

From: Jamie Wilks <jwilks@madisonco.virginia.gov>
Sent: Monday, April 27, 2020 9:28 AM
To: Jack Hobbs <jhobbs@madisonco.virginia.gov>; Ligon Webb <lwebb@madisonco.virginia.gov>;
sdgregg@sdgregglaw.com
Subject: Floodplain Management Ordinance

All

We are nearing the end of our FEMA Flood Map update. We have received our Letter of Final Determination (LFD), our Flood Insurance Rate Maps (FIRMs) and our Flood Insurance Study (FIS).

The last step in the process is a review and mandatory update of our current Floodplain Management Ordinance.

I have been in contact with FEMA and the State of Virginia (Department of Conservation and Recreation, DCR, Floodplain Management Division).

I have also reviewed our current Floodplain Management Ordinance.

I believe our current Floodplain Management Ordinance is acceptable and meets FEMA NFIP requirements; only a few updates or modification are required.

I have attached a copy of the current Ordinance, with the proposed changes highlighted in red.

The following is a list of proposed changes to the Ordinance:

1. The date of the new FIRMs & FIS must be updated to reflect the new data.
2. The definition for an accessory or appurtenant structure has been changed to match the exact wordage in 44CFR59.1; the federal definition. Our current Ordinance limits accessory structures to 200 square feet.
3. Per NFIP requirements, all development within a flood zone must be permitted. Our Ordinance currently requires a Zoning Permit to meet this requirement. This means certain uses, activities and work that are normally exempt from permitting and the associated fees, must obtain a Zoning Permit (which has a fee associated with it). I am proposing the use of a "Flood Zone Development Permit". I have attached a copy here as well. This Flood Zone Development Permit meets the NFIP requirement, does not require an additional fee, unless you choose to impose one. In addition, I used this type of document in my previous locality; both FEMA and DCR were very pleased with it and even recommended it to other jurisdictions.

4. A few minor syntax or grammatical changes are proposed as well, and shown in red.

Note: currently our Ordinance does not have a definition for Market Value. Market Value is an extremely important term when dealing with substantial damage or substantial improvement.

The acting State NFIP coordinator at DCR is requesting we submit a Draft Ordinance for review prior to the public comment and adoption process; which I believe is a good idea.

FEMA will also have to perform a review once it has been adopted.

I recommend our County Attorney review the Draft Ordinance as soon as possible, and then we send a Draft to the acting State NFIP Coordinator for their review as well.

We have until September of this year to adopt the new FIRMs and FIS and update our Ordinance.

With the COVID-19 outbreak and limitations placed on us by the State, I recommend we proceed as soon as possible to avoid any unforeseen delays.

Thank you, and feel free to contact me with any questions.

Jamie R Wilks CBO, CFM
Madison County Building Official
Phone: (540) 948-6102
www.madisonco.virginia.gov

