

City of Los Alamitos

Agenda Report Ordinances

September 8, 2009
Item No: 9A

To: Mayor Troy Edgar and Members of the City Council

Via: Jeffrey L. Stewart, City Manager

From: Steven Mendoza, Director of Community Development

Subject: Introduction of Ordinance No. 2009-16 - Establishing a Floodplain Management Ordinance

Summary: The City met with the Federal Emergency Management Agency (FEMA) in the summer of 2008, to assess the City's floodplain programs. By in large, the review was favorable since the City currently follows all floodplain management practices. The one exception is the City has not adopted a Floodplain Management Ordinance. The ordinance is needed for compliance with Federal regulations and to receive Federal emergency disaster funding. Staff has prepared such an ordinance based on the Federal model ordinance and is presenting it for City Council's review and approval.

Recommendation: Introduce by title only and waive further reading of Ordinance 2009-16, first reading of "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, ADDING SECTION 15.16 OF THE LOS ALAMITOS MUNICIPAL CODE TITLED 'FLOODPLAIN MANAGEMENT ORDINANCE'."

Background

Last June, several representatives from the Federal Emergency Management Agency (FEMA) provided staff with a community assistance visit. The visit was intended to review the City's floodplain policies and practices. As a result, the City was informed that it needs to adopt a Floodplain Management Ordinance as none currently exists. The ordinance not only provides certain minimal floodplain standards but also, if not adopted, can jeopardize receipt of Federal flood emergency disaster relief funding.

Discussion

FEMA provided its model ordinance which staff has reviewed and tailored for the City of Los Alamitos.

The ordinance specifically provides regulations that are designed to assist in the protection of property and life by assuring that the City has established procedures for new development, complies with existing floodplain requirements (such as base flood elevation

minimums), and other flood protection measures. The ordinance also provides for guidance for protection to public infrastructure from flood damages for improvements within areas of special flood hazard. The ordinance provides for control of any alterations to natural floodplains, stream channels, and protective barriers that accommodate flood waters. Almost all of the City of Los Alamitos is in Flood Zone X. This designation is NOT a "Special Flood Hazard Area" based on the FEMA floodplain maps. Zone X are areas of 0.2% chance of annual flood; areas of 1% annual flood with average depths of 1 foot or less; drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance of flood. Carbon Creek Channel, located south of Fenley Drive is designated Zone A, with flooding contained in the channel. This is a designated Special Flood Hazard Area. However, Zone A has no base flood elevation determined.

It should be noted that the City of Los Alamitos, while not having a Floodplain Ordinance in place, has followed all floodplain practices prescribed in the ordinance. Therefore, the ordinance will not have an effect on current practices or procedures, nor create any additional workload or new requirements for development relative to floodplain management issues. The ordinance will merely codify current practices and procedures while making the City eligible to receive floodplain funding for emergency relief and other Federal assistance for floodplain projects and programs.

The ordinance makes reference to the FEMA Flood Insurance Rate Maps (FIRM). Due to the size of these maps we were not able to include them as attachments. However, they are available for review in the office of the City Clerk.

Fiscal Impact

The regulations, while not codified, have been in practice through the Federal Flood Insurance Rate Program, NPDES program, and other statutory regulations. Staff therefore, does not see any cost impacts as a result of adoption of the Ordinance. Conversely, without adoption the City is on notice by FEMA to establish such an ordinance, which if not adopted, could jeopardize the City's ability to receive floodplain disaster relief assistance.

Submitted By:

Prepared By:

Steven Mendoza
Director of Community Development

William Huber
Interim City Engineer

Approved By:

Jeffrey L. Stewart
City Manager

Attachments: 1) Floodplain Management Ordinance 2009-16