

AGENDA ITEM SUMMARY

FORT COLLINS CITY COUNCIL

ITEM NUMBER: 8

DATE: January 16, 2007

STAFF: Bob Smith
Susan Hayes

SUBJECT

Second Reading of Ordinance No. 206, 2006, Amending Chapter 10, Article II of the City Code to Update References to the Federal Emergency Management Agency Flood Insurance Study and Flood Insurance Rate Map.

RECOMMENDATION

Staff recommends adoption of the Ordinance on Second Reading.

EXECUTIVE SUMMARY

The Federal Emergency Management Agency (FEMA) has prepared a revised Larimer County Flood Insurance Study (FIS) and Flood Insurance Rate Maps that become effective December 19, 2006. FEMA has requested that the County, and each incorporated community, revise ordinances to reflect the new effective date. This Ordinance, unanimously adopted on First Reading on December 19, 2006, revises Chapter 10-19(a) of the City Code to reflect the new effective date. It also revises the definition of Flood Insurance Study to correct an outdated reference to the mapping prepared by FEMA as part of the Study.

ATTACHMENTS

1. Copy of First Reading Agenda Item Summary - December 19, 2006.

AGENDA ITEM SUMMARY

FORT COLLINS CITY COUNCIL

ITEM NUMBER: 19

DATE: December 19, 2006

STAFF: Bob Smith
Susan Hayes

SUBJECT

First Reading of Ordinance No. 206, 2006, Amending Chapter 10, Article II of the City Code to Update References to the Federal Emergency Management Agency Flood Insurance Study and Flood Insurance Rate Map.

RECOMMENDATION

Staff recommends adoption of the Ordinance on First Reading.

EXECUTIVE SUMMARY

The Federal Emergency Management Agency (FEMA) has prepared a revised Larimer County Flood Insurance Study (FIS) and Flood Insurance Rate Maps that become effective December 19, 2006. FEMA has requested that the County, and each incorporated community, revise ordinances to reflect the new effective date. This Ordinance will revise Chapter 10-19(a) of the City Code to reflect the new effective date. It also revises the definition of Flood Insurance Study to correct an outdated reference to the mapping prepared by FEMA as part of the Study.

BACKGROUND

In 2002, the Federal Emergency Management Agency (FEMA) began a process to update the Flood Insurance Study and floodplain maps for Larimer County and its incorporated communities. The City of Fort Collins has four floodplains designated by FEMA: Cache la Poudre River, Dry Creek, Spring Creek and Cooper Slough/Boxelder Creek.

This project converts the existing paper floodplain maps to a digital format called DFIRM (Digital Flood Insurance Rate Maps). During this update, the City submitted revised mapping for the Spring Creek and Cooper Slough/Boxelder Creek floodplains that reflect the higher rainfall Council adopted in 1999.

Larimer County and the incorporated communities have completed the required public process. This included community opportunities to review and comment on the maps. A ninety-day appeal period ended June 19, 2006, and the FIS and DFIRM become effective on December 19, 2006.

Chapter 10, Section 19 of the City Code states the original 1979 Flood Insurance Study, prepared by FEMA for the city, *and any revisions thereto*, are adopted for use by the City for regulating those floodplains. However, FEMA has requested that the City update the City Code to reflect the new effective date of December 19, 2006.

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Staff had received the paper maps and the FIS, but not the digital version of the maps. The City will administer floodplains in Fort Collins based on the maps and FIS published by FEMA, since the updated maps are already incorporated in the City Code by reference upon adoption by FEMA. In addition, in 2004, the Council adopted a new Master Drainage Plan to update the City's storm drainage plans. The floodplain maps upon which the new FEMA Flood Insurance Study and floodplain maps are based were included in that Master Drainage Plan. Therefore, the City has been regulating floodplains in Fort Collins in accordance with the same data as is included in the new FEMA mapping for several years.

In addition, the definition of Flood Insurance Study in Section 1-16 of the City Code contains an outdated reference to FEMA's mapping, previously referred to as the Flood Boundary-Floodway Map. This reference has been changed to refer to the Flood Insurance Rate Map.

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ORDINANCE NO. 206, 2006
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AMENDING CHAPTER 10, ARTICLE II
OF THE CODE OF THE CITY OF FORT COLLINS
TO UPDATE REFERENCES TO FEDERAL EMERGENCY MANAGEMENT AGENCY
FLOOD INSURANCE STUDY AND FLOOD INSURANCE RATE MAP

WHEREAS, Section 10-19(a) of the Code of the City of Fort Collins incorporates by reference the most current official report in which the Federal Emergency Management Agency (“FEMA”) has provided flood profiles, as well as the Flood Insurance Rate Map and water surface elevation of the base flood, referred to as the Flood Insurance Study (“FIS”); and

WHEREAS, that Section presently references FEMA’s original 1979 Flood Insurance Study, together with any revisions thereto; and

WHEREAS, in 2002, FEMA began the process to update its Flood Insurance Study and Flood Insurance Rate Maps for Larimer County, including its incorporated communities, and to convert the existing paper maps to digital format (referred to as Digital Flood Insurance Rate Maps, or “DFIRM”); and

WHEREAS, an extensive process for public input on the proposed new FIS and DFIRM, including community opportunities for review and comment and a ninety-day appeal period, was completed on June 19, 2006; and

WHEREAS, FEMA’s adoption process provides that the new updated FIS and DFIRM are to become effective on December 19, 2006; and

WHEREAS, FEMA has directed all local jurisdictions administering floodplain regulatory programs to update all references to FEMA’s Flood Insurance Study to reference the December 19, 2006, FIS and DFIRM; and

WHEREAS, the FIS and DFIRM are based in part upon data generated by and in use by the City since the City’s Master Drainage Plan was updated in 2004, and the City has been regulating floodplains in Fort Collins using that data for several years; and

WHEREAS, the City Code currently contains outdated references to the FEMA Flood Boundary-Floodway Map, which is no longer in use and the purpose of which is fulfilled by the Flood Insurance Rate Map; and

WHEREAS, based on the foregoing, it is the desire of the City Council to amend Section 10-19(a) of the City Code as set forth herein.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That Section 10-16 of the Code of the City of Fort Collins is hereby amended to revise the definition of *Flood Insurance Study*, to read as follows:

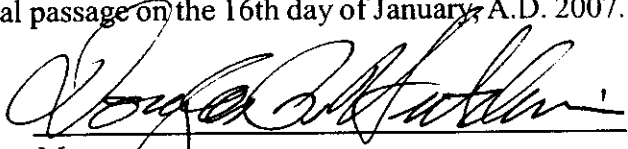
Flood Insurance Study shall mean the official report in which FEMA has provided flood profiles, as well as the Flood Insurance Rate Map and water surface elevation of the base flood.

Section 2. That Section 10-19(a) of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 10-19. Flood hazard area designation.

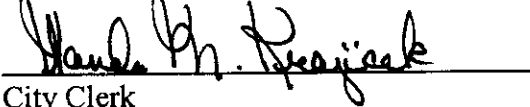
(a) The Flood Insurance Study dated December 19, 2006, including any revisions or amendments thereto, completed for the City by FEMA for the purpose of identifying floodplain and floodway areas, with accompanying Flood Insurance Rate Map, is hereby adopted by reference and declared to be a part of this Article. The Flood Insurance Study is on file in the office of the City Clerk.

Introduced, considered favorably on first reading, and ordered published this 19th day of December, A.D. 2006, and to be presented for final passage on the 16th day of January, A.D. 2007.



Mayor

ATTEST:



City Clerk

Passed and adopted on final reading this 16th day of January, A.D. 2007.

Mayor

ATTEST:

City Clerk