



Ordinance #2122: An update to the Land Development Code in Relation to Floodplain Regulations

City Council
March 6, 2017

Background

- Commerce City has adopted floodplain regulations since 1978 to protect properties against flood loss.
- The City is required to adopt and enforce these regulations in order to be a participant in the National Flood Insurance Program (NFIP). This program allows all property owners within Commerce City to purchase flood insurance if they choose to.
- NFIP participation also allows certain federally backed mortgage loans and is also required for certain grant funding and emergency funding sources.



Background

- These NFIP regulations are the minimum required. Cities and states may adopt greater regulations for protection.
- In 2009 and 2014, the State and FEMA worked with Commerce City to ensure that the floodplain regulations were up-to-date and were meeting minimum requirements.



Overall Flood Plain Policy

- In Commerce City, the overall flood plain policy is to limit intensive development which occurs in flood plains. For new development areas, flood plains are dedicated to the City for open space and drainage.
- In certain older areas of the City (Sand Creek and First Creek), industrial development occurs within the floodplain due to this development occurring prior to the City's incorporation or prior to the City's floodplain regulations.
- No where in the City is residential development allowed within a flood plain.



Why Are We Updating?

- FEMA has updated a flood plain map which includes a very small portion of Commerce City.
- The current regulations reference a 2007 study, which is now out of date.
- This change will keep our references up to date and allow future map change to take place without amending the code.
- No flood plain boundaries within the city are changing as a result of this update.



PC Analysis

- Requirement by the State and Feds to update this item.
- Commerce City already has strong flood plain regulations, so few updates are needed.
- Consistent with City's desire to protect life and property within the flood plain.
- Will prevent City from being penalized or loss of grants and federal monies.



Recommendation

- On February 7, 2017, Planning Commission voted 5-0 to forward this request to City Council for final approval.





Questions?

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