



01-0-0708

SUBSTITUTE ORDINANCE

CITY COUNCIL
ATLANTA, GEORGIA

Z-01-37

AN ORDINANCE TO AMEND THE CITY OF ATLANTA CODE OF ORDINANCES BY REMOVING CHAPTER 16-21 FH FLOOD HAZARD DISTRICTS, IN ITS ENTIRETY AND RE-CODIFYING IT AS CHAPTER 74, ARTICLE VI FLOOD AREA REGULATIONS, AND UPDATING FLOOD HAZARD DISTRICT MAP REFERENCES, AND RESTRICTING THE USE OF COMPENSATING EXCAVATION OR CONTOURING PROCEDURES TO MODIFY FLOOD HAZARD LIMITS.

WHEREAS, the City of Atlanta has historically managed watersheds within the City, to minimize the risk of flooding of homes and businesses by placing restrictions and limitations on development within the floodplain of streams; and

WHEREAS, revisions to the City of Atlanta Code of Ordinances have established Section 74, Environment, as the appropriate location for regulations pertaining to storm water management and land disturbing activities; and

WHEREAS, Flood Insurance Rate Maps issued by the Federal Emergency Management Agency (FEMA) are one of the tools utilized and referenced in the management of said watershed; and

WHEREAS, the Federal Emergency Management Agency Flood Insurance Rate Maps have been revised and reissued effective June 22, 1998; and

WHEREAS, placing fill within a floodplain has historically been prohibited unless offsetting excavating and recontouring is performed; and

WHEREAS, floodplains and land abutting floodplains, in their natural state are important ecological environments where vegetation reduces the velocity of storm water entering streams; serve as a filter for storm water – reducing the amount of suspended solids entering the stream and consequent siltation; and provide shade canopy – improving the habitat for aquatic and riparian life; and

WHEREAS, even under the best of conditions, filling, excavating, and recontouring land within the flood plain results in major damage to natural vegetation; and

WHEREAS, the City of Atlanta is committed to protecting the water quality in streams within its jurisdiction;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, that:



The City of Atlanta Code of Ordinances is hereby amended by removing Chapter 16-21, Flood Hazard Districts in its entirety from Part 16, and re-codifying it as Article VI, Flood Area Regulations in Chapter 74, Environment; and

All references to Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps contained in the City of Atlanta Code of Ordinances should be amended to reflect the maps most recently revised issuance (June 22, 1998); and

That portion of Section 16-21.004 – Permits Required, subsection (2) – Flood Plain Protection, which presently reads:

The commissioner shall not authorize the approval of any permit authorizing the placement of fill or stored materials, or the construction of any building or other structure, within a floodplain unless compensation is made for the volume of that floodplain thereby displaced by the addition, by excavation or contouring of an area within or contiguous to that floodplain, at least an equal volume of flood storage. Drainage from any excavation or contouring necessary to provide such compensating volume shall be by gravity into the floodway, and appropriate ground cover shall be provided in and adjacent to any excavation or contouring to prevent any increase of erosion or sedimentation into the floodplain.

Shall be deleted and substituted with the following, (which shall be renumbered appropriately in Chapter 74, Article VI Flood Area Regulations):

The commissioner shall not authorize the approval of any permit authorizing the placement of fill or stored materials, or the construction of any building or other structure within the floodplain. Earth disturbing activities in the floodplain shall be permitted only when the resulting configuration shall allow storm water to enter the floodway by sheet flow (not channelized flow) and results in no loss of existing flood volume. Any earth disturbing activities within a flood plain shall be subject to requirements of stream bank buffer limits and should be constructed using Best Management Practices for soil erosion and sedimentation control. The use of compensating excavation or contouring procedures to modify flood hazard limits may only apply to install necessary public roadway and utilities within the flood limits to support existing and new property(s) which are not within the flood limits.

A true copy,

Rhonda Daughin Johnson
Municipal Clerk, CMC

ADOPTED by the Council
APPROVED by the Mayor

AUG 06, 2001
AUG 13, 2001

01-0-0708

(Do Not Write Above This Line)

Z-01-37

AN ORDINANCE

BY: COUNCILMEMBER CLAIR MULLER

AN ORDINANCE TO AMEND SECTION 16-21 OF THE CITY OF ATLANTA CODE OF ORDINANCES FOR THE PURPOSE OF UPDATING FLOOD HAZARD DISTRICT MAP REFERENCES AND FURTHER REGULATING THE USE OF COMPENSATION EXCAVATION OR CONTOURING PROCEDURES TO MODIFY FLOOD HAZARD LIMITS.

ADOPTED BY
AUG 0 6 2001

COUNCIL

Substitute

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred 5/7/01

Referred To: Zoning

Date Referred 5/21/01

Referred To: Zoning (Without Objection)

Date Referred

Referred To:

First Reading

Committee _____
 Date _____
 Chair _____
 Referred to _____

Committee
ZONING

Date
5-15-01

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

283 + 2000

Committee

Office Whole

Date

8-6-01

Chair

Daniel Starnes

Action:

(Fav, Adv, Hold (see rev. side)

Other:

on substitute

Members

Refer To

FINAL COUNCIL ACTION

- 2nd
- 1st & 2nd
- 3rd
- Readings
- Consent
- V Vote
- RC Vote

CERTIFIED

CERTIFIED
AUG 6 2001

ATLANTA CITY COUNCIL PRESIDENT

Robert A. Parker

CERTIFIED
AUG 0 6 2001

Frank Douglas Johnson
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

AUG 1 8 2001

MAYOR