

CITY OF NEWPORT

ORDINANCE NO. 2156

AN ORDINANCE AMENDING CHAPTERS 14.20
OF THE NEWPORT MUNICIPAL CODE (ORDINANCE NO. 1308, AS AMENDED)
RELATED TO FLOOD HAZARD AREAS

WHEREAS, the City of Newport Zoning Ordinance, codified as Title 14 of the Newport Municipal Code (NMC), regulates new development and redevelopment in flood hazard areas in accordance with requirements of the Federal Emergency Management Agency's (FEMA's) National Flood Insurance Program; and

WHEREAS, those regulations, found in NMC Chapter 14.20, incorporate by reference FEMA's Flood Insurance Rate (FIRM) Maps and Flood Insurance Study (FIS), which define the scope and extent of flood hazard areas subject to regulation; and

WHEREAS, NMC Chapter 14.20 includes development regulations, reviewed and approved by FEMA, designed to ensure that construction within the regulated areas is elevated or flood-proofed so as to minimize damage to property and loss of life as a result of catastrophic (i.e. 100-year) flood events; and

WHEREAS, FEMA has updated its FIRM Maps and FIS, and has informed the City of Newport that it is required to update its Municipal Code to reference the new maps and study no later than October 18, 2019 in order for persons that own real property within flood hazard areas to remain eligible for federally subsidized flood insurance; and

WHEREAS, on August 27, 2019, FEMA performed a community assistance visit after which it identified a number of technical changes the City needs to make to NMC Chapter 14.20 to ensure that its development regulations comport with FEMA's most current guidelines for construction in flood hazard areas; and

WHEREAS, city staff prepared amendments to NMC Chapter 14.20, in consultation with FEMA, and those amendments were presented and reviewed by the Planning Commission at a work session on September 9, 2019, and a public hearing on September 23, 2019; and

WHEREAS, persons in the City of Newport that own real property that contains mapped flood hazard areas were provided advance notice of the Planning Commission public hearing. After considering the staff report and public testimony, the Commission concluded that the amendments satisfy the City's requirement that legislative amendments must be necessary and further the general welfare of the community (NMC 14.36.010); and

WHEREAS, in reaching this conclusion, the Commission found that the amendments, over time, will reduce loss of property and life, and will allow those persons that own property in a flood hazard area to obtain federally subsidized flood insurance; and

WHEREAS, the City Council held a public hearing on October 7, 2019 regarding the question of the proposed revisions and voted in favor of their adoption after considering the recommendation of the Planning Commission and evidence and argument in the record; and

WHEREAS, information in the record, including affidavits of mailing and publication, demonstrate that appropriate public notification was provided for both the Planning Commission and City Council hearings.

THE CITY OF NEWPORT ORDAINS AS FOLLOWS:

Section 1. The above findings are hereby adopted as support for the amendments, below.

Section 2. Chapter 14.20 of the Newport Municipal Code (Ordinance No. 1308 (as amended)) is hereby repealed and replaced with a new chapter as depicted in Exhibit "A."

Section 3. Declaration of Emergency. FEMA has informed the City of Newport that it must amend its flood hazard regulations, as described herein, such that they are effective no later than October 18, 2019 to avoid suspension from the National Flood Insurance Program. Therefore, it is hereby adjudged and declared that existing conditions are such that this Ordinance is necessary for the immediate preservation of the public peace, health, and safety of the City of Newport, and an emergency is hereby declared to exist and this Ordinance, and all provisions modifying the Ordinance referred to herein, shall be in full force and effect on October 18, 2019.

Date adopted and read by title only: _____

Signed by the Mayor on _____, 2019.

Dean H. Sawyer, Mayor

ATTEST:

Margaret M. Hawker, City Recorder