

CITY OF MYRTLE BEACH  
COUNTY OF HORRY  
STATE OF SOUTH CAROLINA

ORDINANCE TO AMEND SECTION 909.14.1b,  
APPENDIX A ZONING OF THE CODE OF  
ORDINANCES OF THE CITY OF MYRTLE  
BEACH (FLOODPLAIN ORDINANCE) TO  
ASSURE ALL NECESSARY PERMITS REQUIRED  
BY FEDERAL OR STATE LAW PERTAINING TO  
FLOODPLAIN DEVELOPMENT HAVE BEEN  
RECEIVED FROM OTHER GOVERNMENT  
AGENCIES BEFORE PERMITTING

IT IS HEREBY ORDAINED that Section 909.14.1b, Appendix A Zoning of the Code of Ordinances for Myrtle Beach shall be amended as follows:

909.14.1(b)

~~Advise permittee that additional federal or state permits may be required, and if specific federal or state permit requirements are known, Review proposed development to assure that all necessary permits have been received from those governmental agencies from which approval is required by Federal or State law, including section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C 1334, and require that copies of such permits be provided and maintained on file with the building permit.~~

This ordinance will take effect immediately upon adoption.

ATTEST:

S/JOHN RHODES  
JOHN RHODES, MAYOR

S/JOAN GROVE  
JOAN GROVE, CITY CLERK

1<sup>st</sup> Reading: 12/13/2011  
2<sup>nd</sup> Reading: 1/10/2012



**STAFF REPORT – Text Amendment  
Floodplain Regulations  
Section 1212.2 Permitted Uses**

**11-8-11**  
**FILE #: TEXT 11-15**  
*1st Review –*  
*November 15, 2011*

***General Information***

<b>APPLICANT</b>	City of Myrtle Beach
<b>REQUESTED ACTION</b>	Amend Section 909.14.1b of the floodplain ordinance to assure other government permits have been received
<b>REASON FOR REQUEST</b>	To comply with request from state NFIP coordinator

***Background***

The City of Myrtle Beach actively participates in the National Flood Insurance Program (NFIP). Periodically, the state NFIP coordinator conducts a community assistance visit (CAV) to ensure the community is complying with the minimum standards of the NFIP. Part of the CAV is a review of the local floodplain ordinance (in our case, Section 909 of the zoning ordinance). During the most recent visit, the reviewer found one section of the floodplain ordinance that needed to be strengthened and requested the City amend the code. This ordinance seeks to comply with that request.

***Public Notice and Response***

***Attachments***

<b>LEGAL AD RAN</b>	Yes	<b>Appendix A:</b> Ordinance
<b>CALLS/EMAILS RECEIVED</b>	0	<b>Appendix B:</b> Local Ord Review doc

***Facts and Findings***

**Current code:**

909.14 *Administration, enforcement, and appeal.* In addition to the procedures for the administration, enforcement and appeal of the provisions of this ordinance as defined in articles III and V of the zoning ordinance of the City of Myrtle Beach, South Carolina, the following additional regulations shall apply:

909.14.1 Duties and responsibilities of the zoning administrator shall include, but not be limited to:

**a.**

Review all development permits to ensure that the permit requirements of this ordinance have been satisfied.

**b.**

Advise permittee that additional federal or state permits may be required, and if specific federal or state permit requirements are known, require that copies of such permits be provided and maintained on file with the building permit.

**c.**

Notify adjacent communities and the appropriate state agencies prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.



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***Facts and Findings (Continued)***

**d.**

Ensure that maintenance is provided within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished.

**e.**

Verify and record the actual elevation (in relation to mean sea level) of the bottom of the lowest horizontal structural member of the lowest floor (including basement) of all new or substantially improved buildings in coastal high hazard areas. Said elevation shall be certified by the professional engineer or architect of the permittee.

**f.**

Verify and record the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved buildings in AE zones. Said elevation shall be certified by the professional engineer or architect of the permittee.

**g.**

Verify and record certification from the permittee's registered professional engineer or architect when flood-proofing is utilized for a particular building.

**h.**

Verify and record the actual elevation (in relation to mean sea level) to which the new or substantially improved nonresidential buildings have been floodproofed. Said elevation shall be certified by the professional engineer or architect of the permittee.

**i.**

Verify and record certification from a registered professional engineer or architect that the building in coastal high hazard areas is designed to be securely anchored to adequately anchored pilings or columns in order to withstand velocity waters and hurricane wave wash.

**j.**

Review plans of structures in coastal high hazard areas for adequacy of breakaway walls in accordance with section 909.11.

**k.**

Interpret the exact location of boundaries of the areas of special flood hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in section 909.14.

**l.**

Maintain and make available for public inspection all records pertaining to the provisions of this ordinance.



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***Analysis***

The request is to amend the administrative portion of the floodplain regulations. Currently, the code only requires that the local administrator make an applicant aware that other permits may be required prior to construction (like permits from OCRM or the Army Corps of Engineers).

While the staff already follows good business practice by obtaining copies of all other permits prior to issuing a building permit, there was no requirement by code to do so. This amendment would codify existing practices.

**FINANCIAL IMPACT**

No significant impact.

***Staff Comments***

Addressing -	No Concerns	Legal -	No Comment
Culture & Leisure Svcs -	No Concerns	Fire -	No Concerns
Police -	No Concerns	Construction Svcs -	No Concerns
Public Works -	No Concerns	Planning -	No Concerns

***Recommendation***

**Planning Commission**

**Recommends approval (8-0).**