

# City Council Agenda Memo

**From:** Charlie Richter, City Engineer

**Council Meeting:** May 16, 2023

**Subject:** Presentation: Proposed Changes to the Floodplain Development Ordinance

**Person(s) Responsible:** Charlie Richter, City Engineer

## **Summary:**

The City of Brookings contracted with a consultant to study the existing floodplain and examine current development practices/policies for areas susceptible to flooding or high groundwater. Based on the findings, staff will present proposed changes to the floodplain development ordinance.

## **Background:**

The City currently has a floodplain development ordinance that dates back to 1996. This ordinance requires, among other things, that structures be constructed one foot above the base flood elevation. At that time, the City utilized model language from FEMA to establish the current ordinance and reflect the minimum FEMA requirements.

## **Item Details:**

Advancements since 1996 warrant adjustments to the City's standards for development within the floodplain. These changes include technology, additional data, the evolution of best practices, weather pattern changes, impacts of stormwater movement on others, and further examination of the Brookings flood plain.

The City requires all structures to be constructed at least one foot above the anticipated 100-year flood elevation (base flood elevation). Many communities have increased the elevation requirement to two (2) and, in some cases, three (3) feet above the base flood elevation.

To prevent property owners from negatively impacting their neighbors by displacing water when filling within the floodplain, the City proposes adopting a compensatory storage standard. The same volume of fill added to the floodplain will be required to be removed from another portion of the floodplain to provide adequate storage of the water displaced by the fill. This requirement has been adopted by numerous communities to protect property owner rights. The change proposed would be a one-to-one requirement. Other communities have stricter requirements.

**Legal Consideration:**

State statute allows cities to adopt regulations governing development within the floodplain. The proposed changes are consistent with FEMA's flood insurance requirements.

**Strategic Plan Consideration:**

Safe, Inclusive, Connected Community – This policy will provide planning improvements for development within the floodplain.

**Financial Consideration:**

None

**Recommendation:**

Staff recommends moving forward with the ordinance changes at a City Council meeting in June.

**Supporting Documentation:**

Draft Policy