

Background

New preliminary flood plain maps have been prepared by FEMA for The City of Owensboro and Daviess County. Review and comment periods have occurred, revisions have been made to the new Flood Insurance Rate Maps (F.I.R.M.) and the maps will become the final official community F.I.R.M. on April 16, 2009. In order to participate in the National Flood Insurance Program (NFIP) the community has to have adopted a flood damage protection ordinance, which has been done through the inclusion and adoption of Article 18 of the Owensboro Metropolitan Zoning Ordinance.

We are proposing this text amendment to update our existing ordinance by adding definitions that are included in the state's model ordinance. We are also proposing to include in the ordinance language that will automatically recognize and adopt any future F.I.R.M. map versions. The planning staff has worked with Kentucky Division of Water, the local government engineers, the local government attorneys, local government staff members, and local Emergency Management Agency staff to review our current ordinance and to make the changes as recommended ensuring continued compliance for participation in the program.

In addition to the updating and clarification of definitions and terms, the planning staff is also proposing a change to the requirements for new construction to be built to the base flood elevation. The proposal is to require that new residential and commercial construction be built at an elevation one foot above the base flood elevation. This is called a freeboard. Ductwork is recommended to be overhead whenever new construction occurs within a special flood hazard area, but if ductwork is located under the floor, then the finish floor of the structure must be a minimum of two feet above the established base flood elevation.

A review of building permits issued within special floor hazard areas indicates that in practice, the finish floor elevations are at least one foot above the base flood elevation. This is a standard building practice in order to achieve the appropriate drainage from the structure. Information provided by builders indicates that there have been some problems with underground ductwork unless the finish floor elevation is raised higher than one foot above the base flood elevation, so the additional freeboard when ductwork is located under the floor will protect the public from the ductwork being damaged by flood waters.

The addition of the one foot freeboard will gain the community points on the Community Rating System, and the accumulation of points ultimately results in decreased

flood insurance rates for our citizens. The freeboard requirement will further protect the public from flood waters and also ensure that as new flood maps are adopted in the future these built structures will continue to remain above the base flood elevation. The issue was further discussed at a Public Improvements Committee Meeting which consists of developers, private engineers, local government engineers, planning staff, builders and contractors and the consensus was that the freeboard should be applied. The freeboard requirement serves to further the goal of the Comprehensive Plan to protect fragile lands and artifacts from indiscriminate impact or loss.

Findings

1. The proposed revisions to the ordinance will ensure continued compliance with the requirements of the National Flood Insurance Program (NFIP);
2. The proposed revisions to the ordinance will encourage the protection of fragile lands from indiscriminate impact or loss;
3. The proposed revisions to the ordinance will assist in the community's efforts to increase our standing on the Community Rating System; and
4. The proposed revisions to the ordinance will further protect the public, health, safety and welfare of the citizens of Daviess County and the City of Owensboro.