



City Council Staff Report

Meeting Date: January 8, 2024

TO: Marco Island City Council

FROM: Kelli DeFedericis, CFM, Floodplain Coordinator

DATE: November 17, 2023

RE: Floodplain Ordinance

PROPOSED ORDINANCE DESCRIPTION:

As we are aware, the City has been issued new Flood Insurance Rate Maps dated 02/08/2024 by the Federal Emergency Management Agency. The City is required to adopt the maps by this date. Our current code allows us to start enforcing the new FIRM. However, we believe it would be most efficient to start enforcing the new FIRM in conjunction with the adoption of the 8th edition of the Florida Building Code December 31, 2023, this will allow consistency and leave less confusion with dates.

As with past updates, the City continues to follow the State model ordinance. This update contains minor language change with the removal of some items.

With the adoption of the new FIRM we will no longer have a flood zone AE 7' NAVD we will be removing the minimum requirement of 9' NAVD.

A new flood zone for construction purposes has been added to the FIRM referred to as the Limit of Moderate Wave Action (LiMWA) or Coastal A Zone (CAZ).

Coastal A Zone. Flood hazard areas that have been delineated as subject to wave heights between 1 ½ feet (457 mm) and 3 feet (914 mm). Such areas are seaward of the Limit of Moderate Wave Action shown on the Flood Insurance Rate Map.

For additional mitigation purposes we would like to propose dry flood proofing requirements in a CAZ be plus 2' above the base flood elevation.

(c) In flood hazard areas, the elevation of dry floodproofing shall be at or above the elevation required by the Florida Building Code, except in Coastal A Zones the elevation of dry floodproofing shall be at or above the base flood elevation plus two (2) feet.

The reason for this is because the requirement if the structure was elevated the finished floor elevation is more stringent than the dry flood proofing measurements. There is less flood protection if the structure is dry flood proofed to the current FBC requirements, by about a foot.

We are requesting to remove the 5-year cumulative that is associated with FEMA's 50% threshold and reduce it to 12 months.

We adopted The Non-Conversion Agreement in 2020. We would like to add one line item to address the non-conversion to be required when correcting a violation in any area that would require a non-conversion agreement if it were new construction. *“The Non-Conversion Agreement” is for use in the flood hazard area, including flood zones VE (Velocity Elevation), AE (Area Elevation); and Coastal A zone (CAZ), for either new construction, substantial improvement (including substantial damage), alteration, or repair to storage, access, or parking.”*

Dune vegetation trimming and removal – We would like to update this section refer to all flood zones not just coastal high hazard area:

For activities that propose to alter sand dunes or mangrove stands in ~~coastal high hazard areas (zone V)~~, an engineering analysis that demonstrates that the proposed alteration will not increase the potential for flood damage.

**This is existing code the strike through will be removed*

As specified above these changes continue to follow the new State model ordinance, which updated and corrected language within the Florida Building Code (FBC), Federal Emergency Management Agency (FEMA), Community Rating System program (CRS) and the National Flood Insurance Program (NFIP).