

Adopted 8/9/11

ORDINANCE

AMENDING PART 5, CHAPTER 4 OF THE CODE OF ORDINANCES OF THE CITY OF BEAUFORT, SOUTH CAROLINA, "FLOOD HAZARD PREVENTION ORDINANCE," PERTAINING TO BUILDING ADDITIONS

WHEREAS, the City's current flood hazard prevention ordinance was updated in 2004; and

WHEREAS, the revised ordinance was based on a model ordinance promulgated by the S.C. Department of Natural Resources; and

WHEREAS, the model ordinance contained a definition of addition that prohibited the construction of additions on structures built below the base flood elevation before flood regulations were adopted; and

WHEREAS, several existing and some historic neighborhoods in the City were developed before the City's flood regulations were adopted; and

WHEREAS, the City encourages property owners to reinvest and improve existing structures; and

WHEREAS, the definition of addition in the Flood Hazard Prevention Ordinance is preventing the expansion of any historic or other structure built below the base flood elevation; and

WHEREAS, staff has prepared an amendment to the Flood Hazard Prevention Ordinance that would permit minor additions without threatening the City's flood insurance rating;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Beaufort, South Carolina, duly assembled and by authority of same, pursuant to the power vested in the Council by Section 6-29-760, *Code of Laws of South Carolina, 1976* as amended, that Part 5, Chapter 4 of the Code of Ordinances of the City of Beaufort, South Carolina, be amended as follows:

1. Revise Section 5-4011, "Definitions," by deleting the current definition of "Addition," and replacing it with a new definition to read as follows:

Addition (to an existing building) - an extension or increase in the floor area or height of a building or structure. Additions to existing buildings shall comply with the requirements for new construction, unless the addition, renovation, or reconstruction to any building that was constructed prior to the initial flood insurance study for the City, and the addition, renovation, or reconstruction does not equal 50% of the present market value of the structure. Where a firewall or loadbearing wall is provided between the addition and the existing building, the addition shall be considered a separate building and must comply with the standards for new construction.

2. Revise Section 5-4011, "Definitions," by deleting the current definition of "New construction," and replacing it with a new definition to read as follows:

New construction – Structure for which the start of construction commenced after April 26, 1977.

This ordinance shall become effective immediately upon adoption.

(SEAL)

Attest:

BILLY KEYSERLING, MAYOR

IVETTE BURGESS, CITY CLERK

1st Reading

2nd Reading & Adoption

Reviewed by:

WILLIAM B. HARVEY, III, CITY ATTORNEY