for the purpose of inspecting, repairing, renewing, or constructing on established rights of way any sewers, mains, pipes, cables, utility tunnels, power lines, towers, poles, tracks or the like.
- c. Work for the maintenance, renewal, improvement, or alteration of any structure, if the work affects only the interior or the color of the structure or the decoration of the exterior of the structure.
- d. The use of any structure or land devoted to dwelling uses for any purpose customarily incidental to enjoyment of the dwelling.
- e. The use of any land for the purpose of growing plants, crops, trees, and other agricultural or forestry products; raising livestock; or for other agricultural purposes.
- f. A change in use of land or structure from a use within a class specified in an ordinance or rule to another use in the same class.
- g. A change in the ownership or form of ownership of any parcel or structure.
- h. The creation or termination of riparian rights, easements, covenants concerning development of land, or other rights in land.

"Development," as designated in an ordinance, rule or development permit includes all other development customarily associated with it unless otherwise specified. When appropriate to the context, "development" refers to the act of developing or to the result of development. Reference to any specific operation is not intended to mean that the operation or activity, when part of other operations or activities, is not development. Reference to particular operations is not intended to limit the generality of the activities set forth in subsection (1), above.

For the purposes of Article 9 (Floodplain), "Development" includes any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials. Any exception to this definition must be per the requirements of Article 9.

City of
North Augusta, South Carolina
Planning Commission

PUBLIC HEARING NOTICE

The North Augusta Planning Commission will hold a Public Hearing at a special called meeting beginning at 7:00 PM on Thursday, August 2, 2018, in the Council Chambers located on the third floor of the North Augusta Municipal Center, 100 Georgia Avenue, North Augusta, South Carolina, to receive public input on the following:

RZT 18-002 – A request to amend portions of Article 9, Floodplain Management, Article 3, Zoning Districts, and Appendix A, Definitions, of the North Augusta Development Code related to floodplain management as required by the Federal Emergency Management Agency.

Copies of the proposed amendments to the North Augusta Development Code are available for public inspection in the offices of the Department of Planning and Economic Development on the second floor of the North Augusta Municipal Center, 100 Georgia Avenue, North Augusta, South Carolina, 803-441-4221. Citizens and property owners interested in expressing a view on any matter that is the subject of a public hearing are encouraged to attend.

CITIZEN ASSISTANCE:

Individuals needing special assistance or a sign interpreter to participate in the meeting are asked to please notify the Department of Planning and Economic Development at 803-441-4221 at least 48 hours prior to the meeting.

ORDINANCE NO. 2018-08

AN ORDINANCE AMENDING THE NORTH AUGUSTA DEVELOPMENT CODE IN ORDER TO COMPLY WITH REQUIREMENTS OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) TO ALLOW PROPERTY WITHIN THE CITY TO REMAIN ELIGIBLE FOR FEDERAL EMERGENCY FLOOD INSURANCE. SUCH AMENDMENTS RELATE TO PORTIONS OF ARTICLE THREE, ARTICLE NINE, AND APPENDIX A.

WHEREAS, recently, the Federal Emergency Management Agency (FEMA) completed a re-evaluation of flood hazards in North Augusta and prepared an updated Flood Insurance Study (FIS) and associated Flood Insurance Rate Map (FRM) including Base Flood Elevations (BFEs) for Aiken County and Edgefield County; and,

WHEREAS, the maps developed for Aiken County will become effective on August 16, 2018 and the maps developed for Edgefield County will become effective on September 14, 2018; and,

WHEREAS, due to revision and modification of these studies and maps, the City of North Augusta is required to adopt new map dates by reference in the North Augusta Development Code (NADC), if properties within the City are to remain eligible for Federal Flood Insurance; and,

WHEREAS, these text amendments have been reviewed by the Planning Commission with such report from the Planning Commission having been received by the Mayor and Council;

Whereas, after review, the Mayor and City Council have determined that it is in the best interest of the City and its citizens, that these changes be made to the North Augusta Development Code.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of North Augusta, South Carolina, in meeting duly assembled and by the authority thereof, that:

1. The North Augusta Development Code, Articles 3 and 9, and Appendix "A" be amended as follows:
 - a. Article 3.2.2.1 shall be deleted in its entirety and replaced with the following:

"This Chapter shall apply to all areas of special flood hazard within the City of North Augusta, or later annexed into the City Limits as identified by the Federal Emergency Management Agency in its Flood Insurance Study for Aiken County, dated August 16, 2018 and for Edgefield County dated September 14, 2018, including accompanying maps, approved Floodway Data Tables and their depictions of the Savannah River Floodway on approved Letters of Map Revisions (LOMRs), other supporting data and any revisions

Ordinance No. 2018-08

thereto, are hereby adopted by reference and declared to be a part of the official Zoning Map. The adoption of the Flood Insurance Study (FIS), dated August 16, 2018 and September 14, 2018, is in accordance with Section 60.3(b), Title 44 of the Code of Federal Regulations.”

- b. 9.2.3 shall be deleted in its entirety and replaced with the following:

“The Article shall apply to all areas of special flood hazard within the jurisdiction of North Augusta, South Carolina as identified by Federal Emergency Agency (FEMA) declared to be a part of this chapter and adopted in Section 3.2.2.”

- c. 9.3.3.6 This section will be deleted in its entirety.
d. 9.3.3.20 This section will be amended by the removal of the word “Economic” in the last sentence of said section. Said section otherwise remains unchanged.
e. 9.4 shall be amended by adding the following: 9.4.1.1 Review all permit applications to determine whether proposed building sites will be reasonably safe from flooding.
f. 9.5.2.4 this section shall be deleted in its entirety
g. Appendix A – DEFINITIONS will be amended by adding the following:

“For the purposes of Article 9(Floodplain) “Development” includes any manmade change to include improved or unimproved real estate, including, but not limited to buildings or other structures, mining, dredging, fillings, grading, paving, excavation, or drilling operations, or storage of equipment or materials. Any exception to this definition must be per the requirements of article 9.”

2. When amended as set forth above, the articles shall read in accordance with the exhibit attached hereto marked as “Exhibit A”.
3. All ordinances, or parts of ordinances, in conflict herewith are, to the extent of such conflict, hereby repealed.
4. This Ordinance shall become effective immediately upon its adoption on 3rd and final reading.

Ordinance No. 2018-08

DONE, RATIFIED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, ON THIS ____ DAY OF AUGUST, 2018.

First Reading: _____

Second Reading: _____

Third Reading: _____

ROBERT A. PETTIT, MAYOR

ATTEST:

DONNA B. YOUNG, CITY CLERK

Exhibit A

Ordinance 2018 08

3.2.2.1 Adoption of Flood Insurance Rate Maps –

This Article shall apply to all areas of special flood hazard within the City of North Augusta or later annexed into the city limits as identified by the Federal Emergency Management Agency in its Flood Insurance Study, for Aiken County dated August 16, 2018 and for Edgefield County dated September 14, 2018, including accompanying maps, approved Floodway Data Tables and their depictions of the Savannah River Floodway on approved Letters of Map Revisions (LOMRs), other supporting data and any revisions thereto, are hereby adopted by reference and declared to be a part of the Official Zoning Map. The adoption of the Flood Insurance Study (FIS), dated August 16, 2018 and September 14, 2018, is in accordance with Section 60.3(d), Title 44 of the Code of Federal Regulations.

(Rev. 2-1-10; Ord. 2010-01) (Rev. 6-4-12; Ord. 2012-07)
(Rev. 8-13-18, Ord. 2018-)

Article 9. 9.2.3 Applicability

This Article shall apply to all areas of special flood hazard within the jurisdiction of North Augusta, South Carolina as identified by the Federal Emergency Management Agency (FEMA) declared to be a part of this Chapter and adopted in §3.2.2.

Article 9.3.3.6 Deleted in its entirety.

Article 9.3.3.20 Notify the South Carolina Department of Natural Resources Land, Water and Conservation Division, State Coordinator for the National Flood Insurance Program within six (6) months of any annexations or detachments that include special flood hazard areas. The Local Floodplain Administrator, in conjunction with the Department of Planning and Development, shall process the necessary amendments to this Article to incorporate applicable maps from surrounding jurisdictions within ninety (90) days of annexation.

Article 9.4.1.1. Review all permit applications to determine whether proposed building sites will be reasonably safe from flooding;

Article 9.5.2.4 Deleted in its entirety.

Appendix A - Definitions

Development

Any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials. The carrying out of any building activity, the making of any material change in the use or appearance of any structure or land, or the subdivision of land.

The following activities or uses shall be considered "development," as defined herein:

- a. A reconstruction, alteration of the size, or material change in the external appearance of a structure on land.
- b. A change in the intensity of use of land, such as an increase in the number of dwelling units in a structure or on land or a material increase in the number of businesses, manufacturing establishments, offices, or dwelling units in a structure or on land.
- c. Alteration of a shore or bank of a river, stream, lake or pond.
- d. Commencement of grading drilling, or excavation on a parcel of land, except to obtain soil samples.
- e. Demolition of a structure.
- f. Clearing of land as an adjunct of construction.
- g. Deposit of refuse, solid or liquid waste, or fill on a parcel of land.
- h. The subdivision of land.

The following operations or uses shall not be considered "development" as defined herein:

- a. Work by a road agency or transit agency for the maintenance or improvement of a road or transit track, if the work is carried out on land within the boundaries of the right of way.
- b. Work by any utility and other persons engaged in the distribution or transmission of gas or water, for the purpose of inspecting, repairing, renewing, or constructing on established rights of way any sewers, mains, pipes, cables, utility tunnels, power lines, towers, poles, tracks or the like.
- c. Work for the maintenance, renewal, improvement, or alteration of any structure, if the work affects only the interior or the color of the structure or the decoration of the exterior of the structure.
- d. The use of any structure or land devoted to dwelling uses for any purpose customarily incidental to enjoyment of the dwelling.
- e. The use of any land for the purpose of growing plants, crops, trees, and other agricultural or forestry products; raising livestock; or for other agricultural purposes.
- f. A change in use of land or structure from a use within a class specified in an ordinance or rule to another use in the same class.
- g. A change in the ownership or form of ownership of any parcel or structure.
- h. The creation or termination of riparian rights, easements, covenants concerning development of land, or other rights in land.

"Development," as designated in an ordinance, rule or development permit includes all other development customarily associated with it unless otherwise specified. When appropriate to the context, "development" refers to the act of developing or to the result of development. Reference to any specific operation is not intended to mean that the operation or activity, when part of other operations or activities, is not development. Reference to particular operations is not intended to limit the generality of the activities set forth in subsection (1), above.

For the purposes of Article 9 (Floodplain), "Development" includes any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials. Any exception to this definition must be per the requirements of Article 9.

