

**MEMORANDUM**

TO: Planning Commission

FROM: Kevin Shunk, P.E., CFM, Floodplain Administrator
Watershed Protection Department *KAS*

DATE: October 22, 2019

SUBJECT: **Staff Recommended Amendment to the Atlas 14 Code Amendment**

In working with the Planning Commission's recommendation, Council staff, and stakeholders in addition to conversations with other communities, the Watershed Protection Department recommends an amendment to the current draft Atlas 14 ordinance that would allow certain additions to residential buildings that do not currently satisfy the floodplain regulations. This amendment would exempt residential building, non-substantial improvement addition projects from the safe access requirement.

For example, a homeowner owns a residential building that does not satisfy the safe access or freeboard requirements. Under the current floodplain regulations and current draft ordinance, an addition to the conditioned area of the building would be increasing the nonconformity of the building since it does not have safe access. This application could not be approved administratively by staff and would require a City Council floodplain variance request.

Under the recommended amendment, staff could administratively approve an application for an addition to the home so long as the addition is not a substantial improvement to the building, satisfies the freeboard requirements, and does not adversely impact flood levels.

This amendment would allow homeowners to expand their current homes without having to completely elevate the home to satisfy requirements of the proposed redevelopment exception. The additions themselves would have less flood risk than the existing home.

The draft code language would include the exception below:

R322.2.6 Means of egress.

Exception: an addition or alteration to an existing building or structure provided the addition or alteration does not constitute a substantial improvement.

cc: Jorge Morales, P.E., Director, Watershed Protection Department
Mike Personett, Assistant Director, WPD
Sara Hartley, Assistant Director, WPD
Chris Herrington, P.E., Environmental Officer, WPD
Jose Guerrero, P.E., Assistant Director, WPD