



AGENDA MEMORANDUM

Planning Department

City Council Regular Meeting Date: December 6, 2022

To: City Council
From: Kim Ruiz, Planner
Date: September 22, 2022

SUBJECT: Proposed amendments to the code of ordinances Chapter 94-Floods based upon the updated FEMA Flood Insurance Rate Maps (FIRM) which include the delineation of the Limit of Moderate Wave Action (LiMWA) as directed by City Council on July 19, 2022.

BACKGROUND:

A FEMA notification has been received indicating that the updated FIRM will become effective on November 17, 2022 (Attached). These updated maps are based on modeling that identified areas subject to wave heights of greater than 3-feet on top of a storm surge as V-Zones and identified the landward extent of areas subject to wave heights between 1.5 and 3-feet on top of a storm surge as the LiMWA. The V-Zones make up a special flood hazard area designated as *Coastal High Hazard Area*. A-Zones waterward of the LiMWA are flood hazards areas designated as *Coastal A Zone (CAZ)*.

The Planning Department presented proposed revisions to Chapter 94 – Floods to the Land Development Code (LDC) Subcommittee on July 26, 2022, based upon the new FIRMs. The discussion between the LDC Subcommittee and City staff of the amendments to update the LDC based upon the most FEMA modeling resulting in new FIRM maps included explanation of definitions and why the amendments were proposed as written. The LDC Subcommittee approved transmittal of the proposed LDC amendments to the Planning Commission and requested an informational sheet regarding flood related terms be prepared.

Subsequent to the LDC Subcommittee meeting, the City issued an announcement on July 28th via the online notification system which e-mailed participants letting the public know the new FIRM maps are available for viewing at the Planning Department. Also, Planning staff compiled a flood related terms informational sheet with narrative and figures specific to Sanibel (attached as background information).

On September 13, 2022, the Planning Commission approved transmittal of the proposed amendments to Chapter 94 to City Council with a recommendation that the amendments be approved by City Council.

Sanibel is and shall remain a barrier island sanctuary

RECOMMENDED ACTION:

First reading of the draft ordinance with amendments to Chapter 94 – Floods, including the implementation of the new FIRM, and schedule second reading of the ordinance adopting these amendments for December 6, 2022.

PROPOSED AMENDMENTS TO CHAPTER 94 – FLOODS

Planning staff recommends Chapter 94 – Floods be amended to reflect the new Flood Insurance Study and Flood Insurance Rate Maps which include the delineation of the Limit of Moderate Wave Action (LiMWA). These revisions do not include requiring construction within Coastal A Zones to meet V-Zone building standards, except for the provisions previously adopted under Division 7. Other Development.

The proposed amendments are attached in proper LDC formatting with new language in underline and deleted language in ~~strike through~~. The following is a summary of the proposed amendments:

- 1. Section 94-13. Basis for establishing flood hazard areas** (page 3)
 - a. Revise the date of the Flood Insurance Study to reflect the effective date of November 17, 2022.
 - b. Delete the reference to Additional Coastal High Hazard Areas Map.
- 2. Section 94-124. Definitions** (pages 3 - 4)
 - a. Refine the definition of *Coastal A Zone* based upon FEMA language.
 - b. Delete the Additional Coastal High Hazard Areas reference within *Coastal High Hazard Area* definition.
 - c. In *Letter of Map Change (LOMC)* definition, replace underlining of the types of letters of map changes with numbering per State of Florida Department of Floodplain Management direction.
 - d. Add *Limit of Moderate Wave Action (LiMWA)* definition based upon FEMA language.
- 3. Section 94-133. Accessory structures** (pages 4 – 5)
 - a. Revisions based upon guidance documents from the State of Florida Department of Floodplain Management for consistency with FEMA standards.
- 4. Section 94-162. Limitation on installation** (page 5)
 - a. Revision based upon comments from the State of Florida Department of Floodplain Management for consistency with FEMA standards.
- 5. Section 94-182. Temporary use permit required** (pages 5 - 6)
 - a. Delete reference to areas within 500-feet of coastal waters.