

RESOLUTION 2021 - 103

A RESOLUTION TO AMEND THE FLOODPLAIN ORDINANCE

WHEREAS, the Board of County Commissioners (Board) adopted a revised Floodplain Ordinance, a Flood Insurance Study (FIS), and Digital Flood Insurance Rate Maps (DFIRMs) on August 23, 2012 with an effective date of September 19, 2012 (Resolution 2012-115); and

WHEREAS, the County is currently enrolled in the National Flood Insurance Program (NFIP); and

WHEREAS, continued enrollment in the NFIP provides flood insurance and assistance to the County and public following a Presidential Declaration for flooding; and

WHEREAS, the Board adopted the revised Floodplain Ordinance, FIS, and DFIRMs to allow the County to remain enrolled in the NFIP to protect life and property in the Special Flood Hazard Area (SFHA); and

WHEREAS, the Board amended the revised Floodplain Ordinance on December 28, 2017 (Resolution 2017-163) to transfer the responsibility of Floodplain Administrator to the Community Development and Planning Department; and

WHEREAS, an amendment to the revised Floodplain Ordinance to incorporate a Letter of Map Revision (LOMR) is required by the Federal Emergency Management Agency (FEMA) for continued participation in the NFIP; and

WHEREAS, a LOMR has been approved by FEMA with an effective date of December 20, 2021; and

WHEREAS, the Department of Natural Resources and Conservation (DNRC) approves of the proposed amendments to the revised Floodplain Ordinance to include the LOMR; and

WHEREAS, FEMA approves of the proposed amendments to the revised Floodplain Ordinance to include the LOMR.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners:

1. That the proposed amendments to the revised Floodplain Ordinance to incorporate LOMR 21-08-0279P, as shown on the attached Exhibit "A", are adopted.



PASSED AND APPROVED BY THE BOARD OF COUNTY COMMISSIONERS on this 7th Day of December 2021.

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS

Andy Hunthausen
Amy Reeves
Andy Hunthausen, Chair



Attest *Amy Reeves / By [Signature]*

Amy Reeves, Clerk of the Board

Attachments: Exhibit – A (Proposed Amendments to Floodplain Ordinance)

EXHIBIT A

SECTION 4. JURISDICTIONAL AREA

4.1 REGULATED FLOOD HAZARD AREAS

1. The jurisdictional areas referenced herein as the Regulated Flood Hazard Area are the 100-year floodplains illustrated and referenced in the following specific studies and reports described as follows:
 - A. September 19, 2012 FEMA Flood Insurance Study (FIS) and Flood Insurance Rate Maps (FIRMs) for Lewis and Clark County, Montana, and
 - i. As amended in conformance with DNRC and FEMA approval dated May 18, 2016 for Letter of Map Revision (LOMR 15-08-1239P); and
 - ii. As amended in conformance with DNRC and FEMA approval dated January 26, 2018 for Letter of Map Revision (LOMR 17-08-0367P); **and**
 - iii. **As amended in conformance with DNRC and FEMA approval dated December 20, 2021 for Letter of Map Revision (LOMR 21-08-0279P).**
 - B. The Regulated Flood Hazard Area specifically described or illustrated in the specific study including maps that has been delineated, designated and established by order of the DNRC or FEMA pursuant to 76-5-201, MCA.
 - C. Use allowances, design and construction requirements in these regulations vary by the specific areas identified as Floodway and Flood Fringe.