


COUNCIL COMMUNICATION

	Number:	20-357	Meeting:	August 17, 2020
	Agenda Item:	50	Roll Call:	20-1364
	Submitted by:	Steven L. Naber, P.E., City Engineer		

AGENDA HEADING:

Amending Chapter 50 of the Municipal Code regarding revisions to Floodplain Management Regulations.

SYNOPSIS:

The City of Des Moines has been impacted by substantial flood events, most recently in the summer of 2018. This has resulted in loss of life and extensive property damage that has permanently displaced families from their homes and caused many other property owners to invest considerable capital in repairs. After the 2018 flood event, the City was challenged to develop ideas to decrease flood risk and further protect against loss of life and property (summarized in the 2018 After Action Flood Report). In addition to reducing flood risk, by implementing higher regulatory floodplain development standards the City would qualify its residents and business owners for a reduction in standard National Flood Insurance Program (NFIP) flood insurance premium costs.

FISCAL IMPACT: NONE

ADDITIONAL INFORMATION:

- The City of Des Moines has participated in the NFIP since 1981. To participate in the program, the City must adopt and enforce floodplain management ordinances meant to reduce damage from future flood events. In exchange, the NFIP makes federally-backed flood insurance available to homeowners, renters, and business owners in the City.
- The City has participated in the Community Rating System (CRS) program since 1991. CRS is a voluntary program for recognizing community floodplain management activities that exceed the minimum standards and rewards property owners of those communities with discounts to NFIP flood insurance premium rates. Des Moines is currently designated as a NFIP Class 7 community, which results in a 15% insurance premium reduction for qualifying properties. The proposed amendments would improve Des Moines' designation to a NFIP Class 5 community, which results in a 25% insurance premium reduction for qualifying properties.
- Staff presented code amendments to City Council at work sessions on October 31, 2018 and February 5, 2020. A public meeting for stakeholders was held on December 9, 2019. Invitations were sent to all property owners in Des Moines with a primary structure in the floodplain as well as developers, builders, and civil design consultants who conduct work in Des Moines.

- At the May 4, 2020 City Council Meeting, City Council directed staff to remove the Cumulative Substantial Damage Tracking requirements from the Chapter 50 ordinance amendments. Removing this requirement will reduce the CRS scoring by an estimated 40 points. The estimated projected total CRS score will be 2,526 points, which is just enough to reach the Class 5 rating (refer to chart below). Future scores are based on detailed estimates after staff review of CRS manual and coordination with CRS specialists, but there are contingencies that impact exact score. In addition, the CRS Manual is revised/amended every three (3) to five (5) years with different activities and scoring procedures, so total score is potentially volatile. Given how many factors are involved, there is a reasonable chance the City would need to look at other options to achieve the Class 5 rating.

CRS Class	Credit Points	Premium Reduction	
		In SFHA	Outside SFHA
1	4500+	45%	10%
2	4000 - 4499	40%	10%
3	3500 - 3999	35%	10%
4	3000 - 3499	30%	10%
5	2500 - 2999	25%	10%
6	2000 - 2499	20%	10%
7	1500 - 1999	15%	5%
8	1000 - 1499	10%	5%
9	500 - 999	5%	5%
10	0 - 499	0%	0%

Preferred Risk Policies are not eligible for CRS premium discounts because they already have premiums lower than other policies. Preferred Risk Policies are only available in B, C and X zones for properties that are shown to have a minimal risk of flood damage.

Some minus-rated policies may not be eligible for CRS premium discounts.

Premium discounts are subject to change.

- At the May 18, 2020 City Council Meeting, City Council directed staff to work with the Central Iowa Water Trails (CIWT) development team to review potential impacts that the proposed code amendments would have on CIWT projects and the City’s levee improvement projects. The CIWT development team presented information to staff suggesting that the benefits of compensatory storage are negligible when implemented in leveed river reaches with more than 10,000 square miles of upstream drainage area (Des Moines and Raccoon Rivers). With this information, staff has revised the ordinance to reduce the compensatory storage requirement from a 1.5:1 ratio to a 1:1 ratio for specific geographic areas of the Des Moines and Raccoon Rivers. These areas are identified in red on the map provided below. These areas are distinguishable from other floodplain areas in Des Moines based on there being levees on both sides of the river. Implementing this change will have a minimal impact to the City’s CRS score (<5 points).



- Summary of proposed code amendments are as follows:
 - Increase the minimum floodproofing/flood protection elevation for new and substantially improved buildings from one (1) foot to three (3) feet.
 - Require that any volume of fill that is added to the floodplain above grade be compensated at a ratio of 1.5:1, with some exceptions.
 - Require that any building addition to an existing building in the floodplain, regardless of size, be floodproofed or elevated to the minimum floodproofing/flood protection elevation.
 - Define geotechnical requirements, such as soil testing and fill material guidelines, to be enforced for buildings in the floodplain.
 - For new detached accessory buildings in the floodplain that are not elevated to the minimum floodproofing/flood protection elevation, the property owner must sign a nonconversion agreement that states the owner will not convert the structure to a dwelling or livable space and allows the City to inspect the building at any time.
 - Require that all hazardous materials located in the floodplain be stored indoors and elevated to the minimum floodproofing/flood protection elevation.

PREVIOUS COUNCIL ACTION(S):

Date: July 13, 2020

Roll Call Number: [20-1148](#)

Action: [Amending](#) Sections 50-26, 50-32.05, 50-34 and 50-35 relating to floodplain development regulations and to continue to the August 17th Council meeting (Continued from May 18, 2020 Council Meeting). Moved by Gatto to continue to the August 17, 2020 Council meeting. Motion Carried 7-0.

Date: May 18, 2020

Roll Call Number: [20-0850](#)

Action: [Amending](#) Sections 50-26, 50-32.05, 50-34 and 50-35 relating to floodplain development regulations and to continue to the August 17th Council meeting (Continued from May 18, 2020 Council Meeting). ([Council Communication No. 20-217](#)) Moved by Gatto to continue to the August 17, 2020 Council meeting. Motion Carried 7-0.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

As part of its next annual CRS review cycle, the City will apply for a CRS class increase, which will reduce standard NFIP flood insurance premium costs for property owners with insurable buildings in the floodplain. The estimated effective date is May 2021.

For more information on this and other agenda items, please call the City Clerk's Office at 515-283-4209 or visit the Clerk's Office on the first floor of City Hall, 400 Robert D Ray Drive. Council agendas are available to the public at the City Clerk's Office on Thursday afternoon preceding Monday's Council meeting. Citizens can also request to receive meeting notices and agendas by email by calling the Clerk's Office or sending their request via email to cityclerk@dmgov.org.