



City of Charleston
South Carolina
Department of Public Service

JOHN J. TECKLENBURG
Mayor

THOMAS F. O'BRIEN
Director
of Public Service

**PUBLIC WORKS AND UTILITIES COMMITTEE
AGENDA**

There will be a meeting of the Public Works and Utilities Committee on March 13, 2023 to begin at 5:00 pm. The following items will be heard via call-in number 1-929-205-6099 and access code 592 385 519:

A. Invocation

B. Approval of Public Works and Utilities Committee Minutes

1. February 27, 2023

C. Request to Set a Public Hearing

None

D. Old Business

None

E. Acceptance and Dedication of Rights-of-Way and Easements

None

**F. Temporary Encroachments Approved by The Department of Public Service
(For information only)**

None

G. Public Service Department Update

H. Stormwater Management Department Update

1. Discussion of an Ordinance to Prohibit the Use of Slab on Grade Foundations in the City's 100-Year Regulatory Floodplain. *(Discussion only)*

I. Miscellaneous Business

Councilmember Keith Waring,
Chairperson

In accordance with the Americans with Disabilities Act, people who need alternative formats, ASL (American Sign Language) Interpretation or other accommodation please contact Janet Schumacher at (843) 577-1389 or email to schumacherj@charleston-sc.gov three business days prior to the meeting.

AN ORDINANCE

TO AMEND DEFINITIONS WITHIN CHAPTER 27 OF THE CODE OF THE CITY OF CHARLESTON, SOUTH CAROLINA AND TO PROHIBIT THE USE OF SLAB ON GRADE FOUNDATIONS IN THE CITY'S 100-YEAR REGULATORY FLOODPLAIN.

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. Chapter 27, Article II, Division 3, Section 27-103 "Definitions" of the Code of Charleston is hereby amended by deleting the struck through text and adding thereto the following underlined words, to state as follows:

Development means any ~~manmade change to improved or unimproved real estate, including, but not limited to, buildings or other structure, permanent storage of equipment or material, mining, dredging, filling, grading, paving, excavation or drilling operations of the following actions undertaken by a person, a firm, a governmental agency, a partnership, a limited liability company, or any other individual or entity, without limitation:~~

- (1) Division or subdivision of a lot, tract, parcel, or other divisions by plat or deed;
- (2) Construction, installation, or alteration of land, a structure, impervious surface, or drainage facility;
- (3) Clearing, scraping, grubbing, or otherwise significantly disturbing the soil, vegetation, mud, sand, or rock of a site; and
- (4) Adding, removing, exposing, excavating, leveling, grading, digging, burrowing, dumping, piling, dredging, or otherwise disturbing the soil, vegetation, mud, sand, or rock of a site.

Elevated building means a non-basement building built to have the lowest floor elevated above the ground level by means of fill, solid foundation perimeter walls, pilings, columns (posts and piers), shear walls, or breakaway walls.

Elevation certificate means FEMA Form 81-31, February 13, 2006 or subsequent revisions used to show elevations of real property in relation to base flood elevations.

Existing construction means any structure for which the "start of construction" commenced before April 9, 1971.

Existing manufactured home park means a manufactured home park for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before April 9, 1971.

Expansion to existing manufactured home park means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads.)

Fill or filling means placement of natural sands, dirt, soil or rock above the natural grade to raise the elevation of the ground, and may also include concrete, cement, soil cement, brick or similar material as approved on a case-by-case basis.

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Recreational vehicle means a vehicle which is:

- (1) Built on a single chassis;
- (2) Four hundred (400) square feet or less when measured at the largest horizontal projection;
- (3) Designed to be self-propelled or permanently towable by a light duty truck; and
- (4) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Sand dunes means naturally occurring accumulations of sand in ridges or mounds landward of the beach.

Slab on grade means construction where a concrete floor is poured directly on a grade (ground). It provides the foundation for the building and does not include a basement or crawlspace. A distinguishing feature of slab-on-grade buildings is that the bottom floor is at or above ground level (grade) on at least one side. An elevated building that has a crawlspace foundation with an attached slab-on-grade finished room or attached slab-on-grade garage converted to a living area is considered the Slab on Grade foundation type.

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Section 2. Chapter 27, Article II, Division 3, Section 27-112 of the Code of Charleston is hereby amended by deleting the struck through text and adding thereto the following underlined words, to state as follows:

Sec. 27-112. - Floodplain manager and cChief building official to administer division.

The city's floodplain manager and chief building official, or their his duly designated agents, are is hereby appointed to administer and implement the provisions of this division.

Section 3. Chapter 27, Article II, Division 3, Section 27-116 of the Code of Charleston is hereby amended by adding by adding thereto the following underlined words, to state as follows:

Sec. 27-116. - General standards.

(a) In all areas of special flood hazard, the following provisions are required:

- (1) All new construction and substantial improvements shall be anchored to prevent floatation, collapse or lateral movement of the structure;
- (2) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage; be constructed by methods and practices that minimize flood damages, and be constructed with

electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

- (3) All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage;
 - (4) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
 - (5) New and replacement sanitary systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters;
 - (6) On-site disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding;
 - (7) Any alteration, repair, reconstruction or improvements to a building which is not in compliance, shall be undertaken only if said non-conformity is not furthered, extended, or replaced.
 - (8) All permit applications shall be reviewed to determine whether proposed building sites will be reasonably safe from flooding.
- (b) Any alteration, repair, reconstruction, or improvements to a structure which is in compliance with the provisions of this ordinance shall meet the requirements of “new construction” as contained in this division.
- (c) In order to address increasing flood levels, flood hazards, and the associated damage caused by the importation of fill, the following shall apply within the City’s 100-year regulatory floodplain:
- (1) Beginning January 1, 2024 (the “Effective Date”), the use of slab on grade foundations shall be prohibited for:
 - i. All new foundations for single-family dwellings, including attached single-family dwellings, and
 - ii. All new foundations for multi-family dwellings.
 - (2) The most current version of Appendix B to the Federal Emergency Management Agency’s National Flood Insurance Program (NFIP) Flood Insurance Manual dated October 2022 (the “Appendix”) is hereby incorporated by reference and shall govern acceptable foundation types, as may be supplemented and amended by the City’s Stormwater Design Standards Manual.
 - i. The foundations depicted in Diagrams 1A, 1B, 2A, 2B, and 3 of the Appendix are prohibited for detached single-family dwellings.
 - ii. The foundations depicted in Diagrams 1A, 2A, 2B, and 3 of the Appendix are prohibited for attached single-family dwellings.
 - (3) The city’s floodplain manager or his/her duly authorized agent shall review elevation certificates to ensure the proper type of foundation has been used pursuant to this section.

Section 4. This Ordinance shall become effective upon ratification.

Ratified in City Council this ___ day of
_____ in the year of Our Lord, 2023, in the
247th Year of the Independence of the United States
of America.

By: _____
John J. Tecklenburg, Mayor

ATTEST: _____
Jennifer Cook
Clerk of Council

