

# **Amend Section 10.4.4 and Appendix A within Title 18 Floodplain Regulations**

**Land Use and Planning Committee**

Alex Eidam  
Development Services  
May 11<sup>th</sup>, 2022



- National Flood Insurance Program (NFIP)
- Community Rating System (CRS)
- Department of Natural Resources & Conservation (DNRC)
- Federal Emergency Management Agency (FEMA)
- Community Assistance Visit (CAV)
- Letter of Map Revision (LOMR)

# Section 10.4.4 Agricultural Structures



## 10.4 NON-RESIDENTIAL BUILDING, EXCEPTIONS OR ADDITIONAL REQUIREMENTS

New construction, alterations, and substantial improvements of nonresidential including agricultural, commercial and industrial buildings and residential and non-residential accessory buildings must be constructed such that:

4. **Agricultural structures** The following additional requirements and exceptions from the requirements of Section 10.4 apply to Agricultural structures not intended to be insurable, used solely for agricultural purposes, having low flood damage potential, used exclusively in connection with the production, harvesting, storage, drying, or raising of agricultural commodities, including raising of livestock and animal confinement facilities, and not intended for human habitation ~~are exempt from the elevation requirement, dry or wet flood proofing, but shall:~~

1. ~~Be located on higher ground and as far from the channel as possible; Such structures may be exempted by the Floodplain Administrator from the Lowest Floor Elevation requirements established in Section 10.4.1 provided the Lowest Floor of the Structure is elevated to at least the Base Flood Elevation or adequately dry floodproofed in conformance with the requirements of Section 10.2.15; and~~
2. ~~Offer minimal obstruction to flood flows; Such Structures shall comply with the requirements of Section 9.11.~~
- ~~3. Be adequately anchored to prevent flotation or collapse;~~
- ~~4. Where electrical, heating and plumbing systems are installed, meet the flood proofing requirements in Sections 10.2.10, 10.2.11, and 10.2.12; and~~
- ~~5. Meet the elevation or dry flood proofing requirements if the structure is an animal confinement facility.~~

(ARM 36.15.602(9)) (ARM 36.15.701(3)(e)) (ARM 36.15.702(2))

# Letter of Map Revision



## APPENDIX A

City of Missoula FIRMs – Community Number 30049

Panel #	Suffix	Effective Date
IND1B		March 7, 2019
IND2B		March 7, 2019
1170	E	July 6, 2015
1185	E	July 6, 2015
1190	E	July 6, 2015
1195	E	July 6 2015
1215	E	July 6 2015
1220	E	July 6 2015
1455	E	July 6 2015
1460	E	July 6 2015
1465	E	July 6 2015
1470	E	July 6 2015
1480	E	July 6 2015
1485	E	July 6 2015
<u>1195</u>	<u>E</u>	<u>April 27 2022</u>
<u>1215</u>	<u>E</u>	<u>June 27 2022</u>

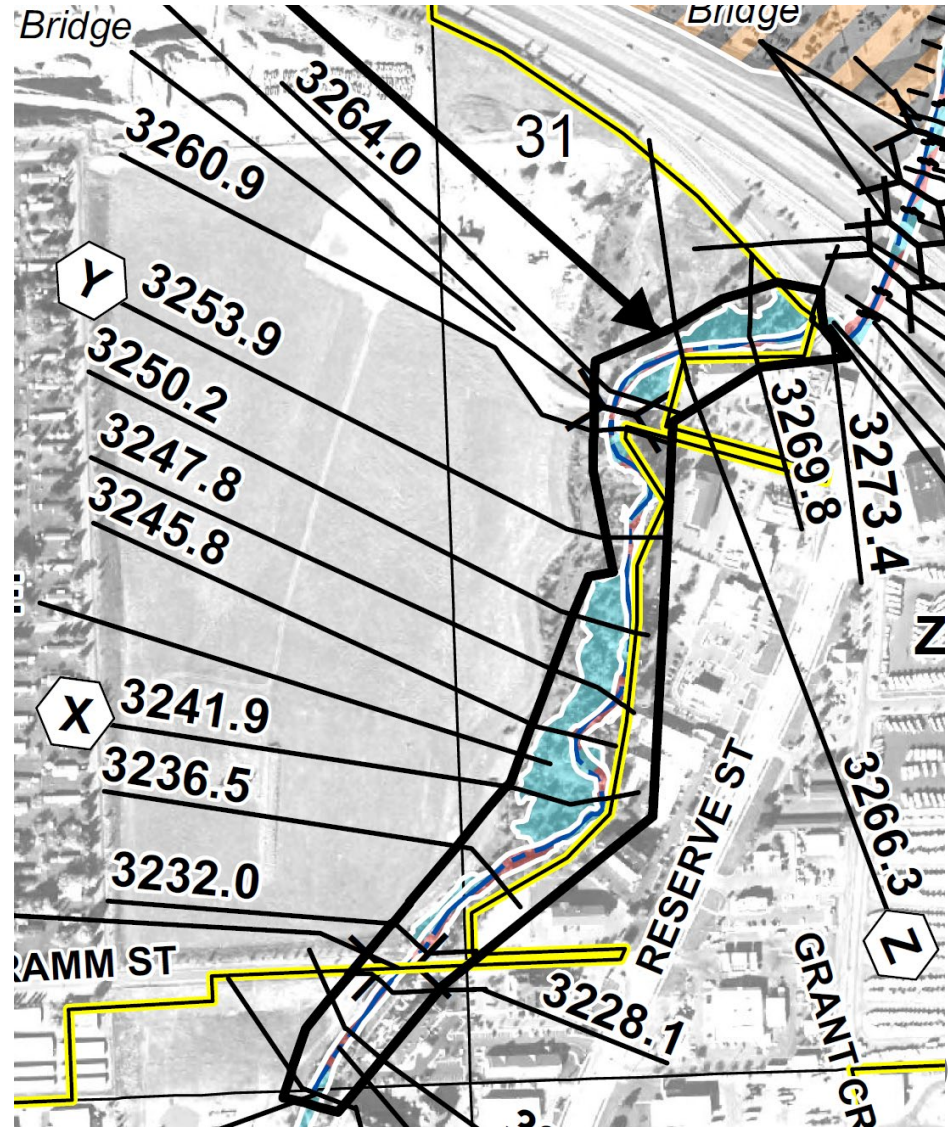
# Middle Grant Creek



## Previously



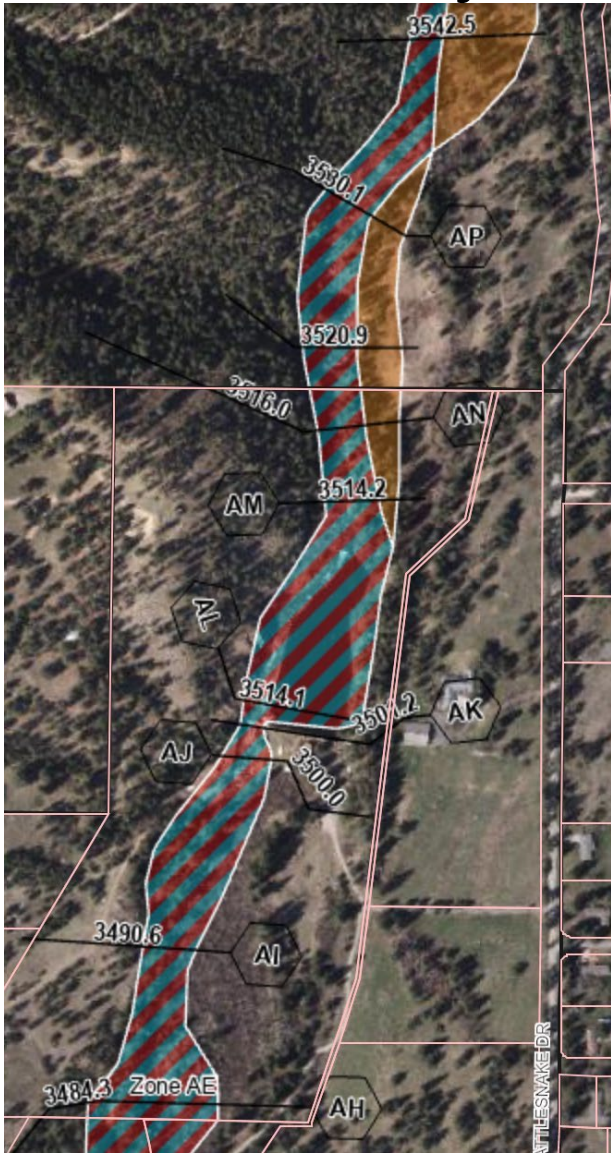
## LOMR modifications



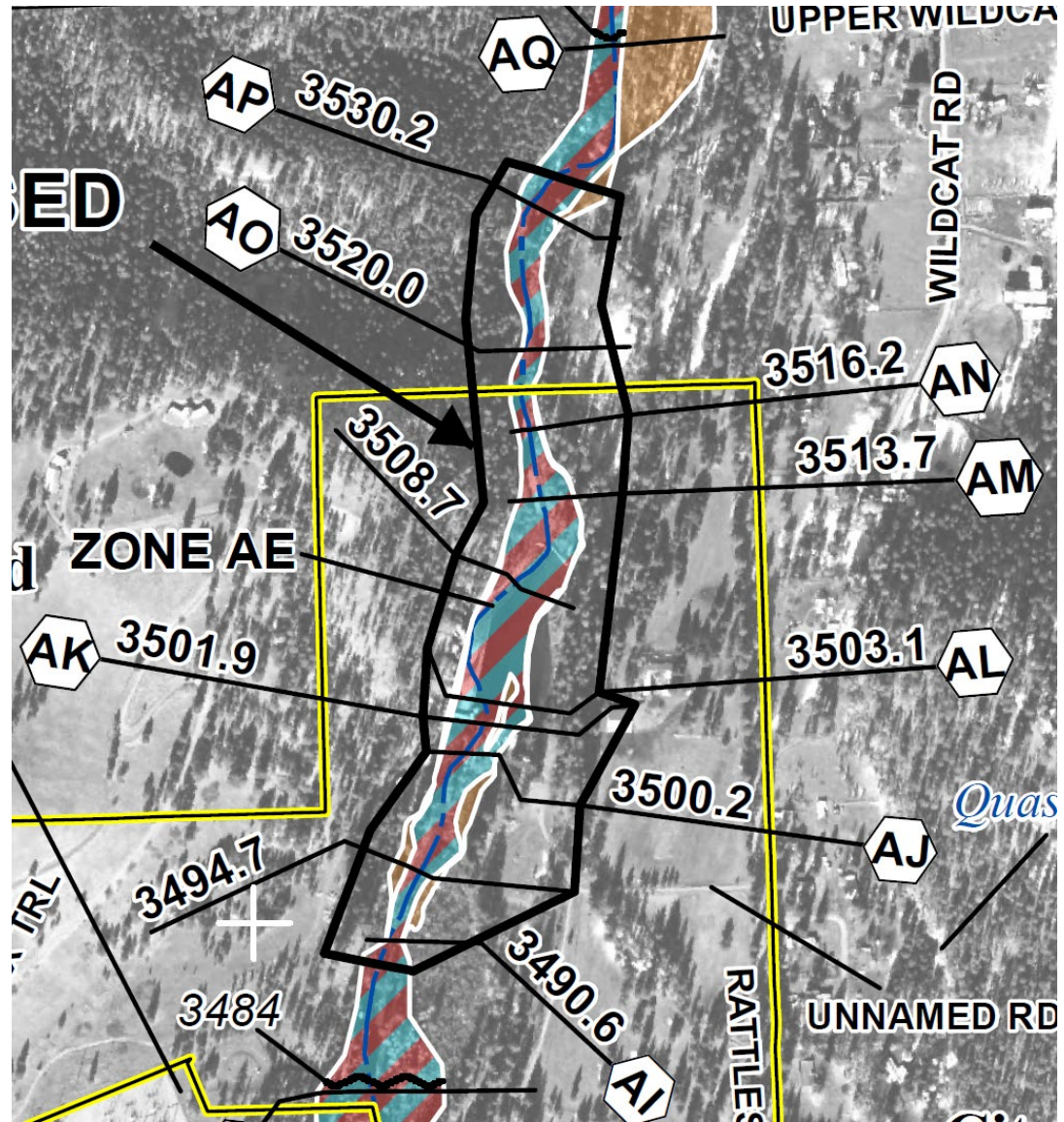
# Rattlesnake Dam Removal



## Previously



## LOMR modifications



- A RL property is any insurable building for which two or more claims of more than \$1,000 were paid by the NFIP within any rolling ten-year period, since 1978.
- Structures that flood frequently strain the NFIP fund. In fact, RL properties are the biggest draw on the fund. FEMA has paid \$3.5 billion dollars in claims for RL properties. RL properties not only increase the NFIP's annual losses and the need for borrowing; but they drain the funds needed to prepare for catastrophic events
- FEMA's RL properties strategy – eliminate or reduce the damage to property and the disruption to life caused by repeated flooding of the same properties

- Previously, policyholders with lower-valued homes are paying more than their share of the risk while policyholders with higher-valued homes are paying less than their share of the risk. Because Risk Rating 2.0 considers rebuilding costs, FEMA can equitably distribute premiums across all policyholders based on home value and a property's unique flood risk.
- With Risk Rating 2.0, FEMA now has the capability and tools to address rating disparities by incorporating more flood risk variables. These include flood frequency, multiple flood types—river overflow, storm surge, coastal erosion and heavy rainfall—and distance to a water source along with property characteristics such as elevation and the cost to rebuild.
- The methodology leverages industry best practices and cutting-edge technology to enable FEMA to deliver rates that are actuarially sound, equitable, easier to understand and better reflect a property's flood risk.



- City Floodplain Regulations and Administrative Rules of Montana (ARM) - amendments to regulations must be found adequate and acceptable by FEMA and DNRC
  - DNRC approved 4/29/22
  - Legal Ad published 4/4/22 and 4/10/22
- 44 Code of Federal Regulations and MCA 75-5-301 requires communities that participate in the NFIP to adopt compliant regulations that meet/exceed the standards.
- FEMA and DNRC require that communities must adopt regulations within six months of notification
- Deadline is May 17<sup>th</sup>, 2022

**APPROVAL** to adopt an ordinance amending Title 18, Missoula Municipal Code, the City Floodplain Hazard Management Regulations, to incorporate revisions to Section 10.4.4 Agricultural Structures and Appendix A in response to FEMA Policy #104-008-03 regarding Floodplain Management Requirements for Agricultural Structures and Accessory Structures and to include map revisions. See Exhibit #1 – Draft Ordinance (5-4-2022)